

Can Proposed Bills “Knockout” a Deadly New Trend?

[By Donald Scarinci](#)

The New Jersey State Legislature is focused on bullying and violence whether it comes from Governor Chris Christie in “Bridgegate” or from delinquent teens.

New Jersey lawmakers have introduced a series of bill intended to crack down on “knockout,” a game in which teens attempt to incapacitate a stranger with one punch. The disturbing trend has resulted in assaults across the country, and in New Jersey, at least one death has been linked to the “knockout game.”

While many were hopeful that the “knockout game” was an exaggerated urban legend, the number of assaults reported seems to suggest otherwise. Given that New Jersey has always taken a strong stand against [bullying and harassment](#), it may be time to send a strong message that these attacks will not be tolerated in our state.

[Assembly Bill No. 4563](#), sponsored by Assemblymen Joseph Cryan, D-Union, and Gordon Johnson, D-Bergen, would establish a “knockout game” assault as a form of aggravated assault, carrying a punishment of imprisonment of five to 10 years, a fine of up to \$150,000, or both. The law would specifically apply if a person attempts "to cause significant bodily injury to another or causes significant bodily injury purposely or knowingly by a single punch, kick, or other singular striking motion for the sole purpose of bringing about the loss of consciousness of that other person."

Another bill proposed Assemblymen Jon Bramnick, R-Union, and Ronald Dancer, R-Bergen, would impose a mandatory minimum sentence of one-third to one-half of the current three to five year sentence for aggravated assault for defendants convicted of perpetrating “knockout” attacks. Since many knockout game attacks are recorded and posted to the Internet, a Senate measure ([Senate Bill No. 3126](#)) would amend the third-degree crime of endangering an injured victim to include “encouraging another person to cause bodily injury to a victim, by filming, photographing, or otherwise recording the injury-causing act for circulation, publication, or distribution.”

Other states are taking similar action against “knockout game” assaults. For instance, Illinois lawmakers are currently considering the Knockout Assault Prevention Act, which would make such assaults a Class 2 felony punishable by three to seven years in prison. Suspects over the age of 15 years could also be tried as adults under the proposed measure.

On the federal level, the Department of Justice has intervened in several “knockout” cases that could be considered hate crimes due to the perpetrator’s alleged racial motivation in selecting the victim. In Texas, Conrad Barrett, a 27 year-old white man, is being prosecuted under the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act for sucker-punching a 79 year-old black man in the face. In cell phone video obtained from his phone, Barrett can be heard stating that he “found the perfect African American suspect” to attack.

Donald Scarinci is a managing partner at Lyndhurst, N.J. based law firm [Scarinci Hollenbeck](#). He is also the editor of the [Constitutional Law Reporter](#) and [Government and Law](#) blogs.

Read more at <http://www.politickernj.com/node/70878#ixzz2rq1atHwx>
or sign up for a free trial of State Street Wire at <http://www.politickernj.com/freetrial>