

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Associated Press. "State expands terrorism law." The Press of Atlantic City, January 17, 2020.

"NJ expands terrorism law in response to kosher market attack." Associated Press State Wire: New Jersey (NJ), January 16, 2020.

Deena Yellin, "What makes a hate crime in NJ?" Wayne Today (NJ), January 16, 2020.

Rwh/cl

P.L. 2019, CHAPTER 351, *approved January 15, 2020*
Assembly, No. 3087 (*Second Reprint*)

1 AN ACT concerning terrorism and amending P.L.2002, c.26.

2

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

5

6 1. Section 2 of P.L.2002, c.26 (C.2C:38-2) is amended to read
7 as follows:

8 2. a. A person is guilty of the crime of terrorism if he commits
9 or attempts, conspires or threatens to commit any crime enumerated
10 in subsection c. of this section with the purpose:

11 (1) to promote an act of terror ¹**[including, but not limited to,**
12 **influencing or inciting an act of terror against an individual or**
13 **group of individuals based on their race, religion, sexual**
14 **orientation, gender, or creed]**¹; or

15 (2) to terrorize five or more persons; or

16 (3) to influence the policy or affect the conduct of government
17 by terror; or

18 (4) to cause by an act of terror the impairment or interruption
19 of public communications, public transportation, public or private
20 buildings, common carriers, public utilities or other public services
21 ¹; or

22 (5) to influence or incite an act of terror against an individual or
23 group of individuals based on their ²actual or perceived² race,
24 religion, ²color, national origin, affectional or² sexual orientation,
25 ²sex, ²gender ²identity or expression², ²**[or]** disability,² creed ², or
26 any other characteristic protected under the Law Against
27 Discrimination, P.L.1945, c.169 (C.10:5-1 et seq.)², if the
28 underlying crime is a crime of the first or second degree¹.

29 b. Terrorism is a crime of the first degree.

30 (1) Notwithstanding any other provision of law to the contrary,
31 any person convicted under this section shall be sentenced to a term
32 of 30 years, during which the person shall not be eligible for parole,
33 or to a specific term of years which shall be between 30 years and
34 life imprisonment, of which the person shall serve not less than 30
35 years before being eligible for parole.

36 (2) If a violation of this section results in death, the person shall
37 be sentenced to a term of life imprisonment, during which time the
38 person shall not be eligible for parole.

39 c. The crimes encompassed by this section are: murder
40 pursuant to N.J.S.2C:11-3; aggravated manslaughter or

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHS committee amendments adopted November 18, 2019.

²Assembly AAP committee amendments adopted January 9, 2020.

1 manslaughter pursuant to N.J.S.2C:11-4; vehicular homicide
2 pursuant to N.J.S.2C:11-5; aggravated assault pursuant to
3 subsection b. of N.J.S.2C:12-1; disarming a law enforcement officer
4 pursuant to section 1 of P.L.1996, c.14 (C.2C:12-11); kidnapping
5 pursuant to N.J.S.2C:13-1; criminal restraint pursuant to
6 N.J.S.2C:13-2; robbery pursuant to N.J.S.2C:15-1; carjacking
7 pursuant to section 1 of P.L.1993, c.221 (C.2C:15-2); aggravated
8 arson or arson pursuant to N.J.S.2C:17-1; causing or risking
9 widespread injury or damage pursuant to N.J.S.2C:17-2; damage to
10 nuclear plant with the purpose to cause or threat to cause release of
11 radiation pursuant to section 1 of P.L.1983, c.480 (C.2C:17-7);
12 damage to nuclear plant resulting in death by radiation pursuant to
13 section 2 of P.L.1983, c.480 (C.2C:17-8); damage to nuclear plant
14 resulting in injury by radiation pursuant to section 3 of P.L.1983,
15 c.480 (C.2C:17-9); ¹burglary pursuant to N.J.S.2C:18-2;¹ producing
16 or possessing chemical weapons, biological agents or nuclear or
17 radiological devices pursuant to section 3 of P.L.2002, c.26
18 (C.2C:38-3); ¹**burglary pursuant to N.J.S.2C:18-2;**¹ possession of
19 prohibited weapons and devices pursuant to N.J.S.2C:39-3;
20 possession of weapons for unlawful purposes pursuant to
21 N.J.S.2C:39-4; unlawful possession of weapons pursuant to
22 N.J.S.2C:39-5; weapons training for illegal activities pursuant to
23 section 1 of P.L.1983, c.229 (C.2C:39-14); racketeering pursuant to
24 N.J.S.2C:41-1 et seq.; and any other crime involving a risk of death
25 or serious bodily injury to any person.

