

SENATE, No. 3086

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 29, 2022

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Co-Sponsored by:

Senators Gill and Cruz-Perez

SYNOPSIS

Establishes Division of Violence Intervention and Victim Assistance in Department of Law and Public Safety; appropriates \$5.5 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/8/2023)

1 AN ACT establishing the Division of Violence Intervention and
2 Victim Assistance in the Department of Law and Public Safety,
3 amending and supplementing Title 52 of the Revised Statutes,
4 and making an appropriation.

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

8
9 1. (New section) There is hereby established in the Department
10 of Law and Public Safety the Division of Violence Intervention and
11 Victim Assistance. The division shall be under the immediate
12 supervision of an executive director who shall be appointed by and
13 serve at the pleasure of the Attorney General and who shall
14 administer the work of the division under the direction and
15 supervision of the Attorney General. The Attorney General shall
16 fix the compensation of the executive director within the limits of
17 available appropriations.

18
19 2. (New section) The Attorney General shall organize the work
20 of the division in bureaus and other organizational units as the
21 Attorney General may determine to be necessary for efficient and
22 effective operation and shall assign to the division employees in the
23 Department of Law and Public Safety as may be necessary to assist
24 the executive director in the performance of the executive director's
25 duties.

26
27 3. (New section) a. The Division of Violence Intervention and
28 Victim Assistance shall oversee and coordinate in the Department
29 of Law and Public Safety all matters related to violence intervention
30 and prevention and victim assistance and services performed by or
31 on behalf of the Attorney General, including but not limited to:

32 (1) directly providing, within the limits of resources made
33 available for this purpose, victim and violence intervention and
34 prevention services, and coordinating the delivery of the services
35 provided through the various divisions in the Department of Law
36 and Public Safety;

37 (2) reviewing and overseeing the department's provision of
38 services to victims of crime, human trafficking, and violence, and
39 services to communities for the prevention of violence;

40 (3) monitoring and administering the department's violence
41 intervention and prevention programs, initiatives, and services
42 intended to reduce the cycle of violence, and advocating to advance
43 the objectives of these measures;

44 (4) developing and implementing measures and strategies to
45 better address the needs of underserved victim populations;

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.

- 1 (5) assisting, supporting, consulting on and participating in the
2 development and implementation of initiatives, projects, and
3 strategies to address issues related to violence reduction and victim
4 support, including but not limited to the development of a State
5 infrastructure for victim assistance and violence intervention and
6 prevention services, formation of a Statewide strategy for the
7 growth and standardization of services, and directing efforts to
8 enhance community engagement and program accountability;
- 9 (6) serving as a resource center and facilitator to provide
10 technical assistance and training with respect to victim assistance
11 and violence intervention and prevention services for the purpose of
12 improving access to available services, promoting awareness of
13 available resources and models of services, expanding the scope and
14 availability of these services, and developing new preventative
15 strategies;
- 16 (7) building partnerships between, coordinating with, and
17 supporting initiatives to improve public health and safety involving
18 law enforcement entities and victim assistance and violence
19 intervention and prevention service providers;
- 20 (8) developing intergovernmental partnerships and engaging in
21 outreach and collaboration efforts with other State, county, and
22 local government agencies on policy and programmatic issues,
23 reforms and initiatives related to violence intervention, and victim
24 assistance;
- 25 (9) safeguarding victims' rights and ensuring appropriate
26 consideration of victims' rights and interests in the performance of
27 public safety, law enforcement, and prosecutorial functions by other
28 divisions in the department;
- 29 (10) performing, arranging for, or coordinating community
30 support and assistance programs and services in the aftermath of
31 crimes involving multiple victims such as mass shootings, school
32 shootings, or acts of terrorism; providing assistance to other
33 governmental entities in their response to these crimes; and serving
34 as a repository of resources to assist communities in preparing for
35 these events;
- 36 (11) developing grant applications and applying for available
37 grant funding for violence intervention and victim assistance
38 projects and programs on behalf of the department;
- 39 (12) receiving and processing, or monitoring the receipt and
40 processing of, applications from State and local government
41 agencies and nonprofit organizations for violence intervention and
42 prevention and victim service or assistance project grants that may
43 be made available from or through the department, including but
44 not limited to the promulgation of standards and procedures related
45 to the solicitation, qualification, and award of grants; and
- 46 (13) performing other functions as the Attorney General may
47 prescribe.

