

SENATE, No. 3638

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED FEBRUARY 24, 2026

Sponsored by:

Senator CARMEN F. AMATO, JR.

District 9 (Ocean)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

**Senators Burgess, Corrado, A.M.Bucco, McKnight, Holzapfel, Schepisi,
Bramnick, Singleton, Henry, Turner, Cryan and Gopal**

SYNOPSIS

Establishes “Justice for Vulnerable Residents Act”; creates Justice Center for the Protection of Individuals with Intellectual or Developmental Disabilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2026)

1 AN ACT establishing the Justice Center for the Protection of
2 Individuals with Intellectual or Developmental Disabilities and
3 supplementing Title 30 of the Revised Statutes.

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

7
8 1. This act shall be known and cited as the "Justice for
9 Vulnerable Residents Act."

10
11 2. The Legislature finds and declares that:

12 a. People with intellectual or developmental disabilities (IDD)
13 are often vulnerable, lacking capacity to protect and defend
14 themselves and even to articulate events that have transpired or
15 identify an individual who may have done them harm, and those
16 placed in State-licensed or -operated residential or day habilitations
17 settings are particularly dependent on others for their well-being
18 and safety.

19 b. The very first provisions of the New Jersey Constitution
20 provide that "all persons...have certain natural and unalienable
21 rights, among which are those of enjoying and defending life and
22 liberty...and of pursuing and obtaining safety and happiness," and
23 that "government is instituted for the protection, security, and
24 benefit of the people, and they have the right at all times to alter or
25 reform the same, whenever the public good may require it."

26 c. State government thus has an obligation to all residents to
27 protect their rights and safety, which applies equally to those with
28 IDD.

29 d. The State of New Jersey recognized the above when the
30 Legislature and Governor enacted P.L.2017, c.269, which created
31 the Office of the Ombudsman for Individuals with Intellectual or
32 Developmental Disabilities and their Families.

33 e. The Office of the Ombudsman, the Department of Human
34 Services and the Department of Children and Families have worked
35 to maintain and, where necessary, improve the care and safety of
36 people with IDD in State-licensed or -operated residential and day
37 habilitation settings.

38 f. The Office of the Ombudsman and many advocates have
39 urged a major restructuring of the way in which allegations of
40 abuse, neglect, and exploitation in State-licensed or -operated
41 residential and day habilitation settings are processed and
42 investigated, noting the need to centralize and make more
43 independent the investigation these authorities now vested in the
44 Department of Human Services and the Department of Children and
45 Families.

46 g. The State of New York has for several years employed a
47 model for oversight of various facilities and services for people
48 with IDD and other conditions that may render them more

1 vulnerable than others, which has streamlined and coordinated a
2 system for complaints and investigations that has been
3 recommended by the Ombudsman and many advocates for people
4 with IDD for review and potential use as a model for New Jersey to
5 adapt for use in this State.

6 h. This act is intended to implement provisions based on that
7 model to support and protect the health, safety, and dignity of
8 people with IDD in New Jersey, specifically with respect to State-
9 licensed or -operated residential and day habilitation settings.

10
11 3. As used in this act:

12 "Abuse" means wrongfully inflicting or allowing to be inflicted
13 physical abuse, sexual abuse, or verbal or psychological abuse or
14 mistreatment by a caregiver upon an individual with an intellectual
15 or developmental disability.

16 "Caregiver" means a person who receives State funding, directly
17 or indirectly, in whole or in part, to provide services or supports, or
18 both, to an individual with an intellectual or developmental
19 disability; except that "caregiver" shall not include an immediate
20 family member of an individual with an intellectual or
21 developmental disability.

22 "Developmental disability" means the same as that term is
23 defined by section 3 of P.L.1977, c.82 (C.30:6D-3).

24 "Direct care staff member" means the same as that term is
25 defined by section 1 of P.L.2017, c.238 (C.30:6D-9.1).

26 "Director" means the Director of the Justice Center for the
27 Protection of Individuals with Intellectual or Developmental
28 Disabilities.

29 "Exploitation" means the act or process of a caregiver using an
30 individual with an intellectual or developmental disability or such
31 individual's resources for the caregiver's or another person's profit
32 or advantage.

