

SENATE, No. 161

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

“New Jersey Predatory Alienation Prevention and Consensual Response Act.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning predatory alienation and supplementing Title
2 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. This act shall be known, and may be cited, as the “New
8 Jersey Predatory Alienation Prevention and Consensual Response
9 Act.”

10

11 2. The Legislature finds and declares the following:

12 a. Predatory alienation occurs whenever a person or group uses
13 predatory behaviors, such as entrapment, coercion, and undue
14 influence, to establish a relationship with a victim and isolate the
15 victim from existing relationships and support systems, including
16 family and friends, with the goal of gaining and retaining sweeping
17 control over the victim’s actions and decisions.

18 b. Predatory alienation tactics and other forms of undue
19 influence are commonly used by cults, religious sects, gangs,
20 extremist groups, human traffickers, sexual predators, domestic
21 abusers, and other similar persons and groups, as a means to recruit
22 members, carry out crimes, spread their belief systems, advocate
23 their political agendas, or simply impose their will on, and exert
24 power, control, and supremacy over, victims.

25 c. There is currently a lack of adequate legal or other
26 protection for individuals in the State who are victims of predatory
27 alienation or other undue influence.

28 d. The protection of individuals from predatory alienation and
29 undue influence requires a delicate balancing of interests,
30 particularly in the case of vulnerable or victimized adults.
31 Specifically, while the State and the family members or friends of
32 an individual may have an interest in protecting the individual from
33 the physical and mental abuse, domestic violence, manipulation,
34 and control that is associated with predatory alienation and other
35 undue influence, this paternal interest must be balanced against the
36 individual’s interest in maintaining personal autonomy and the
37 ability to make independent life decisions.

38 e. Compulsive third party influence and control are difficult
39 things to measure, and there is often a lack of physical evidence to
40 establish that an individual has fallen victim to coercive or
41 compulsive tactics, even in cases where other forms of abuse have
42 contributed to, or have facilitated, the victimization.

43 f. The American Civil Liberties Union has concluded that,
44 unless physical coercion or threats are used, there is no legal
45 justification for those who have reached the age of maturity to be
46 subjected to mental incompetency hearings, conservatorships, or
47 temporary guardianships on the basis that they have become
48 unwitting victims of predatory alienation or other undue influence.

1 g. By establishing a system that counters the effectiveness of
2 predatory alienation and other types of undue influence through the
3 use of front-line prevention and consensual response efforts, such as
4 extensive public education, proactive screening practices, the
5 provision of therapeutic consultation to the families and friends of
6 victims, and the provision of consensual counseling and treatment
7 to the victims themselves, the State can properly balance the
8 interests at stake in this area, thereby ensuring that its citizens will
9 be better protected from predatory alienation and undue influence
10 while continuing to exercise personal autonomy in their own lives.

11

12 3. As used in this act:

13 “Authorized family member” means a parent or guardian, in the
14 case of a minor under the age of 18; or, in the case of an adult 18
15 years of age or older, any member of the individual’s family who is
16 authorized by the individual to receive predatory alienation
17 screening information about the individual, pursuant to section 6 of
18 this act.

19 “Certified instructor” means a person who is certified by the
20 department to perform on-site, in-person training on predatory
21 alienation, undue influence, and healthy relationship building, as
22 provided by subsection d. of section 4 of this act.

23 “Certified screener” or “screener” means an employee of a
24 facility identified in subsection a. of section 6 of this act who is
25 certified by the department to provide in-house predatory alienation
26 screening assessments to the facility’s clients, patients, or residents.

27 “Concerned third party” means an individual who is concerned
28 that one of the individual’s family members or friends is personally
29 susceptible to, or is being victimized by, predatory alienation or
30 other undue influence.

31 “Commissioner” means the Commissioner of Human Services.

32 “Department” means the Department of Human Services.

33 “De-identified information” means information that does not
34 identify, and that cannot be reasonably used to identify, an
35 individual.

