2A:162-17
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2023 **CHAPTER:** 103

NJSA: 2A:162-17: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 90-day-period.

BILL NO: A5189 (Substituted for S3777 (1R))

SPONSOR(S) Speight, Shanique and others

DATE INTRODUCED: 2/9/2023

COMMITTEE: **ASSEMBLY:** Law & Public Safety
Appropriations

SENATE: Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 06/30/2023

SENATE: 06/20/2023

DATE OF APPROVAL: 7/7/2023

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (A5189 Sca (1R) enacted) Yes

A5189

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY**: Yes Law & Public Safety
Appropriations

SENATE: Yes Budget & Appropriations

(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: Yes 03/27/2023
06/22/2023

RECCJPSIS Yes

S3777 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY**: No

SENATE: Yes Budget & Appropriations

(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: Yes 06/12/2023
06/22/2023

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

Brent Johnson and S.P. Sullivan - For South Jersey Times, 'Murphy signs laws aimed at fighting car thefts Officials touted the measures, but some progressive advocates have voiced opposition.', *South Jersey Times* (online), 9 Jul2023

CL/JA

P.L. 2023, CHAPTER 103, ***approved July 7, 2023***
Assembly, No. 5189 ***(First Reprint)***

AN ACT concerning pretrial release and amending P.L.2014, c.31.

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

1. Section 3 of P.L.2014, c.31 (C.2A:162-17) is amended to read as follows:

3. Except as otherwise provided under sections 4 and 5 of P.L.2014, c.31 (C.2A:162-18 and C.2A:162-19) concerning a hearing on pretrial detention, a court shall make, pursuant to this section, a pretrial release decision for an eligible defendant without unnecessary delay, but in no case later than 48 hours after the eligible defendant's commitment to jail.

a. **[**The**]** Except as otherwise provided in this subsection, the court shall order the pretrial release of the eligible defendant on personal recognizance or on the execution of an unsecured appearance bond when, after considering all the circumstances, the Pretrial Services Program's risk assessment and recommendations on conditions of release prepared pursuant to section 11 of P.L.2014, c.31 (C.2A:162-25), and any information that may be provided by a prosecutor or the eligible defendant, the court finds that the release would reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process. The presumption of pretrial release pursuant to this subsection shall not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions within the [1]**[**30-day-period**]** 90-day-period[1] preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

b. (1) If the court does not find, after consideration, that the release described in subsection a. of this section will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant subject to the following:

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:
[1]Senate SBA committee amendments adopted June 12, 2023.

(a) the eligible defendant shall not commit any offense during the period of release;

(b) the eligible defendant shall avoid all contact with an alleged victim of the crime;

(c) the eligible defendant shall avoid all contact with all witnesses who may testify concerning the offense that are named in the document authorizing the eligible defendant's release or in a subsequent court order; and

(d) any one or more non-monetary conditions as set forth in paragraph (2) of this subsection.

(2) The non-monetary condition or conditions of a pretrial release ordered by the court pursuant to this paragraph shall be the least restrictive condition, or combination of conditions, that the court determines will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which may include that the eligible defendant:

(a) remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is able to reasonably assure the court that the eligible defendant will appear in court when required, will not pose a danger to the safety of any other person or the community, and will not obstruct or attempt to obstruct the criminal justice process;

(b) maintain employment, or, if unemployed, actively seek employment;

(c) maintain or commence an educational program;

(d) abide by specified restrictions on personal associations, place of abode, or travel;

(e) report on a regular basis to a designated law enforcement agency, or other agency, or pretrial services program;

(f) comply with a specified curfew;

(g) refrain from possessing a firearm, destructive device, or other dangerous weapon;

(h) refrain from excessive use of alcohol, or any unlawful use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner;

(i) undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency, and remain in a specified institution if required for that purpose;

(j) return to custody for specified hours following release for employment, schooling, or other limited purposes;

(k) be placed in a pretrial home supervision capacity with or without the use of an approved electronic monitoring device. The court may order the eligible defendant to pay all or a portion of the costs of the electronic monitoring, but the court may waive the payment for an eligible defendant who is indigent and who has

demonstrated to the court an inability to pay all or a portion of the costs; or

(l) satisfy any other condition that is necessary to reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which shall not include any prohibition or restriction concerning manufacturing, distributing, or dispensing, or possessing or having under control with intent to manufacture, distribute, or dispense, marijuana or hashish in violation of paragraph (12) of subsection b. of N.J.S.2C:35-5, or possession of marijuana or hashish in violation of paragraph (3) of subsection a. of N.J.S.2C:35-10.

c. (1) If the court does not find, after consideration, that the release described in subsection a. or b. of this section will reasonably assure the eligible defendant's appearance in court when required, the court may order the pretrial release of the eligible defendant on monetary bail, other than an unsecured appearance bond. The court may only impose monetary bail pursuant to this subsection to reasonably assure the eligible defendant's appearance. The court shall not impose the monetary bail to reasonably assure the protection of the safety of any other person or the community or that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, or for the purpose of preventing the release of the eligible defendant.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

d. (1) If the court does not find, after consideration, that the release described in subsection a., b., or c. will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant using a combination of non-monetary conditions as set forth in subsection b. of this section, and monetary bail as set forth in subsection c. of this section.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court in combination with non-monetary conditions pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

e. For purposes of the court's consideration for pretrial release described in this section, with respect to whether the particular method of release will reasonably assure that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, this reasonable assurance may be deemed to exist if the prosecutor does not provide the court with information relevant to the risk of whether

the eligible defendant will obstruct or attempt to obstruct the criminal justice process.
(cf: P.L.2021, c.19, s.7)

2. This act shall take effect immediately.

Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 90-day-period.

ASSEMBLY, No. 5189

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 9, 2023

Sponsored by:
Assemblywoman SHANIQUE SPEIGHT
District 29 (Essex)
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)
Assemblywoman VICTORIA A. FLYNN
District 13 (Monmouth)
Assemblyman EDWARD H. THOMSON
District 30 (Monmouth and Ocean)

Co-Sponsored by:
Assemblywoman Sawyer, Assemblyman Stanley, Assemblywomen McKnight, Eulner, Piperno and Assemblyman Coughlin

SYNOPSIS

Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 30-day-period.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 3/30/2023)

AN ACT concerning pretrial release and amending P.L.2014, c.31.

