ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1772

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2021

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1772.

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.

Under the bill as amended, any domestic violence counseling in which a defendant participates based on a court order issued in a domestic violence matter would have the following components:

(1) Risk assessments that identify dynamics of domestic violence and escalating risk factors, and include information provided by the courts;

(2) Working collaboratively with the courts to support offender accountability, requiring that offenders be held accountable for their behavior, and that offenders are 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 protocol to demonstrate the defendant's attendance in programming, and additional reporting as requested by the court to support a prompt and effective review by the court for noncompliance; and

(5) Regular reviews of the program and compliance by the New Jersey Advisory Council on Domestic Violence or the Department of Children and Families for Batterers' Intervention Programs funded by the Department of Children and Families.

The amended bill would create within the Department of Children and Families, the "Abuse Intervention Program Advisory Committee."

The advisory committee would include representatives from the following: Administrative Office of the Courts, with representation from Municipal Court and the Family and Criminal Divisions of Superior Court; Department of Corrections; Department of Human Services, Division of Mental Health and Addiction Services;

Department of Law and Public Safety; domestic violence advocates who represent underserved communities in rural and urban settings; practicing licensed mental health professional; community providers with experience providing treatment to domestic violence perpetrators; an individual with lived experience as a recipient of abuse intervention services; Department of Education; community organizers providing restorative justice practices; and faith community leaders.

In consultation with the committee, the Department of Children and Families would select an existing evidence-based, evidence-supported or promising Batterers' Intervention Program model. Based on strategic priorities and subject to the availability of funds, the Department of Children and Families would fund the selected abuse intervention programs. The Department of Children and Families would access consultation and technical assistance from selected model developers or other field experts; support the development, refinement, and maintenance of the necessary implementation infrastructure including, but not limited to, model refinement, training, quality improvement, and evaluation; and provide periodic progress updates to the committee on the selected Batterers' Intervention Program model.

The domestic violence counseling provisions of this bill embody 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.

These amendments make this bill identical to S383 (2R), which is also released by the committee on this date.

COMMITTEE AMENDMENTS

(1) Provide that any domestic violence counseling in which a defendant participates based on a court order issued in a domestic violence matter would have the components as described in the statement above.

(2) Create a task force within the Department of Children and Families called the "Abuse Intervention Program Advisory Committee" with membership and duties as described in the statement above.

(3) Revise the synopsis.