36 “Personally susceptible” means that an individual, who may or
37 may not be a member of a vulnerable population, is personally
38 inclined, predisposed, or likely to be victimized by predatory
39 alienation or other undue influence, as a result of the individual’s
40 current life circumstances, mindset, world view, or physical or
41 mental status.

42 “Predatory alienation” means the exertion of extreme undue
43 influence on, or the coercive persuasion or psychologically
44 damaging manipulation of, an individual, which leads to a deceptive
45 or exploitative relationship between the individual and the person or
46 group exerting the influence, and which causes the individual to
47 experience physical or emotional harm, the loss of financial assets,

1 the disruption of a parent-child relationship, or isolation from
2 family and friends.

3 “Predatory alienation counseling referral system” means the
4 counseling referral system established pursuant to section 5 of this
5 act.

6 “Undue influence” means persuasion that overpowers a person’s
7 will, or that otherwise exerts control over a person, so as to prevent
8 the person from acting intelligently, voluntarily, and with
9 understanding, and which effectively destroys the person’s
10 willpower and constrains the person to act in a manner that they
11 would not have done in the absence of such persuasion.

12 “Vulnerable population” means children, young adults, senior
13 citizens, veterans, individuals with developmental disabilities, and
14 incarcerated individuals, as well as any other population group, as
15 determined by the department, whose members are inherently
16 vulnerable to predatory alienation or other undue influence, due to
17 age, physical or mental incapacity or fragility, or other
18 distinguishing characteristics that are held in common by all, or the
19 majority of, the group’s members.

20

21 4. a. The commissioner, in consultation with the
22 Commissioners of Health, Education, and Children and Families,
23 shall develop and operate an ongoing public awareness campaign,
24 as provided in this section, to educate the public about predatory
25 alienation, undue influence, and healthy relationships.

26 b. In conducting the public awareness campaign, the
27 department shall develop and distribute appropriate informational
28 materials and make use of all appropriate media, including
29 newspapers and other written media, television, the Internet, and
30 social media. Separate, targeted information shall be prepared for,
31 and made available to, each of the following groups:

32 (1) vulnerable populations;

33 (2) concerned third parties;

34 (3) professional actors, including, but not limited to, emergency
35 medical responders, law enforcement officers, health care
36 practitioners, and mental health care practitioners, who respond to
37 instances of predatory alienation or other undue influence, or who
38 attempt to alleviate the results thereof; and

39 (4) members of the general public.

40 c. Information disseminated under the public awareness
41 campaign shall address the following topics, tailored, as
42 appropriate, to each of the population groups identified in
43 subsection b. of this section:

44 (1) the elements of a healthy relationship, the behaviors that
45 facilitate the establishment and maintenance of healthy
46 relationships, and the difference between healthy relationships and
47 unhealthy relationships that are exploitative, manipulative, or
48 coercive in nature;

- 1 (2) the factors that may increase an individual's personal
2 susceptibility to, or risk of victimization from, predatory alienation
3 and other undue influence;
- 4 (3) the signs of victimization stemming from predatory
5 alienation and other undue influence, and the short-term and long-
6 term psychological, physical, and economic effects that can result
7 from such victimization;
- 8 (4) the importance of using a trauma-informed approach when
9 engaging with victims of predatory alienation or other undue
10 influence, and the importance of avoiding re-traumatization when
11 providing assistance to such victims;
- 12 (5) the nature and type of tactics that are used by perpetrators of
13 predatory alienation and other undue influence, including, but not
14 limited to, grooming, isolation, desensitization, and enforced
15 compliance tactics, and how to recognize, protect against, and
16 respond to controlling, exploitative, manipulative, or coercive
17 behavior, both in cases where the individual is the object of such
18 behavior, and in cases where the individual is a concerned third
19 party, a member of the general public, or a professional observing
20 such behavior; and
- 21 (6) information on programs, services, and resources, including,
22 but not limited to, the predatory alienation counseling referral
23 system established pursuant to section 5 of this act, which are
24 available to assist victims of predatory alienation or other undue
25 influence and their families.
- 26 d. (1) The public awareness campaign shall also include an
27 ongoing on-site training component, pursuant to which individuals
28 throughout the State will be provided with in-person training from
29 certified instructors on predatory alienation, undue influence, and
30 the establishment and maintenance of healthy relationships.
31 Predatory alienation training sessions shall be provided, under this
32 subsection, on a regular basis, to individuals in schools and child
33 care facilities; on college campuses; in community centers; in
34 correctional institutions; in veterans' affairs offices and
35 associations; in retirement homes, senior centers, nursing homes,
36 and other long-term care facilities; in churches, synagogues,
37 mosques, and other religious institutions; in group homes,
38 community care residences, and day programs serving individuals
39 with developmental disabilities; and in other appropriate facilities
40 serving vulnerable populations.
- 41 (2) The department, in consultation with the Departments of
42 Education, Health, and Children and Families, shall develop a
43 standardized training curriculum, incorporating the topics identified
44 in subsection c. of this section, for use by certified instructors who
45 engage in on-site training pursuant to this section. The curriculum
46 shall be targeted to vulnerable populations, and, to the extent
47 practicable, shall be tailored to the particular type of vulnerable
48 population being served by each facility.