26 d. Definitions. For the purposes of this section:

27 "Government" means the United States, any state, county,
28 municipality, or other political unit, or any department, agency or
29 subdivision of any of the foregoing, or any corporation or other
30 association carrying out the functions of government.

31 "Serious bodily injury" means bodily injury which creates a
32 substantial risk of death or which causes serious, permanent
33 disfigurement, or protracted loss or impairment of the function of
34 any bodily member or organ.

35 "Terror" means the menace or fear of death or serious bodily
36 injury.

37 "Terrorize" means to convey the menace or fear of death or
38 serious bodily injury by words or actions.

39 e. A prosecution pursuant to this section may be brought by the
40 Attorney General, his assistants and deputies within the Division of
41 Criminal Justice, or by a county prosecutor or a designated assistant
42 prosecutor if the county prosecutor is expressly authorized in
43 writing by the Attorney General to prosecute a violation of this
44 section.

45 f. Notwithstanding the provisions of N.J.S.2C:1-8 or any other
46 provision of law, a conviction of terrorism under this section shall
47 not merge with a conviction of any other offense, nor shall such
48 other conviction merge with a conviction under this section, and the

1 court shall impose separate sentences upon each violation of this
2 section and any other offense.

3 g. Nothing contained in this section shall be deemed to
4 preclude, if the evidence so warrants, an indictment and conviction
5 for murder under the provisions of N.J.S.2C:11-3 or any other
6 offense.

7 (cf: P.L.2002, c.26, s.2)

8

9 2. This act shall take effect immediately.

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Expands crime of terrorism.

ASSEMBLY, No. 3087

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 8, 2018

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Expands crime of terrorism.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2019)

1 AN ACT concerning terrorism and amending P.L.2002, c.26.

2

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

5

6 1. Section 2 of P.L.2002, c.26 (C.2C:38-2) is amended to read
7 as follows:

8 2. a. A person is guilty of the crime of terrorism if he commits
9 or attempts, conspires or threatens to commit any crime enumerated
10 in subsection c. of this section with the purpose:

11 (1) to promote an act of terror including, but not limited to,
12 influencing or inciting an act of terror against an individual or
13 group of individuals based on their race, religion, sexual
14 orientation, gender, or creed; or

15 (2) to terrorize five or more persons; or

16 (3) to influence the policy or affect the conduct of government
17 by terror; or

18 (4) to cause by an act of terror the impairment or interruption
19 of public communications, public transportation, public or private
20 buildings, common carriers, public utilities or other public services.

21 b. Terrorism is a crime of the first degree.

22 (1) Notwithstanding any other provision of law to the contrary,
23 any person convicted under this section shall be sentenced to a
24 term of 30 years, during which the person shall not be eligible for
25 parole, or to a specific term of years which shall be between 30
26 years and life imprisonment, of which the person shall serve not
27 less than 30 years before being eligible for parole.

28 (2) If a violation of this section results in death, the person shall
29 be sentenced to a term of life imprisonment, during which time the
30 person shall not be eligible for parole.

