

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, No. 393

STATE OF NEW JERSEY

ADOPTED JUNE 3, 1996

Sponsored by Assemblywomen HECK, WEINBERG and GILL

1 AN ACT establishing a "Domestic Violence Resource Center  
2 Demonstration Program" and making an appropriation.

3

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

6

7 1. The Legislature hereby finds and declares that the solution to  
8 the complex problem of domestic violence requires a variety of legal  
9 and social interventions and that insufficient State resources have been  
10 allocated for the evaluation and rehabilitation of batterers. The  
11 Legislature finds that a program specifically designed to assist  
12 perpetrators of domestic violence can be effective if the program has  
13 a clear goal of ending violent behavior, and if the rehabilitation  
14 includes alcoholism, drug abuse and mental health treatment.

15 The Legislature further finds that persons who batter rarely cease  
16 their abusive behavior or voluntarily seek professional help without the  
17 imposition of court sanctions and professional intervention, and that  
18 relatively few courts impose sanctions on such offenders.

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20 2. As used in this act:

21 "Department" means the Department of Human Services.

22 "Designated domestic violence agency" means a county-wide  
23 organization with a primary purpose to provide services to victims of  
24 domestic violence, and which provides services that conform to the  
25 core domestic violence services profile as defined by the division and  
26 which is under contract with the division on the effective date of this  
27 act for the express purpose of providing such services.

28 "Division" means the Division of Youth and Family Services in the  
29 Department of Human Services.

30 "Domestic Violence Resource Center" or "center" means a  
31 county-based program responsible for: the assessment, screening,  
32 evaluation, education and referral of persons who have committed  
33 acts of domestic violence and who have been ordered by the court to  
34 receive professional domestic violence counseling; the monitoring of  
35 attendance of those persons ordered to participate in a recommended

1 intervention plan; and participation in the coordination of victim  
2 outreach services.

3 "Domestic violence specialist" means a person who has fulfilled the  
4 requirements of certification established by the New Jersey  
5 Association of Domestic Violence Professionals.

6 "Intervention plan" means an individualized program of  
7 educational, counseling and treatment services recommended by a  
8 Domestic Violence Resource Center for the purpose of ending violent  
9 behavior and addressing other problems which exacerbate such  
10 behavior.

11 "Referral agency" means a person or agency which has entered into  
12 an agreement with a Domestic Violence Resource Center to provide  
13 domestic violence services, alcohol or drug abuse services or other  
14 appropriate services to persons who, pursuant to an evaluation by a  
15 Domestic Violence Resource Center, have been found to require such  
16 services and have been referred to the agency to obtain them, pursuant  
17 to section 6 of this act.

18 "Violence intervention program" means services specially designed  
19 to assist persons in ending violent and other abusive behaviors.

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21 3. In addition to any other temporary or final order which the  
22 court may enter pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.), the  
23 court may order a defendant restrained pursuant to that act to receive  
24 an evaluation and services from a Domestic Violence Resource Center.

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26 4. a. The division shall, within six months of the effective date of  
27 this act, select and provide grants to three county Domestic Violence  
28 Resource Centers to participate in the 21-month demonstration  
29 program.

30 b. A nonprofit agency or county based agency may apply to the  
31 division for participation as a Domestic Violence Resource Center in  
32 the demonstration program. The applicant shall submit documentation  
33 that: (1) the agency will maintain a cooperative working relationship  
34 with existing domestic violence service providers in the community;  
35 (2) the county's designated domestic violence agencies have endorsed  
36 the agency's proposal in writing; (3) the establishment and activities of  
37 the center have the support and cooperation of the judiciary and  
38 governing body of the county; and (4) the agency will provide other  
39 assurances which may be deemed necessary or appropriate by the  
40 division.

41 Nothing herein shall bar a designated domestic violence agency  
42 from applying for designation as a Domestic Violence Resource  
43 Center.

44 c. The staff of each center shall include, but not be limited to, a  
45 staff person who is a domestic violence specialist and a staff person

1 who is a certified alcohol and drug counselor. The staff positions may  
2 be full or part time depending on available resources and the projected  
3 program demands in the county. The centers may contract with  
4 outside professionals if mental health or other assessment is required.