1 b. In carrying out its responsibilities, the division shall take
2 steps as it deems appropriate in furtherance of the following
3 objectives:

4 (1) to promote a trauma-informed approach in the provision of
5 victim and violence intervention and prevention services by the
6 department, other State agencies, and local and county governments
7 providing these services;

8 (2) to provide and coordinate the provision of services to victims
9 of crime and violence at the State, county, and local levels in order
10 to ameliorate the impact of crime and violence and to prevent future
11 violence;

12 (3) to promote access to and deployment of services to
13 vulnerable and less accessible victim populations, including but not
14 limited to promoting policies that recognize that an individual's
15 status as a prior offender should not be grounds for denial of
16 services that could prevent future violence;

17 (4) to serve as a point of contact and engagement for community
18 members, stakeholders, crime survivors, former clients, and justice-
19 involved persons to offer input, local knowledge, and collaborative
20 viewpoints for the purpose of improving services and influencing
21 policymaking;

22 (5) to support and advocate for policies that promote the hiring
23 and recruitment of culturally competent individuals in the field of
24 victim assistance and violence intervention and prevention services;

25 (6) to promote policies and practices that encourage the use of
26 peer support, such as credible messengers, individuals with lived
27 experience, and trauma survivors in the provision of services;

28 (7) to identify best practices and evidence-based interventions in
29 the provision of victim and violence intervention and prevention
30 services and promote these measures within the department, other
31 State agencies, and local county governments that provide these
32 services through methods including, but not limited to, training, and
33 reporting; and

34 (8) to provide or direct resources and assistance to communities
35 and victims to address and ameliorate the impact of hate crimes or
36 acts of violence which are motivated by or evince a discriminatory
37 intent.

38

39 4. (New section) a. All the functions, powers, and duties of the
40 Victims of Crime Compensation Office in the Department of Law
41 and Public Safety, originally established as the Victims of Crime
42 Compensation Agency pursuant to P.L.1971, c.317 (C.52:4B-1 et
43 seq.) and continued as the Victims of Crime Compensation Office
44 pursuant to P.L.2007, c.95 (C.52:4B-3.2 et al.) and the
45 Reorganization Plan No. 001-2008, are transferred to the Division
46 of Violence Intervention and Victim Assistance established
47 hereunder.

1 b. The director and deputy director of the Victims of Crime
2 Compensation Office shall not be subject to the provisions of Title
3 11A of the New Jersey Statutes. All other employees of the
4 Victims of Crime Compensation Office, including the Victims of
5 Crime Compensation Office investigators, shall be in the career
6 service and subject to the provisions of Title 11A of the New Jersey
7 Statutes.

8
9 5. (New section) a. The Attorney General shall establish an
10 Office of Violence Intervention and Prevention in the Division of
11 Violence Intervention and Victim Assistance in the Department of
12 Law and Public Safety under the supervision of a Chief of the
13 Office of Violence Intervention and Prevention. The office shall
14 promote and facilitate the performance or provision of violence
15 intervention and prevention services set forth in section 3 of P.L. ,
16 c. (C.) (pending before the Legislature as this bill) and
17 manage and oversee the State's violence intervention and
18 prevention work. The office's responsibilities shall include:

19 (1) managing and overseeing violence intervention and
20 prevention programs maintained and operated by the department,
21 including but not limited to any hospital-based or community-based
22 violence intervention program;

23 (2) developing, and supporting the effectuation of, policies and
24 projects related to violence intervention and prevention, including
25 but not limited to a Statewide infrastructure of violence intervention
26 and prevention services;

27 (3) assisting and advising community-based programs and local
28 entities in their development and implementation of violence
29 intervention and prevention programs and strategies, including but
30 not limited to promoting, supporting, and facilitating, through the
31 provision of training, guidance and technical assistance,
32 community-based violence intervention and prevention programs
33 that adhere to or incorporate a public health approach to public
34 safety, identifying best practices and evidence-based interventions,
35 and recommending programs and services to be supported by local
36 governing bodies which address community violence;

37 (4) developing or providing support for the development of a
38 network of community-based organizations and health and mental
39 health providers within the community that offer outreach that
40 supports communities and individuals who experience or are at risk
41 of experiencing community violence;

42 (5) supporting school-based opportunities to incorporate violence
43 intervention and prevention strategies that address community
44 violence;

45 (6) promoting the use of peer support services, such as credible
46 messengers or other individuals with lived experience to serve as
47 mentors or role models for individuals who are at risk of engaging

1 in criminal activity or who have a high risk of involvement in
2 violence;

3 (7) identifying, developing, and prioritizing approaches to
4 violence intervention and prevention that are trauma-informed, and
5 promoting solutions that are supportive of and incorporate mental
6 health services; and

7 (8) establishing partnerships with institutions of higher education
8 and research centers to identify and develop tools for evaluating and
9 measuring the effectiveness of violence intervention and prevention
10 strategies and partnering on grant applications studying or
11 implementing the same.

12 b. The office may apply for and accept on behalf of the State
13 any grants from the federal government or any agency thereof, or
14 from any foundation, corporation, association or person, and may
15 comply with the terms, conditions, and limitations thereof, for any
16 of the purposes of the office. Any money received may be
17 expended by the division, subject to any limitations imposed in the
18 grants, to effectuate any of the purposes of the office upon warrant
19 of the Director of the Division of Budget and Accounting of the
20 Department of the Treasury on vouchers certified and approved by
21 the director.

22 c. The Attorney General may establish a local, county, or
23 regional structure for the execution of violence intervention and
24 prevention services set forth in this section.