31 c. The crimes encompassed by this section are: murder
32 pursuant to N.J.S.2C:11-3; aggravated manslaughter or
33 manslaughter pursuant to N.J.S.2C:11-4; vehicular homicide
34 pursuant to N.J.S.2C:11-5; aggravated assault pursuant to
35 subsection b. of N.J.S.2C:12-1; disarming a law enforcement officer
36 pursuant to section 1 of P.L.1996, c.14 (C.2C:12-11); kidnapping
37 pursuant to N.J.S.2C:13-1; criminal restraint pursuant to
38 N.J.S.2C:13-2; robbery pursuant to N.J.S.2C:15-1; carjacking
39 pursuant to section 1 of P.L.1993, c.221 (C.2C:15-2); aggravated
40 arson or arson pursuant to N.J.S.2C:17-1; causing or risking
41 widespread injury or damage pursuant to N.J.S.2C:17-2; damage to
42 nuclear plant with the purpose to cause or threat to cause release of
43 radiation pursuant to section 1 of P.L.1983, c.480 (C.2C:17-7);
44 damage to nuclear plant resulting in death by radiation pursuant to
45 section 2 of P.L.1983, c.480 (C.2C:17-8); damage to nuclear plant

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 underlined thus is new matter.

1 resulting in injury by radiation pursuant to section 3 of P.L.1983,
2 c.480 (C.2C:17-9); producing or possessing chemical weapons,
3 biological agents or nuclear or radiological devices pursuant to
4 section 3 of P.L.2002, c.26 (C.2C:38-3); burglary pursuant to
5 N.J.S.2C:18-2; possession of prohibited weapons and devices
6 pursuant to N.J.S.2C:39-3; possession of weapons for unlawful
7 purposes pursuant to N.J.S.2C:39-4; unlawful possession of
8 weapons pursuant to N.J.S.2C:39-5; weapons training for illegal
9 activities pursuant to section 1 of P.L.1983, c.229 (C.2C:39-14);
10 racketeering pursuant to N.J.S.2C:41-1 et seq.; and any other crime
11 involving a risk of death or serious bodily injury to any person.

12 d. Definitions. For the purposes of this section:

13 "Government" means the United States, any state, county,
14 municipality, or other political unit, or any department, agency or
15 subdivision of any of the foregoing, or any corporation or other
16 association carrying out the functions of government.

17 "Serious bodily injury" means bodily injury which creates a
18 substantial risk of death or which causes serious, permanent
19 disfigurement, or protracted loss or impairment of the function of
20 any bodily member or organ.

21 "Terror" means the menace or fear of death or serious bodily
22 injury.

23 "Terrorize" means to convey the menace or fear of death or
24 serious bodily injury by words or actions.

25 e. A prosecution pursuant to this section may be brought by the
26 Attorney General, his assistants and deputies within the Division of
27 Criminal Justice, or by a county prosecutor or a designated assistant
28 prosecutor if the county prosecutor is expressly authorized in
29 writing by the Attorney General to prosecute a violation of this
30 section.

31 f. Notwithstanding the provisions of N.J.S.2C:1-8 or any other
32 provision of law, a conviction of terrorism under this section shall
33 not merge with a conviction of any other offense, nor shall such
34 other conviction merge with a conviction under this section, and the
35 court shall impose separate sentences upon each violation of this
36 section and any other offense.

37 g. Nothing contained in this section shall be deemed to
38 preclude, if the evidence so warrants, an indictment and conviction
39 for murder under the provisions of N.J.S.2C:11-3 or any other
40 offense.

41 (cf: P.L.2002, c.26, s.2)

42

43 2. This act shall take effect immediately.

44

45

46

STATEMENT

47

48 This bill expands the crime of terrorism to include persons who
49 commit certain crimes with the purpose to promote an act of terror

A3087 SCHAER, VAINIERI HUTTLE

4

1 by influencing or inciting an act of terror against an individual
2 based on their race, religion, sexual orientation, gender, or creed.

