

[Second Reprint]
SENATE, No. 384

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Expands training for judges, law enforcement officers and assistant county prosecutors concerning handling of domestic violence cases.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on November 15, 2021, with amendments.

(Sponsorship Updated As Of: 12/20/2021)

1 AN ACT concerning ²**[domestic violence]** certain² training for
 2 ²**[certain]**² judges ¹**[and]** ²**[,]**¹ judicial personnel, ¹**[and]** ² law
 3 enforcement,¹ and ²assistant county prosecutors and² amending
 4 P.L.1991, c.261.

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

8
 9 1. Section 4 of P.L.1991, c.261 (C.2C:25-20) is amended to
 10 read as follows:

11 4. a. (1) The Division of Criminal Justice shall develop and
 12 approve a training course and curriculum on the handling,
 13 investigation and response procedures concerning reports of
 14 domestic violence and abuse and neglect of the elderly and
 15 disabled. This training course and curriculum shall be reviewed at
 16 least every two years and modified by the Division of Criminal
 17 Justice from time to time as need may require. The Division of
 18 Criminal Justice shall distribute the curriculum to all local police
 19 agencies.

20 (2) The Attorney General shall be responsible for ensuring
 21 ²**[that]** training as follows:

22 (a) ²all law enforcement officers ²shall² attend initial training
 23 within 90 days of appointment or transfer and annual **[inservice]**
 24 in-service training of at least four hours as described in this section.
 25 ²Once every three years, this in-service training requirement shall be
 26 satisfied through in-person instructor-led training.

27 (b) all assistant county prosecutors involved in the handling of
 28 domestic violence cases shall attend initial training within 90 days of
 29 appointment or transfer and annual in-service training of at least four
 30 hours as described in this section.²

31 b. (1) The Administrative **[Office]** Director of the Courts
 32 shall develop and approve a training course and a curriculum **[on**
 33 **the handling, investigation and response procedures concerning**
 34 **allegations of domestic violence. This training course]** for all
 35 municipal court judges, Superior Court judges responsible for the
 36 adjudication of domestic violence matters, and judicial personnel
 37 involved with the intake and processing of domestic violence
 38 complaints. All judges and judicial personnel identified in this
 39 section shall participate in core training regarding issues such as the
 40 dynamics of domestic violence, the impact of domestic violence on
 41 children, trauma-informed danger assessments, batterer intervention
 42 ¹**[and anger management]**¹ programs, and domestic violence risk
 43 factors and lethality. In addition, municipal court judges shall

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SJU committee amendments adopted June 21, 2021.

²Assembly AJU committee amendments adopted November 15, 2021.

1 receive specific training related to the issuance of
 2 temporaryrestraining orders in emergent situations. Superior Court
 3 judges responsible for the adjudication of domestic violence matters
 4 shall receive supplemental training related to the issuance and
 5 enforcement of temporary and final restraining orders, including
 6 factors considered when determining if a final restraining order
 7 should be issued, child custody and parenting plans, the setting of
 8 child support, distribution of property and ongoing housing
 9 expenses, and counseling. The core curriculum and individualized
 10 training programs shall be reviewed at least every two years and
 11 modified by the Administrative **【Office】** Director of the Courts
 12 from time to time as need may require.

13 (2) The Administrative Director of the Courts shall be
 14 responsible for ensuring that all municipal court judges , Superior
 15 Court judges responsible for the adjudication of domestic violence
 16 matters, and judicial personnel involved with the intake and
 17 processing of domestic violence complaints attend initial training
 18 within 90 days of appointment or transfer and annual **【inservice】**
 19 in-service training as described in this section.

20 (3) The **【Division of Criminal Justice】** Attorney General and the
 21 Administrative **【Office】** Director of the Courts shall provide that all
 22 training on the handling of domestic violence matters ²required
 23 under this subsection² shall include information concerning the
 24 impact of domestic violence on society, ²and include topics
 25 regarding² the dynamics of domestic violence ²**【¹and】**² ,the impact
 26 of domestic violence on children,² the impact of trauma on survivors,
 27 ²**【high risk indicators for potential lethality, ¹and】** risks for lethality
 28 in domestic violence cases, safety planning and services for
 29 survivors of domestic violence,² the impact of racial bias and
 30 discrimination on survivors and²marginalized² communities¹, the
 31 statutory and case law concerning domestic violence, the necessary
 32 elements of a protection order, ²the guidelines regarding when
 33 domestic violence incidents trigger mandatory or discretionary arrest,²
 34 policies and procedures as promulgated or ordered by the Attorney
 35 General or the Supreme Court, and the use of available community
 36 resources, support services, available sanctions and treatment
 37 options.

38 ²c.² Law enforcement agencies shall: (1) establish domestic
 39 crisis teams or participate in established domestic crisis teams, and
 40 (2) shall train individual officers in methods of dealing with
 41 domestic violence and neglect and abuse of the elderly and
 42 disabled. The teams may include social workers, clergy or other
 43 persons trained in counseling, crisis intervention or in the treatment
 44 of domestic violence and neglect and abuse of the elderly and
 45 disabled victims.

46 (cf: P.L.1999, c.433, s.1)

- 1 2. This act shall take effect immediately.