

SENATE, No. 4611

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:

Senator HOLLY T. SCHEPISI

District 39 (Bergen)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Senator A.M.Bucco

SYNOPSIS

"Weston's Law"; extends crime of human trafficking to include recruiting or coercing juvenile to join gang or drug trafficking scheme.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2026)

1 AN ACT concerning human trafficking and drug trafficking,
2 designated as Weston's Law, and amending various parts of
3 statutory law.

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

7
8 1. Section 1 of P.L.2015, c.89 (C.2A:4A-26.1) is amended to
9 read as follows:

10 1. a. A prosecutor seeking waiver of jurisdiction of a juvenile
11 delinquency case by the Superior Court, Chancery Division, Family
12 Part to an appropriate court and prosecuting authority without the
13 consent of the juvenile shall file a motion within 60 days after the
14 receipt of the complaint, which time may be extended for good
15 cause shown. The motion shall be accompanied by a written
16 statement of reasons clearly setting forth the facts used in assessing
17 all factors contained in paragraph (3) of subsection c. of this
18 section, together with an explanation as to how evaluation of those
19 facts support waiver for each particular juvenile.

20 b. At a hearing, the court shall receive the evidence offered by
21 the State and by the juvenile. The State shall provide proof to
22 satisfy the requirements set forth in paragraphs (1) and (2) of
23 subsection c. of this section. The court also shall review whether
24 the State considered the factors set forth in paragraph (3) of
25 subsection c. of this section.

26 c. Except as provided in paragraph (3) of this subsection, the
27 court shall waive jurisdiction of a juvenile delinquency case without
28 the juvenile's consent and shall refer the case to the appropriate
29 court and prosecuting authority having jurisdiction if:

30 (1) The juvenile was 15 years of age or older at the time of the
31 alleged delinquent act; and

32 (2) There is probable cause to believe that the juvenile
33 committed a delinquent act which if committed by an adult would
34 constitute:

35 (a) criminal homicide, other than death by auto;

36 (b) strict liability for drug-induced deaths;

37 (c) first degree robbery;

38 (d) carjacking;

39 (e) aggravated sexual assault;

40 (f) sexual assault;

41 (g) second degree aggravated assault;

42 (h) kidnapping;

43 (i) aggravated arson;

44 (j) possession of a firearm with a purpose to use it unlawfully
45 against the person of another under subsection a. of N.J.S.2C:39-4,

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

Matter underlined thus is new matter.

1 or possession of a firearm while committing or attempting to
2 commit, including the immediate flight therefrom, aggravated
3 assault, aggravated criminal sexual contact, burglary, home
4 invasion burglary, residential burglary, or escape;

5 (k) a violation of N.J.S.2C:35-3 (Leader of a Narcotics
6 Trafficking Network);

7 (l) a violation of N.J.S.2C:35-4 (Maintaining and Operating a
8 CDS Production Facility);

9 (m) a violation of section 1 of P.L.1998, c.26 (C.2C:39-4.1)
10 (Weapons Possession while Committing certain CDS Offenses);

11 (n) human trafficking in violation of section 1 of P.L.2005, c.77
12 (C.2C:13-8);

13 (o) an attempt or conspiracy to commit any of the crimes
14 enumerated in subparagraphs (a) through (m) of this paragraph; or

15 **[(o)]** (p) a crime committed at a time when the juvenile
16 previously had been sentenced and confined in an adult correctional
17 facility.

18 (3) The court may deny a motion by the prosecutor to waive
19 jurisdiction of a juvenile delinquency case if it is clearly convinced
20 that the prosecutor abused his discretion in considering the
21 following factors in deciding whether to seek a waiver:

22 (a) The nature and circumstances of the offense charged;

23 (b) Whether the offense was against a person or property,
24 allocating more weight for crimes against the person;

25 (c) Degree of the juvenile's culpability;

26 (d) Age and maturity of the juvenile;

27 (e) Any classification that the juvenile is eligible for special
28 education to the extent this information is provided to the
29 prosecution by the juvenile or by the court;

30 (f) Degree of criminal sophistication exhibited by the juvenile;