3 Under current law, a person is guilty of terrorism if he or she
4 commits, attempts, conspires, or threatens to commit certain crimes
5 with the purpose to: 1) promote an act of terror; 2) terrorize five or
6 more persons; 3) influence the policy or affect the conduct of
7 government by terror; or 4) cause, by an act of terror, the
8 impairment or interruption of public communications, public
9 transportation, public or private buildings, common carriers, public
10 utilities, or other public services.

11 Under this bill, in addition to committing certain crimes with one
12 of the above purposes, a person is also guilty of terrorism if he or
13 she commits certain crimes with the purpose to influence or incite
14 an act of terror against an individual or a group of individuals based
15 upon their race, religion, sexual orientation, gender, or creed.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3087

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Assembly Bill No. 3087.

As amended and reported by the committee, Assembly Bill No. 3087 expands the crime of terrorism to include persons who commit certain crimes with the purpose to influence or incite an act of terror against an individual based on the individual's race, religion, sexual orientation, gender, or creed.

Under current law, a person is guilty of terrorism if he or she commits, attempts, conspires, or threatens to commit certain crimes with the purpose to: 1) promote an act of terror; 2) terrorize five or more persons; 3) influence the policy or affect the conduct of government by terror; or 4) cause, by an act of terror, the impairment or interruption of public communications, public transportation, public or private buildings, common carriers, public utilities, or other public services.

This bill, as amended, provides that a person also would be guilty of terrorism if he or she commits certain crimes of the first or second degree with the purpose to influence or incite an act of terror against an individual or a group of individuals based upon the individual's race, religion, sexual orientation, gender, or creed.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that influencing or inciting an act of terror against an individual or a group of individuals based upon their race, religion, sexual orientation, gender, or creed would be considered terrorism if the underlying crime is a crime of the first or second degree. Additionally, the committee amendments make a technical correction.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3087

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3087 (1R), with committee amendments.

As amended and reported by the committee, Assembly Bill No. 3087 (1R) expands the crime of terrorism to include persons who commit certain crimes with the purpose to influence or incite an act of terror against an individual or a group based on their actual or perceived race, religion, color, national origin, affectional or sexual orientation, sex, gender identity or expression, disability, creed, or any other characteristic protected under the New Jersey Law Against Discrimination (LAD).

Under current law, a person is guilty of terrorism if he or she commits, attempts, conspires, or threatens to commit certain crimes with the purpose to: 1) promote an act of terror; 2) terrorize five or more persons; 3) influence the policy or affect the conduct of government by terror; or 4) cause, by an act of terror, the impairment or interruption of public communications, public transportation, public or private buildings, common carriers, public utilities, or other public services.

The crimes enumerated in the law include: murder; aggravated manslaughter or manslaughter; vehicular homicide; aggravated assault; disarming a law enforcement officer; kidnapping; criminal restraint; robbery; carjacking; aggravated arson or arson; causing or risking widespread injury or damage; causing certain damage to a nuclear plant; producing or possessing chemical weapons, biological agents or nuclear or radiological devices; burglary; possession of certain weapons and devices or possession for certain purposes; racketeering; and any other crime involving a risk of death or serious bodily injury to any person.

This bill provides that a person also would be guilty of terrorism if he or she commits a first or second degree crime on the list of enumerated crimes with the purpose to influence or incite an act of terror against an individual or a group protected by the LAD.

COMMITTEE AMENDMENTS

The committee amendments expand the list of protected characteristics so that it is identical to the characteristics enumerated in the Law Against Discrimination (LAD). The amendments also clarify that the provisions of the bill would apply whether the targeted individual or group of individuals were members or perceived to be members of a protected class.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE, No. 1709

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 5, 2018

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senator Greenstein

SYNOPSIS

Expands crime of terrorism.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2020)

S1709 BEACH, LAGANA

2

1 AN ACT concerning terrorism and amending P.L.2002, c.26.

2

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

5

6 1. Section 2 of P.L.2002, c.26 (C.2C:38-2) is amended to read as
7 follows:

