

SENATE, No. 1630

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Prohibits victims from being charged certain costs and fees and clarifies victims' right to obtain certain interviews.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning victim interviews and certain costs and fees to
2 victims, and amending P.L.2012, c.27.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 3 of P.L.2012, c.27 (C.52:4B-36.2) is amended to
8 read as follows:

9 3. Pursuant to Article I, paragraph 22 of the New Jersey
10 Constitution:

11 a. A crime victim shall not be required to pay the maintenance,
12 support, rehabilitation, or other costs arising from the imprisonment
13 or commitment of a victimizer as a result of the crime or any legal
14 fee to any public or private entity associated with the legal defense
15 of the victimizer arising out of charges filed for committing a crime
16 or act of juvenile delinquency in any court; and

17 b. A crime victim shall not be charged any fee otherwise
18 prescribed by law or regulation to obtain copies of the victim's own
19 records to which the victim is entitled to access as provided in
20 section 1 of P.L.1995, c.23 (C.47:1A-1.1), including, but not
21 limited to, any law enforcement agency report, audio or video
22 interview with the victim, domestic violence offense report, and
23 temporary or permanent restraining order.

24 (cf: P.L.2014, c.19, s.1)

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26 2. This act shall take effect immediately.

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29 STATEMENT

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31 This bill establishes that victims of crime are not to be charged
32 for certain costs or fees related to the crime.

33 The bill specifically prohibits a victim from being required to
34 pay any legal fee to a public or private entity associated with the
35 legal defense of the victimizer arising out of charges filed for
36 committing a crime or act of juvenile delinquency in any court.
37 According to the sponsor, the bill addresses the situation where a
38 minor child who victimizes a parent receives the services of the
39 office of the Public Defender and that office then bills the parent for
40 these services.

41 The bill also permits a victim to obtain a free copy of any audio
42 or video interview with the victim from their law enforcement file.
43 Under current law, victims' records are not government records
44 subject to the Open Public Records Act, but victims have the right
45 to their own records. Certain law enforcement agencies and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 prosecutors' offices have refused to release to a victim an audio or
2 video interview with that victim. This bill clarifies that victims
3 have the right to obtain, without cost, any audio or video interview
4 law enforcement has conducted of them that is included in the paper
5 file to which they already are entitled.