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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Assault victims to get a say in plea bargains," 8-2-2003 Asbury Park Press, p.A3

"New rights for sex victims," 8-2-2003 Courier-News, p.A3

P.L. 2003, CHAPTER 137, *approved August 1, 2003*
Senate, No. 1143 (*First Reprint*)

1 **AN ACT** concerning victims of sexual assault and supplementing
2 chapter 14 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. Whenever there is a prosecution for a violation of
8 N.J.S.A.2C:14-2, the victim of the sexual assault shall be provided an
9 opportunity to consult with the prosecuting authority prior to the
10 conclusion of any plea negotiations. ¹[Any final plea agreement shall
11 include a statement of the victim's views with regard to the plea
12 agreement.]¹

13 Nothing contained herein shall be construed to alter or limit the
14 authority or discretion of the prosecutor to enter into any plea
15 agreement which the prosecutor deems appropriate.

16

17 2. This act shall take effect immediately.

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21

22 Provides victim of sexual assault with opportunity to consult with
23 prosecutor on plea negotiations.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SJU committee amendments adopted January 27, 2003.

SENATE, No. 1143

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED FEBRUARY 25, 2002

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Senator BARBARA BUONO

District 18 (Middlesex)

SYNOPSIS

Provides victim of sexual assault with opportunity to consult with prosecutor on plea negotiations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/26/2002)

1 AN ACT concerning victims of sexual assault and supplementing
2 chapter 14 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. Whenever there is a prosecution for a violation of
8 N.J.S.A.2C:14-2, the victim of the sexual assault shall be provided an
9 opportunity to consult with the prosecuting authority prior to the
10 conclusion of any plea negotiations. Any final plea agreement shall
11 include a statement of the victim's views with regard to the plea
12 agreement.

13 Nothing contained herein shall be construed to alter or limit the
14 authority or discretion of the prosecutor to enter into any plea
15 agreement which the prosecutor deems appropriate.

16

17 2. This act shall take effect immediately.

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STATEMENT

21

22 This bill would provide the victim of a sexual assault an opportunity
23 to consult with the prosecuting authority prior to the conclusion of any
24 plea negotiations. In addition, the bill provides that any final plea
25 agreement shall include a statement of the victim's views with regard
26 to the plea agreement. The bill does not alter or limit the authority or
27 discretion of the prosecutor to enter into any plea agreement which the
28 prosecutor deems appropriate.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1143

STATE OF NEW JERSEY

DATED: JUNE 19, 2003

The Assembly Judiciary Committee reports favorably Senate Bill No. 1143 (1R).

This bill would provide the victim of a sexual assault an opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations. The bill does not alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate.

Currently, under the provisions of the Crime Victim's Bill of Rights, N.J.S.A.52:4B-34 et seq. victims receive advance notice of the submission to the court of a plea agreement. This bill would give victims the opportunity to consult with the prosecutor prior to the conclusion of the plea negotiations.

This bill is identical to Assembly Bill No. 3348.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1143

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 27, 2003

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1143.

This bill would provide the victim of a sexual assault an opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations. The bill does not alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate. The committee believes that this bill codifies what is common practice by prosecutors currently.

The committee amended the bill to eliminate the provision which provided that any final plea agreement contain a statement of the victim's view about the plea agreement.

ASSEMBLY, No. 3348

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED FEBRUARY 24, 2003

Sponsored by:

Assemblyman KEVIN J. O'TOOLE

District 40 (Bergen, Essex and Passaic)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblymen Altamuro, Merkt, Pennacchio and Russo

SYNOPSIS

Provides victim of sexual assault with opportunity to consult with prosecutor on plea negotiations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2003)

1 AN ACT concerning victims of sexual assault and supplementing
2 chapter 14 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. Whenever there is a prosecution for a violation of
8 N.J.S.A.2C:14-2, the victim of the sexual assault shall be provided an
9 opportunity to consult with the prosecuting authority prior to the
10 conclusion of any plea negotiations.

11 Nothing contained herein shall be construed to alter or limit the
12 authority or discretion of the prosecutor to enter into any plea
13 agreement which the prosecutor deems appropriate.

14

15 2. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill would provide the victim of a sexual assault an opportunity
21 to consult with the prosecuting authority prior to the conclusion of any
22 plea negotiations. The bill does not alter or limit the authority or
23 discretion of the prosecutor to enter into any plea agreement which the
24 prosecutor deems appropriate.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3348

STATE OF NEW JERSEY

DATED: JUNE 19, 2003

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3348.

This bill would provide the victim of a sexual assault an opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations. The bill does not alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate.

Currently, under the provisions of the Crime Victim's Bill of Rights, N.J.S.A.52:4B-34 et seq., victims receive advance notice of the submission to the court of a plea agreement. This bill would give victims the opportunity to consult with the prosecutor prior to the conclusion of the plea negotiations.

This bill is identical to Senate Bill No. 1143 (1R).