8 2. a. A person is guilty of the crime of terrorism if he commits
9 or attempts, conspires or threatens to commit any crime enumerated
10 in subsection c. of this section with the purpose:

11 (1) to promote an act of terror including, but not limited to,
12 influencing or inciting an act of terror against an individual or
13 group of individuals based on their race, religion, sexual
14 orientation, gender, or creed; or

15 (2) to terrorize five or more persons; or

16 (3) to influence the policy or affect the conduct of government
17 by terror; or

18 (4) to cause by an act of terror the impairment or interruption
19 of public communications, public transportation, public or private
20 buildings, common carriers, public utilities or other public services.

21 b. Terrorism is a crime of the first degree.

22 (1) Notwithstanding any other provision of law to the contrary,
23 any person convicted under this section shall be sentenced to a
24 term of 30 years, during which the person shall not be eligible for
25 parole, or to a specific term of years which shall be between 30
26 years and life imprisonment, of which the person shall serve not
27 less than 30 years before being eligible for parole.

28 (2) If a violation of this section results in death, the person shall
29 be sentenced to a term of life imprisonment, during which time the
30 person shall not be eligible for parole.

31 c. The crimes encompassed by this section are: murder
32 pursuant to N.J.S.2C:11-3; aggravated manslaughter or
33 manslaughter pursuant to N.J.S.2C:11-4; vehicular homicide
34 pursuant to N.J.S.2C:11-5; aggravated assault pursuant to
35 subsection b. of N.J.S.2C:12-1; disarming a law enforcement officer
36 pursuant to section 1 of P.L.1996, c.14 (C.2C:12-11); kidnapping
37 pursuant to N.J.S.2C:13-1; criminal restraint pursuant to
38 N.J.S.2C:13-2; robbery pursuant to N.J.S.2C:15-1; carjacking
39 pursuant to section 1 of P.L.1993, c.221 (C.2C:15-2); aggravated
40 arson or arson pursuant to N.J.S.2C:17-1; causing or risking
41 widespread injury or damage pursuant to N.J.S.2C:17-2; damage to
42 nuclear plant with the purpose to cause or threat to cause release of
43 radiation pursuant to section 1 of P.L.1983, c.480 (C.2C:17-7);
44 damage to nuclear plant resulting in death by radiation pursuant to
45 section 2 of P.L.1983, c.480 (C.2C:17-8); damage to nuclear plant

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 underlined thus is new matter.

1 resulting in injury by radiation pursuant to section 3 of P.L.1983,
2 c.480 (C.2C:17-9); producing or possessing chemical weapons,
3 biological agents or nuclear or radiological devices pursuant to
4 section 3 of P.L.2002, c.26 (C.2C:38-3); burglary pursuant to
5 N.J.S.2C:18-2; possession of prohibited weapons and devices
6 pursuant to N.J.S.2C:39-3; possession of weapons for unlawful
7 purposes pursuant to N.J.S.2C:39-4; unlawful possession of
8 weapons pursuant to N.J.S.2C:39-5; weapons training for illegal
9 activities pursuant to section 1 of P.L.1983, c.229 (C.2C:39-14);
10 racketeering pursuant to N.J.S.2C:41-1 et seq.; and any other crime
11 involving a risk of death or serious bodily injury to any person.

12 d. Definitions. For the purposes of this section:

13 "Government" means the United States, any state, county,
14 municipality, or other political unit, or any department, agency or
15 subdivision of any of the foregoing, or any corporation or other
16 association carrying out the functions of government.

17 "Serious bodily injury" means bodily injury which creates a
18 substantial risk of death or which causes serious, permanent
19 disfigurement, or protracted loss or impairment of the function of
20 any bodily member or organ.

21 "Terror" means the menace or fear of death or serious bodily
22 injury.

23 "Terrorize" means to convey the menace or fear of death or
24 serious bodily injury by words or actions.

