

# 52:27D-43.37

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2013                    **CHAPTER:** 246

**NJSA:** 52:27D-43.37 (Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence)

**BILL NO:** A2899 (Substituted for S1152)

**SPONSOR(S)** Mosquera and others

**DATE INTRODUCED:** May 14, 2012

**COMMITTEE:**                    **ASSEMBLY:** Women and Children

**SENATE:** Community and Urban Affairs  
Budget and Appropriations

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                    **ASSEMBLY:** June 21, 2012

**SENATE:** January 13, 2014

**DATE OF APPROVAL:** January 17, 2014

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (Introduced version of bill enacted) Yes

**A2899**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** Yes                    Community  
Budget

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**LEGISLATIVE FISCAL NOTE:** Yes

**S1152**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:** Yes                    Community  
Budget

(continued)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL NOTE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**OTHER: (report referenced in sponsors statement)** Yes

**NEWSPAPER ARTICLES:** No

Responding to the victims [electronic resource]: the New Jersey Domestic Violence Fatality and Near Fatality Review Board Report.

By New Jersey Domestic Violence Fatality and Near Fatality Review Board.

Trenton, N.J.: State of New Jersey, Dept. of Law and Public Safety, Division of Criminal Justice, [2006]  
974.90 W872 2006

<http://hdl.handle.net/10929/28641>

LAW/RWH

P.L.2013, CHAPTER 246, *approved January 17, 2014*  
Assembly, No. 2899

1 **AN ACT** concerning the assessment of the State of New Jersey's  
2 community response to domestic violence and supplementing  
3 P.L.2005, c.204 (C.52:27D-43.36).

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

7  
8 1. a. The Director of the Division on Women in the Department  
9 of Community Affairs shall audit the effectiveness of State, county  
10 and local response to domestic violence by sponsoring, at the  
11 county and local level, community safety and accountability audits  
12 throughout the state.

13 b. The audit shall include a systematic analysis of intra-agency  
14 and interagency policies and procedures used by:

15 (1) law enforcement agencies and the court system when  
16 investigating and prosecuting cases of domestic violence-related  
17 fatalities and near fatalities, as appropriate; and

18 (2) State and local agencies and organizations when providing  
19 services to victims of domestic violence.

20  
21 2. This act shall take effect immediately.

22  
23  
24 **STATEMENT**

25  
26 This bill directs the Division on Women to audit the  
27 effectiveness of State, county and local response to domestic  
28 violence by sponsoring, at the county and local level, community  
29 safety and accountability audits throughout the state.

30 In June 2006, the New Jersey Domestic Violence Fatality and  
31 Near Fatality Review Board released a report containing  
32 recommendations that were based on findings from a review of  
33 domestic violence-related homicide suicide cases.

34 The Board found from case reviews that professionals who came  
35 in contact with victims failed to demonstrate knowledge about  
36 domestic violence that is essential to providing appropriate care,  
37 information and referrals to these victims. Moreover, the board  
38 found that there was no mechanism in place for these agents to  
39 communicate with each other to evaluate the totality of the response  
40 provided to the people involved, with the result that no one  
41 communicated the danger that existed.

42 This bill incorporates Recommendation #4 contained in the  
43 report.

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Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

# ASSEMBLY, No. 2899

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman TROY SINGLETON**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblyman McKeon, Assemblywoman Tucker, Assemblyman Giblin,  
Senators Weinberg, Stack, Bateman, Ruiz, Gill and Greenstein**

**SYNOPSIS**

Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/14/2014)**

1 AN ACT concerning the assessment of the State of New Jersey's  
2 community response to domestic violence and supplementing  
3 P.L.2005, c.204 (C.52:27D-43.36).

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

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8 1. a. The Director of the Division on Women in the Department  
9 of Community Affairs shall audit the effectiveness of State, county  
10 and local response to domestic violence by sponsoring, at the  
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15 (1) law enforcement agencies and the court system when  
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17 fatalities and near fatalities, as appropriate; and

18 (2) State and local agencies and organizations when providing  
19 services to victims of domestic violence.

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#### STATEMENT

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42 This bill incorporates Recommendation #4 contained in the  
43 report.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2899**

**STATE OF NEW JERSEY**

DATED: JUNE 14, 2012

The Assembly Woman and Children Committee reports favorably Assembly Bill No. 2899.

