

ASSEMBLY, No. 689

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblywoman MARION CRECCO

District 34 (Essex and Passaic)

SYNOPSIS

Creates offense of employing a juvenile in the commission of a crime.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning employing a juvenile in the commission of a crime
2 and supplementing Title 2C of the New Jersey Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. A person who is at least 18 years of age who knowingly uses,
8 solicits, directs, hires or employs a person 17 years of age or younger
9 to commit any crime is guilty of a crime of the second degree.

10 b. It shall be no defense to a prosecution under this act that the
11 actor mistakenly believed that the person which the actor used,
12 solicited, directed, hired or employed was older than 17 years of age,
13 even if such mistaken belief was reasonable.

14 c. Nothing in this act shall be construed to preclude or limit a
15 prosecution or conviction for any other provision of law governing an
16 actor's liability for the conduct of another.

17 d. It shall be an affirmative defense to prosecution under this
18 section that the actor using, soliciting, directing, hiring or employing
19 a juvenile was, at the time of the commission of the offense, less than
20 two years older than the juvenile.

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22 2. This act shall take effect immediately.

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STATEMENT

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27 The bill creates the offense of employing a juvenile in the
28 commission of a crime. Under the bill, this offense would be classified
29 as a crime of the second degree. Crimes of the second degree are
30 punishable by between 5 and 10 years imprisonment, a fine of up to
31 \$100,000 or both.

32 This bill also provides that it is no defense that the adult mistakenly
33 believed the person used to commit the crime was over 17 even if that
34 belief was reasonable.

35 The bill further provides that if a person was less than two years
36 older than the juvenile, that this circumstance would constitute a
37 defense to a charge of using a juvenile in the commission of a crime.