

SENATE, No. 4010

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 28, 2021

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

Establishes “New Jersey Task Force on the Role of the Judicial Branch in Addressing Abuse of Older Adults or Disabled Persons.”

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** establishing the “New Jersey Task Force on the Role of the
2 Judicial Branch in Addressing Abuse of Older Adults or
3 Disabled Persons.”

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

7
8 1. a. There is established the “New Jersey Task Force on the
9 Role of the Judicial Branch in Addressing Abuse of Older Adults or
10 Disabled Persons.” The task force shall: (1) expand on the findings of
11 the 2018 New Jersey Task Force on Abuse of Persons who are Elderly
12 or Disabled Report concerning updating the framework upon which
13 our response to elder and disability abuse rests by examining current
14 statutes and laws that are intended to protect older adults and persons
15 with disabilities from instances of abuse, neglect, crime and financial
16 exploitation, including but not limited to criminal statutes that identify
17 and punish those who commit crimes involving this population,
18 including but not limited to N.J.S.A.2C:24-8, and statutes governing
19 Powers of Attorney; and, (2) develop recommendations for legislation,
20 policies, and strategies that would provide a more effective and
21 efficient means by which to protect older adults and persons with
22 disabilities from instances of abuse, neglect, crime and financial
23 exploitation including options that would constitute an alternative to
24 criminal prosecution.

25 b. The task force shall consist of 17 members as follows: the
26 Chief Justice, or a designee of the Chief Justice who may be a retired
27 judge, the Commissioners of Health and Human Services, the State
28 Long-Term Care Ombudsman, and the President of the New Jersey
29 County Prosecutors’ Association, or their designees, who shall serve
30 ex officio; the State Director of the AARP; a representative from Adult
31 Protective Services in the Division of Aging Services in the
32 Department of Human Services; and ten public members. Regarding
33 the public members three shall be appointed by the Senate President,
34 no more than two of whom shall be of the same political party, three
35 shall be appointed by the Speaker of the General Assembly, no more
36 than two of whom shall be of the same political party, and four shall
37 be appointed by the Governor, no more than two of whom shall be of
38 the same political party. Vacancies in the membership of the task
39 force shall be filled in the same manner provided for the original
40 appointments. In selecting the public members, the Senate President,
41 the Speaker of the General Assembly, and the Governor should seek to
42 include persons who have experience, training, or academic
43 background in law impacting older adults or persons with disabilities.
44 The public members appointed by the Governor shall include at least
45 one attorney who is a member of the New Jersey State Bar Association
46 and one certified forensic accountant. The public members appointed
47 by the Senate President and the Speaker of the General Assembly shall

1 include at least one medical doctor with specialized knowledge in
2 geriatrics and one member of law enforcement.

3 c. The task force shall organize as soon as practicable, but not
4 more than 120 days after the date of enactment of this act. The task
5 force may meet and hold hearings at such places and times as it shall
6 designate.

7 d. The members of the task force shall serve without
8 compensation, but may be reimbursed for travel and other necessary
9 expenses incurred in the performance of their duties, within the limits
10 of funds appropriated or otherwise made available to the task force for
11 its purposes.

12 e. The Department of Human Services shall provide professional
13 and clerical staff to the task force as may be necessary for the task
14 force's purposes. The task force shall also be entitled to call upon the
15 services of any State, county, or municipal department, board,
16 commission, or agency, as may be available to it for its purposes.

17 f. In executing its duties under this act, the task force shall
18 consult with associations, organizations, and individuals who are
19 knowledgeable about issues concerning abuse, neglect, crime or
20 financial exploitation of older adults and persons with disabilities, and
21 hold at least one public hearing.

22 g. The task force may solicit and receive grants and other funds
23 that are made available for the task force's purposes by any
24 governmental, public, private, not-for-profit, or for-profit agency,
25 including funds that are made available under any federal or State law,
26 regulation, or program.

27 h. Within 12 months after the task force's organizational meeting,
28 which is held in accordance with the timeframe specified by
29 subsection c. of this section, the task force shall submit a written report
30 to the Governor, and, pursuant to section 2 of P.L.1991, c.164
31 (C.52:14-19.1), to the Legislature. The report shall contain the task
32 force's findings, as well as its recommendations for legislative and
33 other action that may be necessary to address and prevent the abuse,
34 neglect, and financial exploitation of older adults and persons with
35 disabilities. The task force shall dissolve 30 days after it submits the
36 report required by this subsection.