25

26 6. (New section) a. The Attorney General shall establish an
27 Office of Victim Support and Assistance in the Division of
28 Violence Intervention and Victim Assistance in the Department of
29 Law and Public Safety under the supervision of a Chief of the
30 Office of Victim Support and Assistance. The office shall promote
31 and facilitate the performance or provision of victim support and
32 assistance services set forth in section 3 of P.L. , c. (C.)
33 (pending before the Legislature as this bill) and oversee the
34 department's victim-related services, in a manner consistent with
35 the goal of making victim assistance a key strategy for a public
36 health approach to public safety that prevents violence and
37 victimization. The office's responsibilities shall include:

38 (1) providing strategy and resources for the State to address the
39 needs of victims of crimes, and through this assistance, to intervene
40 in violence and prevent repeat victimization;

41 (2) setting departmental policy with respect to victims of crime
42 and violence, including but not limited to victims of sexual assault,
43 victims of domestic violence and intimate partner abuse, youth
44 victims, victims of discrimination and bias-based crimes, and
45 immigrant populations;

46 (3) serving as a repository of resources, information, best
47 practices, and guidance for communities in the aftermath of mass or

1 multiple acts of violence or bias-based acts, and developing policies
2 and partnerships to prevent these incidents;

3 (4) identifying victim populations in need of support and
4 assistance, including, but not limited to, victims of non-violent
5 offenses, and communities and demographics that are
6 disproportionately affected by violence, and developing policies for
7 these populations;

8 (5) enhancing access to healing services after incidents of
9 victimization;

10 (6) providing technical assistance, training, and guidance to other
11 divisions and organizational units within the department relating to
12 the provision of victim support and assistance;

13 (7) identifying best practices and evidence-based interventions
14 for improving services to victims, and providing resources and
15 toolkits to State and local government agencies to assist in the
16 effective implementation of these strategies;

17 (8) identifying, developing, and prioritizing trauma-informed
18 approaches to victim assistance and violence intervention that
19 promote solutions that are supportive of and incorporate mental
20 health services;

21 (9) identifying, developing recommendations on, and setting
22 crime response policies that may impact the range of victim
23 populations, including restorative justice approaches and other
24 solutions; and

25 (10) identifying and cultivating survivor-centered strategies
26 through guidance, policy and outreach support, and funding.

27 b. The office may apply for and accept on behalf of the State
28 any grants from the federal government or any agency thereof, or
29 from any foundation, corporation, association or person, and may
30 comply with the terms, conditions and limitations imposed in the
31 grants, to effectuate any of the purposes of the office upon warrant
32 of the Director of the Division of Budget and Accounting of the
33 Department of the Treasury on vouchers certified and approved by
34 the director.

35 c. The Attorney General may designate the Office of Victim
36 Support and Assistance to be the programmatic manager of victim-
37 related federal and State grant funds, including grants issued to the
38 State under the federal Victims of Crime Act and the federal
39 Violence Against Women Act, which are allocated to or
40 administered by the department.

41

42 7. (New section) The Attorney General shall establish an
43 Office of Trial and Criminal Justice Process in the Division of
44 Violence Intervention and Victim Assistance in the Department of
45 Law and Public Safety under the supervision of a Chief of the
46 Office of Trial and Criminal Justice Process. The office shall
47 promote and facilitate the performance or provision of victim
48 support and assistance services set forth in section 3 of P.L. ,

1 c. (C.) (pending before the Legislature as this bill),
2 coordinate and set policy for crime victims as they navigate the
3 criminal justice process, and enhance crime victims' access to
4 services. The office's responsibilities shall include:

5 (1) advising the New Jersey State Office of Victim-Witness
6 Advocacy and the county prosecutor's victim witness advocates;

7 (2) receiving and reviewing reports from the Office of Victim-
8 Witness Advocacy and the county prosecutor's victim witness
9 advocates;

10 (3) setting Statewide policy, identifying best practices, and
11 receiving and reviewing reports regarding performances and
12 compliance with policies and rules for the Office of Victim-Witness
13 Advocacy and the county prosecutor's victim witness advocates;

14 (4) developing policy for witnesses and victims of crime who are
15 not currently served entities at the State, county, or municipal
16 levels;

17 (5) identifying best practices and setting policies aimed at better
18 informing and empowering victims of crime; and

19 (6) coordinating with organizational units under the direction of
20 the Division of Violence Intervention and Victim Assistance and
21 other divisions or departments regarding services affecting victims
22 in the criminal justice process.

23

24 8. (New section) The Executive Director of the Division of
25 Violence Intervention and Victim Assistance shall adopt rules and
26 regulations pursuant to the "Administrative Procedure Act,"
27 P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to implement the
28 provisions of P.L. , c. (C.) (pending before the Legislature
29 as this bill).