5 d. The division shall be responsible for the following: (1) the  
6 promulgation of rules and regulations to govern the activities of each  
7 Domestic Violence Resource Center; (2) developing and disseminating  
8 a request for proposals and exercising final approval of grant  
9 recipients; (3) the provision of technical assistance to Domestic  
10 Violence Resource Centers; (4) monitoring the activities of Domestic  
11 Violence Resource Centers to ensure the quality of services and to  
12 ensure conformity to the purposes of this act; (5) developing standards  
13 for violence intervention programs which include: (a) a clear  
14 intervention goal to eliminate violent behavior, (b) a close cooperative  
15 relationship with victim services and victims, (c) a required program  
16 duration of not less than six months or 26 sessions, (d) an emphasis on  
17 transforming basic control and domination behavior, (e) the provision  
18 of a sliding-scale fee, and (f) service staff who have undergone specific  
19 training in the field of domestic violence; (6) the design, collection and  
20 the compilation of monthly statistical reports submitted by each center;  
21 (7) the issuance of a fiscal and statistical Domestic Violence Resource  
22 Center report at the end of the first year; and (8) contracting for the  
23 provision of an independent evaluation of the centers pursuant to  
24 section 8 of this act. The division shall hire at least one full time staff  
25 person to fulfill the responsibilities of the division. The division shall  
26 make every effort to hire a domestic violence specialist.

27  
28 5. The division shall establish a Domestic Violence Resource  
29 Center Advisory Committee. The committee shall consist of 11  
30 members including one representative each from the Division of  
31 Alcoholism, Drug Abuse and Addiction Services in the Department of  
32 Health, the Division on Women in the Department of Community  
33 Affairs, the Administrative Office of the Courts, the Office of Victim-  
34 Witness Advocacy, the Department of Corrections, the New Jersey  
35 Advisory Council on Domestic Violence, the New Jersey Coalition for  
36 Battered Women, the New Jersey Network for the Treatment of  
37 Spouse Abusers, and three service providers who are domestic  
38 violence specialists. The advisory committee shall: advise the division  
39 of any regulations or standards necessary to carry out the purposes of  
40 this act; review any regulations or standards before their effective date;  
41 review grant applications and advise the division on the selection of  
42 grant recipients; and monitor, evaluate and set standards for the  
43 quality of services funded by this act.

44 The advisory committee shall organize within two months of the  
45 effective date of this act, and shall elect from its members a chair and

1 a deputy chair, who shall serve for the duration of the demonstration  
2 program. The committee shall at its organizational meeting, with the  
3 approval of the director of the division, establish rules for any matter  
4 which may be necessary for efficient operation. The committee shall,  
5 thereafter, meet at least once per month for the duration of the  
6 demonstration program, and shall invite at least one representative of  
7 the division to attend the meeting.

8  
9 6. a. A center shall provide a program of services which shall  
10 include: (1) an assessment of the offender's past domestic violence  
11 behavior; (2) screening for alcohol and substance abuse, mental illness  
12 and other related problems; (3) a written evaluation which shall  
13 include recommendations for an intervention plan with a primary focus  
14 of ending violent behavior and referral to appropriate agencies; and  
15 (4) an educational component stressing the criminal nature of domestic  
16 violence and the legal, social and personal consequences of violent  
17 behavior. When an offender is referred by the court, a center shall  
18 submit to the court a written evaluation within 10 working days of the  
19 date of the initial appointment with the offender. In addition, each  
20 center may provide violence intervention programs and treatment  
21 pursuant to standards promulgated by the division for persons found  
22 by the court to have committed an act of domestic violence and  
23 ordered to undergo intervention and treatment.

24 Nothing in this subsection shall bar a center from providing  
25 services to a person who voluntarily requests evaluation and referral.

26 b. An evaluation fee of \$200 shall be payable to the Domestic  
27 Violence Resource Center by each person ordered by the court to  
28 receive treatment and services from the center or by any person who  
29 receives such treatment or services. These funds shall be used to  
30 support the functions of the center. No person shall be excluded  
31 from the program due to inability to pay. The center may waive all or  
32 part of the fee based on the person's ability to pay. The center shall  
33 waive the entire fee for any person found by the court to be indigent.

34 c. A center shall establish agreements with community  
35 educational, counseling, treatment and rehabilitation resources  
36 qualified to serve as referral agencies, and shall, where indicated, refer  
37 clients to the referral agencies for additional services. The center shall  
38 monitor the services that each referral agency provides and make  
39 whatever additional proposals are necessary to provide appropriate  
40 services.

