

ASSEMBLY, No. 315

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywomen BARK and MURPHY

1 AN ACT expanding the power, responsibility and duties of the Police
2 Training Commission and amending P.L.1961, c.56 and P.L.1985.

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

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7 1. Section 6 of P.L.1961, c.56 (C.52:17B-71) is amended to read
8 as follows:

9 6. 52:17B-71. The commission is vested with the power,
10 responsibility and duty:

11 a. To prescribe standards for the approval and continuation of
12 approval of schools at which police training courses authorized by this
13 act and in-service police training courses shall be conducted, including
14 but not limited to presently existing regional, county, municipal and
15 police chief association police training schools or at which basic
16 training courses and in-service training courses shall be conducted for
17 State and county juvenile and adult corrections officers and juvenile
18 detention officers;

19 b. To approve and issue certificates of approval to such schools,
20 to inspect such schools from time to time, and to revoke any approval
21 or certificate issued to such schools;

22 c. To prescribe the curriculum, the minimum courses of study,
23 attendance requirements, equipment and facilities, and standards of
24 operation for such schools. Courses of study in crime prevention may
25 be recommended to the Police Training Commission by the Crime
26 Prevention Advisory Committee, established by section 2 of P.L.1985,
27 c.1 (C.52:17B-77.1). The Police Training Commission may prescribe
28 psychological and psychiatric examinations for police recruits while in
29 such schools;

30 d. To prescribe minimum qualifications for instructors at such
31 schools and to certify, as qualified, instructors for approved police

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

Matter underlined thus is new matter.

- 1 training schools and to issue appropriate certificates to such
2 instructors;
- 3 e. To certify police officers, corrections officers and juvenile
4 detention officers who have satisfactorily completed training programs
5 and to issue appropriate certificates to such police officers, corrections
6 officers and juvenile detention officers;
- 7 f. To advise and consent in the appointment of an administrator of
8 police services by the Attorney General pursuant to section 8 of
9 P.L.1961, c.56 (C.52:17B-73);
- 10 g. (Deleted by amendment, P.L.1985, c.491.)
- 11 h. To make such rules and regulations as may be reasonably
12 necessary or appropriate to accomplish the purposes and objectives of
13 this act;
- 14 i. To make a continuous study of police training methods and
15 training methods for corrections officers and juvenile detention
16 officers and to consult and accept the cooperation of any recognized
17 federal or State law enforcement agency or educational institution;
- 18 j. To consult and cooperate with universities, colleges and
19 institutes in the State for the development of specialized courses of
20 study for police officers in police science and police administration;
- 21 k. To consult and cooperate with other departments and agencies
22 of the State concerned with police training or the training of
23 corrections officers and juvenile detention officers;
- 24 l. To participate in unified programs and projects relating to police
25 training and the training of corrections officers and juvenile detention
26 officers sponsored by any federal, State, or other public or private
27 agency;
- 28 m. To perform such other acts as may be necessary or appropriate
29 to carry out its functions and duties as set forth in this act;
- 30 n. To extend the time limit for satisfactory completion of police
31 training programs or programs for the training of corrections officers
32 and juvenile detention officers upon a finding that health, extraordinary
33 workload or other factors have, singly or in combination, effected a
34 delay in the satisfactory completion of such training program;
- 35 o. To furnish approved schools, for inclusion in their regular police
36 training courses and curriculum, with information concerning the
37 advisability of high speed chases, the risk caused thereby, and the
38 benefits resulting therefrom;
- 39 p. To review and approve new standards and course curricula
40 developed by the Department of Corrections for both basic and
41 in-service training of State and county corrections officers and juvenile
42 detention officers. These courses for the State corrections officers and
43 juvenile detention officers shall be centrally provided at the
44 Corrections Officers' Training Academy of the Department of
45 Corrections. Courses for the county corrections officers and juvenile
46 detention officers shall also be centrally provided at the Corrections

1 Officers' Training Academy unless an off-grounds training program is
2 established by the county. A county may elect to establish and
3 conduct a basic training program for corrections officers and juvenile
4 detention officers seeking permanent appointment in that county. The
5 Corrections Officers' Training Academy shall develop the curriculum
6 of the basic training program to be conducted by a county.

7 q. To furnish approved schools and local police departments upon
8 request, for inclusion in their regular police training courses and
9 curriculum, information concerning the handling of domestic violence,
10 sexual harrassment, stalking, and sexual assaults, which shall include:
11 the impact of domestic violence on society, the dynamics of domestic
12 violence, evidence collection and preservation, the statutory and case
13 law, the necessary elements of a protection order, policies and
14 procedures as promulgated or ordered by the Attorney General, and
15 the use of available community resources, support services, available
16 sanctions, and treatment options for victims and perpetrators.