31 (g) Nature and extent of any prior history of delinquency of the
32 juvenile and dispositions imposed for those adjudications;

33 (h) If the juvenile previously served a custodial disposition in a
34 State juvenile facility operated by the Youth Justice Commission,
35 and the response of the juvenile to the programs provided at the
36 facility to the extent this information is provided to the prosecution
37 by the Youth Justice Commission;

38 (i) Current or prior involvement of the juvenile with child
39 welfare agencies;

40 (j) Evidence of mental health concerns, substance use disorder,
41 or emotional instability of the juvenile to the extent this information
42 is provided to the prosecution by the juvenile or by the court; and

43 (k) If there is an identifiable victim, the input of the victim or
44 victim's family.

45 The Attorney General may develop for dissemination to the
46 county prosecutors those guidelines or directives deemed necessary
47 or appropriate to ensure the uniform application of this section
48 throughout the State.

1 d. An order waiving jurisdiction over a case and referring the
2 case to the appropriate court and prosecuting authority shall specify
3 the alleged act upon which the referral is based and all other
4 delinquent acts charged against the juvenile arising out of or related
5 to the same transaction.

6 e. Testimony of a juvenile at a hearing to determine referral
7 under this section shall not be admissible for any purpose in any
8 subsequent hearing to determine delinquency or guilt of any
9 offense.

10 f. Upon waiver of jurisdiction and referral to the appropriate
11 court and prosecuting authority having jurisdiction:

12 (1) The case shall proceed as if it originated in that court and
13 shall be subject to the sentencing provisions available to that court;
14 provided, however, upon conviction for any offense which is
15 subject to waiver pursuant to paragraph (2) of subsection c. of this
16 section, there shall be a presumption that the juvenile shall serve
17 any custodial sentence imposed in a State juvenile facility operated
18 by the Youth Justice Commission until the juvenile reaches the age
19 of 21, except that:

20 (a) a juvenile who has not reached the age of 21 may, in the
21 discretion of the Youth Justice Commission, be transferred to the
22 Department of Corrections in accordance with the plan established
23 pursuant to subsection e. of section 7 of P.L.1995, c.284 (C.52:17B-
24 175) and regulations adopted pursuant to that section; and

25 (b) a juvenile who has reached or exceeds the age of 21 may
26 continue to serve a sentence in a State juvenile facility operated by
27 the Youth Justice Commission in the discretion of the Youth Justice
28 Commission and if the juvenile so consents; otherwise the juvenile
29 shall serve the remainder of the custodial sentence in a State
30 correctional facility;

31 (2) If a juvenile is not convicted of an offense set forth in
32 paragraph (2) of subsection c. of this section, a conviction for any
33 other offense shall be deemed a juvenile adjudication and be
34 remanded to the Superior Court, Chancery Division, Family Part for
35 disposition, in accordance with the dispositional options available
36 to that court and all records related to the act of delinquency shall
37 be subject to the provisions of section 1 of P.L.1982, c.79
38 (C.2A:4A-60);

39 (3) With the consent of the defense and the prosecutor, at any
40 point in the proceedings subsequent to the decision ordering waiver
41 the court may remand to the Superior Court, Chancery Division,
42 Family Part if it appears that:

43 (a) the interests of the public and the best interests of the juvenile
44 require access to programs or procedures uniquely available to that
45 court; and

46 (b) the interests of the public are no longer served by waiver.

47 g. (1) The Youth Justice Commission, in consultation with the
48 Attorney General, shall establish a program to collect, record, and

1 analyze data regarding waiver of jurisdiction of a juvenile
2 delinquency case by the Superior Court, Chancery Division, Family
3 Part to an appropriate court and prosecuting authority. In
4 furtherance of this program, the Youth Justice Commission shall, in
5 cooperation with the Administrative Office of the Courts, Attorney
6 General, and county prosecutors, collect data related to the decision
7 to seek waiver of jurisdiction of a juvenile delinquency case, which
8 shall include but not be limited to data concerning:

9 (a) youth demographics, including age, gender, race, and
10 ethnicity;

11 (b) case characteristics, including the degree of the offense
12 waived, the degree of the offense convicted, and the final court
13 resolution;

14 (c) case processing times; and

15 (d) waiver rates by race and ethnicity.

