

30:14-1 to 30:14-14

LEGISLATIVE HISTORY CHECKLIST

HJSA 30:14-1 to 30:14-14 (Shelters for victims of Domestic Violence Act)

LAWS OF 1979 CHAPTER 337

Bill No. S807

Sponsor(s) Lipman and others

Date Introduced Feb. 9, 1978

Committee: Assembly Institutions, Health and Welfare
Senate Institutions, Health and Welfare

Amended during passage Yes Amendments during passage denoted by asterisks.
Date of Passage: Assembly Jan. 3, 1980 Senate Committee substitute (OCR) enacted.
Senate June 21, 1979

Date of approval Jan. 22, 1980

Following statements are attached if available:

Sponsor statement	Yes	xxx
Committee Statement: Assembly	Yes	xxx
Senate	Yes	xxx
Fiscal Note	yes	No
Veto message	yes	No
Message on signing	yes	No
Following were printed:		
Reports	yes	No
Hearings	yes	No

2/1/78

1-22-80

[OFFICIAL COPY REPRINT]
 SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 807

STATE OF NEW JERSEY

ADOPTED JUNE 14, 1979

AN ACT concerning shelters for victims of domestic violence.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
 2 *of New Jersey:*

1 1. The Legislature finds and declares that there is a present and
 2 growing need to develop services to protect victims of domestic
 3 violence. It is the purpose of this act to encourage the development
 4 of shelters for these victims and their children where they may
 5 obtain necessary services, including shelter, counseling and other
 6 social services.

1 2. This act shall be known and may be cited as the "Shelters for
 2 Victims of Domestic Violence Act."

1 3. The Department of Human Services shall provide services
 2 to those public or private agencies, which meet the standards set
 3 forth in this act, to operate shelters for victims of domestic vio-
 4 lence. Priority for the allocation of services shall be to viable,
 5 existing programs which have successfully performed the delivery
 6 of shelter and other services to victims of domestic violence prior
 7 to the effective date of this act.

1 4. There is created an Advisory Council on Shelters for Victims
 2 of Domestic Violence which shall consist of 10 members: the Di-
 3 rector of the Division on Women, the Director of the Division of
 4 Youth and Family Services, the Director of the Division of Public
 5 Welfare, the Commissioner of the Department of Education, the
 6 Executive Director of the State Law Enforcement Planning
 7 Agency, or their designees, and one representative of Legal Ser-
 8 vices of New Jersey, one former domestic violence shelter resident,
 9 and three representatives of shelters for domestic violence pro-
 10 grams to be appointed by the Governor, without regard to political
 11 affiliation.

1 5. The Commissioner of Human Services, in consultation with
 2 the advisory council, shall establish standards to be met by those
 3 shelters applying for services to assure the availability of special-

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
 is not enacted and is intended to be omitted in the law.**

4 ized personnel, resources and equipment necessary to enable such
5 shelters to carry out the purposes of this act. Upon establishment
6 of a program of services, the commissioner in consultation with the
7 advisory council shall periodically appraise its performance to
8 determine whether the purposes of this act are being met.

1 6. The Commissioner of Human Services, in consultation with
2 the advisory council, shall:

3 a. Provide technical assistance to help public and private agen-
4 cies to qualify as operators of shelters and to obtain State and
5 Federal funds for the establishment and maintenance of shelters.

6 b. Suggest the types of innovative strategies in services which
7 will ameliorate and reduce the problems of domestic violence.

8 c. Foster cooperation and communication among the providers
9 of services to victims of domestic violence to promote agreement
10 among providers concerning the treatment needs of those victims.

11 d. Provide guidelines for the training and use of volunteers in
12 the delivery of services.

1 7. A shelter shall provide a residential area which provides safe
2 refuge for victims of domestic violence. A shelter shall also pro-
3 vide a day program or drop-in center, located at the shelter site
4 or in a separate facility, which can assist victims of domestic vio-
5 lence who have not yet made the decision to leave their homes, or
6 who have found other shelter but who nevertheless have a need
7 for the services provided at the shelter.

