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P.L. 2003, CHAPTER 225, *approved January 9, 2004*
Assembly, No. 2586 (*First Reprint*)

1 **AN ACT** concerning domestic violence and supplementing Title 52 of
2 the Revised Statutes.

3

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

6

7 1. As used in this act:

8 "Board" means the Domestic Violence Fatality and Near Fatality
9 Review Board established pursuant to this act.

10 "Domestic violence-related fatality" or "fatality" means a death
11 which arises as a result of one or more acts of domestic violence as
12 defined in section 3 of P.L.1991, c.261 (C.2C:25-19).

13 "Near fatality" means a case in which a victim of domestic violence
14 is in serious or critical condition, as certified by a physician.

15 "Panel" means the Panel to Study Domestic Violence in the Law
16 Enforcement Community established pursuant to section 9 of this act.

17

18 2. There is established the Domestic Violence Fatality and Near
19 Fatality Review Board. For the purposes of complying with the
20 provisions of Article V, Section IV, paragraph 1 of the New Jersey
21 Constitution, the board is established within the Department of
22 Community Affairs, but notwithstanding the establishment, the board
23 shall be independent of any supervision or control by the department
24 or any board or officer thereof.

25 The purpose of the board is to review the facts and circumstances
26 surrounding domestic violence-related fatalities and near fatalities in
27 New Jersey in order to identify their causes and their relationship to
28 government and nongovernment service delivery systems, and to
29 develop methods of prevention. The board shall: review trends and
30 patterns of fatalities and near fatalities; evaluate the responses of
31 government and nongovernment service delivery systems to fatalities
32 and near fatalities and offer recommendations for improvement of
33 these responses; identify and characterize high-risk groups in order to
34 develop public policy; collect statistical data, in a consistent and
35 uniform manner, on the occurrence of fatalities and near fatalities; and
36 improve collaboration between State and local agencies and
37 organizations for the purpose of developing initiatives to prevent
38 domestic violence.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AFW committee amendments adopted October 24, 2002.

- 1 3. a. The board shall consist of 21 members as follows:
- 2 (1) the Commissioners of Community Affairs ¹, Human Services¹
3 and Health and Senior Services, the Director of the Division on
4 Women in the Department of Community Affairs, the Attorney
5 General, the Public Defender, the Superintendent of the State Police,
6 the Supervisor of the Office on the Prevention of Violence Against
7 Women in the Department of Community Affairs established pursuant
8 to Executive Order No. 61 (1992), the State Medical Examiner, the
9 Program Director of the Domestic Violence Fatality Review Board
10 established pursuant to Executive Order No. 110 (2000) ¹[.] and¹
11 the Executive Director of the New Jersey Task Force on Child Abuse
12 and Neglect, or their designees, who shall serve ex officio;
- 13 (2) ¹[9] eight¹ public members appointed by the Governor who
14 shall include a representative of the County Prosecutors Association
15 of New Jersey with expertise in prosecuting domestic violence cases,
16 a representative of the New Jersey Coalition for Battered Women, a
17 representative of a program for battered women that provides
18 intervention services to perpetrators of acts of domestic violence, ¹[a
19 representative of a legally recognized military organization with
20 expertise in the area of domestic violence,]¹ a representative of the
21 law enforcement community with expertise in the area of domestic
22 violence, a psychologist with expertise in the area of domestic violence
23 or other related fields, a licensed social worker with expertise in the
24 area of domestic violence, a licensed health care professional
25 knowledgeable in the screening and identification of domestic violence
26 cases and a county probation officer; and
- 27 (3) two ¹retired¹ judges appointed by the Administrative Director
28 of the Administrative Office of the Courts, one with expertise in family
29 law and one with expertise in municipal law as it relates to domestic
30 violence.
- 31 b. The public members of the board shall serve for three-year
32 terms, except that of the public members first appointed, four shall
33 serve for a period of one year, three shall serve for a period of two
34 years and two shall serve for a period of three years. The members
35 shall serve without compensation, but shall be eligible for
36 reimbursement for necessary and reasonable expenses incurred in the
37 performance of their official duties and within the limits of funds
38 appropriated for this purpose. Vacancies in the membership of the
39 board shall be filled in the same manner as the original appointments
40 were made.
- 41 c. The board shall select a chairperson from among its members
42 who shall be responsible for the coordination of all activities of the
43 board.
- 44 d. The board is entitled to call to its assistance and avail itself of
45 the services of employees of any State, county or municipal
46 department, board, bureau, commission or agency as it may require

1 and as may be available for the purposes of reviewing a case pursuant
2 to the provisions of this act.