25 e. A prosecution pursuant to this section may be brought by the
26 Attorney General, his assistants and deputies within the Division of
27 Criminal Justice, or by a county prosecutor or a designated assistant
28 prosecutor if the county prosecutor is expressly authorized in
29 writing by the Attorney General to prosecute a violation of this
30 section.

31 f. Notwithstanding the provisions of N.J.S.2C:1-8 or any other
32 provision of law, a conviction of terrorism under this section shall
33 not merge with a conviction of any other offense, nor shall such
34 other conviction merge with a conviction under this section, and the
35 court shall impose separate sentences upon each violation of this
36 section and any other offense.

37 g. Nothing contained in this section shall be deemed to
38 preclude, if the evidence so warrants, an indictment and conviction
39 for murder under the provisions of N.J.S.2C:11-3 or any other
40 offense.

41 (cf: P.L.2002, c.26, s.2)

42

43 2. This act shall take effect immediately.

44

45 STATEMENT

46

47 This bill clarifies that the crime of terrorism includes the
48 commission of certain crimes with the purpose to influence or incite

S1709 BEACH, LAGANA

1 an act of terror against an individual or group of individuals based
2 on their race, religion, sexual orientation, gender, or creed.

3 Under current law, a person is guilty of terrorism if he or she
4 commits or attempts, conspires, or threatens to commit certain
5 crimes with any of the following purposes: (1) to promote an act of
6 terror; (2) to terrorize five or more persons; (3) to influence the
7 policy or affect the conduct of government by terror; or (4) to
8 cause, by an act of terror, the impairment or interruption of public
9 communications, public transportation, public or private buildings,
10 common carriers, public utilities, or other public services.

11 The bill provides that in addition to committing certain crimes
12 with one of the preceding purposes, a person also is guilty of
13 terrorism if he or she commits those crimes with the purpose of
14 influencing or inciting an act of terror against an individual or a
15 group of individuals based upon their race, religion, sexual
16 orientation, gender, or creed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1709

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1709, with committee amendments.

This bill, as amended, expands the crime of terrorism to include persons who commit certain crimes with the purpose to influence or incite an act of terror against an individual or a group based on their actual or perceived race, religion, color, national origin, affectional or sexual orientation, sex, gender identity or expression, disability, creed, or any other characteristic protected under the New Jersey Law Against Discrimination (LAD).

Under current law, a person is guilty of terrorism if he or she commits, attempts, conspires, or threatens to commit certain crimes with the purpose to: 1) promote an act of terror; 2) terrorize five or more persons; 3) influence the policy or affect the conduct of government by terror; or 4) cause, by an act of terror, the impairment or interruption of public communications, public transportation, public or private buildings, common carriers, public utilities, or other public services.

The crimes enumerated in the law include: murder; aggravated manslaughter or manslaughter; vehicular homicide; aggravated assault; disarming a law enforcement officer; kidnapping; criminal restraint; robbery; carjacking; aggravated arson or arson; causing or risking widespread injury or damage; causing certain damage to a nuclear plant; producing or possessing chemical weapons, biological agents or nuclear or radiological devices; burglary; possession of certain weapons and devices or possession for certain purposes; racketeering; and any other crime involving a risk of death or serious bodily injury to any person.

This bill, as amended, provides that a person also would be guilty of terrorism if he or she commits a first or second degree crime on the list of enumerated crimes with the purpose to influence or incite an act of terror against an individual or a group protected by the LAD.

COMMITTEE AMENDMENTS:

The committee amendments expand the list of protected characteristics so that it is identical to the characteristics enumerated in the Law Against Discrimination (LAD), and clarify that the provisions

of the bill would apply whether the targeted individual or group of individuals were members or perceived to be members of a protected class.