This bill directs the Division on Women to audit the effectiveness of State, county, and local response to domestic violence by sponsoring, at the county and local level, community safety and accountability audits throughout the state.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 2899**  
**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

DATED: JUNE 25, 2012

**SUMMARY**

**Synopsis:** Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

**Type of Impact:** Increased cost to State General Fund.

**Agencies Affected:** Division on Women

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost</b>	Indeterminate Increase in State Costs – See comments below		

- The Office of Legislative Services (OLS) cannot provide a cost estimate for Assembly Bill No. 2899 because it has no information regarding the cost of each safety and accountability audit. Furthermore, the bill does not state how often the audits should be conducted.
- The OLS notes that there are dozens, if not hundreds, of State and local organizations that provide services to victims of domestic violence. It is not clear whether or not the Division on Women would need to employ extra personnel in order to fulfill the mandate of the bill.
- This bill would require the implementation of Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. The OLS notes that section 4 of P.L.2003, c.225 directs the Domestic Violence Fatality and Near Fatality Review Board to “conduct a Statewide domestic violence safety and accountability audit.”

**BILL DESCRIPTION**

Assembly Bill No. 2899 of 2012 directs the Division on Women in the Department of Community Affairs to conduct an audit of the coordination of community responses to domestic violence. The department would sponsor safety and accountability audits and would be required to include a systematic analysis of intra-agency and interagency policies and procedures used by law enforcement agencies and the court system when investigating and prosecuting cases of



domestic violence-related fatalities and near fatalities, and by State and local agencies and organizations when providing services to victims of domestic violence.

This bill would implement Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. In its report, the board found from case reviews that professionals who came in contact with victims failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information, and referrals to these victims. Furthermore, the board found that there was no mechanism for these professionals to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed to these victims.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS cannot determine the fiscal impact of this bill because it has no information regarding the cost of each safety and accountability audit and how often the audits will be conducted. It is not clear whether or not this bill would require the Division on Women to employ extra personnel to conduct the audits. The OLS notes that the responsibility for conducting a Statewide domestic violence safety and accountability audit was delegated to the New Jersey Domestic Violence Fatality and Near Fatality Review Board by section 4 of P.L.2003, c.225 (C.52:27D-43.17d).

The Domestic Violence Safety and Accountability Audit (DVSAA) was developed in 1996 by Praxis International of Duluth, Minnesota. Audits are conducted by interdisciplinary teams that examine how institutions charged with intervening in cases of domestic violence organized their practitioners to perform their duties. The audit teams look at how agency practices, influenced by formal job descriptions and work cultures, ensure the safety of their victims and the accountability of offenders. The DVSAA has six distinct steps: (1) forming and preparing an interagency audit team (that includes domestic violence advocates); (2) determining which aspects of case processing the team will investigate; (3) determining the scope of the investigation; (4) collecting data from each point of institutional action on the case, including the relationship between the data produced at different points of intervention; (5) analyzing the data; and (6) preparing findings that lead to specific recommendations.

*Section:* Local Government

*Analyst:* Scott A. Brodsky  
Senior Fiscal Analyst

*Approved:* David J. Rosen  
Legislative Budget and Finance Officer

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

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2899**

**STATE OF NEW JERSEY**

DATED: OCTOBER 15, 2012

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2899.

This bill directs the Division on Women to audit the effectiveness of State, county and local response to domestic violence by sponsoring, at the county and local level, community safety and accountability audits throughout the state.

In June 2006, the New Jersey Domestic Violence Fatality and Near Fatality Review Board released a report containing recommendations that were based on findings from a review of domestic violence-related homicide suicide cases.

The Board found from case reviews that professionals who came in contact with victims failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information and referrals to these victims. Moreover, the board found that there was no mechanism in place for these agents to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed.

This bill incorporates Recommendation #4 contained in the report.

This bill is identical to Senate, No. 1152, also released from committee this day.

**FISCAL NOTE**  
**ASSEMBLY, No. 2899**  
**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

DATED: NOVEMBER 19, 2012

**SUMMARY**

**Synopsis:** Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

**Type of Impact:** Increased cost to State General Fund.

**Agencies Affected:** Division on Women in the Department of Children and Families (DCF).

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	\$1,395,000	\$1,383,000	\$1,386,000

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Years 1-3</u></b>
<b>State Cost</b>	Indeterminate Potential Increase – See Notes Below

- The Office of Legislative Services (OLS) **concurs** with the Executive that the bill will likely generate increased State costs related to conducting community safety and accountability audits and analyzing policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.
- However, the OLS cannot verify or refute the Executive’s overall estimates due to uncertainty regarding how many State and local organizations would be involved in the audits and how frequently the audits would be conducted.