30

31 9. Section 2 of P.L.1971, c.317 (C.52:4B-2) is amended to read
32 as follows:

33 2. As used in P.L.1971, c.317:

34 "Agency" means the Victims of Crime Compensation Agency;

35 "Child" means an unmarried person who is under 21 years of age
36 and includes a stepchild or an adopted child;

37 "Dependent" means a relative of a deceased victim who was
38 wholly or partially dependent upon the victim's income at the time
39 of the victim's death and shall include the child of a victim born
40 after the victim's death;

41 "Legal assistance" means assistance provided to a crime victim
42 in the enforcement of victim's rights in all courts; family law
43 matters, including but not limited to child protection actions,
44 divorce, custody, parenting time, child support, emancipation,
45 dependency, guardianship, and family reunification; obtaining
46 protective and restraining orders; employment matters, including
47 but not limited to wage and hour claims; accessing public benefits;

1 life planning; and any other situation for which an eligible crime
2 victim needs legal services related to the victimization;

3 “Personal injury” means actual bodily harm and includes
4 pregnancy and mental or nervous shock;

5 “Relative” of any person means the person’s spouse, parent,
6 grandparent, stepfather, stepmother, child, grandchild, brother,
7 sister, half brother, half sister, or parent of the person’s spouse;

8 “Relevant evidence” means evidence having a tendency in reason
9 to prove or disprove any fact of consequences to the determination
10 of the action and that is deemed to be admissible under the rules of
11 evidence and does not include rumor, supposition, and speculation,
12 hearsay or opinion, except as otherwise deemed admissible under
13 the rules of evidence;

14 “Review Board” or “board” means the Victims of Crime
15 Compensation Review Board established by section 2 of P.L.2007,
16 c.95 (C.52:4B-3.2);

17 “Victim” means a person who suffers personal, physical, or
18 psychological injury or death as a result of the conduct of another
19 person who commits against that person any of the offenses
20 specified in section 11 of P.L.1971, c.317 (C.52:4B-11) or an act by
21 a juvenile, which if committed by an adult, would constitute a
22 violation of any of these offenses. The term shall include, in the
23 case of a criminal homicide or an act by a juvenile which, if
24 committed by an adult, would constitute a criminal homicide, the
25 spouse, parent, legal guardian, grandparent, child, sibling, domestic
26 or civil union partner of the decedent, or parent of the decedent’s
27 child;

28 “Victims of Crime Compensation Office” or “office” means the
29 Victims of Crime Compensation Agency established pursuant to
30 P.L.1971, c.317 (C.52:4B-1 et seq.) which is continued as the
31 Victims of Crime Compensation Office pursuant to P.L.2007, c.95
32 (C.52:4B-3.2 et al.) and Reorganization Plan No. 001-2008 and
33 allocated to the Division of Violence Intervention and Victim
34 Assistance pursuant to section 4 of P.L. , c. (C.) (pending
35 before the Legislature as this bill).

36 (cf: P.L.2019, c.380, s.1)

37

38 10. Section 5 of P.L.1971, c.317 (C.52:4B-5) is amended to read
39 as follows:

40 5. The agency is authorized to appoint and fix the duties and
41 compensation of such officers, examiners, and other experts as may
42 be necessary for carrying out its functions under this act, and the
43 provisions of section 4 of P.L.1970, c.74 (C.52:17B-100) shall be
44 applicable to these employees. The agency may, subject to Title
45 11A of the New Jersey Statutes, "Civil Service," appoint and fix the
46 duties and compensation of such other assistants and employees as
47 are necessary. The compensation fixed pursuant to this section

1 shall be within the limits of the funds appropriated or otherwise
2 made available to the agency for that purpose.

3 (cf: P.L.2007, c.95, s.5)

4
5 11. Section 6 of P.L.1985, c.404 (C.52:4B-44) is amended to
6 read as follows:

7 6. a. The Attorney General shall, through the Office of Victim-
8 Witness Advocacy in the Division of Criminal Justice in the
9 Department of Law and Public Safety and in consultation with the
10 county prosecutors and the Office of Trial and Criminal Justice
11 Process in the Division of Violence Intervention and Victim
12 Assistance, promulgate standards for law enforcement agencies to
13 ensure that the rights of crime victims are enforced.

14 b. The standards shall require that the Office of Victim-
15 Witness Advocacy in the Division of Criminal Justice and each
16 county prosecutor's office provide the following services upon
17 request for victims and witnesses involved in the prosecution of a
18 case:

19 (1) Orientation information about the criminal justice system
20 and the victim's and witness's role in the criminal justice process;

21 (2) Notification of any change in the case status and of final
22 disposition;

23 (3) Information on crime prevention and on available responses
24 to witness intimidation;

25 (4) Information about available services to meet needs resulting
26 from the crime and referrals to service agencies, where appropriate;

27 (5) Advance notice of the date, time and place of the defendant's
28 initial appearance before a judicial officer, submission to the court
29 of any plea agreement, the trial and sentencing;

30 (6) Advance notice of when presence in court is not needed;

