

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### **SENATE, No. 383**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 21, 2021

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 383.

Under current law, as part of a final restraining order issued by the court in a domestic violence matter, the court may order the defendant to receive professional domestic violence counseling from either a private source or a source appointed by the court and, in that event, require the defendant to provide the court with documentation of attendance. This bill specifies that the professional domestic violence counseling ordered by the court may consist of a Batterers' Intervention Program, and the bill establishes standards for such programs.

Under the bill, as amended, any Batterers' Intervention Program in which a defendant participates based on a court order issued in a domestic violence matter would consist of a minimum of 40 contact hours over 26 weeks and be required to have the following components:

(1) Periodic, ongoing risk assessments to protect the safety of the victim and any children;

(2) Offender accountability for their acts of domestic violence as a central component of the program, requiring that offenders be held accountable for their behavior, and provided with services geared towards behavioral change;

(3) Information and education concerning the tactics of power and control and the understanding of domestic violence as a domination and control issue;

(4) A swift and certain compliance protocol, including a prompt and effective review by the court for noncompliance; and

(5) Regular reviews of the program and compliance audits by the New Jersey Advisory Council on Domestic Violence, courts and designated domestic violence advocacy groups.

This bill embodies recommendation 18 of the Report of the Supreme Court Ad Hoc Committee on Domestic Violence issued June 2016.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

The committee amendments to the bill:

- provide that the Batterers' Intervention Program must consist of a minimum of 40 contact hours over 26 weeks; and
- require that regular reviews of the program and compliance audits would be carried out by the New Jersey Advisory Council on Domestic Violence. As introduced, the bill had provided that the reviews and compliance audits would have been carried out by the courts and designated domestic violence advocacy groups.