

SENATE, No. 3458

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 17, 2024

Sponsored by:

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Establishes standards for court-ordered counseling for domestic violence offenders.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning domestic violence and supplementing
2 P.L.1991, c.261.

3

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

6

7 1. (New section) Any domestic violence counseling program
8 in which a defendant participates based on a court order issued
9 pursuant to paragraph (5) of subsection b. of section 13 of
10 P.L.1991, c.261 (C.2C:25-29) or as a condition of pretrial release
11 pursuant to section 2 of P.L.2014, c.31 (C.2A:162-16) shall
12 facilitate offender accountability and contain the following
13 components:

14 a. Risk assessments that identify dynamics of domestic
15 violence and escalating risk factors, and include information
16 provided by the courts;

17 b. Information and education concerning the tactics of power
18 and control and the understanding of domestic violence as a
19 domination and control issue;

20 c. A protocol to demonstrate the defendant's attendance in
21 programming, and additional reporting as requested by the court to
22 support a prompt and effective review by the court for
23 noncompliance; and

24 d. Regular reviews of the program and compliance by the New
25 Jersey Department of Children and Families for Batterers'
26 Intervention Programs funded by the Department of Children and
27 Families.

28

29 2. This act shall take effect on the first day of the third month
30 next following the date of enactment.

31

32

33

STATEMENT

34

35 This bill establishes standards for court-ordered counseling for
36 domestic violence offenders.

37 Under current law, the court may order a defendant charged with
38 a crime or offense involving domestic violence who has been
39 released pending trial, or as part of a final restraining order issued
40 by the court in a domestic violence matter, to receive professional
41 domestic violence counseling from either a private source or a
42 source appointed by the court. If ordered to participate in this
43 counseling, the defendant would be required to provide the court
44 with documentation of attendance.

45 Under the bill, any domestic violence counseling program in
46 which a defendant participates based on a court order issued in a
47 domestic violence matter would be required to facilitate defender
48 accountability and include the following components:

S3458 MCKNIGHT

- 1 (1) risk assessments that identify dynamics of domestic violence
- 2 and escalating risk factors, and include information provided by the
- 3 courts;
- 4 (2) information and education concerning the tactics of power
- 5 and control and the understanding of domestic violence as a
- 6 domination and control issue;
- 7 (3) a protocol to demonstrate the defendant's attendance in
- 8 programming, and additional reporting as requested by the court to
- 9 support a prompt and effective review by the court for
- 10 noncompliance; and
- 11 (4) regular reviews of the program and compliance by the New
- 12 Jersey Department of Children and Families for Batterers' Intervention
- 13 Programs funded by the Department of Children and Families.
- 14 This bill implements Recommendation #28 of the June 2023
- 15 report of the Reconvened Joint Committee on Criminal Justice.