

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 4482**

**STATE OF NEW JERSEY**

DATED: MAY 13, 2019

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 4482 (1R).

This bill would establish, within the Division of Developmental Disabilities in the Department of Human Services, the “Task Force on the Prevention of Sexual Violence Against Persons with Developmental Disabilities.”

The 19-member task force would consist of: the commissioners of Human Services, Children and Families, and Health, and the State Attorney General, or their designees, who would serve ex-officio; and 15 public members, five who would be appointed by the Governor, five to be appointed by the President of the Senate, and five to be appointed by the Speaker of the General Assembly. The public members would serve a term of three years, except of the members first appointed, five would serve for one year, five would serve for two years, and five would service for three years. The Department of Human Services would provide the appropriate staff to the task force.

The task force would: be able to use the services of any State, county, or municipal board, commission, or agency as may be available to it; and consult with the New Jersey Council on Developmental Disabilities, the Office of the Ombudsman for Individuals with Intellectual or Developmental Disabilities and their Families; the appropriate employees of the Departments of Children and Families, Human Services, and Law and Public Safety, officers of local and State police forces who are involved in the investigation of sexual violence against persons with developmental disabilities, prosecutors and other attorneys in the State who have experience in representing and advocating on behalf of persons with developmental disabilities, and any other departments, agencies, associations, organizations, or individuals who are knowledgeable about, or who have experience with, the issues relevant to work of the task force.

The purpose and duties of the task force will be to: study and monitor the prevalence of sexual violence occurring against persons with developmental disabilities in the State; create informational materials and identify available resources to help persons with developmental disabilities prevent and report sexual violence, and to

help the parents, guardians, and caregivers of persons with developmental disabilities, as well as medical and legal personnel, better identify, prevent, and respond to instances of sexual violence being committed against persons with developmental disabilities; and recommend the undertaking of legislative, executive, and community action that may reduce the prevalence and impact of sexual violence committed against persons with developmental disabilities in the State.

In effectuating its purposes and duties under the bill, the task force will be required to: 1) gather and review information concerning sexual violence committed against persons with developmental disabilities throughout the State; 2) review the approaches that have been used, and the programs that have been implemented, in other states, to prevent the commission of sexual violence against persons with developmental disabilities; 3) develop and publish aggregate, de-identified, statistical data on sexual violence being committed against persons with developmental disabilities in the State; and 4) establish broad policy and practice goals that are designed to protect persons with developmental disabilities from sexual violence, and to otherwise redress the problematic circumstances that allow for such violence to occur.

Recommendations adopted by the task force are to include, but need not be limited to: 1) recommendations for legislative or executive action; 2) recommendations and guidelines for best practices to be utilized by facilities, community-based organizations, and medical and caregiving personnel engaged in the provision of services to persons with developmental disabilities, in order to better enable such facilities, organizations, and personnel to identify, prevent, investigate, and appropriately respond to sexual violence committed against persons with developmental disabilities under their care; 3) recommendations and guidelines for best practices to be utilized by attorneys, courts, and police officers engaged in the investigation or adjudication of cases involving the commission of sexual violence against a person with a developmental disability; 4) recommendations and guidelines on the provision of evidence-based, age-appropriate sexual violence awareness and prevention training to persons with developmental disabilities, to the extent that such training is deemed by the task force to be appropriate; 5) recommendations and guidelines on the provision of evidence-based sexual violence awareness, prevention, and response training and information to the parents, guardians, and fiduciaries of persons with developmental disabilities, and to the medical and caregiving professionals who provide care to persons with developmental disabilities, including, but not limited to, training and information on the warning signs of sexual violence, and the available resources for victims thereof; and 6) recommendations to foster cooperation and collaboration among State agencies and community-based organizations, and between the State and local

governments, as necessary to more efficiently or effectively address the sexual violence affecting persons with developmental disabilities.

The task force would be required to submit a report to the Governor and Legislature within 12 months after its organization, and at least biennially thereafter. Each report would identify the task force's findings and outline statistical data for the reporting period, identify efforts that have been undertaken in the State to reduce sexual violence against persons with developmental disabilities, and provide recommendations for further action.

As reported by the committee, Assembly Bill No. 4482 (1R) is identical to Senate Bill No. 3021 which was also reported by the committee on this date.