

Glossary and Terms of the Prevention of Domestic Violence Act

The following are definitions of the acts which constitute domestic violence according to the statute, when committed by people who use abuse against those experiencing abuse.

Assault: Causing, or attempting to cause, bodily injury to another person.

Examples: Kicking, punching, throwing an object at another, pointing a firearm at another, using or attempting to use a weapon against another

Burglary: Entering a structure, remaining in the structure and removing property without permission or authorization from the owner.

Examples: Breaking into another person's house, breaking into another person's car

Contempt: of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly person's offense.

Examples: The defendant comes to a victim's house in violation of an existing temporary restraining order (TRO), the defendant calls a victim to tell them to dismiss an existing TRO

Criminal Coercion: In a threatening manner, purposely restricting another's freedom of action to engage or refrain from engaging in conduct.

Examples: Exposing a secret to try to destroy a person's business

Criminal Mischief: Intentionally damaging property belonging to another person.

Examples: Breaking furniture, slashing tires, graffiti

Criminal Restraint: Restraining a person physically or in a condition where they may risk injury; holding them in an oppressed environment against their will.

Examples: Preventing another person from leaving the room by holding their wrists; driving recklessly with another person in the car

Criminal Sexual Contact: Forcing another, either physically or through coercion, to submit to or commit an act of sexual contact.

Examples: Grabbing another person's genitalia without their consent

Criminal Trespass: Entering a building, or any area, the person is not privileged to be in.

Examples: Refusing to leave another person's property, coming to their workplace without permission or after being told not to do so

Cyber Harassment: In an online capacity via an electronic device or through social networking, threatens to harm a person, knowingly sends/posts/comments/requests/proposes indecent material about a person with the intent to harm them or scare them, or threatens to commit any crime against the person or their property.

Examples: The person causing harm posts nude photos of their partner on the internet without their permission

False Imprisonment: Restraining a person through threats and intimidation.

Examples: Forcing a person to stay home by denying access to a car or by fear they will not be allowed back

Harassment: Contacting and/or communicating with another person in a manner likely to cause their alarm. Harassment includes contact at inconvenient hours and/or offensive language.

Examples: Making phone calls in middle of night, sending excessive letters or emails

Homicide: Purposely, knowingly, recklessly or negligently causing the death of another human being.

Examples: Stabbing a person to death, killing another person in a car accident

Kidnapping: Holding a person, against their will, as a hostage and to terrorize or to inflict harm.

Examples: Forcing another person into a car, forcibly taking a person from their home and holding them elsewhere

Lewdness: Holding a person, against their will, as a hostage and to terrorize or to inflict harm.

Examples: Using sexually explicit language, indecent exposure

Robbery: In the course of committing a theft, causing bodily injury, uses force, or threatens someone with/puts them in fear of immediate bodily injury.

Examples: The person causing harm walks down the street with their partner grabs their wrist while stealing their cell phone

Sexual Assault: Forcing another, either physically or through coercion, to submit to or commit an act of sexual penetration.

Examples: Forcing intercourse regardless of whether or not the parties are married, forcing intercourse through threats (withholding money or resources, physical injury)

Stalking: Purposely and repeatedly following another person and engaging in a course of conduct, or making a threat, with the intent of annoying or causing that person to feel afraid for their safety.

Examples: Following another person to places they may be, parking in front of their house in order to watch them

Terroristic Threats: Threatening to kill or cause physical injury to another person.

Examples: Forcing intercourse regardless of whether or not the parties are married, forcing intercourse through threats (withholding money or resources, physical injury)

Other Useful Definitions:

Relief: Decisions of a judge, as entered on a restraining order (ex: child/spouse support, residence, no contact).

Disposition: Relief ordered by a judge. Entering a structure, remaining in the structure and removing property without permission or authorization from the owner.

Adjournment: Postponement of a hearing or trial in court.

Modification: Changing a restraining order due to a change in circumstances where the previous dispositions may no longer be appropriate.

Plaintiff: The person obtaining a restraining order and signing the civil complaint (usually the victim).

Defendant: The person that has a complaint signed against them and being restrained from plaintiff (usually the person causing harm).

Contempt: Defendant's violation of a restraining order.

Pro se: Representing one's self in court without an attorney.

Ex-parte: In law, giving only one side or point of view.