

# ASSEMBLY COMMUNITY SERVICES COMMITTEE

STATEMENT TO

## **ASSEMBLY, No. 1285**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 5, 1997

The Assembly Community Services Committee favorably reports Assembly Bill No. 1285 with committee amendments.

As amended by committee, this bill makes various changes in the child abuse and neglect law and the criminal statutes dealing with crimes against children. The bill modernizes some of the vague and archaic language of N.J.S.A. 9:6-8.21 which is now incorporated into the criminal code by reference in the offense of endangering the welfare of children.

The bill clarifies the definition of child abuse and neglect found in the abuse statutes by separating the acts of abuse and neglect which constitute a crime and the acts which would fall under the Division of Youth and Family Services' (DYFS) jurisdiction. The criminal acts would be defined in the criminal statutes dealing with endangering the welfare of a child (Title 2C of the New Jersey Statutes) and the acts which fall under DYFS' jurisdiction would remain in Title 9 of the Revised Statutes. The bill also expands the definition of endangering the welfare of a child to include certain acts of abuse, abandonment, cruelty and neglect. The bill also updates references to the Bureau of Children's Services to the Division of Youth and Family Services and repeals P.L.1950, c.125 (C.9:6-1.1) and R.S.9:6-1 through R.S.9:6-8, inclusive.

The committee amendments explicitly state that offenses against children under the age of 18, who are endangered by caregivers, and children under the age of 16, who are endangered by other persons, are covered by the criminal statute, N.J.S.2C:24-4. This will eliminate differences in interpretation among counties, some of which now interpret this section to apply to children endangered by caregivers only if the child is under the age of 16. The bill, therefore, extends to children endangered by a caregiver the protection of the criminal laws up to the age of 18, as in the civil child abuse system.