**BILL DESCRIPTION**

Assembly Bill No. 2899 of 2012 directs the Division on Women (reorganized into DCF pursuant to P.L.2012, c.16) to conduct an audit of the coordination of community responses to domestic violence. The department would sponsor community safety and accountability audits

and would be required to include a systematic analysis of intra-agency and interagency policies and procedures used by law enforcement agencies and the court system when investigating and prosecuting cases of domestic violence-related fatalities and near fatalities. The systematic analysis would also examine policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.

This bill would implement Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. In making this recommendation, the board found from case reviews that professionals who came in contact with victims (including professionals from the medical community, the child welfare system, and other organizations and government agencies) failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information, and referrals to these victims. Furthermore, the board found that there was no mechanism for these professionals to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed to these victims.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Office of Management and Budget (OMB) and DCF estimate State costs of \$1,395,000, \$1,383,000, and \$1,386,000, respectively, for the bill's first, second, and third years of implementation. Anticipated first-year DCF expenditures are associated with the following State costs:

- approximately \$312,000 in State salary costs, for two program specialists and a supervisor in the Division on Women to perform and administer the audit activities;
- approximately \$34,000 in other State operating costs (office space, supplies, computers, and communications) associated with the new Division on Women positions; and
- \$1,050,000 in State grants-in-aid to localities, to fund personnel in county-based non-profit or governmental entities to assist with local administration of the audit activities. This funding level would support one part-time position in each of the 21 counties at \$50,000 per county.

Estimated second- and third-year expenditures are similar to those in the first year, except for an annual one percent State salary increase in the second and third years and one-time, first-year State computer and workstation expenditures of \$15,000.

The DCF notes that its estimated expenditures are based on the bill's requirements for safety and accountability audits at the State, county, and local/municipal levels. The DCF indicates that its estimates would be reduced if the bill limited audit activities to State, regional, and county-level reviews of domestic violence policies, protocol, coordination, and resources. The DCF's estimates do not otherwise provide detailed assumptions regarding the agencies and organizations to be included in the audit activities or the pace or frequency of audit activities.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concurs with the Executive that the bill would likely generate increased direct State costs and grants-in-aid costs related to funding the required audit and analysis activities. However, the OLS cannot verify or refute the Executive's overall estimates due to uncertainty as to how many State and local agencies and organizations would be involved in the audit activities and how frequently the audits would be conducted.

The OLS notes that the bill requires an analysis of domestic violence-related policies and procedures used by “law enforcement agencies and the court system” and “State and local agencies and organizations” but does not otherwise specify the scope of entities subject to the audits. Moreover, the bill does not dictate the pace or duration of audit activities or whether any entities may be re-audited. There are numerous courts, law enforcement agencies, domestic violence programs, health care providers, and other State, county, and municipal entities that provide services to victims of domestic violence and that might be subject to the audits. For example:

- The DCF currently lists 27 county-based organizations operating domestic violence programs across the State;
- the U.S. Department of Justice identified a total of 550 State and local law enforcement agencies in New Jersey during a 2008 census; and
- New Jersey’s Department of Health currently lists over 1,300 hospitals, ambulatory care facilities, and other acute care facilities operating across the State.

Thus, actual costs incurred by DCF could vary greatly, depending on the types and numbers of entities to be audited, the pace of audits, and the overall duration and frequency of audit activities. As the Executive’s assumptions are unclear regarding these sources of potential cost variation, the OLS cannot determine whether the Executive’s estimates are reasonable. However, the OLS notes that DCF would have some discretion under the bill to adjust the pace of audit activities to match available resources.

The OLS also notes that the responsibility for conducting a Statewide domestic safety and accountability audit was previously delegated to the New Jersey Domestic Violence Fatality and Near Fatality Review Board by section 4 of P.L.2003, c.225 (C.52:27D-43.17d). This board is charged with reviewing domestic violence-related fatalities and near fatalities to identify their causes, their relationships to public and private service delivery systems, and their methods of prevention. Available information does not indicate whether the board has conducted any safety and accountability audits beyond a one-county pilot project completed prior to 2009. In the past, the board has received federal funding for its activities from the Office of Violence Against Women in the U.S. Department of Justice. If identical or similar federal funding could be identified or reallocated to support implementation of the bill, it is possible that a portion of State costs might be offset.