33 "Individual" means a person, including a person who is under the
34 age of 18 years old or an adult.

35 "Intellectual disability" means the same as that term is defined
36 by N.J.S.3B:1-2.

37 "Justice Center" means the Justice Center for the Protection of
38 Individuals with Intellectual or Developmental Disabilities
39 established pursuant to section 3 of this act.

40 "Medical Review Board" means the Justice Center Disability
41 Mortality and Abuse Prevention Medical Review Board established
42 pursuant to section 11 of this act.

43 "Neglect" shall consist of any of the following acts by a
44 caregiver on an individual with an intellectual or developmental
45 disability: willfully failing to provide proper and sufficient food,
46 clothing, maintenance, medical care, or a clean and proper home; or
47 failing to do or permit to be done any act necessary for the well-

1 being of an individual with an intellectual or developmental
2 disability.

3 "State-licensed or -operated residential or day habilitation" refers
4 to a State-funded, -licensed, -regulated, or -operated program or
5 facility that provides services to individuals with intellectual or
6 developmental disabilities, including State developmental centers
7 and community-based residential and day programs as defined by
8 section 1 of P.L.2017, c.238 (C.30:6D-9.1).

9 "Substantiated" means the available information obtained during
10 the investigation of an allegation of abuse, neglect, or exploitation
11 indicates a finding by a preponderance of the evidence that an
12 individual with an intellectual or developmental disability has been
13 harmed or placed at substantial risk of harm by a caretaker or direct
14 care staff member.

15

16 4. a. There is established in, but not of, the Department of Law
17 and Public Safety the Justice Center for the Protection of
18 Individuals with Intellectual or Developmental Disabilities. The
19 Justice Center shall be independent of any supervision and control
20 of any State agency. The Justice Center shall be headed by a
21 director, appointed by the Governor with the advice and consent of
22 the Senate. The director shall appoint and remove officers and
23 employees of the Justice Center subject to the provisions of Title
24 11A of the New Jersey Statutes and other applicable statutes as are
25 necessary to enable the director to perform his duties pursuant to
26 this act and shall fix the compensation of the Justice Center's
27 employees and officers within the limits of available appropriations
28 and as provided by law.

29 b. The director shall establish policies and procedures for the
30 Justice Center for the protection of individuals with intellectual or
31 developmental disabilities who reside in or receive services from a
32 State-licensed or -operated residential or day habilitation program
33 including, but not limited to policies and procedures to harmonize
34 and improve the procedures for and quality of investigations of
35 reportable incidents involving individuals with intellectual or
36 developmental disabilities in order to provide for the safety of those
37 individuals within the different systems of care in the State.

38 c. The director may enter into contracts with any person, firm,
39 corporation, municipality, or governmental agency for the
40 performance of functions authorized by law. The director may
41 accept, as an agent of the State, any grant, including federal grants,
42 or any gift for the purposes of this act. Any moneys so received
43 shall be expended by the Justice Center to effectuate any
44 requirements of this act.

45 d. Notwithstanding any law, rule, or regulation to the contrary,
46 all appropriations and other monies available, and to become
47 available, that relate to the investigation of allegations of the abuse,
48 neglect, or exploitation of individuals with intellectual or

1 developmental disabilities in State-licensed or -operated residential
2 or day habilitation programs and facilities are hereby transferred to
3 the Justice Center and shall be available for the objects and
4 purposes for which these monies are appropriated, subject to the
5 provisions of this act and any other terms, restrictions, limitations,
6 or other requirements imposed by law.

7 e. All officers and employees of the Department of Human
8 Services and Department of Children and Families engaged in the
9 investigation of allegations of the abuse, neglect, or exploitation of
10 individuals with intellectual or developmental disabilities in State-
11 licensed or -operated residential or day habilitation programs and
12 facilities shall be transferred to the Justice Center.

13
14 5. a. Upon the initiation of an investigation conducted or
15 overseen by the Justice Center, the Justice Center shall:

16 (1) ensure that any communication concerning the alleged
17 abuse, neglect, or exploitation of an individual with an intellectual
18 or developmental disability between a caregiver, case manager of
19 the caregiver, the case manager's supervisor, or other staff is
20 identified, safeguarded from loss or destruction, and maintained in a
21 secure location; and

22 (2) contact the Office of the Attorney General, which shall
23 determine whether to participate in the investigation.

