

2C:29-8

1/15/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:29-8

(Corrupting or influencing a jury--upgrade to crime of second degree)

LAWS OF: 1986

CHAPTER 140

BILL NO: S1498

Sponsor(s): Rand

Date Introduced: January 23, 1986

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: Yes

Amendments during passage denoted by asterisks.

Date of Passage:

Assembly:

September 18, 1986

Senate:

March 3, 1986

Date of Approval:

November 6, 1986

Following statements are attached if available:

Sponsor statement:

Yes

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

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SENATE, No. 1498

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1986

By Senator RAND

Referred to Committee on Judiciary

AN ACT concerning the crime of corrupting or influencing a jury  
and amending N. J. S. 2C:29-8.

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

1 1. N. J. S. 2C:29-8 is amended to read as follows:

2 2C:29-8. Corrupting or Influencing a Jury. Any person who,  
3 directly or indirectly, corrupts, influences or attempts to corrupt  
4 or influence a jury or juror to be more favorable to the one side  
5 than to the other by promises, persuasions, entreaties, threats,  
6 letters, money, entertainment or other sinister means; or any per-  
7 son who employs any unfair or fraudulent practice, art or con-  
8 trivance to obtain a verdict, or attempts to instruct a jury or juror  
9 beforehand at any place or time, or in any manner or way, except  
10 in open court at the trial of the cause, by the strength of the evi-  
11 dence, the arguments of the parties or their counsel, or the opinion  
12 or charge of the court is guilty of a crime \***[of the **[third]** second**  
13 **degree]**\*. *\*Corrupting or influencing a jury is a crime of the sec-*  
14 *ond degree if it is committed by means of violence or the threat*  
15 *of violence. Otherwise, it is a crime of the third degree, provided,*  
16 *however, that the presumption of nonimprisonment set forth in*  
17 *subsection e. of 2C:44-1 for persons who have not previously been*  
18 *convicted of an offense shall not apply.\**

1 2. This act shall take effect immediately.

**EXPLANATION**—Matter enclosed in bold-faced brackets **[thus]** in the above bill  
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted February 24, 1986.

CRIMES

Corrupting a jury — upgrade

Upgrades corrupting or influencing a jury from a crime of the third degree to a crime of the second degree in certain cases.

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**SENATE, No. 1498**

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**STATE OF NEW JERSEY**

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9 beforehand at any place or time, or in any manner or way, except  
10 in open court at the trial of the cause, by the strength of the evi-  
11 dence, the arguments of the parties or their counsel, or the opinion  
12 or charge of the court is guilty of a crime of the **[third]** *second*  
13 degree.

1 2. This act shall take effect immediately.

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STATEMENT

This bill would upgrade the crime of corrupting or influencing a jury from a crime of the third degree to a crime of the second degree. Crimes of the third degree are punishable by between three and five years' imprisonment or a fine of \$7,500.00 or both. Crimes of the second degree are punishable by between five and 10 years' imprisonment or a fine of up to \$100,000.00 or both.

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CRIMES

Corrupting a jury — upgrade

Upgrades corrupting or influencing a jury from a crime of the third degree to a crime of the second degree.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter printed in italics *thus* is new matter.**

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 1498**

**STATE OF NEW JERSEY**

DATED: JULY 31, 1986

The Assembly Judiciary Committee reports favorably Senate Bill No. 1498.

Presently, corrupting or influencing a jury is a crime of the third degree. This bill makes that offense a crime of the second degree if the offense is committed by means of violence or the threat of violence. In other cases, the offense would remain as a crime of the third degree.

The bill also provides that the presumption of nonimprisonment for first offenders convicted of crimes of the third degree would not be applicable to the crime of corrupting or influencing a jury.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 1498**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: FEBRUARY 24, 1986

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1498.

Presently, the crime of corrupting or influencing a jury is punishable as a crime of the third degree (between 3 and 5 years' imprisonment or a fine of up to \$7,500 or both). As originally drafted, Senate Bill No. 1498 would have upgraded this offense to a crime of the second degree (between five and 10 years' imprisonment or a fine of up to \$100,000.00 or both).

As amended by the committee, corrupting or influencing a jury would be classified as a crime of the second degree if the offense is committed by means of violence or the threat of violence. In other cases, the offense would remain as a crime of the third degree.

The committee amendments also provide that the presumption of nonimprisonment for first offenders convicted of crimes of the third degree would not be applicable to the crime of corrupting or influencing a jury.