*Section: Human Services*

*Analyst: Nathan E. Myers  
Associate Fiscal Analyst*

*Approved: David J. Rosen  
Legislative Budget and Finance Officer*

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

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2899

# STATE OF NEW JERSEY

DATED: MARCH 4, 2013

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2899.

This bill directs the Division on Women (reorganized into DCF pursuant to P.L.2012, c.16) to conduct an audit of the coordination of community responses to domestic violence. The department would sponsor community safety and accountability audits and would be required to include a systematic analysis of intra-agency and interagency policies and procedures used by law enforcement agencies and the court system when investigating and prosecuting cases of domestic violence-related fatalities and near fatalities. The systematic analysis would also examine policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.

This bill would implement Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. In making this recommendation, the board found from case reviews that professionals who came in contact with victims (including professionals from the medical community, the child welfare system, and other organizations and government agencies) failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information, and referrals to these victims. Furthermore, the board found that there was no mechanism for these professionals to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed to these victims.

This bill is identical to Senate Bill No. 1152, as also considered by the committee.

#### FISCAL IMPACT:

The Office of Management and Budget (OMB) and DCF estimate State costs of \$1,395,000, \$1,383,000, and \$1,386,000, respectively, for the bill's first, second, and third years of implementation. Anticipated first-year DCF expenditures are associated with the following State costs:

- approximately \$312,000 in State salary costs, for two program specialists and a supervisor in the Division on Women to perform and administer the audit activities;
- approximately \$34,000 in other State operating costs (office space, supplies, computers, and communications) associated with the new Division on Women positions; and
- \$1,050,000 in State grants-in-aid to localities, to fund personnel in county-based non-profit or governmental entities to assist with local administration of the audit activities. This funding level would support one part-time position in each of the 21 counties at \$50,000 per county.

Estimated second- and third-year expenditures are similar to those in the first year, except for an annual one percent State salary increase in the second and third years and one-time, first-year State computer and workstation expenditures of \$15,000.

The Office of Legislative Services (OLS) concurs with the Executive that the bill will likely generate increased State costs related to conducting community safety and accountability audits and analyzing policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence. However, the OLS cannot verify or refute the Executive's overall estimates due to uncertainty regarding how many State and local organizations would be involved in the audits and how frequently the audits would be conducted.

# SENATE, No. 1152

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 23, 2012

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**Co-Sponsored by:**

**Senators Bateman, Ruiz, Gill and Greenstein**

**SYNOPSIS**

Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/14/2014)**



1 AN ACT concerning the assessment of the State of New Jersey's  
2 community response to domestic violence and supplementing  
3 P.L.2005, c.204 (C.52:27D-43.36).

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

7  
8 1. a. The Director of the Division on Women in the Department  
9 of Community Affairs shall audit the effectiveness of State, county  
10 and local response to domestic violence by sponsoring, at the  
11 county and local level, community safety and accountability audits  
12 throughout the state.

13 b. The audit shall include a systematic analysis of intra-agency  
14 and interagency policies and procedures used by:

15 (1) law enforcement agencies and the court system when  
16 investigating and prosecuting cases of domestic violence-related  
17 fatalities and near fatalities, as appropriate; and

18 (2) State and local agencies and organizations when providing  
19 services to victims of domestic violence.

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21 2. This act shall take effect immediately.

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STATEMENT

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26 This bill directs the Division on Women to audit the  
27 effectiveness of State, county and local response to domestic  
28 violence by sponsoring, at the county and local level, community  
29 safety and accountability audits throughout the state.

30 In June 2006, the New Jersey Domestic Violence Fatality and  
31 Near Fatality Review Board released a report containing  
32 recommendations that were based on findings from a review of  
33 domestic violence-related homicide suicide cases.

34 The Board found from case reviews that professionals who came  
35 in contact with victims failed to demonstrate knowledge about  
36 domestic violence that is essential to providing appropriate care,  
37 information and referrals to these victims. Moreover, the board  
38 found that there was no mechanism in place for these agents to  
39 communicate with each other to evaluate the totality of the response  
40 provided to the people involved, with the result that no one  
41 communicated the danger that existed.

