

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 1809

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1809.

This bill, as amended, would require a court to consider, when weighing the necessity of ordering a domestic violence final restraining order, any pattern of coercive control against the victim “that in purpose or effect unreasonably interferes with, threatens, or exploits a person’s liberty, freedom, bodily integrity, or human rights with the court specifically considering evidence of the need for protection from immediate danger or the prevention of further abuse.”

The bill describes coercive control as including, but not being limited to:

- isolating the person from friends, relatives, transportation, medical care, or other source of support;
  - depriving the person of basic necessities;
  - monitoring the person’s movements, communications, daily behavior, finances, economic resources, or access to services;
  - compelling the person by force, threat, or intimidation, including, but not limited to, threats based on actual or suspected immigration status;
  - threatening to make or making baseless reports to the police, courts, the Division of Child Protection and Permanency within the Department of Children and Families, the Board of Social Services, Immigration and Customs Enforcement, or other parties;
  - threatening to harm or kill the person’s relative or pet;
  - threatening to deny or interfere with a person’s custody or parenting time, other than through enforcement of a valid custody arrangement or court order pursuant to current law including, but not limited to, an order issued pursuant to Title 9 of the Revised Statutes;
- or
- any other factors or circumstances that the court deems relevant or material.

If the court found that one or more factors of coercive control are more or less relevant than others, it would make specific written findings of fact and conclusions of law on the reasons why the court reached that conclusion as part of the process of deciding whether to issue the order.

This bill, as amended and reported, is identical to the Third Reprint of Assembly Bill No. 1475, also reported today by the committee.

The committee amendments to the bill:

- omit section 1 of the bill in its entirety, which would have expanded the definition of “domestic violence” by adding coercive control, as generally described in the statement above, as one of the categories of actions against a victim that qualifies as an act of domestic violence for which temporary and final restraining orders could be issued; and

- add new section 1 which would instead require a court to consider, when weighing the necessity of ordering a domestic violence final restraining order, any pattern of coercive control against the victim.