16 (2) The commission shall prepare and publish on its Internet
17 website biennial reports summarizing the data collected, recorded,
18 and analyzed pursuant to paragraph (1) of this subsection.

19 (3) The commission shall, pursuant to section 2 of P.L. 1991,
20 c.164 (C.52:14-19.1), biennially prepare and transmit to the
21 Governor and the Legislature the reports required in paragraph (2)
22 of this subsection, along with any recommendations the commission
23 may have for legislation concerning waiver of jurisdiction of
24 juvenile delinquency cases.

25 (cf: P.L.2025, c.35, s.3)

26
27 2. N.J.S.2C:13-5 is amended to read as follows:

28 2C:13-5. Criminal Coercion.

29 a. Offense defined. A person is guilty of criminal coercion if,
30 with purpose unlawfully to restrict another's freedom of action to
31 engage or refrain from engaging in conduct, he threatens to:

32 (1) Inflict bodily injury on anyone or commit any other offense,
33 regardless of the immediacy of the threat;

34 (2) Accuse anyone of an offense;

35 (3) Expose any secret which would tend to subject any person to
36 hatred, contempt or ridicule, or to impair his credit or business
37 repute;

38 (4) Take or withhold action as an official, or cause an official to
39 take or withhold action;

40 (5) Bring about or continue a strike, boycott or other collective
41 action, except that such a threat shall not be deemed coercive when
42 the restriction compelled is demanded in the course of negotiation
43 for the benefit of the group in whose interest the actor acts;

44 (6) Testify or provide information or withhold testimony or
45 information with respect to another's legal claim or defense; or

46 (7) Perform any other act which would not in itself substantially
47 benefit the actor but which is calculated to substantially harm
48 another person with respect to his health, safety, business, calling,

1 career, financial condition, reputation, education, employment,
2 child custody, or personal or family relationships.

3 It is an affirmative defense to prosecution based on paragraphs
4 (2), (3), (4), (6) and (7) that the actor believed the accusation or
5 secret to be true or the proposed official action justified and that his
6 purpose was limited to compelling the other to behave in a way
7 reasonably related to the circumstances which were the subject of
8 the accusation, exposure or proposed official action, as by desisting
9 from further misbehavior, making good a wrong done, or refraining
10 from taking any action or responsibility for which the actor believes
11 the other disqualified.

12 b. Grading. Criminal coercion is a crime of the fourth degree
13 unless the threat is to commit a crime more serious than one of the
14 fourth degree or the actor's purpose is criminal, in which cases the
15 offense is a crime of the third degree.

16 (cf: P.L.2015, c.98, s.3)

17
18 3. Section 1 of P.L.2005, c.77 (C.2C:13-8) is amended to read as
19 follows:

20 1. Human trafficking. a. A person commits the crime of human
21 trafficking if he:

22 (1) knowingly coerces, holds, recruits, lures, entices, harbors,
23 transports, provides or obtains, by any means, another, to engage in
24 sexual activity as defined in paragraph (2) of subsection a. of
25 N.J.S.2C:34-1 or to provide labor or services, including but not
26 limited to labor or services for a criminal street gang as defined in
27 section 1 of P.L.2007, c.341 (C.2C:33-29) or in furtherance of
28 racketeering activity as defined in N.J.S.2C:41-1:

29 (a) by causing or threatening to cause serious bodily harm or
30 physical restraint against the person or any other person;

31 (b) by means of any scheme, plan, or pattern intended to cause
32 the person to believe that the person or any other person would
33 suffer serious bodily harm or physical restraint;

34 (c) by committing a violation of section 1 of P.L.1992, c.209
35 (C.2C:12-10); N.J.S.2C:13-5; section 1 of P.L.2003, c.206
36 (C.2C:14-9); section 1 of P.L.2023, c.45 (C.2C:14-9.1); or
37 N.J.S.2C:20-5 against the person;