Additionally, the amendments provide that influencing or inciting an act of terror against an individual or a group of individuals protected by the LAD only would be considered terrorism if the underlying crime is a crime of the first or second degree. The amendments also make a technical correction.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

Governor Murphy Signs Legislation to Bolster Security Funding for At Risk Non-Profit Organizations

01/15/2020

Governor Also Signs Legislation to Classify Certain Hate Crimes as Domestic Terrorism

TRENTON – Governor Phil Murphy today signed two bills to provide security funding for non-profit organizations at risk of terror attacks and expand the definition of domestic terrorism following the December 2019 attacks in Jersey City. A6123 supplements the FY2020 Appropriations Act to provide funding towards bolstering security measures at eligible non-profit organizations, while A3087 expands the definition of the crime of terrorism in New Jersey law.

“Our state and our nation are facing a rising tide of anti-Semitism and other forms of hatred,” **said Governor Murphy**. “We recently bore witness to how this can manifest itself in violence, with the attack on our Jewish community in Jersey City. We must stand together against terrorism and recommit to the elimination of hate in all its forms in order to protect New Jerseyans and our country. This legislation is crucial to making it clear that hatred will not be tolerated in our state.”

“We thank Governor Phil Murphy for his leadership in signing today’s legislation, which bolster the resources available to NJOHSP as it works to both prevent and respond to acts of terrorism throughout the State,” **said Jared M. Maples, Director of the New Jersey Office of Homeland Security and Preparedness**. “By expanding what constitutes terrorism and allocating grant funding to eligible nonprofit organizations, the Governor has reaffirmed his commitment to the Interfaith Advisory Council and strengthening security for religious communities across all 21 counties in New Jersey.”

“The Murphy Administration is absolutely committed to doing everything in our power to keep New Jerseyans safe from harm,” **said Attorney General Gurbir Grewal**. “We will use whatever tools the Legislature gives us to hold terrorists accountable, just as we have used the tools given to us in the past.”

A6123 supplements the FY2020 Appropriations Act by appropriating \$1 million to the Office of Homeland Security and Preparedness for the New Jersey Nonprofit Security Grant Pilot Program. This program provides funding to eligible nonprofit organizations across New Jersey at the greatest risk of terrorist attacks.

Primary sponsors of A6123 include Assemblymembers Gary Schaer, Annette Quijano, Lisa Swain, and Senate President Sweeney, and Senator Joseph Cryan.

“Hate and terror are devastating our communities like never before. The rise of anti-Semitic domestic terror attacks like those in Jersey City, Monsey and too many others all across the country are frightening,” **said Assemblyman Schaer**. “As we work to change attitudes, we have a responsibility to protect those communities left vulnerable by this incessant culture of violence.”

“Hate crimes have risen for a third consecutive year in New Jersey,” **said Assemblywoman Quijano**. “We have residents living in fear and no apparent end to the violence-inciting rhetoric in sight. Increasing the accessibility of security helps us assure groups are equipped to fight violence in all its forms, as we work toward a more peaceable future.”

“In a time when there is so much hate and violence permeating throughout our communities, the need to fortify security for nonprofit organizations at risk of becoming targets of hate crimes and terrorism has never been more critical,” **said Assemblywoman Swain**. “Expanded safety mechanisms, under this law, could prove to save many lives making perpetrators think twice before acting.”

“No individual, group or organization should be left vulnerable to any threats or acts of violence because of their race, religion or heritage,” **said Senate President Sweeney**. “Places of worship and any other locations that bring people together will be better protected with this support. We won’t allow bias or hate to intimidate anyone from practicing their religion or honoring their ethnic pride.”

“We have witnessed a disturbing increase in the number of incidents of hate and bigotry based on race, religion and ethnicity,” **said Senator Cryan**. “We can’t ignore these threats and we should not tolerate any acts of violence or intimidation. These incidents are a daily challenge for houses of worship, community centers and other non-profit institutions that are most vulnerable.”

A3087 expands the crime of terrorism to include persons who commit certain crimes with the purpose to influence or incite an act of terror against an individual based on the individual’s race, religion, sexual orientation, gender, or creed.