42 This bill incorporates Recommendation #4 contained in the  
43 report.

# SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

## STATEMENT TO

### SENATE, No. 1152

# STATE OF NEW JERSEY

DATED: OCTOBER 15, 2012

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 1152.

This bill directs the Division on Women to audit the effectiveness of State, county and local response to domestic violence by sponsoring, at the county and local level, community safety and accountability audits throughout the state.

In June 2006, the New Jersey Domestic Violence Fatality and Near Fatality Review Board released a report containing recommendations that were based on findings from a review of domestic violence-related homicide suicide cases.

The Board found from case reviews that professionals who came in contact with victims failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information and referrals to these victims. Moreover, the board found that there was no mechanism in place for these agents to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed.

This bill incorporates Recommendation #4 contained in the report.

This bill is identical to Assembly, No. 2899, also released from committee this day.

**FISCAL NOTE**  
**SENATE, No. 1152**  
**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

DATED: NOVEMBER 19, 2012

**SUMMARY**

**Synopsis:** Directs the Division on Women to conduct an audit of the coordination of community responses to domestic violence.

**Type of Impact:** Increased cost to State General Fund.

**Agencies Affected:** Division on Women in the Department of Children and Families (DCF).

**Executive Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost</b>	\$1,395,000	\$1,383,000	\$1,386,000

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Years 1-3</b></u>
<b>State Cost</b>	Indeterminate Potential Increase – See notes Below

- The Office of Legislative Services (OLS) **concurs** with the Executive that the bill will likely generate increased State costs related to conducting community safety and accountability audits and analyzing policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.
- However, the OLS cannot verify or refute the Executive’s overall estimates due to uncertainty regarding how many State and local organizations would be involved in the audits and how frequently the audits would be conducted.

**BILL DESCRIPTION**

Senate Bill No. 1152 of 2012 directs the Division on Women (reorganized into DCF pursuant to P.L.2012, c.16) to conduct an audit of the coordination of community responses to domestic violence. The department would sponsor community safety and accountability audits and would

be required to include a systematic analysis of intra-agency and interagency policies and procedures used by law enforcement agencies and the court system when investigating and prosecuting cases of domestic violence-related fatalities and near fatalities. The systematic analysis would also examine policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.

This bill would implement Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. In making this recommendation, the board found from case reviews that professionals who came in contact with victims (including professionals from the medical community, the child welfare system, and other organizations and government agencies) failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information, and referrals to these victims. Furthermore, the board found that there was no mechanism for these professionals to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed to these victims.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Office of Management and Budget (OMB) and DCF estimate State costs of \$1,395,000, \$1,383,000, and \$1,386,000, respectively, for the bill's first, second, and third years of implementation. Anticipated first-year DCF expenditures are associated with the following State costs:

- approximately \$312,000 in State salary costs, for two program specialists and a supervisor in the Division on Women to perform and administer the audit activities;
- approximately \$34,000 in other State operating costs (office space, supplies, computers, and communications) associated with the new Division on Women positions; and
- \$1,050,000 in State grants-in-aid to localities, to fund personnel in county-based non-profit or governmental entities to assist with local administration of the audit activities. This funding level would support one part-time position in each of the 21 counties at \$50,000 per county.

Estimated second- and third-year expenditures are similar to those in the first year, except for an annual one percent State salary increase in the second and third years and one-time, first-year State computer and workstation expenditures of \$15,000.

The DCF notes that its estimated expenditures are based on the bill's requirements for safety and accountability audits at the State, county, and local/municipal levels. The DCF indicates that its estimates would be reduced if the bill limited audit activities to State, regional, and county-level reviews of domestic violence policies, protocol, coordination, and resources. The DCF's estimates do not otherwise provide detailed assumptions regarding the agencies and organizations to be included in the audit activities or the pace or frequency of audit activities.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concurs with the Executive that the bill would likely generate increased direct State costs and grants-in-aid costs related to funding the required audit and analysis activities. However, the OLS cannot verify or refute the Executive's overall estimates due to uncertainty as

to how many State and local agencies and organizations would be involved in the audit activities and how frequently the audits would be conducted.