31 (7) Advice about available compensation, restitution and other
32 forms of recovery and assistance in applying for government
33 compensation;

34 (8) A waiting or reception area separate from the defendant for
35 use during court proceedings;

36 (9) An escort or accompaniment for intimidated victims or
37 witnesses during court appearances;

38 (10) Information about directions, parking, courthouse and
39 courtroom locations, transportation services and witness fees, in
40 advance of court appearances;

41 (11) Assistance for victims and witnesses in meeting special
42 needs when required to make court appearances, such as
43 transportation and child care arrangements;

44 (12) Assistance in making travel and lodging arrangements for
45 out-of-State witnesses;

46 (13) Notification to employers of victims and witnesses, if
47 cooperation in the investigation or prosecution causes absence from
48 work;

- 1 (14) Notification of the case disposition, including the trial and
2 sentencing;
- 3 (15) Assistance to victims in submitting a written statement to a
4 representative of the county prosecutor's office about the impact of
5 the crime prior to the prosecutor's final decision concerning whether
6 formal charges will be filed;
- 7 (16) Advice to victims about their right to make a statement
8 about the impact of the crime for inclusion in the presentence report
9 or at time of parole consideration, if applicable;
- 10 (17) Notification to victims of the right to make an in-person
11 statement, prior to sentencing, directly to the sentencing court
12 concerning the impact of the crime;
- 13 (18) Expediting the return of property when no longer needed as
14 evidence;
- 15 (19) Advise and counsel, or refer for advice or counseling,
16 victims of sexual assault, or other criminal acts involving a risk of
17 transmission of disease, concerning available medical testing and
18 assist such victims, or refer such victims for assistance, in obtaining
19 appropriate testing, counseling and medical care and in making
20 application to the Victims of Crime Compensation Office for
21 compensation for the costs of such testing, counseling and care;
- 22 (20) Assistance to victims in submitting a written impact
23 statement to a representative of the county prosecutor's office
24 concerning the impact of the crime which shall be considered prior
25 to the prosecutor's accepting a negotiated plea agreement containing
26 recommendations as to sentence and assistance to victims in
27 securing an explanation of the terms of any such agreement and the
28 reasons for the agreement;
- 29 (21) Notification to the victim of the defendant's release from
30 custody which shall include:
 - 31 (a) notice of the defendant's escape from custody and return to
32 custody following escape;
 - 33 (b) notice of any other release from custody, including
34 placement in an Intensive Supervision Program or other alternative
35 disposition, and any associated conditions of release;
 - 36 (c) notice of the filing by an inmate of an application for
37 commutation of sentence pursuant to N.J.S.2A:167-4 and its
38 disposition;
 - 39 (d) notice of parole consideration pursuant to provisions of
40 P.L.1979, c.441 (C.30:4-123.45 et seq.); and
 - 41 (e) notice of the pending release of an inmate due to expiration
42 of sentence;
- 43 (22) Interpreting services for victims and witnesses when
44 necessary to assist a victim or witness who is hearing impaired or
45 developmentally disabled as defined in section 3 of P.L.1977, c.82
46 (C.30:6D-3) to understand questions and frame answers; and

1 (23) Providing any applicable assistance to victims of sexual
2 assault or sexual misconduct who are incarcerated in a State
3 correctional facility that is available to other victims or witnesses.

4 c. In a case involving a victim of aggravated sexual assault or
5 sexual assault as defined in subsection a. or c. of N.J.S.2C:14-2, the
6 Office of Victim-Witness Advocacy or the county prosecutor's
7 office involved in the case shall:

8 (1) Notify the victim of the victim's right to obtain an approved
9 serological test for acquired immune deficiency syndrome (AIDS)
10 or infection with the human immunodeficiency virus (HIV) or any
11 other related virus identified as a probable causative agent of AIDS,
12 and assist the victim, or refer the victim for assistance, in obtaining
13 a test and appropriate counseling and medical care;

14 (2) Notify the victim of the victim's right to obtain a court order
15 pursuant to subsection a. of section 4 of P.L.1993, c.364 (C.2C:43-
16 2.2) requiring the offender to submit to an approved serological test
17 for acquired immune deficiency syndrome (AIDS) or infection with
18 the human immunodeficiency virus (HIV) or any other related virus
19 identified as a probable causative agent of AIDS in the event that
20 the offender is indicted, formally charged, convicted or adjudicated
21 delinquent;

22 (3) Communicate the request of a victim who agrees to seek an
23 order pursuant to subsection a. of section 4 of P.L.1993, c.364
24 (C.2C:43-2.2) to the prosecutor handling the case and notify the
25 victim or arrange for the victim to be notified of the test result; and

26 (4) Assist the victim in applying to the Victims of Crime
27 Compensation Office for compensation for the costs of testing,
28 counseling and medical care.