41 d. In accordance with rules established by the Domestic Violence  
42 Resource Center Advisory Committee, offenders shall be required to  
43 pay for counseling and to pay all fees associated with their use of a  
44 referral agency, except that no person shall be denied services due to  
45 an inability to pay.

1 e. In conjunction with the designated domestic violence agency of  
2 the county in which a center is located, a center shall ensure that  
3 outreach is attempted with any victim who signs a civil domestic  
4 violence complaint. Outreach includes the provision of the following  
5 to the victim: (1) information regarding the legal rights of victims of  
6 domestic violence; (2) information regarding available community  
7 social and legal services for the victim and victim's children, if any; (3)  
8 information regarding the center's program and how the program  
9 interfaces with court action; (4) an assessment of victim safety; and (5)  
10 encouragement for the victim to utilize available services. Whenever  
11 possible, outreach services should be offered at the time a domestic  
12 violence complaint is signed. Outreach services shall be provided by  
13 the designated domestic violence agency of the county or the agency's  
14 designee.

15 f. A center shall be responsible for providing information on the  
16 center's program to county and municipal personnel, including judges,  
17 law enforcement personnel, community social services providers, and  
18 other involved agencies.

19 g. A center shall compile statistics regarding persons admitted to  
20 the center's program, including persons ordered by the court to  
21 participate in the center's recommended intervention plan, the rate of  
22 successful completion of the plan, the recidivism of domestic violence  
23 incidents and any other pertinent statistics required by the division. A  
24 center shall submit a monthly statistical report to the division.

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26 7. a. If a person fails to report to a domestic violence resource  
27 center for evaluation pursuant to a court order, the center shall notify  
28 the person by certified mail of a new appointment date and time and  
29 provide a warning that failure to appear will constitute noncompliance  
30 with a court order which can result in incarceration and monetary  
31 penalty. Upon further noncompliance, the center shall notify the court  
32 and request that the court initiate contempt proceedings pursuant to  
33 section 14 of P.L.1991, c.261 (C.2C:25-30).

34 b. In cooperation with the referral agencies, a center shall be  
35 responsible for monitoring attendance of all persons ordered to  
36 participate in the center's recommended intervention plan. The center  
37 shall document attendance of all such persons and provide attendance  
38 records upon request of the court with jurisdiction over the matter  
39 being monitored by the center. Upon two consecutive unexcused  
40 absences or upon the development of a pattern of absences, the center  
41 shall notify the offender and the court of noncompliance and request  
42 that the court initiate contempt proceedings pursuant to section 14 of  
43 P.L.1991, c.261 (C.2C:25-30). The center shall also provide to the  
44 court a written progress report at six month intervals on each person  
45 who is under an order to attend an intervention program. The

1 progress report shall include, but not be limited to, notification of  
2 successful completion of the intervention plan, recommendations for  
3 continued intervention or other relevant recommendations.

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5 8. a. The division shall contract with an independent, professional  
6 agent to evaluate the demonstration program. The selected agent will  
7 design, conduct and document the results of the study. The study will  
8 include, but not be limited to, an evaluation of the following: (1) the  
9 extent of judicial cooperation with the demonstration program  
10 including willingness to issue and enforce orders for mandatory  
11 participation in an intervention program; (2) the rate of successful  
12 completion of a prescribed intervention plan; (3) the impact of the  
13 project on victims; and (4) the rate of recidivism of persons charged  
14 with committing acts of domestic violence. The study shall also  
15 include an analysis of actual costs of operating the centers.

16 b. No later than two months prior to the expiration of this act, the  
17 division shall report to the Governor, the Legislature, the Attorney  
18 General and the Chief Justice of the Supreme Court the results of the  
19 study.

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21 9. There is appropriated \$750,000 to the department from the  
22 General Fund to effectuate the purposes of this act. Of this sum,  
23 \$515,000 is designated for the establishment of the three Domestic  
24 Violence Resource Centers; \$75,000 for victim outreach services  
25 through the designated domestic violence agencies or their designees;  
26 \$60,000 for the costs of an independent evaluation, and \$100,000 for  
27 the division to perform the administrative duties prescribed by this act.

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29 10. This act shall take effect immediately and shall expire 21  
30 months thereafter.

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35 Establishes the "Domestic Violence Resource Center Demonstration  
36 Program;" appropriates \$750,000.