

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 197 and 1464**

STATE OF NEW JERSEY

DATED: MAY 13, 1996

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 197 and 1464.

The committee substitute supplements and amends the provisions of P.L.1991, c.261 (C.2C:25-17 et seq.) to direct the Administrative Office of the Courts to establish and maintain a central registry of domestic violence cases.

The registry would contain records of all persons who have had domestic violence restraining orders entered against them, all persons who have been charged with a crime or offense involving domestic violence, and all persons who have been charged with a violation of a court order involving domestic violence. All the records would be confidential, and released only to law enforcement agencies and the courts. The substitute specifies, however, that the receiving agency of court may disclose the records and reports in a manner consistent with and in furtherance of the purposes for which they were received and collected in the central registry.

Under the provisions of the substitute, a judge is required to conduct a search of the registry prior to issuing any order in a domestic violence case. The substitute also provides that during those times when the court is closed and a person is arrested for contempt or a domestic violence order, the arresting office is required to conduct a search of the registry.

The substitute also amends N.J.S.2C:58-3 to require that the registry be utilized when an applicant is being reviewed for a permit to purchase and handgun or a firearms purchaser identification card. Paragraph (6) of subsection c. of N.J.S.2C:58-3 prohibits the issuance of either a permit to purchase a handgun or a firearms purchaser identification card to any individual who is subject to a court order issued pursuant to section 13 of P.L.1991, c.261 (C.2C:25-29) which prohibits that individual (i.e., the defendant) from possessing a firearm. While the statutory prohibition is clear, it can be difficult at times for the issuing authority (either the local chief of police or the Superintendent of State Police) to ascertain readily whether an applicant for a permit to purchase of handgun or a firearms purchaser

identification card is subject to any such order.

The substitute appropriates \$2.1 million to the Administrative Office of the Courts to carry out the purposes of the act.