Primary sponsors of A3087 include Assemblymembers Gary Schaer, Valerie Vainieri Huttle, and Annette Quijano, and Senators James Beach and Joseph Lagana.

“Terroristic violence is on the rise across the country. In Charleston, Dylan Roof shot nine African American members of Emmanuel AME as they prayed. In Charlottesville, James Fields Jr. drove into a crowd of protestors, murdering an innocent bystander. In Pittsburgh, Robert Bowers entered the Tree of Life synagogue and massacred eleven worshippers. In Poway, John Earnest killed one, when he open fired within the Chabad synagogue during Passover. In El Paso, Patrick Crusius slaughtered twenty-two people shopping for school supplies in a Walmart. And right here in New Jersey, a heroic police officer and three innocent people tragically lost their lives in an attack on a kosher marketplace in Jersey City,” **said Assemblyman Schaer**. “Each of these acts was done to sow fear within communities, and to inspire more acts of violence. There is only one word for all of these acts: terrorism.”

“The tragedy we witnessed in Jersey City last month is sadly just one example of hate-induced terror plaguing our state and our nation,” **said Assemblywoman Vainieri Huttle**. “There were 569 bias incidents reported in New Jersey in 2018, marking the third straight year that the number of incidents went up. We also know that there are 18 active hate groups in New Jersey as of 2018. Should they commit an act of terror, we need to be prepared to hold individuals accountable and bring them to justice. By redefining the crime of terrorism under the law, a person who commits a hateful act will receive a much harsher punishment.”

“We cannot ignore the facts; crimes committed towards a certain group because of how they look or their way of life is indeed an act of terror,” **said Assemblywoman Quijano**. “Our State laws should reflect this so that we may prosecute terrorists to the fullest extent of the law. Let’s be perfectly clear. This kind of hatred and bigotry cannot, and will not, be tolerated in New Jersey.”

“In New Jersey, bias incidences increased by 32 percent between 2016 and 2017,” **said Senator Beach**. “Just last month we saw disturbing anti-Semitic violence in Jersey City and across the border in Monsey, New York. This law will improve safety by holding everyone responsible for terrorist acts accountable, including both the people who carried out the violence as well as those who incited action.”

“New Jersey must stand strong against all acts of terrorism, including crimes that incite it. We are a diverse and accepting state, who welcome people from all over,” **said Senator Joe Lagana**. “We will not be subjected to fear and hate that others try desperately to spread. Now more than ever, we need to come together as one community to overcome those who seek to divide us.”

“We have witnessed a disturbing increase in the number of incidents of hate and bigotry in New Jersey. No individual, group or organization should be left vulnerable to any threats or acts of violence because of their race, religion, country of origin, sexual or gender identity,” **said Joshua Cohen, Director of Government Relations and External Affairs for the Jewish Federations of New Jersey**. “We are grateful to our legislative leaders in the Assembly and Senate for championing initiatives which provide the necessary funding and protections our communities need most. We thank Governor Murphy for signing these bills into law, demonstrating that fighting hate is a shared value of all New Jerseyans.”

“Thank you to Governor Murphy, Attorney General Grewal, and Director Maples for taking a proactive approach to prevent more tragedies from taking place,” **said Rabbi Aaron Kotler, President of Beth Medrash Govoha**.

“Not only am I grateful for Governor Murphy to understand and speak out on security related issues and for taking a strong stand,” **said Rabbi Abe Friedman, Community Leader and New Jersey State Police Chaplain**, “but today I am very grateful that he put words into action by signing these two bills that will enhance the safety and security of the community, and provide a sense of relief to the faith-based community.”

“The two bills signed into law by Governor Murphy today represent an important step forward in enhancing the security of religious and non-profit communities in New Jersey,” **said Evan Bernstein, Vice President of the Northeast Division of the Anti-Defamation League (ADL)**. “It is now incumbent upon state officials and local law enforcement agencies to implement these laws in a legally sound and equitable manner.”