24 b. Each investigation shall be completed within 90 days, unless
25 the investigation requires an extension of time pursuant to policies
26 and procedures established by the director.

27 c. The director shall issue a written report within 30 days of the
28 completion of each investigation that includes:

29 (1) the conclusions of the Justice Center;

30 (2) the rationale for the conclusion;

31 (3) a detailed summary of any communication secured pursuant
32 to the investigation; and

33 (4) an assessment of the role of any case manager of a caregiver
34 or the case manager's supervisor, if applicable, in the allegation of
35 abuse, neglect, or exploitation and a recommendation about whether
36 any civil or criminal action should be brought against the case
37 manager or supervisor.

38
39 6. The Justice Center shall house the Central Registry of
40 Offenders Against Individuals with Developmental Disabilities,
41 established pursuant to section 5 of P.L.2010, c.5 (C.30:6D-77), and
42 shall perform all of the necessary functions related to the receipt of
43 reports of allegations of the abuse, neglect, or exploitation of
44 individuals with intellectual or developmental disabilities in State-
45 licensed or -operated residential or day habilitation programs and
46 facilities, the investigation of such allegations, and the review of
47 substantiated findings of abuse, neglect, or exploitation, including

1 conducting any disciplinary proceedings for State employees
2 resulting from such substantiated findings.

3
4 7. The director shall be granted access at any and all times to
5 any State-licensed or -operated residential or day habilitation
6 program or facility and, consistent with federal law, to all books,
7 records, and data pertaining to any such program or facility as
8 deemed necessary for carrying out the director's functions, powers,
9 and duties. The Justice Center, or its employees as designated by
10 the executive director, may require from the directors or employees
11 of such programs and facilities to provide any information deemed
12 necessary for the purpose of carrying out the Justice Center's
13 functions, powers, and duties, including otherwise confidential
14 information.

15
16 8. The Justice Center shall contain two separate units, headed by
17 two distinct deputy directors, one responsible for the prosecution of
18 criminal matters pursuant to section 8 of this act and one
19 responsible for the resolution of non-criminal matters pursuant to
20 section 9 of this act. If, during an investigation, what appeared to
21 be a non-criminal matter warrants consideration for criminal
22 charges, the matter shall be promptly referred to the criminal unit.
23 Information collected during such investigations may only be
24 shared between the units in accordance with applicable State and
25 federal laws, unless ordered by a court in a pending proceeding.

26
27 9. a. The Justice Center shall employ a deputy director of
28 criminal investigations, who shall be appointed by the Governor.
29 When requested by the deputy director, State agencies shall be
30 required to make facilities available for office space throughout the
31 State and to assist with respect to the duties of the deputy director.

32 b. The deputy director shall have the duty and power to:

33 (1) investigate and prosecute offenses involving the abuse,
34 neglect, or exploitation of individuals with intellectual or
35 developmental disabilities; and

36 (2) cooperate with and assist county prosecutors and other local
37 law enforcement officials in their efforts against the abuse, neglect,
38 or exploitation of individuals with intellectual or developmental
39 disabilities, provided that nothing herein shall interfere with the
40 ability of county prosecutors, at any time, to receive complaints,
41 investigate, and prosecute any suspected abuse or neglect, or for
42 any persons, whether a mandated reporter or not, to report a
43 complaint to a county prosecutor or other appropriate law
44 enforcement official.

45 c. The deputy director may request and shall receive, from any
46 agency, department, division, board, bureau, or commission of the
47 State, or any political subdivision thereof, cooperation and
48 assistance in the performance of the deputy director's duties, and

1 may provide technical and other assistance to any county prosecutor
2 or law enforcement official requesting assistance in the
3 investigation or prosecution of abuse or neglect of individuals with
4 intellectual or development disabilities.

5 d. The deputy director shall be empowered to apply for search
6 warrants and, except in exigent circumstances, shall give such
7 notice as soon thereafter as is practicable; however, the failure to
8 give notice of a search warrant application to a county prosecutor
9 shall not be a ground to suppress the evidence seized. The deputy
10 director, with approval from the director, may designate assistants,
11 as necessary, to exercise any enumerated power of the deputy
12 director.

