

# ASSEMBLY, No. 5690

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 24, 2019

**Sponsored by:**

**Assemblywoman NANCY J. PINKIN**

**District 18 (Middlesex)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**SYNOPSIS**

Directs AOC to establish training for judges concerning sexually violent offenses.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/26/2019)**

1 AN ACT concerning sexually violent offense training for certain  
2 judges and judicial personnel and supplementing chapter 14 of  
3 Title 2C of the New Jersey Statutes.

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

7  
8 1. a. (1) The Administrative Director of the Courts shall  
9 develop and approve a training course and a curriculum on handling  
10 cases including charges involving sexually violent offenses. All  
11 judges and judicial personnel in the Criminal Division of the  
12 Superior Court shall participate in core training regarding issues  
13 such as the dynamics of sexual violence, the impact of sexual  
14 violence on survivors and families, trauma-informed danger  
15 assessments, abuser intervention and anger management programs,  
16 sexual violence risk factors and lethality, the impact of sexually  
17 violent crime on society, and the statutory and case law concerning  
18 sexually violent offenses. This training course shall be reviewed at  
19 least every two years and modified by the Administrative Director  
20 of the Courts from time to time as need may require.

21 (2) The Administrative Director of the Courts shall be  
22 responsible for ensuring that all judges and judicial personnel in the  
23 Criminal Division of the Superior Court attend initial training  
24 within 90 days of appointment or transfer and annual in-service  
25 training as described in this act.

26 b. As used in this act, “sexually violent offense” means:

27 (1) aggravated sexual assault; sexual assault; aggravated  
28 criminal sexual contact; kidnapping pursuant to subparagraph (b) of  
29 paragraph (2) of subsection c. of N.J.S.2C:13-1; criminal sexual  
30 contact; felony murder pursuant to paragraph (3) of N.J.S.2C:11-3  
31 if the underlying crime is sexual assault; an attempt to commit any  
32 of these enumerated offenses; or a criminal offense with  
33 substantially the same elements as any offense enumerated above,  
34 entered or imposed under the laws of the United States, this State or  
35 another state; or

36 (2) any offense for which the court makes a specific finding on  
37 the record that, based on the circumstances of the case, the person's  
38 offense may be considered a sexually violent offense such as  
39 stalking or invasion of privacy.

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41 2. This act shall take effect immediately.

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44 **STATEMENT**

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46 This bill directs the Administrative Director of the Courts to  
47 establish a training course and a curriculum on the handling cases  
48 involving charges involving sexually violent offenses.

1       Recent allegations of improper and potentially criminal sexual  
2 behavior in the workplace involving State workers demonstrate that,  
3 far from being isolated offenses impacting a single victim, crimes  
4 involving sexual violence can have long term and far-reaching  
5 impact on survivors, their families and coworkers and society at  
6 large. Therefore, it is imperative that key judges and court  
7 personnel maintain an up-to-date knowledge base concerning the  
8 nature and impact of sexually violent offenses.

9       The bill defines a “sexually violent offense.” It permits the court  
10 to make a specific finding that other offenses may be considered,  
11 for example, stalking or invasion of privacy if the facts demonstrate  
12 a possibility of violence.