

2C:12-10

LEGISLATIVE HISTORY CHECKLIST  
Compiled by the NJ State Law Library

(Stalking)

NJSA: 2C:12-10

LAWS OF: 1996 CHAPTER: 39

BILL NO: S453

SPONSOR(S): Cafiero and others

DATE INTRODUCED: January 19, 1996

COMMITTEE: ASSEMBLY: ---  
SENATE: Judiciary

AMENDED DURING PASSAGE: Senate Committee Substitute

DATE OF PASSAGE: ASSEMBLY: May 6, 1996  
SENATE: February 5, 1996

DATE OF APPROVAL: June 20, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached:  
"Whitman signs bill designed to help protect victims of convicted stalkers,"  
6-22-96, Atlantic City Press.

KBP:pp

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE, Nos. 453 and 455

STATE OF NEW JERSEY

ADOPTED JANUARY 29, 1996

Sponsored by Senators CAFIERO and DiFRANCESCO

1 AN ACT concerning stalking, amending P.L.1992, c.209 and  
2 N.J.S.2C:44-6 and supplementing Title 2C of the New Jersey  
3 Statutes.

4

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

7

8 1. Section 1 of P.L.1992, c.209 (C.2C:12-10) is amended to read  
9 as follows:

10 1. a. As used in this act:

11 (1) "Course of conduct" means **[a knowing and willful course of**  
12 **conduct directed at a specific person, composed of a series of acts**  
13 **over a period of time, however short, evidencing a continuity of**  
14 **purpose which alarms or annoys that person and which serves no**  
15 **legitimate purpose. The course of conduct must be such as to cause**  
16 **a reasonable person to suffer emotional distress. Constitutionally**  
17 **protected activity is not included within the meaning of "course of**  
18 **conduct" ] repeatedly maintaining a visual or physical proximity to a**  
19 **person or repeatedly conveying verbal or written threats or threats**  
20 **implied by conduct or a combination thereof directed at or toward a**  
21 **person.**

22 (2) **[**"Credible threat" means an explicit or implicit threat made  
23 with the intent and the apparent ability to carry out the threat, so as to  
24 cause the person who is the target of the threat to reasonably fear for  
25 that person's safety] **"Repeatedly" means on two or more occasions.**

26 (3) **"Immediate family" means a spouse, parent, child, sibling or**  
27 **any other person who regularly resides in the household or who within**  
28 **the prior six months regularly resided in the household.**

29 b. A person is guilty of stalking, a crime of the fourth degree, if he  
30 **[purposfully and repeatedly follows another person and engages in a**  
31 **course of conduct or makes a credible threat with the intent of**  
32 **annoying or placing that person in reasonable fear of death or bodily**

**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.**

1 injury】:

2 (1) Purposefully engages in a course of conduct directed at a  
3 specific person that would cause a reasonable person to fear bodily  
4 injury to himself or a member of his immediate family or to fear the  
5 death of himself or a member of his immediate family; and

6 (2) Knowingly, recklessly or negligently places the specific person  
7 in reasonable fear of bodily injury to himself or a member of his  
8 immediate family or in reasonable fear of the death of himself or a  
9 member of his immediate family.

10 c. A person is guilty of a crime of the third degree if he commits  
11 the crime of stalking in violation of an existing court order prohibiting  
12 the behavior.

13 d. A person who commits a second or subsequent offense of  
14 stalking 【which involves an act of violence or a credible threat of  
15 violence】 against the same victim is guilty of a crime of the third  
16 degree.

17 e. This act shall not apply to conduct which occurs during  
18 organized group picketing.

19 (cf: P.L.1992, c.209, s.1)

20

21 2. N.J.S.2C:44-6 is amended to read as follows:

22 2C:44-6. Procedure on Sentence; Presentence Investigation and  
23 Report.

24 a. The court shall not impose sentence without first ordering a  
25 presentence investigation of the defendant and according due  
26 consideration to a written report of such investigation when required  
27 by Rules of Court. The court may order a presentence investigation  
28 in any other case.