29 d. The Attorney General shall, through the Office of Victim-
30 Witness Advocacy and in consultation with the Commissioner of
31 Health, the Superintendent of State Police and representatives of
32 providers of sexual assault services, to be designated by the
33 Director of the Office of Victim-Witness Advocacy, coordinate the
34 establishment of standard protocols for the provision of information
35 and services to victims of sexual assault, and shall make such
36 protocols available to victims upon request, except that the
37 provision of information and services with regard to emergency
38 contraception and sexually transmitted diseases shall be in
39 accordance with P.L.2005, c.50 (C.26:2H-12.6b et al.).

40 e. In a case involving a victim of human trafficking as defined
41 in section 1 of P.L.2005, c.77 (C.2C:13-8), the Office of Victim-
42 Witness Advocacy or the county prosecutor's office involved in the
43 case shall ensure that the victim of human trafficking obtains
44 assistance in receiving any available benefits or services, including
45 assistance in receiving any necessary certifications or endorsements
46 needed to be recognized as having federal T non-immigrant status
47 for the purpose of receiving any federal benefits or services

1 available pursuant to the "Trafficking Victims Protection
2 Reauthorization Act of 2003," 22 U.S.C. s. 7101 et seq.

3 f. The Attorney General shall, through the Office of Victim-
4 Witness Advocacy and in consultation with the Commissioner of
5 Health, the Superintendent of State Police and representatives of
6 providers of services to victims of human trafficking, to be
7 designated by the Director of the Office of Victim-Witness
8 Advocacy, coordinate the establishment of standard protocols for
9 the provision of information and services to victims of human
10 trafficking, including coordination of efforts with the appropriate
11 federal authorities pursuant to the "Trafficking Victims Protection
12 Reauthorization Act of 2003," 22 U.S.C. s. 7101 et seq. and shall
13 make such protocols available to victims upon request.

14 g. The Attorney General, shall, through the Office of Victim-
15 Witness Advocacy and in consultation with the Commissioner of
16 Corrections, promulgate standards to ensure that the rights of
17 female crime victims incarcerated in State correctional facilities are
18 enforced. The standards shall include a requirement that
19 unannounced visits be made to the facilities housing female inmates
20 and random surveys be conducted for the purpose of identifying
21 inmates who are the victims of sexual assault or sexual misconduct;
22 an inmate who is determined to be a victim shall be informed of the
23 available services set forth in subsection b. of this section and, upon
24 request, be provided with any of these services. An inmate chosen
25 by inmates in a housing unit as the liaison between the correctional
26 facility administration and the inmate population shall be provided
27 with a copy of this section of law. The liaison also shall be
28 provided with a summary of the assistance and services available
29 pursuant to subsection b. of this section for dissemination to the
30 inmates in the housing unit.

31 h. The Office of Victim-Witness Advocacy shall issue, upon
32 request of the Office of Trial and Criminal Justice Process in the
33 Division of Violence Intervention and Victim Assistance, reports
34 regarding the Office of Victim-Witness Advocacy's performance of
35 its duties as may be requested, and all State departments and
36 agencies, boards, commissions, and authorities, as well as
37 municipal and county governing bodies, boards, commissions, and
38 authorities, shall cooperate fully in the preparation of any reports to
39 the extent required and appropriate.

40 (cf: P.L.2019, c.308, s.1)

41
42 12. Section 7 of P.L.2001, c.81 (C.52:4B-55) is amended to read
43 as follows:

44 7. a. The Attorney General shall establish a Sexual Assault Nurse
45 Examiner Program Coordinating Council comprised of: the
46 Attorney General, the Director of the Division on Women, the Chief
47 of the Office of Victim-Witness Advocacy, the Executive Director
48 of the Division of Violence Intervention and Victim Assistance, the

1 Executive Director of the New Jersey Coalition Against Sexual
2 Assault, and the Executive Director of the New Jersey Board of
3 Nursing, or their respective designees; a representative from the
4 New Jersey County Prosecutor's Association; and the program
5 coordinators appointed or designated pursuant to section 3 of
6 P.L.2001, c.81 (C.52:4B-51).

7 The Attorney General, through the sexual assault unit established
8 pursuant to section 8 of P.L.2001, c.81 (C.52:4B-56), and in
9 consultation with the coordinating council, shall oversee the
10 Statewide Sexual Assault Nurse Examiner program and identify and
11 obtain any State and federal funding available to supplement the
12 funds appropriated to operate the program.

13 b. The coordinating council shall review the effectiveness of
14 the services provided by the State to victims of sexual assault and
15 make recommendations to the Attorney General for any needed
16 changes in the standards, regulations or State policy concerning the
17 provision of victim services.

18 (cf: P.L.2012, c.16, s.136)

19
20 13. Section 8 of P.L.2001, c.81 (C.52:4B-56) is amended to read
21 as follows:

22 8. The Attorney General shall establish a sexual assault unit
23 within the Division of Criminal Justice in the Department of Law
24 and Public Safety which shall include a sexual assault investigator
25 and a certified forensic sexual assault nurse examiner.

