

20:15-1

LEGISLATIVE HISTORY CHECKLIST

NJSA 20:15-1 (Robbery--Force--Theft)
LAWS 1981 CHAPTER 22

Bill No. S885

Sponsor(s) Kennedy, Gagliano and Bedell

Date Introduced Jan. 24, 1980

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage ~~YES~~ No

Date of Passage: Assembly Dec. 8, 1980

Senate May 1, 1980

Date of approval Feb. 6, 1981

Following statements are attached if available:

Sponsor statement	Yes	NO
Committee Statement: Assembly	YES	No
Senate	Yes	NO
Fiscal Note	YES	No
Veto Message	YES	No
Message on signing	YES	No

Following were printed:

Reports	YES	No
Hearings	YES	No

CHAPTER 22 LAWS OF N. J. 1981
APPROVED 2-6-81

SENATE, No. 885

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1980

By Senators KENNEDY, GAGLIANO and BEDELL

Referred to Committee on Judiciary

AN ACT concerning robbery and amending N. J. S. 2C:15-1.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 2C:15-1 is amended to read as follows:

2 2C:15-1. a. Robbery defined. A person is guilty of robbery
3 if, in the course of committing a theft, he:

4 (1) Inflicts bodily injury *or uses force* upon another; or

5 (2) Threatens another with or purposely puts him in fear of
6 immediate bodily injury; or

7 (3) Commits or threatens immediately to commit any crime of
8 the first or second degree.

9 An act shall be deemed to be included in the phrase "in the
10 course of committing a theft" if it occurs in an attempt to commit
11 theft or in immediate flight after the attempt or commission.

12 b. Grading. Robbery is a crime of the second degree, except that
13 it is a crime of the first degree if in the course of committing the
14 theft the actor attempts to kill anyone, or purposely inflicts or
15 attempts to inflict serious bodily injury, or is armed with, or uses
16 or threatens the immediate use of a deadly weapon.

1 2. This act shall take effect immediately.

STATEMENT

This bill amends N. J. S. 2C:15-1 to provide that a person is guilty of robbery if he uses force upon another in the course of committing a theft.

Under present law only a person who inflicts bodily injury upon another in the course of committing a theft is guilty of robbery.

This bill extends the definition of robbery to cover the so-called "blindsided" mugging. This occurs when a person commits an act of theft—for example a purse-snatching—by approaching the

victim from behind and using some degree of force to wrest the object of his theft from the victim. No bodily injury is inflicted in this case, but the circumstances under which the theft occurs should elevate the offense above a simple larceny from the person, an offense which is lesser in degree and punishment.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 885

STATE OF NEW JERSEY

DATED: APRIL 21, 1980

Senate Bill No. 885 amends N. J. S. 2C:15-1 to clarify that a person is guilty of robbery if he uses any force upon another in the course of committing a theft. Under present law only a person who inflicts bodily injury upon another in the course of committing a theft is guilty of robbery. Senate Bill No. 885 extends the definition of robbery to cover the so-called "blindside" mugging. This occurs when a person commits an act of theft—for example a purse-snatching—by approaching the victim from behind and using some degree of force to wrest the object of his theft from the victim. Often, however, no bodily injury is inflicted in these cases and therefore the offense committed could be found to be a theft rather than robbery.

Robbery is classified as a crime of the second degree. Crimes of the second degree are punishable by between 5 and 10 years of imprisonment with a presumptive sentence of 8 years. Theft when the property is taken from the person of the victim is classified as a crime of the third degree. Crimes of the third degree are punishable by 3 and 5 years of imprisonment with a presumptive sentence of 4 years.

Thus the effect of Senate Bill No. 885 would be to insure that purse-snatching and other types of "blindside" muggings are classified as crimes of the second degree rather than as crimes of the third degree.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 9, 1981

PATRICK SWEENEY

Governor Brendan Byrne signed the following bills:

S-516, sponsored by Senator John T. Gregorio (D-Union), which mandates that any paid firemen have a high school diploma or equivalency certificate. The legislation indicates the increasing use of sophisticated fire fighting equipment makes the higher educational requirement necessary.

S-634, sponsored by Senator Joseph Maressa (D-Camden), which tightens enforcement by making it a violation of state law to park an unauthorized vehicle in a parking space reserved for the use of the physically handicapped. This bill specifies a penalty of a \$50 fine and 15 days in jail. The bill also provides for enforcement of the law in private parking lots and shopping centers. Under present law, vehicles authorized to use handicapped parking spaces must bear handicapped license plates or display a special certificate.

S-646, sponsored by Senator Joseph Merlino (D-Mercer), which amends the law establishing the constituent membership of the State Law Enforcement Planning Agency to include two members to be appointed by the Senate President and the Speaker of the General Assembly, as well as the Chief Justice of the State Supreme Court, a Superior Court trial judge, the Administrative Director of the Courts and the chairman and two members of the Juvenile Justice and Delinquency Prevention Advisory Committee.

S-885, sponsored by Senator Brian T. Kennedy (R-Monmouth), which amends the Criminal Code to provide that a person is guilty of a robbery if force is used upon a victim. The bill insures that purse snatching may be prosecuted as a second degree crime under the robbery statute, rather than as a third degree crime under theft.

S-1007, sponsored by Senator Frank J. Dodd (D-Essex), which prohibits a board of education member in a local and regional school district from holding office as a mayor or as a member of the governing body of a municipality. In addition, members of county special services school districts and county vocational school districts are prohibited from serving as a member of the county governing body.