

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 1964

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2021

The Assembly Judiciary Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1964.

This committee substitute expands training for judges, law enforcement officers, and assistant county prosecutors in the handling of domestic violence cases.

Under the substitute, the Attorney General would be responsible for ensuring training as follows:

(a) all law enforcement officers would attend initial training within 90 days of appointment or transfer and annual in-service training of at least four hours. Once every three years, this in-service training requirement would be required to be satisfied through in-person instructor-led training.

(b) all assistant county prosecutors involved in the handling of domestic violence cases would attend initial training within 90 days of appointment or transfer and annual in-service training of at least four hours.

The substitute also requires that the Administrative Director of the Courts would develop and approve a training course and a curriculum for all municipal court judges, Superior Court judges responsible for the adjudication of domestic violence matters, and judicial personnel involved with the intake and processing of domestic violence complaints. All judges and judicial personnel would be required to participate in core training regarding issues such as the dynamics of domestic violence, the impact of domestic violence on children, trauma-informed danger assessments, batterer intervention programs, and domestic violence risk factors and lethality. In addition, municipal court judges would receive specific training related to the issuance of temporary restraining orders in emergent situations. Superior Court judges responsible for the adjudication of domestic violence matters would receive supplemental training related to the issuance and enforcement of temporary and final restraining orders, including factors considered when determining if a final restraining order should be issued, child custody and parenting plans, the setting of child support, distribution of property and ongoing housing expenses, and counseling. The core curriculum and individualized training programs would be reviewed at least every two years and modified by the

Administrative Director of the Courts from time to time as need may require.

In addition, the Administrative Director of the Courts would be responsible for ensuring that all municipal court judges, Superior Court judges responsible for the adjudication of domestic violence matters, and judicial personnel involved with the intake and processing of domestic violence complaints attend initial training within 90 days of appointment or transfer and annual in-service training as described.

Finally, the substitute provides that the Attorney General and the Administrative Director of the Courts would provide that all training on the handling of domestic violence matters include information concerning the impact of domestic violence on society, and include topics regarding the dynamics of domestic violence, the impact of domestic violence on children, the impact of trauma on survivors, risks for lethality in domestic violence cases, safety planning and services for survivors of domestic violence, the impact of racial bias and discrimination on survivors and marginalized communities, the statutory and case law concerning domestic violence, the necessary elements of a protection order, and the guidelines regarding when domestic violence incidents trigger mandatory or discretionary arrest.

This committee substitute is identical to S384(2R), which was also released by the committee on this date.