17 (cf: P.1988, c.176, s.4)

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19 2. Section 2 of P.L.1985, c.1 (C.52:17B-77.1) is amended to read
20 as follows:

21 2. There is created in the Police Training Commission in the
22 Department of Law and Public Safety a Crime Prevention Advisory
23 Committee comprised of [14] 15 members. The committee shall
24 consist of: the Attorney General, who shall be chairman of the
25 committee, or his designee; the Commissioner of the Department of
26 Community Affairs or his designee; the Director of the Division on
27 Women, ex officio, or a designee; the Commissioner of the
28 Department of Commerce and Economic Development or his designee;
29 the Commissioner of Education or his designee; the Director of the
30 Division of Criminal Justice in the Department of Law and Public
31 Safety; the Superintendent of State Police; a representative of the
32 Police Training Commission; a representative of the New Jersey Crime
33 Prevention Officers' Association; a representative of the New Jersey
34 State Association of Chiefs of Police; a representative of the National
35 Crime Prevention Council; and four citizens of the State to be
36 appointed by the Governor with the advice and consent of the Senate,
37 one of whom shall represent a public utility company, one of whom
38 shall represent the insurance industry, and one of whom shall represent
39 the banking industry. The four members appointed by the Governor
40 shall serve for terms of three years, except that of the four members
41 initially appointed by the Governor, one shall be appointed for a term
42 of one year, one shall be appointed for a term of two years, and two
43 shall be appointed for terms of three years.

44 Members shall be eligible for reappointment to the council, and
45 vacancies in the committee shall be filled in the same manner as the
46 original appointments but for the unexpired terms only. The statutory

1 members of the Crime Prevention Advisory Committee who are also
2 statutory voting members of the Police Training Commission shall be
3 nonvoting members of the Crime Prevention Advisory Committee.

4 The members of the committee shall serve without compensation
5 but shall be reimbursed for necessary expenses actually incurred in the
6 performance of their duties as required by this act.

7 (cf: P.L.1985, c.1, s.2)

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9 3. This act shall take effect on the 90th day after enactment.

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STATEMENT

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14 It has been clearly demonstrated that women who are abused and
15 who are subjected to long-term physical and emotional abuse do not
16 always act in the same fashion as others might in a given situation or
17 in response to a given provocation. The reason for their decisions is
18 the reason of the survivor, not that of the "reasonable person" so often
19 envisioned by law enforcement personnel when they make their
20 decisions about whether to believe a woman who says she has been
21 abused, about whether she needs protection, or about whether the
22 evidence in her case merits sending the case to the grand jury or letting
23 it drop.

24 How an incident will be defined, what evidence will or will not be
25 collected, whether a victim will receive needed medical and
26 counselling services depends on whether or not the law enforcement
27 personnel who respond to a call have been trained in the dynamics and
28 issues of violence against women. Although there are many promising
29 developments in the prosecution of domestic violence offenses, there
30 remains a general lack of accountability of batterers by the criminal
31 justice system in most counties. Failure to aggressively prosecute,
32 convict and jail for contempt of civil restraining orders and continued
33 abusive acts thwarts the effectiveness of mandatory arrest and other
34 deterrence measures. It therefore leaves many victims living in terror,
35 unable to secure immediate, effective sanctions for continued abuse.

36 When stereotypes of victims of domestic violence and other crimes
37 against women form the basis for decisions, perpetrators of violence
38 against women are not prosecuted, victims of domestic violence do not
39 receive needed services, and women victims of violence are generally
40 afraid to call on law enforcement personnel for help. Unfortunately,
41 too few New Jersey police officers and prosecutorial staff have
42 received sufficient, if any training. All police, sheriffs, juvenile
43 detention and adult correctional officers, probation officers and
44 prosecutors need to receive training in domestic violence and sexual
45 assault from experts in the field as part of their basic training and as
46 required in-service training if they are to effectively address the needs

1 of abused women and bring abusers into court.

2 This bill would vest the Police Training Commission with the
3 power, responsibility and duty to furnish approved schools and local
4 police departments upon request, for inclusion in their regular police
5 training courses and curriculum, information concerning the handling
6 of domestic violence, sexual harrassment, stalking, and sexual assaults.

7 In addition, the bill would add the Director of the Division on
8 Women as an ex officio member of the Crime Prevention Advisory
9 Committee in the Police Training Commission.

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14 Increases power, responsibility and duty of Police Training
15 Commission; adds new member to Crime Prevention Advisory
16 Committee.