ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 1964

STATE OF NEW JERSEY

219th LEGISLATURE

ADOPTED NOVEMBER 15, 2021

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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

Substitute as adopted by the Assembly Judiciary Committee.

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

AN ACT concerning certain training for judges, law enforcement, and assistant county prosecutors and amending P.L.1991, c.261.

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

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

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

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

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

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

b. (1) The Administrative **[**Office**]** Director of the Courts shall develop and approve a training course and a curriculum **[**on the handling, investigation and response procedures concerning allegations of domestic violence. This training course**]** 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 identified in this section shall 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 shall 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 shall 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

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.

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 shall be reviewed at least every two years and modified by the Administrative 【Office】 Director of the Courts from time to time as need may require.

(2) The Administrative Director of the Courts shall 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 【inservice】 in-service training as described in this section.

(3) The 【Division of Criminal Justice】 Attorney General and the Administrative 【Office】 Director of the Courts shall provide that all training on the handling of domestic violence matters required under this subsection shall 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, the guidelines regarding when domestic violence incidents trigger mandatory or discretionary arrest, policies and procedures as promulgated or ordered by the Attorney General or the Supreme Court, and the use of available community resources, support services, available sanctions and treatment options.

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

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

2. This act shall take effect immediately.