1 (3) No person shall be authorized to provide on-site training,
2 pursuant to this subsection, unless the person has been certified by
3 the department as being qualified to provide such training.

4 e. The commissioner shall ensure that the informational
5 materials prepared pursuant to this section are distributed, or are
6 otherwise made available, to each facility that provides predatory
7 alienation screening assessments under section 6 of this act, for
8 dissemination thereby to the facility's clients, patients, or residents
9 who are found to be personally susceptible to, or victimized by,
10 predatory alienation or other undue influence.

11 f. The commissioner shall coordinate the efforts and activities
12 of the public awareness campaign with any related activities or
13 public awareness initiatives on predatory alienation, undue
14 influence, or healthy relationship building that are being undertaken
15 by other State agencies or local government units.

16
17 5. a. The department, in consultation with the Department of
18 Health, shall establish and operate a predatory alienation counseling
19 referral system, as provided in this section.

20 b. The predatory alienation counseling referral system shall be
21 designed to:

22 (1) assist concerned third parties by connecting them to legal
23 experts, health care practitioners, mental health care practitioners,
24 and support groups that specialize in domestic violence, physical
25 and sexual abuse, mental manipulation and duress, and other
26 relevant subject areas, and that can provide consensual, culturally
27 sensitive advice and counseling that is designed to both assess the
28 situation of concern, and identify the avenues that can be pursued
29 by the concerned third party to prevent further harm to, or further
30 alienation or undue influence of, the victim; and

31 (2) assist individuals who have been victimized by predatory
32 alienation or undue influence, or who are attempting to leave a
33 situation involving predatory alienation or undue influence, by
34 connecting such individuals to legal experts, health care
35 practitioners, mental health care practitioners, and support groups
36 that specialize in domestic violence, physical and sexual abuse,
37 mental manipulation and duress, trauma recovery, and other
38 relevant subject areas, and that can provide the individual with
39 consensual, culturally sensitive advice, counseling, and health care
40 to address the individual's past trauma stemming from the predatory
41 alienation or undue influence, as well as any ongoing issues related
42 to that trauma; and by connecting such individuals to shelters,
43 financial aid resources, and other resources and services that are
44 available for trauma survivors.

45 c. Individuals in the State shall be authorized to request a
46 predatory alienation counseling referral through any available
47 means, including by phone, in person, or over the Internet. The
48 Departments of Human Services, Health, Education, Children and

1 Families, Law and Public Safety, Corrections, and Military and
2 Veterans Affairs shall each post on their respective department
3 websites, a description of the predatory alienation counseling
4 referral system, the phone number and physical address where
5 referral requests can be made, and a link to a referral request form
6 that can be submitted online. Appropriate referrals shall be made as
7 soon as practicable, but not more than 48 hours, after a referral
8 request is submitted pursuant to this subsection.