26 The unit shall **【oversee】** consult with the Division of Violence
27 Intervention and Victim Assistance in its oversight of the operation
28 of the county sexual assault nurse examiner programs, and provide
29 assistance to counties in the investigation and prosecution of sexual
30 assaults. The unit shall review all complaints received regarding a
31 county's investigation and prosecution of a sexual assault and shall
32 provide recommendations to the Attorney General regarding the
33 county's investigation and prosecution of the case. The unit also
34 shall provide training to law enforcement officials and county
35 prosecutors, on an ongoing basis, in the investigation and
36 prosecution of sexual assault. Any training the unit may provide to
37 county prosecutors and assistant county prosecutors shall comply
38 with the requirements of section 1 of P.L.2021, c.66 (C.52:4B-
39 54.2).

40 (cf: P.L.2021, c.66, s.2)

41
42 14. Section 1 of P.L.2013, c.51 (C.52:17B-237) is amended to
43 read as follows:

44 1. a. There is hereby created, in the Division of Criminal
45 Justice in the Department of Law and Public Safety, a commission
46 to be known as the Commission on Human Trafficking, consisting
47 of **【15】** 17 members as follows: the Attorney General, or **【his】** the
48 Attorney General's designee; the Commissioner of Children and

1 Families, or **his** the commissioner's designee; the Commissioner
2 of Human Services, or **his** the commissioner's designee; a county
3 prosecutor, appointed by the Governor based upon the
4 recommendation of the County Prosecutors Association of the State
5 of New Jersey; one member of the New Jersey Human Trafficking
6 Task Force established within the Department of Law and Public
7 Safety, designated by the Attorney General; the Executive Director
8 of the Division of Violence Intervention and Victim Assistance or
9 the executive director's designee; two public members appointed by
10 the Governor based upon the recommendation of the Senate
11 President, one representing law enforcement and one representing a
12 victim's assistance organization; one public member appointed by
13 the Governor based upon the recommendation of the Senate
14 Minority Leader representing either a non-profit health care facility
15 or mental health services; two public members appointed by the
16 Governor based upon the recommendation of the Speaker of the
17 General Assembly, one representing law enforcement and one
18 representing a victim's assistance organization; one public member
19 appointed by the Governor based upon the recommendation of the
20 Assembly Minority Leader representing either a non-profit health
21 care facility or mental health services; and **four** five public
22 members appointed by the Governor, one of whom shall be a
23 representative of a child advocacy organization concerning missing,
24 abducted, or exploited children, and one of whom shall be a human
25 trafficking survivor. All public members shall have experience
26 with, possess a background in, or demonstrate a specialized
27 knowledge of, the legal, policy, educational, social, or
28 psychological aspects of human trafficking.

29 b. (1) Of the public members first appointed:

30 (a) the following shall serve for a term of three years: one
31 member appointed upon the recommendation of the Senate
32 President; one member appointed upon the recommendation of the
33 Speaker of the General Assembly; and two members appointed by
34 the Governor; and

35 (b) the following shall serve for a term of two years: one
36 member appointed upon the recommendation of the Senate
37 President; one member appointed upon the recommendation of the
38 Speaker of the General Assembly; each member appointed upon the
39 recommendation of the Senate and Assembly Minority Leaders; and
40 **two** three members appointed by the Governor.

41 (c) Upon the conclusion of the initial terms, each public member
42 shall be appointed for a term of three years.

43 (2) Each member appointed shall hold office for the term of
44 appointment and until a successor shall have been appointed and
45 qualified.

46 (3) Any vacancy in the membership of the commission shall be
47 filled by appointment in the same manner as the original
48 appointment was made.

1 c. (1) The commission shall organize upon the appointment of
2 a majority of its authorized membership. The members shall elect
3 one of the members to serve as chair and vice-chair, and the chair
4 may appoint a secretary, who need not be a member of the
5 commission.

6 (2) The commission shall meet at those times and places within
7 the State of New Jersey as the commission shall determine. A
8 majority of the commission's authorized membership shall
9 constitute a quorum for the transaction of any business, for the
10 performance of any duty, or for the exercise of any power of the
11 commission.

12 d. The members of the commission shall serve without
13 compensation, but shall be eligible for reimbursement for necessary
14 and reasonable expenses incurred in the performance of their
15 official duties within the limits of funds appropriated or otherwise
16 made available to the commission for its purposes.

17 e. The Division of Criminal Justice in the Department of Law
18 and Public Safety shall, at the direction of the Attorney General,
19 provide legal, stenographic, technical, clerical, and other staff and
20 resource assistance to the commission, and additionally the
21 commission may incur expenses as may be necessary in order to
22 perform its duties within the limits of funds appropriated or
23 otherwise made available to it for its purposes.

