

ASSEMBLY, No. 1184

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen DALTON and DeCROCE

1 AN ACT concerning parental supervision and supplementing Title 2C  
2 of the New Jersey Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. This act shall be known and may be cited as the "Parental  
8 Responsibility Act."

9  
10 2. a. A parent or guardian is guilty of an offense if:

11 (1) The parent or guardian recklessly failed or recklessly neglected  
12 to exercise reasonable supervision or control over a juvenile who is  
13 convicted of a crime, or adjudicated delinquent for an act which if  
14 committed by an adult would constitute a crime; and

15 (2) Such failure or neglect substantially contributed to the  
16 commission of the delinquent act or the crime.

17 b. This offense is a crime of the fourth degree if the juvenile is  
18 convicted of, or adjudicated delinquent for, an act which if committed  
19 by an adult would constitute a crime of the third or fourth degree.

20 c. This offense is a crime of the third degree if the juvenile is  
21 convicted of, or adjudicated delinquent for, an act which if committed  
22 by an adult would constitute a crime of the first or second degree.

23 d. The court may order a parent or guardian convicted of an  
24 offense under this act to make restitution to any person or entity who  
25 has suffered a loss as a result of that offense. The court may  
26 determine the reasonable amount, terms and conditions of restitution.  
27 However, a parent or guardian who is ordered to make restitution  
28 pursuant to paragraph (19) of subsection b. of section 24 of P.L.1982,  
29 c.77 (C.2A:4A-43) in Family Part proceedings against the juvenile  
30 shall not be ordered to make restitution pursuant to this act.

31 e. The Department of Human Services shall designate and establish  
32 on a regional basis three Parenting Resource Centers. One center shall  
33 be located in the southern portion of the State; one in the central  
34 portion of the State, and one in the northern portion of the State.  
35 These centers shall have the capability of serving as community

1 treatment referral centers for persons who seek such services as well  
2 as serving as court monitors of a person's compliance with the  
3 counseling and education ordered by the court pursuant to subsection  
4 f. of this section. All centers shall be required to develop  
5 individualized counseling and education plans for all persons attending  
6 the centers, provided that the duration of any ordered treatment or  
7 referral shall not exceed one year.

8 Parenting Resource Centers would also serve as sources of  
9 information and referral for other parents on various issues. The  
10 centers would contract out with private agencies to provide programs  
11 in the community in this regard.

12 Upon a person's failure to report to the center for any ordered  
13 referral or counseling session ordered by the court, the Parenting  
14 Resource Center shall promptly notify the sentencing court of the  
15 person's failure to comply.

16 Upon attendance at the Parenting Resource Center, a person shall  
17 be assessed a per diem fee of not more than \$50.00, which shall be  
18 reduced on a sliding scale according to the person's income.

19 f. In addition to any other disposition, the court shall order a  
20 parent or guardian convicted of a violation of this act to participate in  
21 an appropriate program of counseling and education on parental skills,  
22 as determined by the court in conjunction with the Parenting Resource  
23 Center. The person shall participate in the program as a condition of  
24 parole, probation or a non-custodial sentence ordered by the court.  
25

26 3. The Department of Human Services shall adopt, pursuant to the  
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
28 seq.), rules and regulations necessary to implement this act.  
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30 4. There is appropriated the sum of \$750,000.00 to the Department  
31 of Human Services to effectuate the purposes of this act.  
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33 5. This act shall take effect immediately.  
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### 36 STATEMENT 37

38 This bill would enact the "Parental Responsibility Act," making  
39 parents' or guardians' inadequate supervision of their children a crime  
40 under certain circumstances.

41 The bill provides that when a juvenile is convicted of a crime, or  
42 adjudicated delinquent for an act which if committed by an adult  
43 would constitute a crime, a parent or guardian who recklessly failed or  
44 neglected to exercise reasonable supervision or control over that  
45 juvenile might also be guilty of a crime. The parent or guardian would  
46 be guilty if his inadequate supervision substantially contributed to the

1 juvenile's commission of the delinquent act or the crime.

2 The parent or guardian would be guilty of a crime of the fourth  
3 degree if the juvenile is convicted of, or adjudicated delinquent for, an  
4 act which if committed by an adult would constitute a crime of the  
5 third or fourth degree. The parent or guardian would be guilty of a  
6 crime of the third degree if the juvenile's conviction or delinquent act  
7 constituted a crime of the first or second degree.

8 A crime of the fourth degree is punishable by a term of  
9 imprisonment of up to 18 months or a fine of up to \$7,500 or both.  
10 A crime of the third degree is punishable by a term of three to five  
11 years or a fine of up to \$7,500 or both. A crime of the second degree  
12 is punishable by a term of five to 10 years or a fine of up to \$100,000,  
13 or both. A crime of the first degree is punishable by a term of 10 to  
14 20 years or a fine of up to \$100,000, or both.

15 The bill also provides that, in addition to any other disposition, the  
16 court would be required to order the parent or guardian to participate  
17 in an appropriate program of counseling and education on parental  
18 skills.

19 The bill establishes Parenting Resource Centers, which would serve  
20 as community treatment referral centers for persons ordered to  
21 participate in these programs. The centers would be required to  
22 develop individualized counseling and education plans for all persons  
23 attending the centers. The centers would be funded by fees assessed  
24 on the persons ordered to attend. Each person would be assessed a  
25 per diem fee of not more than \$50.00, which would be reduced on a  
26 sliding scale according to the person's income.

27 Participation in the program would be mandatory for all persons  
28 sentenced to probation or released from imprisonment and to  
29 participate in an appropriate program of counseling and education on  
30 parental skills, as determined by the court in conjunction with the  
31 Parenting Resource Center. The person would participate in the  
32 program as a condition of any probation or non-custodial sentence  
33 ordered by the court or, if the person is ordered to serve a term of  
34 imprisonment, upon the person's release.

35 The court could also order the parent to pay restitution to the  
36 victim for the damages caused by the juvenile.

37 In addition to serving those parents who are ordered to participate,  
38 the Parenting Resource Centers established by this bill are also  
39 intended to serve as sources of information and referral for other  
40 parents on various issues. The centers would contract out with private  
41 agencies to provide programs in the community in this regard.

42 The bill would appropriate \$750,000 to the Department of Human  
43 Services to fund three regional Parenting Resource Centers in the  
44 State: one in South Jersey, one in Central Jersey and one in North  
45 Jersey.

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3 Criminalizes inadequate parental supervision, under certain  
4 circumstances, when juveniles commit criminal acts; establishes  
5 Parenting Resource Centers and appropriates \$750,000.