1 8. A shelter shall arrange for the provision of the following
2 services to victims of domestic violence:

3 a. Emergency medical care.

4 b. Emergency legal assistance.

5 c. Marriage and family counseling and emergency psychological
6 support and counseling, as requested.

7 d. Information regarding education, job counseling and training
8 programs, housing, welfare and other available social services
9 accomplished, wherever possible, by referrals to appropriate au-
10 thorities or agencies.

1 9. The shelter staff shall advocate the delivery of services from
2 such agencies as county welfare departments and law enforcement
3 and legal services agencies to those served by the shelters.

1 10. To the extent feasible, one or more of the shelter personnel
2 shall be bilingual. An effort shall be made to recruit former vic-
3 tims of domestic assault as staff members.

1 **11. The governing body of any county or municipality may*
2 *appropriate funds or in-kind donations for the support of any*

3 *private, nonprofit shelter for victims of domestic violence meeting*
4 *the standards established pursuant to section 5 of this act.**

1 ***[11.]*** *12.* The commissioner shall seek and make use of any
2 funds which are available from Federal or other sources in order
3 to augment any State funds appropriated for the purposes of this
4 program.

1 ***[12.]*** *13.* Information which may reveal the identity or
2 location of a person seeking shelter services shall not be disclosed,
3 except as otherwise specifically required by law or with the consent
4 of the person seeking shelter services.

1 ***[13.]*** *14.* No shelter providing care for a minor who was in
2 the actual custody of a parent at the time the parent applied for
3 shelter services shall release the minor to any person, including
4 the child's other parent, without the consent of the parent who
5 sought shelter, except as may be otherwise required by court order.

1 ***[14.]*** *15.* This act shall take effect immediately.

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SENATE, No. 807

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1978

By Senators LIPMAN, FRIEDLAND, GRAVES, MERLINO, DWYER, A. RUSSO, YATES, HERBERT, J. RUSSO, FELDMAN, MARESSA, ORECHIO, HAMILTON, PERSKIE, GREGORIO, WEISS, MUSTO, DODD, SHEIL, SCARDINO, RODGERS, SKEVIN, BEDELL, ZANE, VREELAND, HAGEDORN, FORAN, WALLWORK, EWING, GAGLIANO, CAFIERO, PARKER, McDONOUGH, KENNEDY, DORSEY, and DUMONT

Referred to Committee on Institutions, Health and Welfare

AN ACT concerning the establishment of shelters for victims of spousal assault.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Legislature hereby finds and declares that there is a
2 present and growing need to develop innovative services to protect
3 victims of spousal assault and their children. It is the purpose of
4 this act to provide shelters for these victims and their children
5 where they may obtain necessary services, including shelter, coun-
6 seling and other social services.

1 2. This act shall be known and may be cited as the "Spousal
2 Assault Shelter Act."

1 3. The Department of Human Services shall contract services
2 from public or private agencies to operate shelters for victims of
3 spousal assault and their children. Priority for allocation of funds
4 appropriated by this act shall be to viable, existing programs
5 which have successfully performed the delivery of shelter and
6 other services to victims of spousal assault and their children prior
7 to the effective date of this act.

1 4. The Commissioner of Human Services shall establish
2 standards for the expenditure of State funds which are provided
3 for the establishment and support of shelters for spousal assault
4 victims to assure the availability of specialized personnel, resources
5 and equipment necessary to enable such shelters to carry out the

6 purposes of this act. The commissioner shall submit copies of such
7 standards, and any subsequent changes in such standards, to the
8 Senate and General Assembly Committees on Institutions, Health
9 and Welfare and to the Director of the Division on Women in the
10 Department of Community Affairs, at least 90 days prior to their
11 effective date. Such standards shall take effect unless the director
12 and a majority of the members of each committee disapprove such
13 standards within 90 days following submission; provided, however,
14 that the commissioner may place such standards into effect at any
15 time prior to submission upon declaration of an emergency by the
16 Governor, or at any time following submission upon the approval
17 of the director and a majority of the members of each committee.
18 Upon establishment of a program of State support for such
19 shelters, the commissioner shall periodically appraise its per-
20 formance to determine whether the standards are being met.