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38 2. This act shall take effect immediately and shall expire on the
39 30th day after the task force submits its written report pursuant to
40 subsection h. of section 1 of this act.

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43 STATEMENT

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45 This bill establishes a temporary task force, to be known as the
46 "New Jersey Task Force on the Role of the Judicial Branch in
47 Addressing Abuse of Older Adults or Disabled Persons."

1 The bill requires the task force to (1) expand on the findings of
2 the 2018 New Jersey Task Force on Abuse of Persons who are
3 Elderly or Disabled Report by focusing on the framework upon
4 which our response to elder and disability abuse rests by examining
5 current statutes and laws that are intended to protect older adults
6 and persons with disabilities from instances of abuse, neglect, crime
7 and financial exploitation, including but not limited to criminal
8 statutes that identify and punish those who commit crimes involving
9 this population, including but not limited to N.J.S.A.2C:24-8; and
10 statutes governing Powers of Attorney; and, (2) develop
11 recommendations for legislation, policies, and strategies that would
12 provide a more effective and efficient means by which to protect
13 older adults and persons with disabilities from instances of abuse,
14 neglect, and financial exploitation including options that would
15 constitute an alternative to criminal prosecution.

16 The bill provides that the task force is to consist of 15 members
17 as follows: the Chief Justice, or a designee of the Chief Justice who
18 may be a retired judge with experience in the Criminal Division of the
19 Superior Court, the Commissioners of Health and Human Services, the
20 State Long-Term Care Ombudsman, and the President of the New
21 Jersey County Prosecutors' Association, or their designees, who shall
22 serve ex officio; the State Director of the AARP; a representative from
23 Adult Protective Services in the Division of Aging Services in the
24 Department of Human Services; and ten public members. Regarding
25 the public members three shall be appointed by the Senate President,
26 no more than two of whom shall be of the same political party, three
27 shall be appointed by the Speaker of the General Assembly, no more
28 than two of whom shall be of the same political party, and four shall
29 be appointed by the Governor, no more than two of whom shall be of
30 the same political party. Vacancies in the task force membership are
31 to be filled in the same manner provided for the original
32 appointments. In selecting the public members, the Senate
33 President, the Speaker of the General Assembly, and the Governor
34 should seek to include persons who have experience, training, or
35 academic background in criminal law impacting older adults or
36 persons with disabilities. The public members appointed by the
37 Governor shall include at least one attorney who is a member of the
38 New Jersey State Bar Association and one certified forensic
39 accountant. The public members appointed by the Senate President
40 and the Speaker of the General Assembly shall include at least one
41 medical doctor with specialized knowledge in geriatrics and one
42 member of law enforcement.

43 The task force members would serve without compensation, but
44 could be reimbursed for travel and other necessary expenses
45 incurred in the performance of their duties, within the limits of
46 funds appropriated or otherwise made available to the task force for
47 its purposes. The bill also authorizes the task force to solicit and

1 receive grants and other funds available for the task force's
2 purposes.

3 The bill requires the Department of Human Services to provide
4 professional and clerical staff to aid the task force in the
5 performance of its duties. In addition, the bill provides that the task
6 force may call upon the services of any State, county, or municipal
7 department, board, commission, or agency, as may be available to it
8 for its purposes. The bill requires that the task force, in executing
9 its duties, consult with associations, organizations, and individuals
10 who are knowledgeable about the abuse, neglect, crime or financial
11 exploitation of older adults and persons with disabilities and hold at
12 least one public hearing.

13 The bill requires the task force to organize as soon as practicable,
14 but not later than 120 days after the date of the bill's enactment.
15 The bill authorizes the task force to meet and hold hearings at the
16 places and times of its choosing.

17 Within 12 months after the organizational meeting, the task force
18 is required to submit a written report to the Governor and the
19 Legislature containing its findings and recommendations for
20 legislative and other action that may be necessary to address and
21 prevent the abuse, neglect, and financial exploitation of older adults
22 and persons with disabilities. The task force is to dissolve 30 days
23 after submission of its written report.