The OLS notes that the bill requires an analysis of domestic violence-related policies and procedures used by “law enforcement agencies and the court system” and “State and local agencies and organizations” but does not otherwise specify the scope of entities subject to the audits. Moreover, the bill does not dictate the pace or duration of audit activities or whether any entities may be re-audited. There are numerous courts, law enforcement agencies, domestic violence programs, health care providers, and other State, county, and municipal entities that provide services to victims of domestic violence and that might be subject to the audits. For example:

- The DCF currently lists 27 county-based organizations operating domestic violence programs across the State;
- the U.S. Department of Justice identified a total of 550 State and local law enforcement agencies in New Jersey during a 2008 census; and
- New Jersey’s Department of Health currently lists over 1,300 hospitals, ambulatory care facilities, and other acute care facilities operating across the State.

Thus, actual costs incurred by DCF could vary greatly, depending on the types and numbers of entities to be audited, the pace of audits, and the overall duration and frequency of audit activities. As the Executive’s assumptions are unclear regarding these sources of potential cost variation, the OLS cannot determine whether the Executive’s estimates are reasonable. However, the OLS notes that DCF would have some discretion under the bill to adjust the pace of audit activities to match available resources.

The OLS also notes that the responsibility for conducting a Statewide domestic safety and accountability audit was previously delegated to the New Jersey Domestic Violence Fatality and Near Fatality Review Board by section 4 of P.L.2003, c.225 (C.52:27D-43.17d). This board is charged with reviewing domestic violence-related fatalities and near fatalities to identify their causes, their relationships to public and private service delivery systems, and their methods of prevention. Available information does not indicate whether the board has conducted any safety and accountability audits beyond a one-county pilot project completed prior to 2009. In the past, the board has received federal funding for its activities from the Office of Violence Against Women in the U.S. Department of Justice. If identical or similar federal funding could be identified or reallocated to support implementation of the bill, it is possible that a portion of State costs might be offset.

*Section: Human Services*

*Analyst: Nathan E. Myers  
Associate Fiscal Analyst*

*Approved: David J. Rosen  
Legislative Budget and Finance Officer*

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

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 1152

# STATE OF NEW JERSEY

DATED: MARCH 4, 2013

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1152.

This bill directs the Division on Women (reorganized into DCF pursuant to P.L.2012, c.16) to conduct an audit of the coordination of community responses to domestic violence. The department would sponsor community safety and accountability audits and would be required to include a systematic analysis of intra-agency and interagency policies and procedures used by law enforcement agencies and the court system when investigating and prosecuting cases of domestic violence-related fatalities and near fatalities. The systematic analysis would also examine policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence.

This bill would implement Recommendation #4 from a 2006 report issued by the New Jersey Domestic Violence Fatality and Near Fatality Review Board. In making this recommendation, the board found from case reviews that professionals who came in contact with victims (including professionals from the medical community, the child welfare system, and other organizations and government agencies) failed to demonstrate knowledge about domestic violence that is essential to providing appropriate care, information, and referrals to these victims. Furthermore, the board found that there was no mechanism for these professionals to communicate with each other to evaluate the totality of the response provided to the people involved, with the result that no one communicated the danger that existed to these victims.

This bill is identical to Assembly Bill No. 2899, as also considered by the committee.

#### FISCAL IMPACT:

The Office of Management and Budget (OMB) and DCF estimate State costs of approximately \$1.4 million in each of the first three years of implementation. Anticipated first-year DCF expenditures are associated with the following State costs:

- approximately \$312,000 in State salary costs, for two program specialists and a supervisor in the Division on Women to perform and administer the audit activities;
- approximately \$34,000 in other State operating costs (office space, supplies, computers, and communications) associated with the new Division on Women positions; and
- \$1,050,000 in State grants-in-aid to localities, to fund personnel in county-based non-profit or governmental entities to assist with local administration of the audit activities. This funding level would support one part-time position in each of the 21 counties at \$50,000 per county.

Estimated second- and third-year expenditures are similar to those in the first year, except for an annual one percent State salary increase in the second and third years and one-time, first-year State computer and workstation expenditures of \$15,000.

The Office of Legislative Services (OLS) concurs with the Executive that the bill will likely generate increased State costs related to conducting community safety and accountability audits and analyzing policies and procedures used by State and local agencies and organizations when providing services to victims of domestic violence. However, the OLS cannot verify or refute the Executive's overall estimates due to uncertainty regarding how many State and local organizations would be involved in the audits and how frequently the audits would be conducted.