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

1. Section 3 of P.L.2014, c.31 (C. 2A:162-17) is amended to read as follows:

3. Except as otherwise provided under sections 4 and 5 of P.L.2014, c.31 (C.2A:162-18 and C.2A:162-19) concerning a hearing on pretrial detention, a court shall make, pursuant to this section, a pretrial release decision for an eligible defendant without unnecessary delay, but in no case later than 48 hours after the eligible defendant's commitment to jail.

a. **[**The**]** Except as otherwise provided in this subsection, the court shall order the pretrial release of the eligible defendant on personal recognizance or on the execution of an unsecured appearance bond when, after considering all the circumstances, the Pretrial Services Program's risk assessment and recommendations on conditions of release prepared pursuant to section 11 of P.L.2014, c.31 (C.2A:162-25), and any information that may be provided by a prosecutor or the eligible defendant, the court finds that the release would reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process. The presumption of pretrial release pursuant to this subsection shall not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions within the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

b. (1) If the court does not find, after consideration, that the release described in subsection a. of this section will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant subject to the following:

(a) the eligible defendant shall not commit any offense during the period of release;

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.

(b) the eligible defendant shall avoid all contact with an alleged victim of the crime;

(c) the eligible defendant shall avoid all contact with all witnesses who may testify concerning the offense that are named in the document authorizing the eligible defendant's release or in a subsequent court order; and

(d) any one or more non-monetary conditions as set forth in paragraph (2) of this subsection.

(2) The non-monetary condition or conditions of a pretrial release ordered by the court pursuant to this paragraph shall be the least restrictive condition, or combination of conditions, that the court determines will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which may include that the eligible defendant:

(a) remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is able to reasonably assure the court that the eligible defendant will appear in court when required, will not pose a danger to the safety of any other person or the community, and will not obstruct or attempt to obstruct the criminal justice process;

(b) maintain employment, or, if unemployed, actively seek employment;

(c) maintain or commence an educational program;

(d) abide by specified restrictions on personal associations, place of abode, or travel;

(e) report on a regular basis to a designated law enforcement agency, or other agency, or pretrial services program;

(f) comply with a specified curfew;

(g) refrain from possessing a firearm, destructive device, or other dangerous weapon;

(h) refrain from excessive use of alcohol, or any unlawful use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner;

(i) undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency, and remain in a specified institution if required for that purpose;

(j) return to custody for specified hours following release for employment, schooling, or other limited purposes;

(k) be placed in a pretrial home supervision capacity with or without the use of an approved electronic monitoring device. The court may order the eligible defendant to pay all or a portion of the costs of the electronic monitoring, but the court may waive the payment for an eligible defendant who is indigent and who has demonstrated to the court an inability to pay all or a portion of the costs; or

(l) satisfy any other condition that is necessary to reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which shall not include any prohibition or restriction concerning manufacturing, distributing, or dispensing, or possessing or having under control with intent to manufacture, distribute, or dispense, marijuana or hashish in violation of paragraph (12) of subsection b. of N.J.S.2C:35-5, or possession of marijuana or hashish in violation of paragraph (3) of subsection a. of N.J.S.2C:35-10.

c. (1) If the court does not find, after consideration, that the release described in subsection a. or b. of this section will reasonably assure the eligible defendant's appearance in court when required, the court may order the pretrial release of the eligible defendant on monetary bail, other than an unsecured appearance bond. The court may only impose monetary bail pursuant to this subsection to reasonably assure the eligible defendant's appearance. The court shall not impose the monetary bail to reasonably assure the protection of the safety of any other person or the community or that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, or for the purpose of preventing the release of the eligible defendant.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

d. (1) If the court does not find, after consideration, that the release described in subsection a., b., or c. will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant using a combination of non-monetary conditions as set forth in subsection b. of this section, and monetary bail as set forth in subsection c. of this section.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court in combination with non-monetary conditions pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

e. For purposes of the court's consideration for pretrial release described in this section, with respect to whether the particular method of release will reasonably assure that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, this reasonable assurance may be deemed to exist if the prosecutor does not provide the court with information relevant to the risk of

whether the eligible defendant will obstruct or attempt to obstruct the criminal justice process.
(cf: P.L.2021, c.19, s.7)

2. This act shall take effect immediately.

STATEMENT

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5189

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2023

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 5189.

As reported by the committee, Assembly Bill No. 5189 eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a substantially equivalent crime under any statute of the United States, this State, or any other state.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5189

STATE OF NEW JERSEY

DATED: MARCH 23, 2023

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5189.

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a substantially equivalent crime under any statute of the United States, this State, or any other state.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5189

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 5189, with committee amendments.

As amended, this bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 90-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

As amended and reported by the committee, this bill is identical to Senate Bill No. 3777, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to eliminate a presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

The bill, as introduced, would have eliminated this presumption within the 30-day-period preceding the charge.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5189
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: MARCH 27, 2023

SUMMARY

Synopsis: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 30-day-period.

Type of Impact: Annual County expenditure increase. Potential State expenditure increase.

Agencies Affected: The Judiciary; Department of Law and Public Safety; Counties.

Office of Legislative Services Estimate

Fiscal Impact	Annual
Potential State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

- The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

BILL DESCRIPTION

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial

detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment. This bill would add, as an additional circumstance barring pretrial release, a subsequent charge involving motor vehicle theft, following an arrest or conviction within the proceeding 30 days for a different motor vehicle theft offense.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will largely impact county expenditures for housing inmates in county jails. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The costs for housing inmates in a county jail vary, but according to certain estimates, it could be more than $100 per day. For example, in 2021, when Union County closed its county jail and moved its inmates to Essex County jail, according to certain estimates, Union County decided on a daily rate of $104 per person. However, it cannot be known how many people will commit the crimes under the bill to ascertain the fiscal impact on the State or counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Senior Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5189

STATE OF NEW JERSEY
220th LEGISLATURE220th LEGISLATURE

DATED: JUNE 22, 2023

DATED: JUNE 22, 2023

SUMMARY

Synopsis: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 90-day-period.