38 (d) by destroying, concealing, removing, confiscating, or
39 possessing any passport, immigration-related document as defined
40 in section 1 of P.L.1997, c.1 (C.2C:21-31), or other document
41 issued by a governmental agency to any person which could be used
42 as a means of verifying the person's identity or age or any other
43 personal identifying information;

44 (e) by means of the abuse or threatened abuse of the law or legal
45 process;

46 (f) by means of fraud, deceit, or misrepresentation against the
47 person; or

1 (g) by facilitating access to a controlled dangerous substance or
2 controlled substance analog as set forth in chapter 35 of Title 2C of
3 the New Jersey Statutes; or

4 (2) receives anything of value from participation as an
5 organizer, supervisor, financier or manager in a scheme or course of
6 conduct which violates paragraph (1) of this subsection; or

7 (3) knowingly coerces, holds, recruits, lures, entices, harbors,
8 transports, provides or obtains, by any means, a child under 18
9 years of age, to engage in sexual activity as defined in paragraph (2)
10 of subsection a. of N.J.S.2C:34-1, to commit a criminal offense in
11 violation of section 1 of P.L.1988, c.102 (C.2C:24-9), to participate
12 in a criminal street gang in violation of section 1 of P.L.1999, c.160
13 (C.2C:33-28), or to participate in a drug distribution scheme in
14 violation of N.J.S.2C:35-6, whether or not the actor mistakenly
15 believed that the child was 18 years of age or older, even if that
16 mistaken belief was reasonable.

17 b. An offense under this section constitutes a crime of the first
18 degree.

19 c. It is an affirmative defense to prosecution for a violation of
20 this section that, during the time of the alleged commission of the
21 offense of human trafficking created by this section, the defendant
22 was a victim of human trafficking.

23 d. Notwithstanding the provisions of N.J.S.2C:43-6, the term of
24 imprisonment imposed for a crime of the first degree under
25 paragraph (2) or (3) of subsection a. of this section shall be either a
26 term of 20 years during which the actor shall not be eligible for
27 parole, or a specific term between 20 years and life imprisonment,
28 of which the actor shall serve 20 years before being eligible for
29 parole. Notwithstanding the provisions of N.J.S.2C:43-3, the
30 sentence for a conviction for a crime of the first degree under this
31 section shall include a fine in an amount of not less than \$25,000,
32 which shall be collected as provided for the collection of fines and
33 restitutions in section 3 of P.L.1979, c.396 (C.2C:46-4) and
34 forwarded to the Department of the Treasury to be deposited in the
35 "Human Trafficking Survivor's Assistance Fund" established by
36 section 2 of P.L.2013, c.51 (C.52:17B-238).

37 e. In addition to any other disposition authorized by law, any
38 person who violates the provisions of this section shall be ordered
39 to make restitution to any victim. The court shall award to the
40 victim restitution which is the greater of:

41 (1) the gross income or value to the defendant of the victim's
42 labor or services; or

43 (2) the value of the victim's labor or services as determined by
44 the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-
45 56.25 et seq.), the "New Jersey State Wage and Hour Law,"
46 P.L.1966, c.113 (C.34:11-56a et seq.), the Seasonal Farm Labor
47 Act, P.L.1945, c.71 (C.34:9A-1 et seq.), the laws concerning the
48 regulation of child labor in chapter 2 of Title 34 of the Revised

1 Statutes, or any other applicable State law, and the “Fair Labor
2 Standards Act of 1938,” 29 U.S.C. s.201 et seq., or any other
3 applicable federal law.
4 (cf: P.L.2013, c.51, s.3)

5
6 4. Section 1 of P.L.2007, c.341 (C.2C:33-29) is amended to read
7 as follows:

8 1. a. A person is guilty of the crime of gang criminality if, while
9 knowingly involved in criminal street gang activity, he commits,
10 attempts to commit, or conspires to commit, whether as a principal
11 or an accomplice, any crime specified in chapters 11 through 18,
12 20, 33, 35 or 37 of Title 2C of the New Jersey Statutes;
13 N.J.S.2C:34-1; N.J.S.2C:39-3; N.J.S.2C:39-4; section 1 of
14 P.L.1998, c.26 (C.2C:39-4.1); N.J.S.2C:39-5; or N.J.S.2C:39-9. A
15 crime is committed while involved in a criminal street gang related
16 activity if the crime was committed for the benefit of, at the
17 direction of, or in association with a criminal street gang.