13 e. The deputy director, or one of the deputy director's assistants,
14 may, after consultation with the county prosecutor as to the time
15 and place of such attendance or appearance, attend or appear in
16 person at any term of the Superior Court having appropriate
17 jurisdiction or appear before the grand jury thereof, for the purpose
18 of managing and conducting in such court or before such jury a
19 criminal action or proceeding concerned with an offense of any
20 conduct constituting, or requisite to the completion of or in any
21 other manner related to such offense involved, the abuse or neglect
22 of an individual with an intellectual or developmental disability. In
23 such case, the deputy director or the deputy director's assistant may
24 exercise all the powers and perform all the duties which a county
25 prosecutor would otherwise be authorized or required to exercise or
26 perform.

27
28 10. a. The Justice Center shall employ a deputy director of civil
29 investigations, who shall be appointed by the Governor. When
30 requested by the deputy director, State agencies shall be required to
31 make facilities available for office space throughout the State and to
32 assist with respect to the duties of the deputy director.

33 b. The deputy director shall have the duty and power to:

34 (1) investigate non-criminal offenses involving the abuse,
35 neglect, or exploitation of individuals with intellectual or
36 developmental disabilities;

37 (2) refer matters for further civil, criminal, and administrative
38 action to the appropriate authorities when applicable; and

39 (3) issue a report on the findings of an investigation and, when
40 applicable, issue recommendations for corrective or remedial action
41 to the appropriate licensing entity.

42 c. The deputy director may request and shall receive, from any
43 agency, department, division, board, bureau, or commission of the
44 State, or any political subdivision thereof, cooperation and
45 assistance in the performance of the deputy director's duties.

46 d. The deputy director, with approval from the director, may
47 designate assistants, as necessary, to exercise any enumerated
48 power of the deputy director.

- 1 11. The director shall be responsible for:
- 2 a. establishing procedures for the notification of appropriate
- 3 persons and entities with respect to reports and findings of
- 4 reportable incidents;
- 5 b. representing the State in all administrative hearings and
- 6 other administrative proceedings relating to discipline of State
- 7 employees and adjudication of individuals charged with having
- 8 committed or found to have committed abuse or neglect as a result
- 9 of an investigation conducted or overseen by the Justice Center;
- 10 c. identifying a process for a coordinated approach to provide
- 11 for timely responses to allegations of reportable incidents;
- 12 d. where applicable, establishing uniform procedures for initial
- 13 character and competence reviews of provider agencies, and
- 14 requiring a review of performance records regarding incident
- 15 management of reportable incidents affecting the safety of
- 16 individuals with intellectual or developmental disabilities, including
- 17 cases of systemic problems upon renewal of licenses and operating
- 18 certificates;
- 19 e. adopting and amending, as appropriate, codes of conduct for
- 20 all direct care staff members, which codes of conduct shall be
- 21 signed or otherwise acknowledged by the direct care staff members,
- 22 in writing or electronically, and providing a copy of such codes of
- 23 conduct to all direct care staff members. Such codes shall govern
- 24 the conduct of direct care staff members with respect to the safety,
- 25 dignity, and welfare of individuals with intellectual or
- 26 developmental disabilities, and shall include, at a minimum,
- 27 provisions regarding the responsibility of direct care staff members
- 28 to:
- 29 (1) support the emotional, physical, and personal well-being of
- 30 individuals with intellectual or developmental disabilities, including
- 31 providing protection from abuse and neglect, and seeking guidance
- 32 and advice to resolve issues as needed when making decisions
- 33 relating to the individuals they serve;
- 34 (2) assist individuals with intellectual or developmental
- 35 disabilities with self-determination, including supporting such
- 36 individuals with directing the course of their own lives, honoring,
- 37 where appropriate, their right to assume risk in a safe manner, and
- 38 recognizing their potential for lifelong learning and growth;
- 39 (3) participate in available, appropriate training to maintain
- 40 competency, skill-level, and knowledge of best practices for
- 41 working with individuals with intellectual or developmental
- 42 disabilities;
- 43 (4) promote and practice justice and fairness for the individuals
- 44 with intellectual or developmental disabilities by supporting,
- 45 upholding and respecting the human and civil rights, and the
- 46 human dignity and uniqueness of individuals with intellectual or
- 47 developmental disabilities;