29 b. The presentence investigation shall include an analysis of the  
30 circumstances attending the commission of the offense, the defendant's  
31 history of delinquency or criminality, family situation, financial  
32 resources, including whether or not the defendant is an enrollee or  
33 covered person under a health insurance contract, policy or plan,  
34 debts, including any amount owed for a fine, assessment or restitution  
35 ordered in accordance to the provisions of Title 2C, employment  
36 history, personal habits, the disposition of any charge made against any  
37 codefendants and may include a report on his physical and mental  
38 condition and any other matters that the probation officer deems  
39 relevant or the court directs to be included. In any case involving a  
40 conviction of N.J.S.2C:24-4, endangering the welfare of a child;  
41 N.J.S.2C:18-3, criminal trespass, where the trespass was committed  
42 in a school building or on school property; section 1 of P.L.1993,  
43 c.291 (C.2C:13-6), attempting to lure or entice a child with purpose  
44 to commit a criminal offense; 【section 1 of P.L. 1992, c.209 (C.2C:12-  
45 16), stalking;】 or N.J.S.2C:13-1, kidnapping, where the victim of the

1 offense is a child under the age of 18, the investigation shall include a  
2 report on the defendant's mental condition unless the court directs  
3 otherwise. In any case involving a conviction of stalking, the  
4 investigation shall include a report on the defendant's mental condition.  
5 The presentence report shall also include a report on any compensation  
6 paid by the Violent Crimes Compensation Board as a result of the  
7 commission of the offense and, in any case where the victim chooses  
8 to provide one, a statement by the victim of the offense for which the  
9 defendant is being sentenced. The statement may include the nature  
10 and extent of any physical harm or psychological or emotional harm or  
11 trauma suffered by the victim, the extent of any loss to include loss of  
12 earnings or ability to work suffered by the victim and the effect of the  
13 crime upon the victim's family. The probation department shall notify  
14 the victim or nearest relative of a homicide victim of his right to make  
15 a statement for inclusion in the presentence report if the victim or  
16 relative so desires. Any such statement shall be made within 20 days  
17 of notification by the probation department.

18 The presentence report shall specifically include an assessment of  
19 the gravity and seriousness of harm inflicted on the victim, including  
20 whether or not the defendant knew or reasonably should have known  
21 that the victim of the offense was particularly vulnerable or incapable  
22 of resistance due to advanced age, disability, ill-health, or extreme  
23 youth, or was for any other reason substantially incapable of exercising  
24 normal physical or mental power of resistance.

25 c. If, after the presentence investigation, the court desires  
26 additional information concerning an offender convicted of an offense  
27 before imposing sentence, it may order that he be examined as to his  
28 medical or mental condition, except that he may not be committed to  
29 an institution for such examination.

30 d. Disclosure of any presentence investigation report or  
31 psychiatric examination report shall be in accordance with law and the  
32 Rules of Court, except that information concerning the defendant's  
33 financial resources shall be made available upon request to the Violent  
34 Crimes Compensation Board or to any officer authorized under the  
35 provisions of section 3 of P.L.1979, c.396 (C.2C:46-4) to collect  
36 payment on an assessment, restitution or fine and that information  
37 concerning the defendant's coverage under any health insurance  
38 contract, policy or plan shall be made available, as appropriate to the  
39 Commissioner of the Department of Corrections and to the chief  
40 administrative officer of a county jail in accordance with the provisions  
41 of P.L.1995, c.254, (C.30:7E-1 et. al.).

42 e. The court shall not impose a sentence of imprisonment for an  
43 extended term unless the ground therefor has been established at a  
44 hearing after the conviction of the defendant and on written notice to  
45 him of the ground proposed. The defendant shall have the right to

1 hear and controvert the evidence against him and to offer evidence  
2 upon the issue.

3 (Deleted by amendment, P.L.1986, c.85).

4 (cf: P.L.1995, c.254, s.7)

5

6 3. (New section) a. A judgment of conviction for stalking shall  
7 operate as an application for a permanent restraining order limiting the  
8 contact of the defendant and the victim who was stalked.

9 b. A hearing shall be held on the application for a permanent  
10 restraining order at the time of the verdict or plea of guilty unless the  
11 victim requests otherwise. This hearing shall be in Superior Court. A  
12 permanent restraining order may grant the following specific relief:

13 (1) An order restraining the defendant from entering the residence,  
14 property, school, or place of employment of the victim and requiring  
15 the defendant to stay away from any specified place that is named in  
16 the order and is frequented regularly by the victim.

17 (2) An order restraining the defendant from making contact with  
18 the victim, including an order forbidding the defendant from personally  
19 or through an agent initiating any communication likely to cause  
20 annoyance or alarm including, but not limited to, personal, written, or  
21 telephone contact with the victim, the victim's employers, employees,  
22 or fellow workers, or others with whom communication would be  
23 likely to cause annoyance or alarm to the victim.