18 “Criminal street gang” means three or more persons associated in
19 fact. Individuals are associated in fact if: (1) two of the following
20 seven criteria that indicate criminal street gang membership apply:
21 (a) self-proclamation; (b) witness testimony or official statement;
22 (c) written or electronic correspondence; (d) paraphernalia or
23 photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia
24 of street gang activity; and (2) individually or in combination with
25 other members of a criminal street gang, while engaging in gang
26 related activity, have committed or conspired or attempted to
27 commit, within the preceding five years from the date of the present
28 offense, excluding any period of imprisonment, one or more
29 offenses on separate occasions of robbery, carjacking, aggravated
30 assault, assault, aggravated sexual assault, sexual assault, arson,
31 burglary, kidnapping, extortion, tampering with witnesses and
32 informants, human trafficking, a violation of paragraph (1) of
33 subsection a. of section 5 of P.L.2013, c.51 (C.2C:13-9), or a
34 violation of chapter 11, sections 3, 4, 5, 6, or 7 of chapter 35, or
35 chapter 39 of Title 2C of the New Jersey Statutes.

36 b. Grading. Gang criminality is a crime of one degree higher
37 than the most serious underlying crime referred to in subsection a.
38 of this section, except that where the underlying crime is a crime of
39 the first degree, gang criminality is a first degree crime and the
40 defendant, upon conviction, and notwithstanding the provisions of
41 paragraph (1) of subsection a. of N.J.S.2C:43-6, shall be sentenced
42 to an ordinary term of imprisonment between 15 and 30 years. A
43 sentence imposed upon conviction of the crime of gang criminality
44 shall be ordered to be served consecutively to the sentence imposed
45 upon conviction of any underlying offense referred to in subsection
46 a. of this section.

47 (cf: P.L.2007, c.341, s.1)

1 5. N.J.S.2C:35-6 is amended to read as follows:

2 2C:35-6. Employing a Juvenile in a Drug Distribution Scheme.

3 Any person being at least 18 years of age who knowingly uses,
4 solicits, directs, hires or employs a person 17 years of age or
5 younger to violate N.J.S.2C:35-4 or subsection a. of N.J.S.2C:35-5,
6 is guilty of a crime of the second degree and shall, except as
7 provided in N.J.S.2C:35-12, be sentenced to a term of imprisonment
8 which shall include the imposition of a minimum term which shall
9 be fixed at, or between, one-third and one-half of the sentence
10 imposed, or five years, whichever is greater, during which the
11 defendant shall be ineligible for parole. Notwithstanding the
12 provisions of subsection a. of N.J.S.2C:43-3, the court may also
13 impose a fine not to exceed \$500,000.00 or five times the street
14 value of the controlled dangerous substance or controlled substance
15 analog involved, whichever is greater.

16 It shall be no defense to a prosecution under this section that the
17 actor mistakenly believed that the person which the actor used,
18 solicited, directed, hired or employed was 18 years of age or older,
19 even if such mistaken belief was reasonable.

20 Nothing in this section shall be construed to preclude or limit a
21 prosecution or conviction for a violation of any offense defined in
22 this chapter pursuant to N.J.S.2C:2-6 or any other provision of law
23 governing an actor's liability for the conduct of another, and,
24 notwithstanding the provisions of N.J.S.2C:1-8 or any other
25 provision of law, a conviction arising under this section shall not
26 merge with a conviction for a violation of N.J.S.2C:35-3 (leader of
27 narcotics trafficking network), N.J.S.2C:35-4 (maintaining or
28 operating a CDS production facility), N.J.S.2C:35-5
29 (manufacturing, distributing or dispensing), **【or】** N.J.S.2C:35-9
30 (strict liability for drug induced death), or section 1 of P.L.2005,
31 c.77 (C.2C:13-8) (human trafficking).
32 (cf: P.L.1997, c.181, s.4)

33

34 6. N.J.S.2C:41-4 is amended to read as follows:

35 2C:41-4. a. The Superior Court, making due provision for the
36 rights of innocent persons, shall have jurisdiction to prevent and
37 restrain the acts or conduct which constitute violations of N.J.S.
38 2C:41-2, by issuing appropriate orders, including, but not limited
39 to:

40 (1) Ordering any person to divest himself of any interest, direct
41 or indirect, in any enterprise;

42 (2) Imposing reasonable restrictions on the future activities or
43 investments of any person, including but not limited to, prohibiting
44 any person from engaging in the same type of endeavor as the
45 enterprise found to be in violation of N.J.S. 2C:41-2;

46 (3) Ordering the dissolution or reorganization of any enterprise;

47 (4) Ordering the denial, suspension or revocation of the charter
48 of any corporation organized under the laws of this State and to

1 deny, suspend or revoke the license of any foreign corporation
2 authorized to do business in the State of New Jersey;

3 (5) Ordering the denial, suspension or revocation of the license
4 or permit granted to any enterprise by any department or agency of
5 the State of New Jersey;

6 (6) Entering a cease and desist order which specifies the acts or
7 conduct which is to be discontinued, altered or implemented by any
8 person;

9 (7) Ordering the restitution of any moneys or property
10 unlawfully obtained or retained by any person found to be in
11 violation of N.J.S. 2C:41-2;

12 (8) Assessing civil monetary penalties against any person who
13 has violated N.J.S. 2C:41-2 to deter future violations, provided that
14 the court shall, upon making a finding on the record as to the gain
15 any such person has acquired or maintained through the violation,
16 assess such penalties in an amount not to exceed three times the
17 amount of the gain; **[and]**

18 (9) Ordering any person to forfeit to the State any interest he has
19 acquired or maintained in violation of this chapter and any interest
20 in, security of, claim against, or property or contractual right of any
21 kind affording a source of influence over any enterprises he has
22 established, operated, controlled, conducted, or participated in the
23 conduct of, in violation of this chapter. Forfeiture under this
24 subsection shall be in accordance with chapter 64 of Title 2C of the
25 New Jersey Statutes. The interest which shall be subject to
26 forfeiture shall be as defined by this section and as defined by
27 subsection a. of N.J.S.2C:64-1**[a.]**; or

28 (10) Imposing any or all of the foregoing sanctions in
29 combination with each other.

30 b. The Attorney General may institute proceedings in Superior
31 Court for violations of N.J.S.2C:41-2. In any action brought under
32 this section, the court shall proceed as soon as practicable to the
33 hearing and determination thereof. Pending final determination
34 thereof, the court may at any time enter restraining orders or
35 prohibitions, or take other actions, including the acceptance of
36 satisfactory performance bonds, as it shall deem proper.

37 c. Any person damaged in his business or property by reason of a
38 violation of N.J.S.2C:41-2, including but not limited to a victim of
39 human trafficking if the violation of N.J.S.2C:41-2 involved a
40 violation of section 1 of P.L.2005, c.77 (C.2C:13-8), may sue
41 therefor in any appropriate court and shall recover threefold any
42 damages he sustains and the cost of the suit, including a reasonable
43 attorney's fee, costs of investigation and litigation.

44 d. A final judgment rendered in favor of the State in any criminal
45 proceeding brought under this chapter shall estop the defendant
46 from denying the essential allegations of the criminal offense in any
47 subsequent civil proceeding.

48 (cf: P.L.1981, c.167, s.2)

1 7. This act shall take effect immediately.

2
3
4 STATEMENT
5

6 This bill, which is designated as “Weston’s Law,” extends the
7 crime of human trafficking, N.J.S.A.2C:13-8, to include the
8 recruiting or coercing of juveniles to join or serve a criminal gang
9 or drug trafficking scheme.

10 Under current law, which encompasses both labor and sex
11 trafficking, human trafficking occurs when a person knowingly
12 holds, recruits, lures, entices, harbors, transports, provides, or
13 obtains another person, regardless of age, by any means, to engage
14 in sexual activity or to provide other labor or services, using
15 methods that include, among other things, acts that would constitute
16 criminal coercion, under N.J.S.A.2C:13-5, or providing the victim
17 with access to controlled dangerous substances (CDS).