24 f. It shall be the duty of the commission to:

25 (1) Evaluate the existing law concerning human trafficking and
26 the enforcement thereof, and to make recommendations for
27 legislation, if appropriate;

28 (2) Review existing victim assistance programs and analyze the
29 costs, organization, and availability of these services for victims of
30 human trafficking and to make recommendations for legislation, if
31 appropriate;

32 (3) Promote a coordinated response by public and private
33 resources for victims of human trafficking; and

34 (4) Develop mechanisms to promote public awareness of human
35 trafficking, victim remedies and services, and trafficking prevention
36 including the creation of a public awareness sign promoting the
37 national, 24-hour toll-free hotline telephone service on human
38 trafficking described under section 18 of P.L.2013, c.51 (C.2C:13-
39 11), and the promotion of training courses and other educational
40 materials for use by persons required under section 19 of P.L.2013,
41 c.51 (C.2C:13-12) to undergo training on the handling of and
42 response procedures for suspected human trafficking activities.

43 g. The commission shall report annually to the Governor and to
44 the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
45 19.1), its activities, as well as its findings and recommendations for
46 any needed new services or resources for victims of human

1 trafficking, and any proposed changes to the current law concerning
2 human trafficking.

3 (cf: P.L.2021, c.3, s.1)
4

5 15. (New section) There is appropriated \$4,500,000 from the
6 General Fund to the Department of Law and Public Safety for the
7 establishment of the “Division of Violence Intervention and Victim
8 Assistance,” pursuant to P.L. , c. (C.) (pending before the
9 Legislature as this bill).
10

11 16. (New section) In addition to the amounts appropriated under
12 P.L.2022, c.49, there is appropriated \$1,000,000 from the General
13 Fund to the Department of Law and Public Safety for the Office of
14 Crime Compensation Office, originally established as the Victims
15 of Crime Compensation Agency pursuant to P.L.1971, c.317
16 (C.52:4B-1 et seq.) and transferred to the Division of Violence
17 Intervention and Victim Assistance pursuant to section 4 of P.L. ,
18 c. (C.) (pending before the Legislature as this bill) for the
19 purpose of victim compensation.
20

21 17. This act shall take effect on the first day of the sixth month
22 following enactment.
23
24

25 STATEMENT

26

27 This bill establishes the Division of Violence Intervention and
28 Victim Assistance (VIVA) within the Department of Law and
29 Public Safety.

30 The newly created division will oversee and coordinate all
31 violence intervention and prevention, and victim assistance and
32 services performed by the Attorney General. The division will
33 provide services, administer and monitor programs, develop and
34 implement strategies, serve as a resource center for other agencies
35 and for local communities, build partnerships within communities,
36 and safeguard victims’ rights.

37 The executive director of the division will be appointed by the
38 Attorney General. The division will be organized into four key
39 offices:

- 40 • Office of Trial and Criminal Justice Process;
- 41 • Office of Victim Support and Assistance;
- 42 • Office of Violence Intervention and Prevention; and
- 43 • Victims of Crime Compensation Office.

44 The Office of Trial and Criminal Justice Process will coordinate
45 and set policy for crime victims navigating the criminal justice
46 process. The office will advise, receive, and review reports from
47 the New Jersey State Office of Victim-Witness Advocacy and the
48 county prosecutor’s victim-witness advocates. The office will also

1 set State-wide policy regarding performance and compliance, and
2 develop policies for witnesses and victims of crime who are not
3 currently being served by the existing framework of victim-related
4 services.

5 The Office of Victim Support and Assistance will oversee the
6 Department of Law and Public Safety's victim-related services.
7 The office will provide strategy and resources to address the needs
8 of victims of crimes to intervene in violence and to prevent repeat
9 victimization. The office will play a key role in setting trauma-
10 informed policy and solutions for victims of sexual assault, victims
11 of domestic violence and intimate partner abuse, youth victims,
12 victims of discrimination and bias-based crimes, and immigrant
13 populations.

14 The Office of Violence Intervention and Prevention will oversee
15 the department's violence intervention and prevention work and
16 grant making initiatives, including community-based and hospital-
17 based violence intervention services and programs.

18 The previously established Victims of Crime Compensation
19 Office would be transferred to the Division of Violence Intervention
20 and Victim Assistance. The office will continue its victim
21 compensation functions, duties, and responsibilities.

22 Additionally, under this bill, the sexual assault unit would be
23 housed in the Division of Criminal Justice and, in consultation with
24 the Division of Violence Intervention and Victim Assistance, would
25 oversee the operation of the county sexual assault nurse examiner
26 programs, and provide assistance to the counties for the
27 investigation and prosecution of sexual assault cases.

28 The membership of the Commission on Human Trafficking
29 would be increased from 15 members to 17 members. The bill adds
30 the Executive Director of the Division of Violence Intervention and
31 Victim Assistance or a designee as an ex officio member, and
32 increases the number of public members appointed by the Governor
33 from four to five members.

34 Lastly, \$4.5 million would be appropriated from the General
35 Fund to the Department of Law and Public Safety to establish the
36 Division of Violence Intervention and Victim Assistance. And, an
37 additional \$1 million would be appropriated to the Victim of Crime
38 Compensation Office for the purpose of victim compensation.