24 c. The permanent restraining order entered by the court  
25 subsequent to a conviction for stalking as provided in this act may be  
26 dissolved upon the application of the stalking victim to the court which  
27 granted the order.

28 d. Notice of permanent restraining orders issued pursuant to this  
29 act shall be sent by the clerk of the court or other person designated  
30 by the court to the appropriate chiefs of police, members of the State  
31 Police and any other appropriate law enforcement agency or court.

32 e. Any permanent restraining order issued pursuant to this act  
33 shall be in effect throughout the State, and shall be enforced by all law  
34 enforcement officers.

35 f. A violation by the defendant of an order issued pursuant to this  
36 act shall constitute an offense under subsection a. of N.J.S.2C:29-9  
37 and each order shall so state. Violations of these orders may be  
38 enforced in a civil or criminal action initiated by the stalking victim or  
39 by the court, on its own motion, pursuant to applicable court rules.  
40 Nothing in this act shall preclude the filing of a criminal complaint for  
41 stalking based on the same act which is the basis for the violation of  
42 the permanent restraining order.

43

44 4. This act shall take effect immediately.

# STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senators CAFIERO and DiFRANCESCO

1 AN ACT concerning stalking and amending P.L.1992, c.209 and  
2 N.J.S.2C:44-6.

3

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

6

7 1. Section 1 of P.L.1992, c.209 (C.2C:12-10) is amended to read  
8 as follows:

9

1. a. As used in this act:

10 (1) "Course of conduct" means **[a knowing and willful course of**  
11 **conduct directed at a specific person, composed of a series of acts**  
12 **over a period of time, however short, evidencing a continuity of**  
13 **purpose which alarms or annoys that person and which serves no**  
14 **legitimate purpose. The course of conduct must be such as to cause**  
15 **a reasonable person to suffer emotional distress. Constitutionally**  
16 **protected activity is not included within the meaning of "course of**  
17 **conduct"] repeatedly maintaining a visual or physical proximity to a**  
18 **person or repeatedly conveying verbal or written threats or threats**  
19 **implied by conduct or a combination thereof directed at or toward a**  
20 **person.**

21 (2) **["Credible threat" means an explicit or implicit threat made with**  
22 **the intent and the apparent ability to carry out the threat, so as to**  
23 **cause the person who is the target of the threat to reasonably fear for**  
24 **that person's safety] "Repeatedly" means on two or more occasions.**

25 (3) **"Immediate family" means a spouse, parent, child, sibling or**  
26 **any other person who regularly resides in the household or who within**  
27 **the prior six months regularly resided in the household.**

28 b. A person is guilty of stalking, a crime of the fourth degree, if he  
29 **[purposfully and repeatedly follows another person and engages in a**  
30 **course of conduct or makes a credible threat with the intent of**  
31 **annoying or placing that person in reasonable fear of death or bodily**  
32 **injury]**

33 **: (1) Purposfully engages in a course of conduct directed at a**  
34 **specific person that would cause a reasonable person to fear bodily**

**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 injury to himself or a member of his immediate family or to fear the  
2 death of himself or a member of his immediate family; and

3 (2) Knowingly, recklessly or negligently places a specific person in  
4 reasonable fear of bodily injury to himself or a member of his  
5 immediate family or in reasonable fear of the death of himself or a  
6 member of his immediate family.

7 c. A person is guilty of a crime of the third degree if he commits  
8 the crime of stalking in violation of an existing court order prohibiting  
9 the behavior.

10 d. A person who commits a second or subsequent offense of  
11 stalking [which involves an act of violence or a credible threat of  
12 violence] against the same victim is guilty of a crime of the third  
13 degree.

14 e. This act shall not apply to conduct which occurs during  
15 organized group picketing.

16 (cf: P.L.1992, c.209, s.1)

17

18 2. N.J.S.2C:44-6 is amended to read as follows:

19 2C:44-6. Procedure on Sentence; Presentence Investigation and  
20 Report.

21 a. The court shall not impose sentence without first ordering a  
22 presentence investigation of the defendant and according due  
23 consideration to a written report of such investigation when required  
24 by Rules of Court. The court may order a presentence investigation  
25 in any other case.