Type of Impact: Annual County expenditure increase. Potential State expenditure increase.

Agencies Affected: The Judiciary; Department of Law and Public Safety; Counties.

Office of Legislative Services Estimate

Fiscal Impact	Annual
Potential State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

- The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

BILL DESCRIPTION

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 90-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the enumerated crimes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will largely impact county expenditures for housing inmates in county jails. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The costs for housing inmates in a county jail vary, but according to certain estimates, it could be more than $100 per day. For example, in 2021, when Union County closed its county jail and moved its inmates to Essex County jail, according to certain estimates, Union County decided on a daily rate of $104 per person. However, it cannot be known how many people will commit the crimes under the bill to ascertain the fiscal impact on the State or counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

Section: *Judiciary*

Analyst: *Anuja Pande Joshi*
Senior Fiscal Analyst

Approved: *Thomas Koenig*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

RACIAL AND ETHNIC COMMUNITY CRIMINAL JUSTICE AND PUBLIC SAFETY IMPACT STATEMENT

ASSEMBLY, No. 5189

STATE OF NEW JERSEY
220th LEGISLATURE

Synopsis: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 30-day-period.

INTRODUCTION

The Office of Legislative Services does not develop or maintain source data concerning the criminal justice system in the State. The Office of Legislative Services makes reasonable efforts to obtain data from Executive Branch Departments and the Judiciary. This statement may reflect information provided by the United States Census Bureau, the Administrative Office of the Courts within the Judiciary, the New Jersey Department of Corrections, the New Jersey Office of the Attorney General, and the Juvenile Justice Commission in the New Jersey Department of Law and Public Safety. The publicly available data and the data provided by the responding departments and agencies contained within this statement allows for a general overview of the frequencies of events of interest (i.e. arrests, charges, and convictions) for racial and ethnic minorities for the crimes identified herein; however, this statement does not provide for an in-depth analysis of that data.

Additional data concerning recidivism rates and incarceration rates for the specific crimes addressed within this statement sorted by race and ethnicity is needed in order to make a conclusion on the impacts on racial and ethnic minorities. Additional data concerning the deterrent effects of similar laws of this type is needed to determine the impact on community criminal justice and public safety. It should be noted that the data needed may not currently be collected by the responding departments or agencies or may not exist. Additionally, the qualified nature of the eligibility provisions of this bill, which eliminate the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge, require an analysis of the use of Judicial discretion in a way that cannot be determined.

BILL DESCRIPTION

Assembly Bill No. 5189 eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible

defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a substantially equivalent crime under any statute of the United States, this State, or any other state.

Federal and State Census Information[1]

	Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Two or More Races/Other
National Census Estimate	331,450,000	59.3%	13.6%	1.3%	6.1%	0.3%	18.9%	2.9%
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%

Federal and State Inmate Population Data

	Total Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Other/ Unknown
Actual Federal Adult Inmate Population[2]	158,081	27.3%	38.5%	2.6%	1.4%	N/A	30.2%	N/A
Actual State Adult Inmate Population[3]	12,492	22.0%	61.0%	0.0%	1.0%	N/A	16.0 %	0.0 %

State Census and State Inmate Population Data

	Total Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Other/ Unknown
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%
Actual State Adult Inmate Population[3]	12,492	22.0%	61.0%	0.0%	1.0%	N/A	16.0%	0.0%

DATA PROVIDED BY THE EXECUTIVE BRANCH

The following data was provided, as a part of the submission, by the Office of the Attorney General:

[1] Publicly available data obtained from the federal census for national and State populations as of April 1, 2020.
[2] Publicly available data of federally sentenced persons in custody of the Federal Bureau of Prisons, as of February 18, 2023.
[3] Publicly available data produced by the New Jersey Department of Corrections concerning the State inmate population on January 4, 2022. It has been reported by the New Jersey Department of Corrections that the Fiscal Year 2023 average daily population was 10,332 people. However, that number has not been sorted by race and ethnicity.

Arrest, Unique Persons, Charges, and Convictions for Specified Charges

		Arrests		Unique Persons		Charges		Convictions	
	Degree	2021	2022	2021	2022	2021	2022	2021	2022
2C:20-2 generally and as it relates to motor vehicles	2	9	20	9	20	9	20	2	2
	3	194	273	188	263	206	283	6	7
	4	109	124	107	124	111	127	7	3
	DP	13	8	13	8	13	8	5	3
	Unknown	2	4	2	3	2	4	1	1
2C:20-7 generally and at it relates to motor vehicles	3	1	0	1	0	1	0	1	0
	Blank	2996	3689	2743	3327	3172	3888	331	175

Note: Arrests are tabulated as an arrest of a Unique Person on a specific date. However, Unique Persons may have multiple arrests, charges, and convictions within this data set, as Unique Persons may have committed multiple offenses that result in multiple charges and convictions or committed multiple offenses within the year that resulted in multiple arrests of the Unique Person.
2C:20-2 includes 2C:20-2; 2C:20-2.3A; 2C:20-2.4A(1); 2C:20-2.6A; 2C:20-2B(1)(A); 2C:20-2B(1)(B); 2C:20-2B(1)(C); 2C:20-2B(1)(D); 2C:20-2B(1)(F); 2C:20-2B(2)(A); 2C:20-2B(2)(B); 2C:20-2B(2)(C); 2C:20-2B(2)(D); 2C:20-2B(2)(E); 2C:20-2B(2)(F); 2C:20-2B(2)(G); 2C:20-2B(2)(H); 2C:20-2B(2)(J); 2C:20-2B(2)(K); 2C:20-2B(3); 2C:20-2B(4); 2C:20-2B(4)(A).
2C:20-7 includes 2C:20-7; 2C:20-7.1A; 2C:20-7.1B; 2C:20-7.1B(1); 2C:20-7.1B(2); 2C:20-7A.

Arrest, Unique Persons, Charges, and Convictions by Race

			2021					2022				
	Statute	Degree	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided
Arrests	2C:20-2	2		6	3				9	11		
	2C:20-2	3	3	82	106		3	7	129	122		15
	2C:20-2	4	1	49	53		6		58	63		3
	2C:20-2	DP		7	5		1		3	5		
	2C:20-2			2						4		
	2C:20-7	3		1								
	2C:20-7		35	1717	1119	5	120	44	2067	1427	2	149

			2021					2022				
	Statute	Degree	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided
Charges	2C:20-2	2		6	3				9	11		
	2C:20-2	3	3	91	109		3	7	132	128		16
	2C:20-2	4	1	51	53		6		58	66		3
	2C:20-2	DP		7	5		1		3	5		
	2C:20-2			2						4		
	2C:20-7	3		1								
	2C:20-7		38	1790	1199	5	140	48	2183	1494	2	161

			2021					2022				
	Statute	Degree	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided
Persons	2C:20-2	2		6	3				9	11		
	2C:20-2	3	3	80	102		3	5	125	118		15
	2C:20-2	4	1	47	53		6		58	63		3
	2C:20-2	DP		7	5		1		3	5		
	2C:20-2			2						3		
	2C:20-7	3		1								
	2C:20-7		33	1562	1032	4	112	43	1849	1298	2	135

			2021					2022				
	Statute	Degree	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided	Asian / Pacific Islander	Black or African American	White (incl. Hispanic white)	American Indian / Alaska Native	Unk./ not provided
Convictions	2C:20-2	2		1	1				1	1		
	2C:20-2	3	1	2	1		2	1	3	1		2
	2C:20-2	4	0	2	3		2		1	1		1
	2C:20-2	DP		2	2		1		2	1		
	2C:20-2			1						1		
	2C:20-7	3		1								
	2C:20-7		4	174	137	0	16	3	95	68	1	8

Note: Hispanic ethnicity was not captured during the Live Scan process, which must meet federal data specifications.[4] The Administrative Office of the Courts created a separate data collection field for Hispanic origin in December 2021. However, this information is still pending addition to the data files available to OAG.

The following response was provided by the Juvenile Justice Commission:

The Juvenile Justice Commission (JJC) does not maintain or have direct access to detailed data on youth arrests, prosecutions, or adjudications (i.e. convictions). The JJC is not a prosecutorial agency. The JJC does not keep racial and ethnic data segregated by crimes for arrests, prosecutions, or adjudications for the juveniles committed to its care.

The Department of Corrections has made available to the public statistical data concerning the State inmate population categorized by race and ethnicity for 2022, which are reflected in the charts on page 2, and offenders by base offense for 2021 and 2022 in the following charts:

Offenders by Base Offense for 2021

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		ADTC		Edna Mahan		Halfway Houses, County Jails, St. Francis	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	12,808	100%	9,358	100%	1,321	100%	406	100%	404	100%	1,319	100%
Property Offenses	559	4%	362	4%	47	4%	0	0%	25	6%	125	9%

[4] The Live Scan process is the automated fingerprint information system that the State Bureau of Identification utilizes as centralized storage for criminal arrest fingerprints.

Offenders by Base Offense for 2022

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		ADTC		Edna Mahan		Halfway Houses, County Jails, St. Francis	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	12,492	100%	9,442	100%	1,139	100%	410	100%	408	100%	1,093	100%
Property Offenses	526	4%	375	4%	57	5%	0	0%	36	9%	58	5%

Note: In these tabulations, the base offense is the most serious offense at the time of admission. These figures reflect base or controlling offenses at admission only and do not include any offenses in addition to the base offense in the case of multiple sentences at admission. Property offenses include burglary, arson, theft, forgery, embezzlement, and receiving/possessing stolen property.

DATA PROVIDED BY THE JUDICIARY

The following data was provided by the Administrative Office of the Courts, which is the agency within the Judiciary responsible for the administration of court processes, rules promulgation, and data collection:

# OF CHARGES FOR SELECTED STATUTES * FOR COMPLAINTS ISSUED IN 2021					
	ETHNICITY **				
RACE	BLANK **	N	U	Y	TOTAL
AM IND/AK	9	0	0	0	9
ASIAN	61	0	0	0	61
BLACK	2,314	235	21	16	2,586
NOT ENTERED	119	0	0	0	119
OTHER	119	0	0	0	119
UNKNOWN	0	0	16	2	18
WHITE	1,857	61	9	83	2,010
TOTAL	**4,479**	**296**	**46**	**101**	**4,922**

# OF CHARGES FOR SELECTED STATUTES * FOR COMPLAINTS ISSUED IN 2022					
	ETHNICITY **				
RACE	BLANK **	N	U	Y	TOTAL
AM IND/AK	0	8	1	2	11
ASIAN	0	88	2	5	95
BLACK	0	3,176	186	180	3,542
NAT HAW/PI	0	1	0	0	1
NOT ENTERED	2	0	0	0	2
OTHER	1	0	0	0	1
UNKNOWN	0	27	94	72	193
WHITE	1	1,140	109	1,183	2,433
TOTAL	**4**	**4,440**	**392**	**1,442**	**6,278**

** ETHNICITY	
CODE	DESCRIPTION
BLANK	ETHNICITY NOT ENTERED ON COMPLAINT
N	NOT HISPANIC OR LATINX
U	UNKNOWN
Y	HISPANIC OR LATINX

SELECTED STATUTES *		
STATUTE	**DEGREE**	**DESCRIPTION**
2C:15-2A(1)	1	CARJACKING-INFLICT BI OR USES FORCE UPON OCCUPANT
2C:15-2A(2)	1	CARJACKING-THREATEN OCCUPANT /W BODILY INJURY
2C:15-2A(3)	1	CARJACKING: THREATENS/COMMITS 1ST-2ND DEGREE CRIME
2C:15-2A(4)	1	CARJACKING AND RETAIN DRIVER OR OCCUPANT
2C:20-18	2	LEADER OF AUTO THEFT TRAFFICKING NETWORK
2C:20-2B(1)(A)	2	THEFT-VALUE $75000+
2C:20-2B(2)(A)	3	THEFT-VALUE BETWEEN $500-$74,999
2C:20-2B(2)(B)	3	THEFT-FIREARM/MV/VESSEL/ BOAT/HORSE/PET/AIRPLANE
2C:20-7A	2	RECEIVING STOLEN PROP-KNOW PROP STOLEN-VAL 75000+ ETC
2C:20-7A	3	RECEIVNG STOLEN PROP-KNOW PROP STOLEN-VAL 500-74999 ETC
2C:20-7A	4	RECEIVING STOLEN PROPERTY-VALUE $200-$499
2C:20-7A	D	RECEIVING STOLEN PROPERTY-VALUE LESS THAN $200
2C:5-6A	4	MOTOR VEHICLE MASTER KEYS-KNOWINGLY POSS MASTER KEY

DATED: MARCH 1, 2023

SENATE, No. 3777

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MAY 8, 2023

Sponsored by:
Senator JOSEPH A. LAGANA
District 38 (Bergen and Passaic)
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 30-day-period.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/8/2023)

AN ACT concerning pretrial release and amending P.L.2014, c.31.

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

1. Section 3 of P.L.2014, c.31 (C. 2A:162-17) is amended to read as follows:

3. Except as otherwise provided under sections 4 and 5 of P.L.2014, c.31 (C.2A:162-18 and C.2A:162-19) concerning a hearing on pretrial detention, a court shall make, pursuant to this section, a pretrial release decision for an eligible defendant without unnecessary delay, but in no case later than 48 hours after the eligible defendant's commitment to jail.

a. **[**The**]** Except as otherwise provided in this subsection, the court shall order the pretrial release of the eligible defendant on personal recognizance or on the execution of an unsecured appearance bond when, after considering all the circumstances, the Pretrial Services Program's risk assessment and recommendations on conditions of release prepared pursuant to section 11 of P.L.2014, c.31 (C.2A:162-25), and any information that may be provided by a prosecutor or the eligible defendant, the court finds that the release would reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process. The presumption of pretrial release pursuant to this subsection shall not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions within the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

b. (1) If the court does not find, after consideration, that the release described in subsection a. of this section will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant subject to the following:

(a) the eligible defendant shall not commit any offense during the period of release;

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.

(b) the eligible defendant shall avoid all contact with an alleged victim of the crime;

(c) the eligible defendant shall avoid all contact with all witnesses who may testify concerning the offense that are named in the document authorizing the eligible defendant's release or in a subsequent court order; and

(d) any one or more non-monetary conditions as set forth in paragraph (2) of this subsection.

(2) The non-monetary condition or conditions of a pretrial release ordered by the court pursuant to this paragraph shall be the least restrictive condition, or combination of conditions, that the court determines will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which may include that the eligible defendant:

(a) remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is able to reasonably assure the court that the eligible defendant will appear in court when required, will not pose a danger to the safety of any other person or the community, and will not obstruct or attempt to obstruct the criminal justice process;

(b) maintain employment, or, if unemployed, actively seek employment;

(c) maintain or commence an educational program;

(d) abide by specified restrictions on personal associations, place of abode, or travel;

(e) report on a regular basis to a designated law enforcement agency, or other agency, or pretrial services program;

(f) comply with a specified curfew;

(g) refrain from possessing a firearm, destructive device, or other dangerous weapon;

(h) refrain from excessive use of alcohol, or any unlawful use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner;

(i) undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency, and remain in a specified institution if required for that purpose;

(j) return to custody for specified hours following release for employment, schooling, or other limited purposes;

(k) be placed in a pretrial home supervision capacity with or without the use of an approved electronic monitoring device. The court may order the eligible defendant to pay all or a portion of the costs of the electronic monitoring, but the court may waive the payment for an eligible defendant who is indigent and who has demonstrated to the court an inability to pay all or a portion of the costs; or

(l) satisfy any other condition that is necessary to reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, which shall not include any prohibition or restriction concerning manufacturing, distributing, or dispensing, or possessing or having under control with intent to manufacture, distribute, or dispense, marijuana or hashish in violation of paragraph (12) of subsection b. of N.J.S.2C:35-5, or possession of marijuana or hashish in violation of paragraph (3) of subsection a. of N.J.S.2C:35-10.

c. (1) If the court does not find, after consideration, that the release described in subsection a. or b. of this section will reasonably assure the eligible defendant's appearance in court when required, the court may order the pretrial release of the eligible defendant on monetary bail, other than an unsecured appearance bond. The court may only impose monetary bail pursuant to this subsection to reasonably assure the eligible defendant's appearance. The court shall not impose the monetary bail to reasonably assure the protection of the safety of any other person or the community or that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, or for the purpose of preventing the release of the eligible defendant.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

d. (1) If the court does not find, after consideration, that the release described in subsection a., b., or c. will reasonably assure the eligible defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, the court may order the pretrial release of the eligible defendant using a combination of non-monetary conditions as set forth in subsection b. of this section, and monetary bail as set forth in subsection c. of this section.

(2) If the eligible defendant is unable to post the monetary bail imposed by the court in combination with non-monetary conditions pursuant to this subsection, and for that reason remains detained in jail, the provisions of section 8 of P.L.2014, c.31 (C.2A:162-22) shall apply to the eligible defendant.

e. For purposes of the court's consideration for pretrial release described in this section, with respect to whether the particular method of release will reasonably assure that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process, this reasonable assurance may be deemed to exist if the prosecutor does not provide the court with information relevant to the risk of

whether the eligible defendant will obstruct or attempt to obstruct the criminal justice process.
(cf: P.L.2021, c.19, s.7)

2. This act shall take effect immediately.

STATEMENT

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 30-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3777

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3777, with committee amendments.

As amended, this bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 90-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes enumerated in this subsection.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 5189, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to eliminate a presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

The bill, as introduced, would have eliminated this presumption within the 30-day-period preceding the charge.

FISCAL IMPACT

The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 3777
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 12, 2023

SUMMARY

Synopsis: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 30-day-period.

Type of Impact: Annual County expenditure increase. Potential State expenditure increase.

Agencies Affected: The Judiciary; Department of Law and Public Safety; Counties.

Office of Legislative Services Estimate

Fiscal Impact	Annual
Potential State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

- The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

BILL DESCRIPTION

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 30-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial

detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment. This bill would add, as an additional circumstance barring pretrial release, a subsequent charge involving motor vehicle theft, following an arrest or conviction within the proceeding 30 days for a different motor vehicle theft offense.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will largely impact county expenditures for housing inmates in county jails. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

The costs for housing inmates in a county jail vary, but according to certain estimates, it could be more than $100 per day. For example, in 2021, when Union County closed its county jail and moved its inmates to Essex County jail, according to certain estimates, Union County decided on a daily rate of $104 per person. However, it cannot be known how many people will commit the crimes under the bill to ascertain the fiscal impact on the State or counties.

The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Senior Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3777

STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 22, 2023

SUMMARY

Synopsis: Eliminates presumption of pretrial release for certain motor vehicle theft offenses if prior arrest or conviction occurred within prior 90-day-period.

Type of Impact: Annual County expenditure increase. Potential State expenditure increase.

Agencies Affected: The Judiciary; Department of Law and Public Safety; Counties.

Office of Legislative Services Estimate

Fiscal Impact	Annual
Potential State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill will result in annual county expenditure increases. The bill eliminates the presumption of pretrial release for individuals charged with certain motor vehicle theft offenses. This will result in pretrial detention in county jails; however, it cannot be known how many individuals will commit these crimes and the resulting fiscal impact on counties.

- The OLS does not anticipate this bill will result in any significant increase in the workload for the Judiciary or the Department of Law and Public Safety. The Judiciary and the Department of Law and Public Safety may need to make some procedural changes per the provisions of the bill.

BILL DESCRIPTION

This bill eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge.

Under P.L.2014, c.31, also known as the Criminal Justice Reform Law, criminal courts are authorized to order the pretrial release of a defendant pending further proceedings, or order pretrial detention of a defendant who is found to be a flight risk, a danger to another or the community, or likely to obstruct further criminal proceedings. Currently, the Criminal Justice Reform Law establishes a presumption for some form of pretrial release, except with respect to an eligible defendant charged with murder or a crime for which the eligible defendant would be subject to an ordinary or extended term of life imprisonment.

Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with theft of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 90-day-period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the enumerated crimes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

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Governor Murphy Toughens Laws Against Auto Theft

07/7/2023

Continues the Work of the Administration to Combat Auto Theft

LONG BRANCH – Governor Phil Murphy today signed a series of bills to continue the fight to combat auto theft in New Jersey. The four bills strengthen the criminal penalties associated with auto theft, with a particular focus on persistent, repeat offenders and large-scale automobile trafficking networks.

"Every person should be able to feel safe and secure in the communities they call home. That is why over the past year we have taken serious steps to crack down on the troubling in auto thefts," **said Governor Murphy.** "Today's comprehensive bill signing is an additional step in the right direction. I am grateful to our legislative leaders for recognizing the seriousness of this issue and for taking swift action to bring these bills to my desk. Together, we will continue to work with our partners in law enforcement to keep New Jerseyans safe."

"More than 1 million vehicles are stolen across the U.S. every year. In New Jersey, we are focused on reducing those numbers and this incredibly comprehensive package of bills w give law enforcement the means to do just that," **said Attorney General Matthew J. Platkin.** "Thank you to Gov. Murphy and the Legislature for recognizing the need to give our law enforcement officers and agencies these additional tools. Working with our partners at the local, state and federal level, we are in a greater position to cut the number of vehicle th and better protect our residents."

A4930/S3390 expands criminal penalties related to the illegal use of motor vehicle master keys. Motor vehicle master keys are key fobs or computer programs that have the abilit operate the locks or start a motor vehicle. Under the bill, individuals who knowingly possess one of these devices or programs for unlawful purposes or advertise these devices or programs knowing that such items are commonly used for unlawful purposes will be guilty of a fourth-degree crime. These provisions do not apply to law enforcement personnel, insurance organizations, or leasing business entities.

A4931/S2284 establishes the crimes of theft of a motor vehicle and receiving a stolen motor vehicle as separate statutory provisions resulting in either a second- or a third-degree crime, depending on the value of the car. Additionally, the bill provides for extended sentences for certain persistent motor vehicle offenders. If an individual has been convicted on or more prior, separate occasions of carjacking theft, unlawful taking of a motor vehicle, or receiving stolen property that is a motor vehicle, then that individual may be subject to a extended term of imprisonment upon request of the prosecutor.

A5034/S3006 expands the crime of "leader of auto theft trafficking network" by amending the definition of said "leader" to include persons who conspire with others as participant engage for profit or to commit other criminal activity in a scheme or course of conduct to unlawfully take, dispose of, distribute, bring into, or transport motor vehicle or motor vehi parts as stolen property. The bill also establishes that the "participant in auto theft network" will result in a third-degree crime.

A5189/S3777 eliminates the presumption of pretrial release for defendants charged with certain motor vehicle theft offenses if the defendant was arrested or convicted of a prior motor vehicle theft offense within the 90-day-period preceding the charge. Under the bill, the presumption of pretrial release would not apply to an eligible defendant charged with t of or unlawful taking of a motor vehicle or receiving stolen property where the property involved is a motor vehicle if on one or more prior and separate occasions during the 90-day period preceding the charge, the defendant was arrested for or convicted of theft of or unlawful taking of a motor vehicle; receiving stolen property where the property involved is a motor vehicle; or a crime under any statute of the United States, this State, or any other state that is substantially equivalent to any of the crimes listed above.

In the past year, the Murphy Administration has taken several steps to address the problem of auto thefts.

Earlier this year, the Governor signed S249/A2210, making it more difficult for bad actors to sell stolen catalytic converters to scrap yards and making it easier for law enforcement identify, locate, and prosecute violators. Attorney General Matthew J. Platkin also announced in April 2023 that 34 law enforcement agencies in 21 counties and the New Jersey St Police (NJSP) will receive grant funding to acquire or expand automated license plate recognition (ALPR) technology across the state, building on Governor Murphy's 2022 $10 mil investment in the technology to reduce violent crime and auto theft in New Jersey through the federal American Rescue Plan (ARP) State Fiscal Recovery Fund.

Auto theft measures taken in the last year have proven to be successful, resulting in a 10 percent decrease in auto thefts from January through May of this year compared to that s period last year, and a 10 percent decrease in auto thefts for the last four months of 2022 compared to those same months in 2021.

In the recently signed Fiscal Year 2024 budget, $2 million more was allocated to increase the investment in statewide pretrial services, which will expand social service offerings a ramps to programming support for people awaiting trial.

The primary sponsors of these bills, which passed unanimously in both houses, were Senator Gopal, Senator Lagana, Senator Sarlo, Senator Codey, Senator Bucco, Assemblyman Assemblywoman Swain, Assemblyman Atkins, Assemblywoman Speight, Assemblywoman Flynn, and Assemblyman Thomson.

"The rate of auto-thefts over the past two years threatens the property and safety of New Jersey residents and places an added strain on law enforcement," **said Senator Vin Gopal** crucial we take decisive and creative action to deter car thieves while also providing additional support to the law enforcement departments and our prosecutors' offices who are already working hard to curb this disturbing trend."

"In New Jersey, the vast majority of residents depend on their cars to get back and forth to work, to get their kids to school, or to go wherever they need to be. These bills offer new of thinking, and new ways of attacking the car theft problem in our state, by focusing resources on several fronts, and, when necessary, strengthening laws to make would-be perpetrators think twice before stealing another person's automobile," **said Senator Joseph Lagana.**

"Car thefts and related crimes are an ongoing threat to the safety and security of diverse communities throughout the state," **said Senator Paul Sarlo.** "This legislation will work to down on offenders, prevent thefts, and take down the criminal networks of car thieves."

"In recent years, our communities have been plagued with the crimes of car thefts, with the thefts primarily being done by repeat offenders," **said Senator Richard Codey.** "These ar sophisticated, well-financed, well-organized business operations, more or less corporations. If we want to get serious about busting up these operations and making headway on c thefts, we must go after the captains of these rings, and not merely be content with arresting the teen-age perpetrators who may be in their service."

"I am pleased that Governor Murphy signed this bipartisan legislation to address the epidemic of motor vehicle thefts in New Jersey. This law sends a powerful message that if you commit the crime, you will be caught and you will serve time," **said Senator Minority Leader Anthony M. Bucco.** "Unlawful activities related to car thefts and stolen car parts have r increased throughout the state since 2020. With the signing of this legislation, we are enacting a plan to hold auto theft traffickers and their criminal networks accountable for their heinous crimes."

"Since the onset of the pandemic, our State has seen the most significant increase in auto thefts to date," **said Assemblyman Christopher Tully.** "New Jersey residents deserve immediate protection, which is why we have taken steps to develop smart, sensible policies that safeguard our residents and their property while punishing those responsible. The measures being signed into law today will strengthen our laws and keep our neighborhoods safe."

"The majority of families in New Jersey rely on their cars to get where they need to go, be it for work, school or leisure. That is why it is critical to respond to the recent surge in car with thoughtful, effective policies that will stop repeat offenders who lead car theft trafficking networks," **said Assemblywoman Lisa Swain.** "These new laws take aim at car theft r that for too long have preyed upon New Jersey communities, clearly sending the message that actions have consequences."

"The uptick in car thefts throughout the state has created serious cause for concern among law enforcement officers and New Jersey families," **said Assemblyman Reginald Atkins.** "People deserve to feel safe and secure in their communities, but that isn't possible when the threat of property theft looms over them. By updating our laws, we are addres technological advances that aid in these crimes and giving our courts the tools needed to put an end to car thefts."

"Over the past few years, law enforcement officers throughout New Jersey have felt the added strain caused by car thefts and our residents have worried that their property could b next target," **said Assemblywoman Shanique Speight.** "I am proud to sponsor legislation being signed into law today. This is a start to ending car thefts and giving New Jersey fam peace of mind."

"This new law thoughtfully targets the car theft crisis occurring throughout New Jersey communities by providing the necessary support law enforcement has called for to address 'catch and release' policies that have enabled car theft rings to flourish," **said Assemblywoman Vicky Flynn**. "Tackling the rise in car thefts was one of the first issues I took on as a member of the Legislature, so it is particularly rewarding to see this bill signed into law. Protecting the hardworking people of New Jersey and their property is a commitment I will continue to honor as I celebrate this significant step toward a safer tomorrow."

"Empowering the courts to close the door on repeat car thieves will help put an end to the crime cycle in New Jersey," **said Assemblyman Ned Thomson.** "In order to provide reside the peace of mind they deserve and protect them from falling victim to career criminals, New Jersey must take a tougher approach. The signing of this law demonstrates how both sides of the aisle can come together to prioritize public safety and ensure the justice system holds these offenders accountable."

"Car thefts are a personal and sometimes violent attack on an innocent victim," **said Peter Andreyev, Executive Vice President, New Jersey State PBA.** "The bills signed today will a law enforcement to target the leaders of these theft rings and make sure that repeat offenders are properly adjudicated. On behalf of the New Jersey State PBA, I would like to thar Governor Murphy and the bill sponsors for their support on this serious public safety issue."

"I commend the Governor and Legislature for taking swift action to combat this very important bipartisan issue," **said Long Branch Mayor John Pallone.** "In Long Branch public saf our primary responsibility and with these laws in place, it gives our law enforcement officers the ability to protect and serve our town and ensure auto theft offenders are brought to justice"

"I applaud the Senate and the Governor for approving the set of bills that will greatly enhance the safety and security of residents," **said Mine Hill Mayor Sam Morris.** "These bills w help crack down and bring accountability to those who prey on the public. The legislation goes far toward beating the technical and skilled car thieves advanced technology. Good to everyone involved."

"New Jersey is plagued by an epidemic of auto theft. I commend the legislature for taking action and the governor for signing these bills into law," **said Mount Arlington Mayor Mic Stanzilis.** "I urge the public to help stem the tide of auto theft by locking their cars and not leaving the keys and key fob in their automobiles."

"I would like to thank our Legislature for passing these package of bills and to Governor Murphy for signing this important legislation to help combat the out of control auto theft cr in our State," **said Jefferson Mayor Eric F. Wilsusen.** "As a retired Deputy Chief of Police, I know these new laws will give our law enforcement a few more tools in their toolbox bett control auto theft that has affected all our communities throughout New Jersey."

"Kudos to our legislators and to our Governor for passing and signing this critical legislation into law which is long overdue," **said East Hanover Mayor Joseph Pannullo.** "It is esser for both law enforcement officers and prosecutors who can now better work together to make all of us safer."

"These bills aptly address our ongoing concerns for our municipality's public safety," **said Millburn Mayor Maggee Miggins.** "We find the unanimous approvals very meaningful and are grateful to both the Governor and the Legislature."

"The auto thefts have reached epidemic proportions. It cannot be addressed solely in the communities where the thefts are occurring, it must be addressed from the cities where t young are recruited, to suburbs where the cars are stolen to the final destination of the vehicles," **said Madison Mayor Robert H. Conley.** "This series of bills does exactly that. As a mayor in a community that has been hit with the rash of thefts, these bills are the support we need. I thank the legislature for their overwhelming support for the bills and for Gover Murphy for signing them into law."

"I believe these bills, once they become law, will assist law enforcement and prosecutors in trying to curb the theft of autos and auto parts," **said Totowa Mayor John Coiro.**

"I thank Governor Murphy and our State Legislature for recognizing and working to address a problem in a bipartisan way that Mayors and local police departments have been combatting for a while," **said Hamilton Township Mayor Jeff Martin.** "Repeat offenders, and those profiting off their crimes, will now face far more significant penalties for their cho and be less likely to be released on bail to continue to commit these crimes."

"I want to thank Governor Murphy for taking these important steps towards strengthening auto theft prevention laws," **said Prospect Park Mayor Mohamed Khairullah.** "This is one where Republicans and Democrats alike are united and gives our law enforcement community the necessary resources to stop auto thefts, protect our residents and ensure public safety in our town and every town across the state."

"It's no secret that communities across New Jersey have been struggling to combat widespread auto thefts for years," **said Morris Township Mayor Mark Gyorfy.** "I applaud the pas of these bipartisan measures by our state lawmakers and thank Governor Murphy for his support to strengthen law enforcement's ability to stem this concerning trend and make communities like Morris Township safer for all residents."

"As Mayor, representing the Montville Township Committee, we support legislation that has a positive impact on crime," **said Montville Mayor Matt Kayne.** "Auto theft continues to occurring at a high incident rate. These bills are a positive step forward in the effort to fight auto theft. I support these bills and want to thank our lawmakers for this body of work."

"The bills that Governor Murphy is signing is a big step in assisting Law Enforcement in combating the on-going crime of auto theft," **said Montville Police Chief Andrew Caggiano.** "These bills give law enforcement the ability to specifically ensure that the repeat offenders committing auto theft are not automatically released through pretrial release are held accountable after conviction. As the Chief of Police for the Montville Township Police Department, I support these bills and applaud our legislators for their efforts"

"Auto theft has become a major concern across the State of New Jersey. It's an issue we hear about from residents every single day," **said Woodland Park Mayor Keith Kazmark.** " thank Governor Murphy and the State Legislature for working on and signing this series of bills to address this important issue. Safety must be our number one priority, without it v have no quality of life."

"Over the past few years, we have witnessed a rise in auto thefts, an issue that is not subject to just one community in our state," **said Ewing Mayor Bert Steinmann.** "I am grateful Governor Murphy and the state legislature for their continued efforts to support us as we work to combat this epidemic here in Ewing."

"The bipartisan measure from Trenton to raise the stakes for major crime rings who focus on auto theft is welcome news to all communities across New Jersey," **said Mendham Borough Mayor Christine Glassner.** "Law enforcement officials now have a powerful new tool to combat auto theft and bring criminal accountability to the leaders of these pyramic crime schemes and throw them in prison where they belong. In addition to supporting our cops working the streets and prosecutors who use the full scope of their authority to red violent and costly crimes in our state, all New Jerseyans can appreciate this important step to fight crime by our leaders in Trenton."

"I applaud Governor Murphy for signing the bills sponsored by Senators Codey, Bucco, Sarlo, Lagana and Gopal. Stiffening the consequences for actors who commit these crimes paramount to giving municipalities and law enforcement the upper hand in combating auto theft. It is refreshing to witness our state legislators collaborate for the betterment of residents regardless of party affiliation," **said Roseland Mayor James Spango.** "The statewide auto theft issue affects all municipalities and NJ residents and puts the safety of the public and police at risk everyday. Harsher penalties for those committing these crimes will improve the quality of life for all of us."

"I want to thank Governor Murphy and the Legislature for working together in a bipartisan effort to address this critical issue affecting not just Long Hill but towns across New

Jersey," **said Long Hill Mayor Scott Lavender.** "These laws will empower our law enforcement officers and prosecutors to effectively protect our communities and ensure criminals held accountable to the fullest extent of the law."

"Across the State, an increase in vehicle thefts and related crimes are impacting the quality of life for our citizens. Even quiet suburban communities like Bridgewater are not immu this rise, despite the best efforts of our dedicated Police Department. That is why I completely support this bi-partisan package of bills. The individual's committing these crimes n to know that New Jersey takes these offenses seriously and, when you are caught, you will pay the price," **said Bridgewater Mayor Matt Moench.**