1 5. The Commissioner of Human Services, in addition to develop-
2 ing a program of shelters for victims of spousal assault and their
3 children, shall also:

4 a. Provide technical assistance to increase, improve and coordi-
5 nate the delivery of comprehensive services to the victims of
6 spousal violence.

7 b. Provide the types of innovative strategies in services which
8 will ameliorate and reduce the problems of spousal assault.

9 c. Provide treatment consolidation and referral for spouses,
10 children and the community. Volunteers may be trained and used
11 in the delivery of services.

1 6. Each shelter shall have a 24-hour-a-day residency area which
2 provides safe refuge for victims of spousal assault and their
3 children who are victims or threatened victims. This area shall
4 include a day program or drop-in center which can assist victims
5 of spousal assault who have not yet made the decision to leave
6 their homes, or who have found other shelter but who nevertheless
7 have a need for the services provided at the shelter.

1 7. Each shelter shall arrange for the provision of the following
2 services to victims of spousal assault and their children:

3 a. Emergency medical care.

4 b. Emergency legal assistance.

5 c. Emergency psychological support and counseling to the
6 victims of spousal assault and their children.

7 d. Information regarding re-education, job counseling and train-
8 ing programs, welfare advocacy, housing referrals and other
9 available social services.

10 Nothing contained herein shall be construed to mean that provi-
11 sion of these services cannot be accomplished by referrals to
12 appropriate authorities or agencies.

1 8. The shelter staff shall work with such agencies as county
2 welfare departments and law enforcement agencies in an advocacy
3 capacity for those served by the shelters.

1 9. To the extent feasible, a portion of the shelter personnel shall
2 be bilingual. An effort shall be made to recruit formerly battered
3 spouses as staff members.

1 10. The commissioner may seek, receive and make use of any
2 funds which may be available from Federal or other sources in
3 order to augment any State funds appropriated for the purposes
4 of this program, and shall make every effort to qualify the program
5 for Federal funding.

1 11. Any and all information identifying or tending to identify a
2 person seeking shelter services or revealing or tending to reveal
3 the person's whereabouts shall be kept confidential and shall not
4 be disclosed except as otherwise specifically required by law or with
5 the consent of the person seeking shelter services.

1 12. No shelter providing care for a minor child who was in the
2 actual custody of a parent at the time the parent applied for
3 shelter services shall release the minor child to any person,
4 including the child's other parent, without the consent of the
5 parent who sought shelter.

1 13. There is hereby appropriated the sum of \$850,000.00 for the
2 purposes of this act.

1 14. This act shall take effect immediately.

STATEMENT

The purposes of this act is to achieve a reduction in the number of serious and fatal injuries to victims of spousal assault and to provide the necessary services, including shelter, counseling and medical and legal assistance for such victims and their children. There are thousands of persons in this State who are regularly beaten, tortured and eventually killed by their spouses. A significant number of women who are assaulted are pregnant. Victims of marital violence come from all socioeconomic classes and ethnic groups. Children who are exposed to violence in their homes, even if not physically assaulted, suffer deep and lasting emotional effects and may repeat the cycle of spousal assault in their own marriages.

This bill requires the Department of Human Services to contract shelter services from public or private agencies; it further requires that priority for funding be given to viable, existing programs which are already successfully delivering shelter care to victims of marital violence. Volunteers may be trained and used in the delivery of services.