26 b. The presentence investigation shall include an analysis of the  
27 circumstances attending the commission of the offense, the defendant's  
28 history of delinquency or criminality, family situation, financial  
29 resources, including whether or not the defendant is an enrollee or  
30 covered person under a health insurance contract, policy or plan,  
31 debts, including any amount owed for a fine, assessment or restitution  
32 ordered in accordance to the provisions of Title 2C, employment  
33 history, personal habits, the disposition of any charge made against any  
34 codefendants and may include a report on his physical and mental  
35 condition and any other matters that the probation officer deems  
36 relevant or the court directs to be included. In any case involving a  
37 conviction of N.J.S.2C:24-4, endangering the welfare of a child;  
38 N.J.S.2C:18-3, criminal trespass, where the trespass was committed  
39 in a school building or on school property; section 1 of P.L.1993,  
40 c.291 (C.2C:13-6), attempting to lure or entice a child with purpose  
41 to commit a criminal offense; section 1 of P.L. 1992, c.209 (C.2C:12-  
42 16), stalking; or N.J.S.2C:13-1, kidnapping, where the victim of the  
43 offense is a child under the age of 18, the investigation shall include a  
44 report on the defendant's mental condition unless the court directs  
45 otherwise. In any case involving a conviction of stalking, the  
46 investigation shall include a report on the defendant's mental condition.

1 The presentence report shall also include a report on any compensation  
2 paid by the Violent Crimes Compensation Board as a result of the  
3 commission of the offense and, in any case where the victim chooses  
4 to provide one, a statement by the victim of the offense for which the  
5 defendant is being sentenced. The statement may include the nature  
6 and extent of any physical harm or psychological or emotional harm or  
7 trauma suffered by the victim, the extent of any loss to include loss of  
8 earnings or ability to work suffered by the victim and the effect of the  
9 crime upon the victim's family. The probation department shall notify  
10 the victim or nearest relative of a homicide victim of his right to make  
11 a statement for inclusion in the presentence report if the victim or  
12 relative so desires. Any such statement shall be made within 20 days  
13 of notification by the probation department.

14 The presentence report shall specifically include an assessment of  
15 the gravity and seriousness of harm inflicted on the victim, including  
16 whether or not the defendant knew or reasonably should have known  
17 that the victim of the offense was particularly vulnerable or incapable  
18 of resistance due to advanced age, disability, ill-health, or extreme  
19 youth, or was for any other reason substantially incapable of exercising  
20 normal physical or mental power of resistance.

21 c. If, after the presentence investigation, the court desires  
22 additional information concerning an offender convicted of an offense  
23 before imposing sentence, it may order that he be examined as to his  
24 medical or mental condition, except that he may not be committed to  
25 an institution for such examination.

26 d. Disclosure of any presentence investigation report or psychiatric  
27 examination report shall be in accordance with law and the Rules of  
28 Court, except that information concerning the defendant's financial  
29 resources shall be made available upon request to the Violent Crimes  
30 Compensation Board or to any officer authorized under the provisions  
31 of section 3 of P.L.1979, c.396 (C.2C:46-4) to collect payment on an  
32 assessment, restitution or fine and that information concerning the  
33 defendant's coverage under any health insurance contract, policy or  
34 plan shall be made available, as appropriate to the Commissioner of the  
35 Department of Corrections and to the chief administrative officer of  
36 a county jail in accordance with the provisions of P.L.1995, c.254,  
37 (C.30:7E-1 et. al.)(now pending before the Legislature as this bill).

38 e. The court shall not impose a sentence of imprisonment for an  
39 extended term unless the ground therefor has been established at a  
40 hearing after the conviction of the defendant and on written notice to  
41 him of the ground proposed. The defendant shall have the right to  
42 hear and controvert the evidence against him and to offer evidence  
43 upon the issue.



1 f. (Deleted by amendment, P.L.1986, c.85).  
2 (cf: P.L.1995, c.254, s.7)

3

4 3. This act shall take effect immediately.

5

6

7

### SPONSORS' STATEMENT

8

9 This bill would revise N.J.S.A.2C:12-10, New Jersey's law  
10 prohibiting stalking, based on model anti-stalking legislation  
11 promulgated by the National Victims' Center. Unlike many state  
12 stalking statutes which list specific types of action that could be  
13 construed as "stalking", this bill, reflecting the model act, prohibits a  
14 person from engaging in a "course of conduct" that would cause a  
15 reasonable person to fear bodily injury or death. Under the language  
16 of the bill, the stalking conduct must be directed at a "specific person."  
17 Threatening behavior not aimed at a specific individual would not be  
18 punishable.

