

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2380

STATE OF NEW JERSEY 215th LEGISLATURE

DATED: MAY 23, 2012

SUMMARY

- Synopsis:** Alex DeCroce’s Law; enhances crime victims’ rights under the “Crime Victim’s Bill of Rights.”
- Type of Impact:** Potential cost to Judiciary and prosecuting agencies.
- Agencies Affected:** Judiciary, Prosecuting agencies.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See Comments Below		
Local Cost	Indeterminate – See Comments Below		

- In a fiscal note for the prior legislative session, the Administrative Office of the Courts’ (AOC) stated that the Judiciary was unable to estimate the number of motions that might be filed by crime victims to enforce their rights. In this regard, the Judiciary could not estimate with any accuracy the financial impact this bill would have on the court system.
- The Office of Legislative Services (OLS) **concurs** with the AOC statement that the cost to the Judiciary cannot be estimated. The OLS also notes that there may be an undetermined fiscal impact upon the prosecuting agencies in maintaining communication with the victims, keeping them informed of the status of their cases and consulting them prior to the conclusion of any plea negotiations.
- The bill, Alex DeCroce’s Law, would enhance the rights enumerated under the “Crime Victim’s Bill of Rights” N.J.S.A.52:4B-34 et seq., by amending the existing rights to increase the victim’s access to the information concerning the progress of the case and to expand the consideration of the victim’s impact statement with regard to plea agreements and pretrial intervention programs.

BILL DESCRIPTION

Assembly Bill No. 2380 (1R) of 2012 is designated as Alex DeCroce's Law and enhances victims rights under The Victim's Rights Amendment to the New Jersey Constitution enacted by the voters in 1991 as paragraph 22 of Article I. The bill amends and supplements the existing rights enumerated in section 3 of P.L.1985, c.249 (C.52:4B-36) to: provide that victims are to be free from harassment or abuse; increase victims' access to medical assistance reasonably related to the incident in accordance with the "Criminal Injuries Compensation Act of 1971; increase victims' access to the information concerning the progress of the case and the scheduling of court proceedings; expand the consideration of victims' impact statements with regard to plea agreements and pretrial intervention programs, provided that those statements are submitted within a reasonable amount of time; provide victims the right to be present at any related judicial proceedings; provide that victims are to be notified of the release or escape of the accused; and provide victims with standing to enforce the rights afforded in this section.

The bill would provide for a delayed effective date of 60 days to facilitate implementation.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Administrative Office of the Courts

In a fiscal note for the prior legislative session, the AOC stated that the Judiciary was unable to estimate the number of motions that might be filed by crime victims to enforce their rights. In this regard, the Judiciary could not estimate with any accuracy the financial impact this bill would have on the court system.

Department of Law and Public Safety

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concurs with the AOC statement that the cost to the Judiciary cannot be estimated. The OLS also notes that there may be an undetermined fiscal impact upon the prosecuting agencies in maintaining communication with the victims, keeping them informed of the status of their cases and consulting them prior to the conclusion of any plea negotiations.

Section: Judiciary

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Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).