

ASSEMBLY, No. 3267

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Requires DCPD to implement policies and procedures to ensure caseworker safety; "Leah's Law."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/25/2020)

1 **AN ACT** concerning caseworker safety, designated as Leah's Law,
2 and supplementing Title 30 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. The Division of Child Protection and Permanency in the
8 Department of Children and Families shall implement a caseworker
9 safety intervention plan. The plan shall, at a minimum:

10 a. establish specific procedures to follow when a caseworker is
11 faced with, and responding to, a situation that poses a threat to the
12 safety and well-being of the caseworker, whether in the local office, in
13 the field, or when making an emergency removal of a child;

14 b. specify when to request the assistance of the Human Services
15 police officer assigned to the local office and how to initiate such
16 requests; and

17 c. be posted in a conspicuous place in the local office and a copy
18 of the plan shall be provided to every staff member assigned to that
19 office.

20

21 2. a. Notwithstanding any provision of law to the contrary, the
22 Division of Child Protection and Permanency shall implement
23 policies and procedures to ensure the safety of all staff working at
24 division offices.

25 The policies and procedures shall address issues of safety in the
26 event that a caseworker receives a threat of violence from a client or
27 is presented with a potentially dangerous situation while working in
28 a local office, investigating a report of child abuse or neglect in the
29 field, or making an emergency removal of a child pursuant to
30 section 8 of P.L.1974, c.119 (C.9:6-8.28).

31 b. In order to ensure the safety of a caseworker in a local
32 office, the division shall require that:

33 (1) a Human Services police officer is assigned to every
34 building where a local office is located to provide security and
35 assistance to the caseworkers assigned to the office;

36 (2) each local office is equipped with a metal detector or metal
37 detector wands to be operated by law enforcement officers;

38 (3) a panic button be installed in every meeting room in which a
39 caseworker meets with a client; and

40 (4) at least one meeting room or conference room in each local
41 office is equipped with a two-way mirror located to allow for the
42 observation of the meeting or conference room by the Human
43 Services police officer assigned to the office.

44 c. In order to ensure the safety of a caseworker while
45 investigating a report of child abuse or neglect in the field or
46 making an emergency removal of a child pursuant to section 8 of
47 P.L.1974, c.119 (C.9:6-8.28), the division shall require that:

1 (1) a caseworker assigned to a home visit is accompanied by
2 another caseworker if:

3 (a) a client or a member of the client's family has threatened or
4 harassed the assigned caseworker in the past;

5 (b) the client or a member of the client's family has a history of
6 violence either documented by a criminal record or by threats of
7 violence against the division or a division employee; or

8 (c) the caseworker believes the home or the surrounding
9 environment is unsafe;

10 (2) at the request of a caseworker or the caseworker's
11 supervisor, the Human Services police officer assigned to the
12 caseworker's local office accompanies and assists the caseworker
13 when conducting an investigation or visit or when making an
14 emergency removal; and

15 (3) the Human Services police officer assigned to a local office
16 is available to a caseworker within 30 minutes of a request to
17 accompany and assist a caseworker pursuant to paragraph (2) of this
18 subsection, except that in an emergency situation, the officer shall
19 be immediately available to accompany and assist the caseworker.

20 d. Nothing in paragraph (1) of subsection c. of this section
21 shall be construed to prohibit the division, at the request of a
22 caseworker or the caseworker's supervisor, from requiring that a
23 Human Services police officer assigned to the caseworker's local
24 office accompany or assist the caseworker while investigating a
25 report of child abuse or neglect in the field or making an emergency
26 removal of a child, if appropriate.

27

28 3. The Department of Children and Families shall adopt rules
29 and regulations pursuant to the "Administrative Procedure Act,"
30 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
31 this act.

32

33 4. Section 1 of this act shall take effect immediately, and section
34 2 shall take effect on the first day of the seventh month next following
35 enactment except that the commissioner may take any anticipatory
36 administrative action in advance as shall be necessary for the
37 implementation of this act.

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40 STATEMENT

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42 This bill, designated as "Leah's Law," requires the Division of
43 Child Protection and Permanency in the Department of Children
44 and Families to implement a caseworker safety intervention plan.
45 The bill provides that the plan is to, at a minimum: establish
46 specific procedures to follow when a caseworker is faced with, and
47 responding to, a situation that poses a threat to the safety and well-
48 being of the caseworker, whether in the local office, in the field, or

1 when making an emergency removal of a child; specify when to
2 request the assistance of the Human Services police officer assigned
3 to the local office and how to initiate such requests; and be posted
4 in a conspicuous place in the local office and a copy of the plan
5 would be provided to every staff member assigned to that office.

6 The bill requires the division to implement policies and
7 procedures to ensure the safety of every caseworker employed by
8 the division. The policies and procedures are to address issues of
9 safety when a caseworker receives a threat of violence from a
10 client, or is presented with a potentially dangerous situation while
11 working in a local office, investigating a report of child abuse or
12 neglect in the field, or making an emergency removal of a child
13 pursuant to section 8 of P.L.1974, c.119 (C.9:6-8.28).

14 The bill provides that, in order to ensure the safety of a
15 caseworker in a local office, the division is to require that: a Human
16 Services police officer be assigned to every building where a local
17 office is located to provide security and assistance to the
18 caseworkers assigned to the office; each local office be equipped
19 with a metal detector or metal detector wands operated by law
20 enforcement officers; a panic button be installed in every meeting
21 room in which a caseworker meets with a client; and at least one
22 meeting or conference room in each local office be equipped with a
23 two-way mirror located to allow for the observation of the room by
24 the Human Services police officer assigned to the office.

25 The bill also provides that, in order to ensure the safety of a
26 caseworker while investigating a report of child abuse or neglect in
27 the field or when making an emergency removal of a child, the
28 division is to require: 1) a caseworker assigned to a home visit to be
29 accompanied by another caseworker if certain conditions delineated
30 in the bill are met; 2) at the request of a caseworker or the
31 caseworker's supervisor, the Human Services police officer
32 assigned to the caseworker's local office is to accompany and assist
33 the caseworker when conducting an investigation or visit, or when
34 making an emergency removal; and 3) the Human Services police
35 officer assigned to a local office is to be available to a caseworker
36 within 30 minutes of a request to accompany and assist the
37 caseworker, except that in an emergency situation, the officer would
38 be immediately available.

39 The bill stipulates that while a caseworker, who is investigating a
40 report of child abuse or neglect or making an emergency removal, is
41 assigned to a home visit and is accompanied by another caseworker,
42 nothing would prohibit the division, at the request of the
43 caseworker or supervisor, from requiring a Human Services police
44 officer assigned to the local office to accompany or assist the
45 caseworker.