19 Under the provisions of the the bill, a person would be guilty of  
20 stalking if the person purposefully engaged in activity that would cause  
21 a reasonable person to fear death or bodily injury. A person would  
22 also be guilty of stalking if the person knowingly, recklessly or  
23 negligently places another in reasonable fear of death or bodily injury.

24 As stalkers may, in addition to threatening the primary victim,  
25 threaten to harm members of the primary victim's family, the bill also  
26 provides that a threat to harm an immediate family member of the  
27 primary victim would constitute stalking.

28 In addition to proposing the enactment of the provisions of the  
29 model act, the bill would mandate that any presentence investigation  
30 of a person convicted of stalking include an evaluation of the persons  
31 mental condition.

32

33

34

35

36 Revises New Jersey's anti-stalking statute.

SENATE, No. 453

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senators CAFIERO and DiFRANCESCO

1 AN ACT concerning permanent restraining orders in stalking cases and  
2 supplementing 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. a. A judgment of conviction for stalking shall operate as an  
8 application for a permanent restraining order limiting the contact of  
9 the defendant and the victim who was stalked.

10 b. A hearing shall be held on the application for a permanent  
11 restraining order at the time of the verdict or plea of guilty unless the  
12 victim requests otherwise. This hearing shall be in Superior Court. A  
13 permanent restraining order may grant the following specific relief:

14 (1) An order restraining the defendant from entering the residence,  
15 property, school, or place of employment of the victim and requiring  
16 the defendant to stay away from any specified place that is named in  
17 the order and is frequented regularly by the victim.

18 (2) An order restraining the defendant from making contact with  
19 the victim, including an order forbidding the defendant from personally  
20 or through an agent initiating any communication likely to cause  
21 annoyance or alarm including, but not limited to, personal, written, or  
22 telephone contact with the victim the victim's employers, employees,  
23 or fellow workers, or others with whom communication would be  
24 likely to cause annoyance or alarm to the victim.

25 c. The permanent restraining order entered by the court subsequent  
26 to a conviction for stalking as provided in this act may be dissolved  
27 upon the application of the stalking victim to the court which granted  
28 the order.

29 d. Notice of permanent restraining orders issued pursuant to this  
30 act shall be sent by the clerk of the court or other person designated  
31 by the court to the appropriate chiefs of police, members of the State  
32 Police and any other appropriate law enforcement agency or court.

33 e. Any permanent restraining order issued pursuant to this act shall  
34 be in effect throughout the State, and shall be enforced by all law  
35 enforcement officers.

36 f. A violation by the defendant of an order issued pursuant to this  
37 act shall constitute an offense under subsection a. of N.J.S.2C:29-9

1 and each order shall so state. Violations of these orders may be  
2 enforced in a civil or criminal action initiated by the stalking victim or  
3 by the court, on its own motion, pursuant to applicable court rules.  
4 Nothing in this act shall preclude the filing of a criminal complaint for  
5 stalking based on the same act which is the basis for the violation of  
6 the permanent restraining order.

7  
8 2. This act shall take effect immediately.

9  
10  
11 *SPONSOR'S* STATEMENT

12  
13 This bill provides that a judgement of conviction for stalking shall  
14 operate as an application for a permanent restraining order limiting the  
15 contact of the defendant and the victim who was stalked.

16 A permanent restraining order may restrain the defendant from  
17 entering the residence, property, school, or place of employment of the  
18 victim. A permanent order may also forbid the defendant from  
19 initiating, personally or through an agent any communication likely to  
20 cause annoyance or alarm including, but not limited to, personal,  
21 written, or telephone contact with the victim, or the victim's  
22 employers, employees, or fellow workers, or others with whom  
23 communication would be likely to cause annoyance or alarm to the  
24 victim.

25 The permanent restraining order entered by the court may be  
26 dissolved upon the application of the stalking victim to the court which  
27 granted it.

28 Notice of permanent restraining order issued shall be sent to the  
29 appropriate chiefs of police, members of the State Police and any other  
30 appropriate law enforcement agency or court.

31 Any permanent restraining order issued shall be in effect throughout  
32 the State, and shall be enforced by all law enforcement officers.