1 (5) assist, where appropriate, individuals with intellectual or
2 developmental disabilities in developing and maintaining
3 relationships with family members, friends, and the community at
4 large;

5 (6) advocate with, and on behalf of, individuals with intellectual
6 or developmental disabilities to help advance their interests, needs,
7 justice, inclusion, and meaningful participation in their
8 communities; and

9 (7) report reportable incidents as required by section 4 of
10 P.L.1993, c.249 (C.52:27D-409);

11 f. adopting and amending, as appropriate, a code of conduct for
12 all employees of the Justice Center and members of the Medical
13 Review Board, which code of conduct shall be signed or otherwise
14 acknowledged by the employee or member in writing or
15 electronically;

16 g. develop minimum requirements for each job title in the
17 Justice Center and require relevant experience for investigative and
18 criminal prosecution job titles;

19 h. establishing procedures for the review of reportable incidents
20 in order to identify preventive and corrective actions, and to
21 develop and implement such actions and plans of improvement,
22 subject to the requirements of any federal oversight entity;

23 i. establishing, or updating existing, training curricula for
24 employers, and employees, who provide care and treatment to
25 individuals with intellectual or developmental disabilities, and for
26 those employees who are in supervisory positions, training curricula
27 regarding such employee's obligations to report, investigate, and
28 prevent reportable incidents. Training and curricula shall address
29 topics, including, but not limited to:

30 (1) how to identify and report reportable incidents;

31 (2) the prevention of abuse and neglect;

32 (3) the duty to report reportable incidents;

33 (4) how to adhere to applicable codes of conduct;

34 (5) the disciplinary process and employees' rights pursuant to
35 this act; and

36 (6) how supervisory staff and management can promote
37 compliance with this act.

38 Such training, which shall be given on a periodic basis, shall
39 include live training and supplemental courses accessible via the
40 Internet;

41 j. reviewing and evaluating the criminal history information of
42 any person applying to be an employee, volunteer, or consultant for
43 whom a criminal background check is required by law as a
44 condition of employment at any State-licensed or -operated
45 residential or day habilitation program, facility, or licensee as
46 defined in section 1 of P.L.2017, c.238 (C.30:6D-9.1). Such review
47 and evaluation shall include, but not be limited to, a requirement
48 that the applicant sign a sworn statement whether, to the best of the

- 1 applicant's knowledge, the applicant has ever been convicted of a
2 crime in this State or any other jurisdiction;
- 3 k. visiting, inspecting, or appraising the management of State-
4 licensed or -operated residential or day habilitation programs or
5 facilities with specific attention to the safety, security, and quality
6 of care provided to individuals with intellectual or developmental
7 disabilities receiving treatment or services at such programs or
8 facilities;
- 9 l. placing staff as safety monitors in any State-licensed or -
10 operated residential or day habilitation program or facility deemed
11 appropriate by the director;
- 12 m. developing programs aimed at assisting individuals with
13 intellectual or developmental disabilities in understanding their
14 legal rights, and promoting and protecting the rights of such
15 individuals;
- 16 n. advising and assisting individuals with intellectual or
17 developmental disabilities, family members, advocates, service
18 providers, and community-based organizations in the formation of
19 strategies to identify and meet the needs of individuals with
20 intellectual or developmental disabilities, including social services
21 and supports, advocacy, and legal assistance, and promoting
22 awareness of the availability of such resources;
- 23 o. preparing and disseminating educational materials, and
24 serving as an information clearinghouse, on the rights of parents
25 and legal representatives and advocates of individuals with
26 intellectual or developmental disabilities to access records and
27 reports relating to patient care and treatment, and all other relevant
28 documents from State-licensed or -operated residential or day
29 habilitation programs and facilities. Such materials shall include a
30 discussion of how to appeal a decision denying a requested record
31 or report;
- 32 p. collaborating with the advisory and policy development board
33 under the Office of Disability Services, established pursuant to
34 section 3 of P.L.1999, c.91 (C.30:6E-3), to advise and assist the
35 Governor and public and private entities in the development and
36 implementation of State policies which meet the needs of
37 individuals with intellectual or developmental disabilities in a
38 manner that is respectful of the rights and choices of individuals
39 with intellectual or developmental disabilities;
- 40 q. conducting or causing to be conducted such studies on the
41 needs of individuals with intellectual or developmental disabilities,
42 as may be appropriate;
- 43 r. (1) making a preliminary determination whether matters
44 referred to the Justice Center's attention warrant investigation, and
45 if so, conducting an investigation of such scope and duration as the
46 director deems necessary and proper;
- 47 (2) making findings concerning such matters referred to the
48 Justice Center and, where appropriate, making a report and

