

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 2848**

STATE OF NEW JERSEY

DATED: MAY 5, 1997

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2848 as an Assembly Committee Substitute.

The committee substitute amends N.J.S.2C:35-10 to provide that, in addition to any other penalties imposed for violating the prohibition on possession of a controlled dangerous substance, the court must also impose a sentence of at least 100 hours of community service and suspend the driving privileges for six-months to two-years as provided for in N.J.S.2C:35-16 if: (1) a juvenile has been adjudicated delinquent by the court for conduct which, if engaged in by an adult, constitutes a violation of possessing a CDS on or within 1,000 feet of school property or on a school bus and the juvenile has not been sentenced to a term of imprisonment or detention; (2) the court has placed an offender in supervisory treatment under a conditional discharge pursuant to N.J.S.2C:36A-1 or pretrial intervention program pursuant to N.J.S.2C:43-12; (3) a juvenile has been adjudicated delinquent by the court, but has received an adjournment of formal entry of disposition under N.J.S.2A:4a-43; and (4) an offender has otherwise been diverted to an intake services conference, juvenile conference committee or any other preadjudication or postadjudication diversion program.

Additionally, the committee substitute also amends subsection b.(1) of N.J.S.2A:4A-43 to require the court to impose a minimum 100 hours of community service as provided for under this bill upon a juvenile who has been adjudged delinquent for an offense related to the use, manufacture or distribution of a controlled dangerous substance or drug paraphernalia. Further, the court would no longer be permitted to waive the loss or postponement of the juvenile's driving privileges.

The sponsor hopes to deter juveniles from committing drug offenses in the vicinity of schools by ensuring that there are serious consequences to be paid by juveniles who choose to engage in such illegal conduct.