9 d. A legal expert, health care practitioner, mental health care
10 practitioner, or support group to whom an individual is referred for
11 services, pursuant to this section, shall provide the referred client
12 with timely, consensual, and culturally sensitive counseling and
13 advice, health care where appropriate, and referrals to other
14 ancillary services, as may be necessary to achieve the goals
15 specified in paragraph (1) or (2) of subsection b. of this section, as
16 appropriate.

17

18 6. a. The commissioner, in consultation with the
19 Commissioners of Health and Children and Families, shall:

20 (1) develop a comprehensive screening and assessment tool to
21 facilitate the identification of, and the provision of consensual
22 assistance to, individuals in the State who are personally susceptible
23 to, or are being victimized by, predatory alienation or other undue
24 influence; and

25 (2) establish standards for the use of the screening and
26 assessment tool by certified screeners in hospital emergency rooms
27 and private medical offices; retirement homes and senior centers;
28 nursing homes and other long-term care facilities; group homes,
29 community care residences, and day programs serving individuals
30 with developmental disabilities; churches, synagogues, mosques,
31 and other religious institutions; educational institutions and child
32 care facilities; law enforcement agencies; veterans' affairs agencies
33 and associations; correctional institutions; and other appropriate
34 facilities serving vulnerable populations.

35 b. The standards developed pursuant subsection a. of this
36 section shall require each relevant facility to develop written
37 policies concerning the provision of in-house predatory alienation
38 screening assessments to the facility's clients, patients, or residents.
39 Such standards shall include, but not be limited to, policies
40 concerning the referral of victimized individuals to relevant
41 services, and, where appropriate, policies concerning the in-house
42 provision of consensual counseling or treatment to such individuals.

43 c. (1) If the predatory alienation screening and assessment
44 tool indicates that an individual is personally susceptible to
45 predatory alienation or other undue influence, the screener shall:
46 (a) notify the individual and the individual's authorized family
47 members of this determination and the factors that support the
48 determination; (b) provide the individual and the individual's

1 authorized family members with appropriate informational
2 materials on predatory alienation, undue influence, and healthy
3 relationship building, which have been developed by the department
4 pursuant to section 4 of this act; and (c) refer the individual to an
5 in-person training session on predatory alienation and healthy
6 relationship building, which is offered, pursuant to section 4 of this
7 act, either at the facility where the screening was performed, or at
8 another facility that is located within the individual's county of
9 residence.

10 (2) If the predatory alienation screening and assessment tool
11 indicates that an individual is the victim of predatory alienation or
12 other undue influence, the screener shall: (a) notify the individual
13 and the individual's authorized family members of this
14 determination and the factors that support the determination; (b)
15 provide the individual and the individual's authorized family
16 members with appropriate informational materials on undue
17 influence, predatory alienation, and healthy relationship building,
18 which have been developed by the department pursuant to section 4
19 of this act; (c) refer the individual and the individual's authorized
20 family members to the State's predatory alienation counseling
21 referral system, and, to the extent practicable, offer to provide the
22 individual and the individual's authorized family members with
23 direct access to the counseling referral system while they are still
24 present at the facility; and (d) as appropriate, and based on the
25 capabilities of professionals employed at the facility, offer to
26 immediately provide the individual with consensual counseling or
27 treatment at the facility, in order to begin addressing the trauma
28 suffered thereby.

29 d. No person shall be authorized to perform a predatory
30 alienation screening assessment with the tool established pursuant
31 to this section, unless the person has been certified by the
32 department as being qualified to perform such screening.

33 e. A facility that provides predatory alienation screening
34 assessments, pursuant to this section, shall maintain a confidential
35 record of each screening assessment performed at the facility. Each
36 record shall identify:

37 (1) the name, age, sex, race, education level, and address of the
38 screened individual, and, as appropriate, the vulnerable population
39 of which the individual is a member;

40 (2) the results of the screening assessment and the factors that
41 supported the screener's conclusions;

42 (3) the actions that were taken or recommended by the screener
43 and by other professionals at the facility in response to the
44 screening results, both with respect to the individual and with
45 respect to the individual's authorized family members; and

46 (4) any other information required by the department.

