

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 386

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 30, 2021

SUMMARY

- Synopsis:** Establishes mandatory domestic violence training for municipal prosecutors.
- Type of Impact:** Annual State, County, and Municipal Government Expenditure Increases.
- Agencies Affected:** Department of Law and Public Safety; Counties; Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Annual State Cost Increases		Indeterminate	
Annual Local Cost Increases		Indeterminate	

- The Office of Legislative Services (OLS) projects that this bill will result in minimal annual State, county, and municipal government expenditure increases to establish, periodically update, and deliver an annual domestic violence training program for municipal prosecutors.
- The OLS estimates that the State, county, and municipal costs to establish and periodically revise the training program for municipal prosecutors will be minimal, given that the training program can be expected to replicate existing domestic violence training programs established for, and provided to, law enforcement officers, judges, and judicial personnel.
- The OLS cannot determine the annual cost to provide mandatory domestic violence training to newly appointed municipal prosecutors. Currently, municipal prosecutors are encouraged to participate in established training programs. The bill makes the domestic violence training mandatory for newly appointed municipal prosecutors. The additional cost to provide the mandatory in-service instruction is unknown because the number of municipal prosecutors who will newly participate in the training program, now that it will become mandatory, is indeterminate.

BILL DESCRIPTION

This bill establishes mandatory domestic violence training for certain municipal prosecutors, updating the existing statute concerning training programs.

Current State law authorizes, but does not require, the Attorney General, in consultation with the county and municipal prosecutors, to develop curricula for training programs for all municipal prosecutors. Moreover, participation in such training is voluntary.

The bill directs the Attorney General, in consultation with the county and municipal prosecutors, to develop a training program for all municipal prosecutors. This training would include a component addressing domestic violence issues, including such topics as the dynamics of domestic violence, the impact of domestic violence on children, risks for lethality and the impact of trauma on survivors.

Participation in the domestic violence training would be mandatory for all new municipal prosecutors appointed after the bill's effective date who have not previously served as a municipal prosecutor for a municipality; the training would not be required for any municipal prosecutor who was appointed as a municipal prosecutor prior to the bill's effective date who is subsequently re-appointed to that office or appointed as such prosecutor for another municipality after that effective date.

The Attorney General would be responsible for ensuring that all new municipal prosecutors attend an initial domestic violence training within 90 days of appointment or transfer and annual in-service training of at least four hours. The domestic violence training course and curriculum would be reviewed at least every two years and modified by the Division of Criminal Justice from time to time as need may require.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS projects that this bill will result in minimal annual State, county, and municipal government expenditure increases to establish, periodically update, and deliver an annual domestic violence training program for municipal prosecutors.

The OLS estimates that the State, county, and municipal costs to establish and periodically revise the training program for municipal prosecutors will be minimal, given that similar training programs already exist for other professions. In 1991, a domestic violence training program was established by the Division of Criminal Justice, in the Department of Law and Public Safety. Law enforcement officers, judges, and judicial personnel are currently required to attend an initial training within 90 days of their appointment or transfer and complete an annual training similar to the requirement for municipal prosecutors in this bill. The OLS anticipates that the Division of Criminal Justice will use the existing training programs in substantial parts to create a training course for municipal prosecutors.

The OLS cannot determine the annual cost to provide mandatory domestic violence training to municipal prosecutors appointed after the bill's effective date. Currently, municipal prosecutors are encouraged to participate in established training programs. The bill makes annual attendance at an approved domestic violence training session mandatory for newly appointed municipal prosecutors with the first training having to occur within 90 days of appointment or transfer. The

additional cost to provide the mandatory instruction is unknown because the number of new municipal prosecutors who will newly participate in the training program, now that it will become mandatory, is indeterminate.

According to the Office of the Attorney General, there are 507 municipal courts and approximately 419 municipal prosecutors serving the 21 counties. The OLS notes that some of the approximately 419 municipal prosecutors may serve in more than one county.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Lead Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).