

SENATE, No. 1998

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED FEBRUARY 26, 2018

Sponsored by:

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District 25 (Morris and Somerset)

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District 25 (Morris and Somerset)

SYNOPSIS

Establishes second degree crime for threatening to kill law enforcement officers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/25/2019)

1 AN ACT concerning certain terroristic threats and amending
2 N.J.S.2C:12-3.

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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. N.J.S.2C:12-3 is amended to read as follows:
8 2C:12-3. Terroristic threats.

9 a. A person is guilty of a crime of the third degree if **[he]** the
10 person threatens to commit any crime of violence with the purpose
11 to terrorize another or to cause evacuation of a building, place of
12 assembly, or facility of public transportation, or otherwise to cause
13 serious public inconvenience, or in reckless disregard of the risk of
14 causing such terror or inconvenience. A violation of this subsection
15 is a crime of the second degree if it occurs during a declared period
16 of national, State, or county emergency. The actor shall be strictly
17 liable upon proof that the crime occurred, in fact, during a declared
18 period of national, State, or county emergency. It shall not be a
19 defense that the actor did not know that there was a declared period
20 of emergency at the time the crime occurred.

21 b. **[A]** Except as provided in subsection c. of this section, a
22 person is guilty of a crime of the third degree if **[he]** the person
23 threatens to kill another with the purpose to put **[him]** the other
24 person in imminent fear of death under circumstances reasonably
25 causing the victim to believe the immediacy of the threat and the
26 likelihood that it will be carried out.

27 c. A person is guilty of a crime of the second degree if the
28 person threatens to kill a law enforcement officer or a group of law
29 enforcement officers with the purpose to put the law enforcement
30 officer or group of law enforcement officers in imminent fear of
31 death under circumstances reasonably causing the victim or victims
32 to believe the immediacy of the threat and the likelihood that it will
33 be carried out.

34 (cf: P.L.2002, c.26, s.11)

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill provides that threatening to kill law enforcement
42 officers is a crime of the second degree. Under the bill, a person is
43 guilty of a crime of the second degree if the person threatens to kill
44 a law enforcement officer or a group of law enforcement officers
45 with the purpose to put these individuals in fear of imminent death.

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 A crime of the second degree is punishable by a term of five to 10
2 years imprisonment, a maximum fine of \$150,000, or both.

3 Under current law, a person who threatens to kill another
4 individual with the purpose to put the individual in fear of imminent
5 death is guilty of a crime of the third degree. A third degree crime
6 is punishable by three to five years imprisonment, a maximum fine
7 of \$15,000, or both.

8 According to the sponsor, it is necessary to upgrade these
9 penalties due to threats against law enforcement officers in Jersey
10 City.