33 A violation by the defendant of an order issued pursuant to this act  
34 shall constitute an offense under subsection a. of N.J.S.2C:29-9 and  
35 each order shall so state. Violations of these orders may be enforced  
36 in a civil or criminal action initiated by the stalking victim or by the  
37 court, on its own motion, pursuant to applicable court rules. Seeking  
38 enforcement of the order does not preclude the filing of a criminal  
39 complaint for stalking based on the same act which resulted in the  
40 violation of the order.

41  
42  
43  
44  
45 Provides application for a permanent restraining order following  
46 convictions for stalking.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 453 and 455**

# **STATE OF NEW JERSEY**

DATED: JANUARY 29, 1996

The Senate Judiciary Committee reports favorably a committee substitute for Senate Bill Nos. 453 and 455.

This committee substitute would revise N.J.S.A.2C:12-10, New Jersey's law prohibiting stalking, based on model anti-stalking legislation promulgated by the National Victims' Center. Unlike many state stalking statutes which list specific types of action that could be construed as "stalking", this bill, reflecting the model act, prohibits a person from engaging in a "course of conduct" that would cause a reasonable person to fear bodily injury or death. Under the language of the committee substitute, the stalking conduct must be direct at a "specific person." Threatening behavior not aimed at a specific individual would not be punishable as stalking.

Under the provisions of the committee substitute, a person would be guilty of stalking if the person purposefully engaged in activity that would cause a reasonable person to fear death or bodily injury. A person would also be guilty of stalking if the person knowingly, recklessly or negligently places another in reasonable fear of death or bodily injury.

As stalkers may, in addition to threatening the primary victim, threaten to harm members of the primary victim's family, the committee substitute also provides that a threat to harm an immediate family member of the primary victim would constitute stalking.

The committee substitute would also mandate that any presentence investigation of a person convicted of stalking include an evaluation of the person's mental condition.

In addition to revising N.J.S.A.2C:12-10, the committee substitute provides that a judgement of conviction for stalking shall operate as an application for a permanent restraining order limiting the contact between the defendant and the victim who was stalked.

A permanent restraining order may restrain the defendant from entering the residence, property, school, or place of employment of the victim. A permanent order may also forbid the defendant from initiating, personally or through an agent any communication likely to cause annoyance or alarm including, but not limited to, personal,

written, or telephone contact with the victim, or the victim's employers, employees, or fellow workers, or others with whom communication would be likely to cause annoyance or alarm to the victim.

The permanent restraining order entered by the court may be dissolved upon the application of the stalking victim to the court which granted it.

Notice of permanent restraining order issued shall be sent to the appropriate chiefs of police, members of the State Police and any other appropriate law enforcement agency or court.

Any permanent restraining order issued shall be in effect throughout the State and shall be enforced by all law enforcement officers.

1/4 701  
661



## OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

**CONTACT:** Carl Golden  
Jayne Rebovich  
609-777-2600

TRENTON, NJ 08625

**RELEASE:** Thursday  
June 20, 1996

Gov. Christie Whitman today signed legislation strengthening the state's stalking law to allow a victim to obtain a permanent restraining order against a convicted stalker.

**S-453 and 455/ A-184 and 531** also amends current law to include the harassment of a victim's family member as part of the definition of stalking.

This bill adopts the definition of stalking proposed by the National Victim Center in its model anti-stalking legislation. Under the legislation signed by Governor Whitman today, the crime of stalking is redefined to provide that a person is guilty of the crime of stalking if he/she purposefully engages in an action directed at a specific person that seeks to cause harm to that individual or a member of his/her family, or knowingly places a person in fear of harm or death to himself/herself or an immediate member of his/her family.

"Every New Jerseyan is entitled to feel safe and secure," said Gov. Whitman. "This legislation ensures that victims of stalking and members of their family are provided with the resources to protect themselves, and that those individuals guilty of the crime of stalking are held accountable for their actions."

Sponsors of the legislation were Senators James Cafiero (R- Cape May/ Atlantic/ Cumberland) and Senate President Donald DiFrancesco (R- Middlesex/ Morris/ Somerset/ Union) and Assemblypersons John Gibson (R- Cape May/ Atlantic/ Cumberland), Nicholas Asselta (R- Cape May/ Atlantic/ Cumberland) and Marion Crecco (R- Essex/ Passaic).

Gov. Whitman also signed the following legislation: