

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 653

STATE OF NEW JERSEY

DATED: MARCH 21, 2022

The Senate Judiciary Committee reports favorably Senate Bill No. 653.

This bill would establish the crime of “sexual extortion”: coercing or knowingly causing an individual to engage in sexual activity or supply images of the individual engaged in sexual activity or of the individual’s intimate parts by means of threat.

More specifically, an actor would be guilty of sexual extortion if, with the purpose to coerce or knowingly cause another person to engage in sexual contact, sexual penetration, or simulated sexual contact or penetration, or to produce, provide, or distribute any image, video, or other recording of the person engaged in sexual contact or sexual penetration or of the person’s intimate parts, the actor communicates a threat verbally or by any electronic means: (1) of any type to the person, which could also be a threat to the person’s property or reputation; or (2) specifically to disclose an image or video of the person engaged in actual or simulated sexual contact or penetration, simulated sexual contact or penetration, or of an individual’s intimate parts.

Sexual extortion would be graded as a crime of the third degree. A third degree crime is ordinarily punishable by a term of imprisonment of three to five years, a fine of up to a \$15,000, or both.

An actor would be guilty of aggravated sexual extortion, graded as a crime of the second degree, if the actor committed an act of sexual extortion as described above on a child under 18 years of age or an adult with a developmental disability, as defined under section 3 of P.L.1977, c.82 (C.30:6D-3). A crime of the second degree is ordinarily punishable by a term of imprisonment of five to 10 years, a fine of up to \$150,000, or both.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.