47 f. On an annual basis, each covered facility shall prepare and
48 submit to the department, in writing, a predatory alienation

1 screening report that provides the following aggregate and de-
2 identified information:

3 (1) the total number and percentage of the facility's clients,
4 patients, or residents who were screened at the facility during the
5 preceding annual reporting period;

6 (2) the total number and percentage of screened individuals who
7 were found to be personally susceptible to predatory alienation or
8 other undue influence;

9 (3) the total number and percentage of screened individuals who
10 were found to be victims of predatory alienation or other undue
11 influence;

12 (4) where applicable, the total number and percentage of
13 screened individuals who, after being identified as victims of
14 predatory alienation or undue influence, agreed to receive
15 consensual counseling or treatment at the facility where screening
16 was performed; and the number and percentage of such individuals
17 who refused an offer for such on-site counseling or treatment;

18 (5) the total number and percentage of cases in which screening
19 results were disclosed to an authorized family member;

20 (6) statistical demographic information summarizing the
21 demographic characteristics of screened individuals who have been
22 determined to be personally susceptible to predatory alienation or
23 other undue influence, and the demographic characteristics of
24 screened individuals who have been determined to be victims of
25 predatory alienation or undue influence; and

26 (7) any other information required by the department.
27

28 7. a. The department shall annually prepare and submit a
29 written report on predatory alienation to the Governor and, pursuant
30 to P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The report
31 shall also be posted on the department's Internet website.

32 b. The department's annual report shall include the following
33 information:

34 (1) a de-identified, aggregate summary of the annual screening
35 data reported by facilities, pursuant to subsection f. of section 6 of
36 this act, including an indication as to: (a) the total number of
37 individuals, on a Statewide and county-by-county basis, who were
38 screened during the year; (b) the total number and percentage of
39 screened individuals, on a Statewide and county-by-county basis,
40 who were found to be personally susceptible to predatory alienation
41 or other undue influence; (c) the total number and percentage of
42 screened individuals, on a Statewide and county-by-county basis,
43 who were found to be victims of predatory alienation or other undue
44 influence; (d) the total number and percentage of screened
45 individuals, on a Statewide and county-by-county basis, who
46 received an offer for immediate, consensual on-site counseling or
47 treatment, and the number and percentage of those individuals who
48 accepted the offer, and who refused the offer; and (e) the

1 demographic characteristics, on a Statewide and county-by-county
2 basis, of screened individuals who were determined to be personally
3 susceptible to predatory alienation or undue influence, and of
4 screened individuals who were determined to be victims of
5 predatory alienation or undue influence;

6 (2) an indication as to the number and location of in-person
7 training sessions that were offered, pursuant to subsection d. of
8 section 4 of this act, in each county during the reporting period, and
9 the total number of distinct individuals who participated in those in-
10 person training sessions;

11 (3) an indication as to the total number of referral requests that
12 were submitted through the State's predatory alienation counseling
13 referral system during the year, including the number and
14 percentage of those requests that were submitted by concerned third
15 parties, and the number and percentage of those requests that were
16 submitted by individuals who have been victimized by predatory
17 alienation or undue influence; and an indication as to the average
18 and mean amount of time that elapsed between the submission of a
19 referral request, and the issuance of associated referrals;

20 (4) a representative sampling of the public information materials
21 that were prepared for, and made available to, each distinct
22 population group identified in subsection b. of section 4 of this act
23 during the reporting period;

24 (5) information showing, for each type of vulnerable population,
25 the frequency of victimization occurring among members of that
26 population;

27 (6) an analysis of trends evident from the data, including a
28 description of any significant changes in the data that have occurred
29 over time; and

30 (7) an evaluation of the overall reach and effectiveness of the
31 State's predatory alienation prevention and consensual response
32 system, and recommendations for legislative, executive, or other
33 action that may be necessary to improve the system.

