

ASSEMBLY, No. 5389

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 16, 2019

Sponsored by:

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SYNOPSIS

Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning compensation for victims of crime and
2 amending P.L.2007, c.95.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.2007, c.95 (C.52:4B-3.2) is amended to
8 read as follows:

9 2. a. There is hereby established in the Department of the
10 Treasury the Victims of Crime Compensation Agency.

11 b. The chief executive officer of the Victims of Crime
12 Compensation Agency shall be the executive director, who shall be
13 appointed by the Governor, with the advice and consent of the
14 Senate. The executive director shall serve at the pleasure of the
15 Governor. The Governor may appoint an acting executive director
16 to serve as chief executive officer of the Victims of Crime
17 Compensation Agency, who may be the person serving as chairman
18 of the Victims of Crime Compensation Board on the effective date
19 of P.L.2007, c.95 (C.52:4B-3.2 et al.), and who shall serve as the
20 executive director of the Victims of Crime Compensation Agency
21 until his successor is appointed and qualifies. The executive director
22 shall, in consultation with the Review Board established pursuant to
23 subsection c. of this section, develop, establish and supervise all
24 practices and procedures of the agency.

25 c. There is hereby established in the Victims of Crime
26 Compensation Agency the Victims of Crime Compensation Review
27 Board which shall be composed of five citizens, to be appointed by
28 the Governor, with the advice and consent of the Senate, one of
29 whom shall be designated chairman by, and serve as such at the
30 pleasure of, the Governor. Four members of the board shall, by
31 training or experience, have expertise in the rights of crime victims.
32 At least one member of the board shall be an attorney admitted to
33 the practice of law in the State of New Jersey and who shall have
34 practiced law in the courts of New Jersey for a minimum of five
35 years. The purpose of the Victims of Crime Compensation Review
36 Board shall be:

37 (1) to hear appeals of decisions of the Victims of Crime
38 Compensation Agency involving issues of victim compensation;

39 (2) to consult with the executive director in developing,
40 establishing and supervising all practices and procedures of the
41 agency;

42 (3) to review individual and supplemental awards to a victim or
43 a victim's family in excess of \$10,000 in the aggregate, and awards
44 of attorney fees for legal representation to victims;

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.

1 (4) to review, on at least a bi-monthly basis, information
2 detailing the aggregate claims received and paid by the agency, and
3 the operations of the agency; and

4 (5) to review and, if appropriate, approve any rules and
5 regulations, standards, and maximum rates and service limitations
6 for reimbursement proposed by the agency.

7 d. All the functions of the Violent Crimes Compensation Board
8 and the Victims of Crime Compensation Board are continued in the
9 Victims of Crime Compensation Agency and the Victims of Crime
10 Compensation Review Board. Whenever in any law, rule,
11 regulation, judicial or administrative procedure or otherwise,
12 reference is made to the Violent Crimes Compensation Board or to
13 the Victims of Crime Compensation Board, the same shall mean
14 and refer to the Victims of Crime Compensation Agency or the
15 Victims of Crime Compensation Review Board, as the case may be.
16 (cf: P.L.2007, c.95, s.2)

17
18 2. This act shall take effect immediately.
19
20

21 STATEMENT
22

23 This bill requires that certain members of the Victims of Crime
24 Compensation Review Board (VCCRB) have expertise in crime
25 victims' rights.

26 The purpose of the VCCRB is to:

27 (1) hear appeals from decisions of the Victims of Crime
28 Compensation Agency involving issues of victim compensation;

29 (2) consult with the executive director regarding the practices
30 and procedures of the agency;

31 (3) review certain individual and supplemental awards to a
32 victim or a victim's family and awards of attorney fees for legal
33 representation to victims;

34 (4) review information regarding agency operations and claims
35 received and paid by the agency; and

36 (5) review and, if appropriate, approve any rules and regulations
37 pertaining to reimbursement proposed by the agency.

38 Under current law, the VCCRB members are not required to
39 have any background in or training pertaining to crime victims'
40 rights. Current law provides that the board is to be composed of
41 five citizens appointed by the Governor with the advice and consent
42 of the Senate. In addition, current law provides that at least one
43 member of the board is required to be an attorney licensed in this
44 State with five years of experience. Under this bill, four out of five
45 members of the VCCRB would be required to have expertise in
46 crime victims' rights.