ASSEMBLY INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 807

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JULY 16, 1979

The purpose of this bill is to encourage the development of shelters for victims of domestic violence and to ensure that appropriate and adequate services are provided by such shelters. In reporting SCS for Senate Bill No. 807 favorably, the committee recognized the social urgency of the problem of domestic violence and the need to take quick action to aid its victims.

SCS for Senate Bill No. 807 authorizes the Department of Human Services to provide services to public or private agencies which operate shelters for victims of domestic violence. Other provisions of the bill: (1) Direct the Commissioner of Human Services to set standards to be met by shelters applying for services; (2) Establish a 10 member Advisory Council on Shelters for Victims of Domestic Violence to assist the commissioner in setting standards and periodically reviewing a shelter's performance in providing services; and (3) Mandate that a shelter provide a residential area as well as a drop-in center for victims of domestic violence and specify particular services such as emergency medical care which must also be available.

The committee amended the bill to clarify the authority of local units of government to appropriate funds or in-kind donations to be used for shelter for victims of domestic violence.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 807

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 4, 1978

The purpose of this bill is to promote the development of shelters and necessary services for victims of spousal assault and their children.

In reporting Senate Bill No. 807 favorably the committee joins the more than 30 co-sponsors of the bill in recognizing that there is a clear need to provide services for such persons. No one could tell the committee exactly how many victims of spousal assault there are, but FBI statistics suggest that there are many, and their plight is only now being belatedly recognized.

This bill directs the Department of Human Services to contract with public or private agencies for the operation of shelters where victims of spousal assault (male or female) and their children may be housed, counseled and otherwise assisted. The bill appropriates \$850,000.00 for the commissioner to use in contracting for shelter services. Priority in the allocation of these funds would go to existing shelters and programs of assistance to assault victims.

Other provisions of the bill: 1) Require the Commissioner of Human Services to establish standards for the use of State funds for a program of shelter services, and require these standards to be subject to the approval of the Director of the State Division on Women and the Legislature's Standing Committees on Institutions, Health and Welfare; 2) Require the commissioner to provide certain kinds of assistance to shelters which would improve services and ameliorate the problem of spousal assault; 3) Require shelters receiving State funds to arrange for medical, legal and other services to be provided to victims of spousal assault (thus, shelters themselves would not be required to hire a large staff to provide services; services would be provided through referrals); 4) Require shelter staff to advocate the needs of the assault victim by, in effect, taking the side of the victim in any conflicts with welfare, law enforcement or other agencies over the provision of services; 5) Provide for some bilingual persons and former victims of spousal assault

to serve as shelter staff; 6) Require information concerning a victim's identity and whereabouts to be kept confidential; and 7) Prohibit shelters from releasing the child of a victim to the child's other parent without the consent of the parent who is the victim and is receiving shelter services.

The committee adopted a number of amendments to this bill. Many of these merely make the bill's language more precise, clarify the intent of the sponsor and remove redundant words and phrases. However, other amendments deserve explanation.

The committee removed the lines in section 4 providing for legislative review and approval of the commissioner's standards and put them in a new section at the end of the bill. This is where legislative oversight provisions are more properly placed. The committee also removed from the Director of the Division on Women any veto power over the commissioner's standards. The committee felt this power should be given to the Legislature alone. Moreover, a lesser-ranking administrator should be not given the right to countermand decisions of a higher-ranking official.

The committee's amendments to section 6 make clear that "shelter," as used in the bill, is a broad term which must not be interpreted to mean a single building or place. A shelter must consist of a 24-hour residency area and a drop-in center but these do not necessarily have to be located under the same roof.

Another amendment specifies that marriage and family counseling is one kind of counseling needed by victims of spousal assault. This amendment clarifies that the purpose of counseling for such victims is to help them consider a range of actions which may include reunification with their spouses as well as separation and divorce.

A final amendment to section 7 states the committee's intent that shelters arrange for services primarily by referral to other appropriate agencies.
