

[First Reprint]

ASSEMBLY, No. 3349

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED OCTOBER 23, 2008

Sponsored by:

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman RUBEN J. RAMOS, JR.

District 33 (Hudson)

Co-Sponsored by:

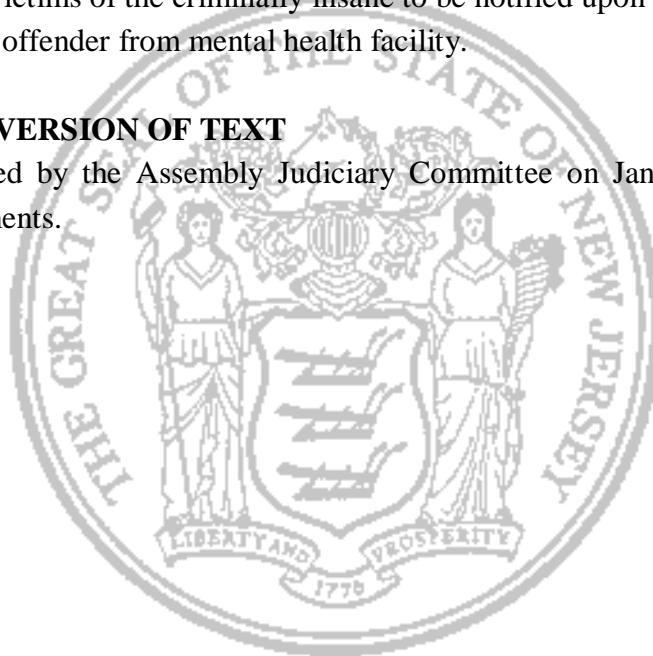
Assemblywoman Rodriguez

SYNOPSIS

Requires victims of the criminally insane to be notified upon release, escape, or transfer of offender from mental health facility.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on January 26, 2009, with amendments.



(Sponsorship Updated As Of: 2/6/2009)

1 AN ACT concerning victims and supplementing Title 52 of the
2 Revised Statutes.

3

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

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7 1. As used in this act,

8 "Relative" means a person's spouse, domestic partner, partner in
9 a civil union, parent, grandparent, stepfather, stepmother, child,
10 grandchild, brother, sister, half brother, half sister, spouse's parent,
11 or parent of the person's domestic partner or partner in a civil
12 union.

13 "Victim" means a person who suffers personal injury or incurs
14 loss of or injury to personal or real property as a result of conduct
15 for which the actor is not criminally responsible pursuant to
16 N.J.S.2C:4-1 or conduct for which the actor faced charges
17 dismissed or held in abeyance pursuant to subsection c. of
18 N.J.S.2C:4-6. The term "victim" includes the nearest relative of a
19 person killed as a result of such conduct.

20

21 2. Unless the victim requests not to be notified, a victim of a
22 person committed to the custody of the Commissioner of the
23 Department of ¹**[Health and]** Human Services pursuant to
24 N.J.S.2C:4-6 or committed to a mental health facility pursuant to
25 N.J.S.2C:4-8 shall be notified if:

26 a. the court receives an application to discharge or release the
27 committed person,

28 b. the committed person is released or discharged,

29 c. the committed person escapes from a mental health facility,

30 d. the committed person is transferred to another mental health
31 facility, or

32 e. the committed person is allowed an unsupervised community
33 visit.

34

35 3. The victim of a person committed to the custody of the
36 Commissioner of the Department of ¹**[Health and]** Human
37 Services pursuant to N.J.S.2C:4-6 or committed to a mental health
38 facility pursuant to N.J.S.2C:4-8 shall be permitted to:

39 a. submit a written statement to the court prior to the court
40 making a determination about release or discharge pursuant to
41 N.J.S.2C:4-9;

42 b. appear and make a statement at a hearing held pursuant to
43 subsection b. of N.J.S.2C:4-9; or

44 c. both.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AJU committee amendments adopted January 26, 2009.

A3349 [1R] GREENSTEIN, VAINIERI HUTTLE

3

- 1 4. This act shall take effect on the first day of the third month
- 2 following enactment.