18 Human trafficking of a minor occurs when a person knowingly
19 holds, recruits, lures, entices, harbors, transports, provides, or
20 obtains a minor by any means to engage in sexual activity using any
21 method, whether or not the trafficker mistakenly believes that the
22 victim is 18 years of age or older. In addition to any other legal
23 remedy which may be awarded by law, under N.J.S.A.2C:13-8 and
24 N.J.S.A.2C:13-8.1, a victim of human trafficking may be awarded
25 civil damages and restitution in an amount equivalent to the value
26 of the victim’s labor or services, plus other appropriate relief by the
27 court.

28 Human trafficking is also defined as a type of racketeering
29 activity under the State’s organized crime statutes, N.J.S.A.2C:41-1
30 et seq. (also known as the State RICO law). The State RICO law
31 allows the court to award triple damages to victims of racketeering
32 activity who bring a civil suit against a person convicted of
33 racketeering.

34 Under the existing law concerning the use of juveniles to commit
35 crimes, N.J.S.A.2C:24-9, it is a crime for a person 18 years of age
36 or older to knowingly use, solicit, direct, hire, employ, or conspire
37 with a person 17 years of age or younger to commit any crime,
38 whether or not the adult mistakenly believed that the minor was at
39 least 18 years of age. Additionally, under subsection d. of
40 N.J.S.A.2C:33-28, it is a crime for a person to solicit, recruit,
41 coerce, or threaten a person under 18 years of age to join or actively
42 participate in a criminal street gang. Further, under N.J.S.A.2C:35-
43 6, it is a crime for a person 18 years of age or older to knowingly
44 use, solicit, direct, hire, or employ a person 17 years of age or
45 younger in the operation of an illegal drug production facility, or in
46 the unlawful manufacturing, distributing, or dispensing of CDS, or
47 to possess CDS with intent to distribute.

1 Under the bill, human trafficking with respect to labor or
2 services is defined to include, but not be limited to, labor or
3 services for a criminal street gang or in furtherance of racketeering
4 activity. Human trafficking of a minor is defined to include, but not
5 be limited to, using a minor to commit a crime in violation of
6 N.J.S.A.2C:24-9, to participate in a criminal street gang in violation
7 of N.J.S.A.2C:33-28, or to participate in a drug distribution scheme
8 in violation of N.J.S.A.2C:35-6. The definition of criminal street
9 gang is amended to include human trafficking as a type of gang
10 related activity.

11 In addition to criminal coercion, the bill adds other prohibited
12 methods of inducing a victim into trafficking to include stalking
13 (N.J.S.A.2C:12-10), invasion of privacy (N.J.S.A.2C:14-9), sexual
14 extortion (N.J.S.A.2C:14-9.1), and theft by extortion
15 (N.J.S.A.2C:20-5). The bill further amends the criminal coercion
16 statute to expand coercive threats to include not only threats to a
17 person's health, safety, business, calling, career, financial condition,
18 reputation, or personal relationships, but also threats to a person's
19 education, employment, or child custody.

20 The bill also clarifies that a conviction for human trafficking will
21 not merge, for sentencing purposes, with a conviction for
22 employing a juvenile in a drug distribution scheme. Finally, the bill
23 amends the civil damages provision of the State RICO law to clarify
24 that persons damaged in their business or property by racketeering
25 activity, who are entitled to sue a person convicted of racketeering,
26 includes victims of human trafficking if the racketeering activity
27 involved human trafficking.

28 Finally, the bill adds human trafficking to the list of crimes for
29 which a prosecutor may seek to waive a juvenile up from the
30 Family Court to adult criminal court to be tried as an adult.

31 Through the application of human trafficking law under the bill,
32 it is the sponsor's intent to provide additional law enforcement tools
33 to combat the exploitation of minors by the organized illegal drug
34 trade.

35 This bill is named in honor of Weston Fundner, who died in 2022
36 at the age of 15, from a fentanyl overdose after he was stalked by
37 another teenager who was involved in the illegal drug trade, and
38 coerced into accepting and ingesting a fentanyl pill.