1 recommendations, which shall be provided to the Commissioner of
2 Human Services or the Commissioner of Children and Families, as
3 appropriate, and to the director of the facility involved. Such
4 commissioner and director shall each make a written response,
5 within 90 days of receipt of such report, of the action taken
6 regarding each of the recommendations in the report; and

7 (3) in the director's discretion, reviewing the policies and
8 practices relating to the prevention of abuse and neglect in State-
9 licensed or -operated residential or day habilitation programs or
10 facilities, or provider agencies, including staffing patterns of
11 various service models and the supervision required to help ensure
12 the safety of service recipients;

13 s. consulting, from time to time, with the Ombudsman for
14 Individuals with Intellectual or Developmental Disabilities and their
15 Families and complying with, within three business days, any of the
16 Ombudsman's requests for information, except for when it is
17 necessary to keep such information confidential due to an ongoing
18 criminal investigation;

19 t. doing all other things necessary to carry out its functions,
20 powers, and duties pursuant to this act.

21
22 12. a. There is established in the Justice Center for the
23 Protection of Individuals with Intellectual or Developmental
24 Disabilities the "Justice Center Disability Mortality and Abuse
25 Prevention Medical Review Board." The medical review board
26 shall be composed of 11 members, including specialists in forensic
27 pathology, psychiatry, internal medicine, and addiction medicine, to
28 be appointed by the Governor.

29 b. The Governor shall designate one of the members to serve as
30 chair of the board. Members shall be appointed for a one-year term,
31 except one-third of the members initially appointed shall be
32 appointed for a term of two years. Vacancies shall be filled in the
33 same manner as the original appointment and shall be for the
34 remainder of the unexpired term. A member shall continue to serve
35 after the expiration of his term until a successor has been appointed
36 and qualified. A member shall receive no compensation but shall
37 be reimbursed for any actual and necessary expenses incurred in the
38 performance of the member's duties. The Governor may remove
39 any member of the board if the Governor deems the public interest
40 requires such removal. In case of such removal, the Governor shall
41 give notice to the Legislature and file with the Department of State
42 a statement indicating the cause for such removal.

43 c. The purpose of the medical review board shall be to:

44 (1) make a preliminary determination as to whether the death of
45 an individual with an intellectual or developmental disability, who
46 was receiving services from a State-licensed or -operated residential
47 or day habilitation program or facility, appears to have resulted
48 from other than natural causes and warrants investigation;

1 (2) investigate the causes of, and circumstances surrounding, an
2 unusual death from other than natural causes of an individual with
3 intellectual or developmental disabilities who received services
4 from a State-licensed or -operated residential or day habilitation
5 program or facility;

6 (3) visit and inspect any facility in which such an unusual death
7 from other than natural causes has occurred;

8 (4) arrange for the body of the deceased to undergo examinations
9 deemed necessary to determine the cause of death, including an
10 autopsy, irrespective of whether such examination or autopsy was
11 previously performed;

12 (5) upon review of the cause of, and circumstances surrounding,
13 the death of an individual with an intellectual or developmental
14 disability who was receiving services from a State-licensed or -
15 operated residential or day habilitation program or facility, submit a
16 report to the director and, where appropriate, make
17 recommendations to prevent the recurrence of such death to the
18 Commissioner of Human Services or the Commissioner of Children
19 and Families, as appropriate, and to the director of the State-
20 licensed or -operated residential or day habilitation program or
21 facility where the death occurred; and

22 (6) advise the director on medical issues relevant to the
23 functions, powers, and duties of the Justice Center, including
24 allegations or reports of abuse or neglect of an individual with an
25 intellectual or developmental disability who was, or is, receiving
26 services from a State-licensed or -operated residential or day
27 habilitation program or facility.