34

35 8. a. The Commissioner of Human Services, in consultation
36 with the Commissioners of Health, Education, Children and
37 Families, Law and Public Safety, Corrections, and Military and
38 Veterans Affairs, as appropriate, shall adopt rules and regulations,
39 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
40 (C.52:14B-1 et seq.), as may be necessary to implement the
41 provisions of this act.

42 b. The Commissioners of Health, Education, Children and
43 Families, Law and Public Safety, Corrections, and Military and
44 Veterans Affairs may also adopt rules and regulations, pursuant to
45 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
46 et seq.), as may be necessary to implement the provisions of this
47 act; however, any such rules and regulations shall be developed in
48 consultation with the Commissioner of Human Services, shall be

1 fully consistent with the rules and regulations adopted by the
2 Commissioner of Human Services pursuant to subsection a. of this
3 section, and shall be applicable only to the facilities or vulnerable
4 populations under each agency's respective jurisdiction.

5
6 9. This act shall take effect on the first day of the sixth month
7 next following the date of enactment, except that the
8 Commissioners of Human Services, Health, Education, Children
9 and Families, Law and Public Safety, Corrections, and Military and
10 Veterans Affairs, in consultation with each other, may take
11 anticipatory administrative action in advance of the effective date,
12 as may be necessary to implement this act.

13
14
15 STATEMENT
16

17 This bill would establish a predatory alienation prevention and
18 consensual response system in the State.

19 Predatory alienation occurs whenever a person or group uses
20 predatory behaviors, such as entrapment, coercion, and undue
21 influence (persuasion that overpowers a person's will), to establish
22 a relationship with a victim and isolate the victim from existing
23 relationships and support systems, with the goal of gaining and
24 retaining sweeping control over the victim's actions and decisions.
25 Predatory alienation tactics and other forms of undue influence are
26 commonly used by cults, religious sects, gangs, extremist groups,
27 human traffickers, sexual predators, domestic abusers, and other
28 similar persons and groups, as a means to recruit members, carry
29 out crimes, spread their belief systems, advocate their political
30 agendas, or simply impose their will on, and exert power, control,
31 and supremacy over, victims.

32 Nevertheless, because compulsive third-party influence and
33 control are difficult things to measure, it is often hard to prove that
34 an individual is being victimized by coercive or compulsive third-
35 party tactics, and is not making their own independent life
36 decisions, in that regard. By establishing a system that focuses on
37 front-line prevention efforts, and that provides for consensual (as
38 opposed to mandatory and involuntary) counseling and treatment in
39 response to victimization, the State can better protect individuals
40 from predatory alienation and undue influence without questioning
41 the legitimacy of their personal decisions, or otherwise infringing
42 upon their personal liberty or autonomy.

43 Specifically, under the bill, the Commissioner of Human
44 Services would work to lessen the effectiveness of predatory
45 alienation tactics and other methods of undue influence through the
46 use of extensive public education, proactive screening, and the
47 facilitation of consensual counseling and treatment for victims and
48 concerned third parties (i.e., the family members or friends of

1 people who are susceptible to, or victims of, predatory alienation or
2 undue influence).

3 The bill requires the commissioner's public awareness campaign
4 to include two components: 1) the dissemination of targeted
5 information to vulnerable populations, concerned third parties,
6 professional actors, and the general public; and 2) the provision of
7 in-person training on predatory alienation, undue influence, and
8 healthy relationship building at facilities that serve vulnerable
9 populations. The bill defines "vulnerable population" to include
10 children, young adults, senior citizens, veterans, individuals with
11 developmental disabilities, and incarcerated individuals, as well as
12 any other population group whose members are deemed by the
13 Department of Human Services (DHS) to be inherently vulnerable
14 to predatory alienation or other undue influence, due to age,
15 physical or mental incapacity or fragility, or other distinguishing
16 characteristics that are held in common by all, or the majority of,
17 the group's members.

