

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3883

STATE OF NEW JERSEY

DATED: MARCH 8, 2021

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3883.

As reported by the committee, Assembly Bill No. 3883 prohibits the Victims of Crime Compensation Office (VCCO) from denying a victim an award of compensation based solely on the grounds that there are certain outstanding warrants for the victim's arrest or charges against the victim.

The VCCO currently has regulatory authority pursuant to subsection (i) of N.J.A.C.13:75-2.1 to deny a claim for compensation by a victim or claimant and close the case if: 1) there is an active court-ordered bench warrant for the victim, or 2) criminal charges are pending against the victim based on a criminal complaint or an indictment. The regulation specifies that a victim or claimant may petition the VCCO to reopen the claim for compensation if verification is provided to the VCCO that the warrant, complaint, or indictment that was the basis for the denial has been dismissed. This bill removes this regulatory bar to an award of compensation if the warrant is for a traffic-related violation, petty disorderly persons offense, disorderly persons offense, or crime of the fourth degree and if the indictment or criminal charges are for a petty disorderly persons offense, disorderly persons offense, or crime of the fourth degree.

According to the VCCO's latest available annual report in 2019, the most common reason the VCCO denied an award was because of outstanding warrants or criminal charges pending against the victim. It is the committee's understanding that outstanding warrants and criminal charges delay the approval process by resulting in denials of initial applications that are unrelated to the incident of victimization.