

**ASSEMBLY RESOLUTION No. 113**

**STATE OF NEW JERSEY**

INTRODUCED JUNE 20, 1996

**By Assemblymen STANLEY, JONES, Cohen, Steele, T. Smith,  
Doria, DiGaetano, Assemblywoman Turner, Assemblyman  
Caraballo and Assemblywoman Gill**

- 1 **AN ASSEMBLY RESOLUTION** memorializing Congress to expedite passage of  
2 H.R. 3525, the "Church Arson Prevention Act of 1996."  
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4 **WHEREAS**, Since January, 1995, more than 30 predominantly black churches  
5 in southern states have been damaged or destroyed by fire; and  
6 **WHEREAS**, These fires have been under active investigation by federal and  
7 state officials; and  
8 **WHEREAS**, On May 21, 1996, the House Judiciary Committee  
9 conducted a hearing to focus on these incidents and to hear reports on the  
10 status of the various investigations underway; and  
11 **WHEREAS**, During the hearing, the Department of Justice indicated that the  
12 principal statute used to prosecute church arson imposes an interstate  
13 commerce requirement which exceeds constitutional requirements  
14 and restricts the effectiveness of the statute in these cases; and  
15 **WHEREAS**, The Justice Department has indicated that in the majority of these  
16 cases, the government is unable to establish the commerce clause  
17 requirement which calls for some interstate connection in the commission  
18 of the offense; and  
19 **WHEREAS**, On May 23, 1996, Congressman Hyde introduced H.R.3525,  
20 which would broaden the authority of the federal government to seek  
21 criminal penalties in these cases; and  
22 **WHEREAS**, H.R.3525 further proposes to reduce the dollar amount of the  
23 destruction which must occur before the crimes can be federally  
24 prosecuted from a current level of \$10,000, to \$5,000, with the  
25 probability of a threshold dollar amount being eliminated altogether  
26 according to a statement issued by the sponsor; and  
27 **WHEREAS**, The passage of this legislation would facilitate the investigation  
28 of these crimes and the prosecution and conviction of the persons  
29 responsible now, therefore,  
30  
31 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

1       1. This House memorializes the Congress of the United States to expedite  
2 passage of H.R.3525 which broadens the jurisdictional authority of the  
3 Federal government to seek criminal penalties in church arson cases.

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5       2. A duly authenticated copy of this resolution, signed by the Speaker of  
6 the General Assembly, and attested by the Clerk of the General Assembly,  
7 shall be forwarded to each member of the United States Congress elected  
8 from the State of New Jersey.

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STATEMENT

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13       This resolution memorializes the Congress of the United States to expedite  
14 passage of H.R.3525, a bill to broaden the authority of the federal government  
15 in church arson cases and which reduces the amount of damage required for  
16 a federal prosecution from \$10,000 to \$5,000.

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21   Memorializes Congress to expedite passage of H.R.3525.