18 The bill also requires the DHS to operate a predatory alienation
19 counseling referral system, which would be accessible by phone, in
20 person, or over the Internet. The counseling referral system would
21 be designed to: 1) assist concerned third parties by connecting
22 them to legal experts, health care and mental health care
23 practitioners, and support groups who would be able to assess the
24 situation of concern and identify avenues that can be pursued by the
25 concerned third party to prevent further harm to, or further
26 alienation or undue influence of, the victim; and 2) assist victims of
27 predatory alienation or other undue influence both by connecting
28 them to legal experts, health care and mental health care
29 practitioners, and support groups that can provide consensual,
30 culturally sensitive counseling and health care to address the
31 victim's trauma, and by connecting them to shelters, financial aid
32 resources, and other resources and services that are available for
33 trauma survivors.

34 Finally, the commissioner would be required to develop a
35 comprehensive screening and assessment tool to facilitate the
36 identification of, and the provision of consensual assistance to,
37 individuals who are personally susceptible to, or are being
38 victimized by, predatory alienation or undue influence. The
39 screening and assessment tool would be used to evaluate individual
40 clients, patients, or residents, as appropriate, at hospital emergency
41 rooms and private medical offices; retirement homes and senior
42 centers; nursing homes and other long-term care facilities; group
43 homes, community care residences, and day programs serving
44 individuals with developmental disabilities; churches, synagogues,
45 mosques, and other religious institutions; educational institutions
46 and child care facilities; law enforcement agencies; veterans' affairs
47 agencies and associations; correctional institutions; and other
48 appropriate facilities serving vulnerable populations.

1 If the predatory alienation screening and assessment tool
2 indicates that an individual is personally susceptible to predatory
3 alienation or other undue influence, the DHS-certified screener
4 would be required, under the bill, to: 1) notify the individual and
5 the individual's authorized family members of this determination
6 and the factors that support the determination; 2) provide the
7 individual and the individual's authorized family members with
8 appropriate informational materials on predatory alienation, undue
9 influence, and healthy relationship building, which have been
10 developed by the department pursuant to the bill; and 3) refer the
11 individual to an in-person training session on predatory alienation
12 and healthy relationship building, which is offered either at the
13 facility where the screening was performed, or at another facility
14 that is located within the individual's county of residence.

15 If the predatory alienation screening and assessment tool
16 indicates that an individual is the victim of predatory alienation or
17 other undue influence, the screener would be required to: 1) notify
18 the individual and the individual's authorized family members of
19 this determination and the factors that support the determination; 2)
20 provide the individual and the individual's authorized family
21 members with appropriate informational materials on undue
22 influence, predatory alienation, and healthy relationship building,
23 which have been developed by the department; 3) refer the
24 individual and the individual's authorized family members to the
25 State's predatory alienation counseling referral system, and, to the
26 extent practicable, offer to provide the individual and the
27 individual's authorized family members with direct access to the
28 counseling referral system while they are still present at the facility;
29 and 4) as appropriate, and based on the capabilities of professionals
30 employed at the facility, offer to immediately provide the individual
31 with consensual counseling or treatment at the facility, in order to
32 begin addressing the trauma suffered thereby.

33 Each facility performing screening assessments under the bill
34 would be required to annually submit a screening report to the DHS,
35 which includes aggregate and de-identified information about the
36 results of screening assessments performed at the facility.

37 The DHS would similarly be required to annually submit a
38 written report on predatory alienation to the Governor and
39 Legislature. This report would include: 1) a de-identified
40 aggregate summary of the annual screening data reported by
41 facilities; 2) an indication of the number and location of in-person
42 training sessions that were offered in each county during the
43 reporting period, and the total number of distinct individuals who
44 participated in those training sessions; and 3) an indication of the
45 number and type of referral requests that were submitted through
46 the predatory alienation counseling referral system, and the average
47 and mean amount of time that elapsed between the submission of a
48 request and the issuance of associated referrals. The report would

1 also include a representative sample of informational materials
2 prepared by the department; information showing the frequency of
3 victimization occurring among members of various vulnerable
4 populations; an analysis of trends in the data; an evaluation of the
5 reach and effectiveness of the predatory alienation prevention and
6 consensual response system; and recommendations for executive,
7 legislative, or other action necessary to improve the system.