28 d. All records of the proceedings and deliberations of the
29 medical review board shall be confidential and shall not be subject
30 to disclosure. The Department of Human Services and Department
31 of Children and Families shall be authorized to provide confidential
32 client information and records to the medical review board pursuant
33 to the protocols and procedures established in accordance with all
34 appropriate and industry-standard controls necessary to protect the
35 privacy and security of the data and information.

36
37 13. The director shall prepare and submit an annual report to the
38 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
39 19.1), to the Legislature, concerning the Justice Center's work
40 during the preceding year. Such report shall be posted on the
41 Justice Center's Internet website, and shall include data regarding:

42 a. the number of reports received by the Central Registry of
43 Offenders Against Individuals with Developmental Disabilities
44 established pursuant to section 5 of P.L.2010, c.5 (C.30:6D-77);

45 b. the results of investigations, disaggregated by type of State-
46 licensed or -operated residential or day habilitation program and
47 facility;

48 c. the types of corrective actions taken;

1 d. the results of the Justice Center's review of patterns and
2 trends in the reporting of, and response to, reportable incidents, and
3 the Justice Center's recommendations for appropriate preventive
4 and corrective actions; and

5 e. the actions taken by the Justice Center to provide training
6 pursuant to this act.
7

8 14. This act shall take effect 60 days after the date of enactment.
9
10

11 STATEMENT 12

13 This bill establishes the Justice Center for the Protection of
14 Individuals with Intellectual or Developmental Disabilities (Justice
15 Center). The Justice Center is established in, but not of, the
16 Department of Law and Public Safety. This legislation creates a set
17 of uniform safeguards and oversight mechanisms, to be
18 implemented by the Justice Center, whose primary focus will be on
19 the protection of individuals with intellectual or developmental
20 disabilities.

21 There is a recognized need to strengthen and standardize the safety
22 net for individuals with intellectual or developmental disabilities
23 receiving services from programs or facilities that are funded,
24 licensed, or regulated by the State. The Office of the Ombudsman
25 for Individuals with Intellectual or Developmental Disabilities and
26 Their Families and many other advocates have urged a major
27 restructuring of the way in which allegations of abuse, neglect, and
28 exploitation in State-licensed or –operated residential and day
29 habilitation settings are processed and investigated, noting the need
30 to centralize and make more independent the investigation
31 authorities now vested in the Department of Human Services and
32 the Department of Children and Families. They have recommended
33 New York's Justice Center for the Protection of People With
34 Special Needs for review and potential use as a model for New
35 Jersey to adapt for use in this State. This bill implements provisions
36 based on that model to support and protect the health, safety, and
37 dignity of people with intellectual or developmental disabilities in
38 New Jersey.

39 Under the bill, the Justice Center is to be headed by a director,
40 who will establish policies and procedures for the Justice Center.

41 The Justice Center will house the Central Registry of Offenders
42 Against Individuals with Developmental Disabilities and perform
43 all of the necessary functions related to the registry.

44 The Justice Center will employ a deputy director of criminal
45 investigations and a deputy director of civil investigations. The
46 deputy directors will have the duty and power to investigate
47 criminal and non-criminal offenses involving the abuse, neglect, or

1 exploitation of individuals with intellectual or developmental
2 disabilities.

3 Upon the initiation of an investigation, the Justice Center will:
4 ensure that certain communications concerning alleged abuse,
5 neglect, or exploitation are identified, safeguarded, and maintained
6 in a secure location; and contact the Office of the Attorney General,
7 which will determine whether to participate in the investigation.
8 Each investigation will be completed within 90 days, unless the
9 investigation requires an extension of time. The director will issue
10 a written report within 30 days of the completion of each
11 investigation.

12 The bill establishes in the Justice Center the Justice Center
13 Disability Mortality and Abuse Prevention Medical Review Board
14 to review the deaths of certain individuals with an intellectual or
15 developmental disability.

16 The bill requires the director to prepare and submit an annual
17 report concerning the Justice Center's work during the preceding
18 year.