3 e. The board may seek the advice of experts, such as persons
4 specializing in the fields of psychiatric and forensic medicine, nursing,
5 psychology, social work, education, law enforcement, family law ¹,
6 academia, military affairs¹ or other related fields, if the facts of a case
7 warrant additional expertise.

8

9 4. The board shall:

10 a. Identify domestic violence-related fatalities that meet the
11 following criteria:

12 (1) The manner of death is homicide, and the deceased is the
13 spouse, former spouse, present or former household member of the
14 perpetrator of the homicide or person with whom the perpetrator has
15 had a dating relationship;

16 (2) The manner of death is suicide, and the deceased was a victim
17 of one or more acts of domestic violence committed by a spouse,
18 former spouse, present or former household member or person with
19 whom the victim had a dating relationship;

20 (3) The manner of death is homicide or suicide, and the deceased
21 is the perpetrator of a homicide committed against a spouse, former
22 spouse, present or former household member or person with whom the
23 perpetrator has a dating relationship;

24 (4) The manner of death is homicide or suicide, and the deceased
25 is the child of either a victim of a homicide committed by a spouse,
26 former spouse, present or former household member or person with
27 whom the victim has had a dating relationship, or the perpetrator of
28 the homicide;

29 (5) The manner of death is homicide or suicide, and the deceased
30 is the child of a victim of a homicide committed by a spouse, former
31 spouse, present or former household member or person with whom
32 the victim has had a dating relationship and the perpetrator of the
33 homicide;

34 (6) The deceased is a law enforcement officer, health care
35 professional, representative of any agency or organization that
36 provides services to victims of domestic violence or ¹an¹ emergency
37 medical ¹[personnel] technician or paramedic¹ who died while
38 responding to an incident of domestic violence;

39 (7) The manner of death is homicide or suicide, and the deceased
40 is a family member of either a victim of a homicide committed by a
41 spouse, former spouse, present or former household member or person
42 with whom the victim has had a dating relationship, or the perpetrator
43 of the homicide;

44 (8) The manner of death is homicide or suicide, and the deceased
45 is the perpetrator of a homicide of a family member; or

46 (9) The manner of death is homicide or suicide related to an

1 incident of domestic violence, and the deceased is not a family
2 member, spouse, former spouse, present or former household member
3 or person with whom the victim has had a dating relationship.

4 As used in this subsection, "family member" means a person 16
5 years of age or older related to another person by blood, marriage or
6 adoption, including: a sibling, parent, stepsibling or stepparent of the
7 person or his spouse; and a person whose status is preceded by the
8 words "great" or "grand."

9 b. Identify near fatalities ¹[where] when¹ information available to
10 the board indicates that domestic violence may have been a
11 contributing factor.

12 c. Collect and review death certificates, autopsy, investigative,
13 police, medical, counseling, victim service and employment records,
14 child abuse and neglect reports, survivor interviews, surveys, and any
15 other information the board deems necessary and appropriate in
16 determining the cause of a domestic violence-related fatality or near
17 fatality.

18 d. Make a determination whether a domestic violence-related
19 fatality or near fatality may have been prevented with improvements
20 to the policies and procedures used by health care, social service, law
21 enforcement, governmental or nongovernmental agencies and
22 organizations to provide services to victims of domestic violence and
23 their families.

24 e. Implement a Statewide public education campaign to promote
25 awareness among the public, community organizations, law
26 enforcement agencies and health care providers on issues relating to
27 the prevention of domestic violence.

28 f. Conduct a Statewide domestic violence safety and accountability
29 audit. The audit shall include a systematic analysis of ¹[intraagency]
30 intra agency¹ and interagency policies and procedures used by:

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

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

36

37 5. The board is authorized to:

38 a. Subpoena any records ¹, other than criminal investigatory
39 records pertaining to a criminal investigation in progress.¹ concerning
40 a domestic violence-related fatality or near fatality and other records,
41 which may be deemed pertinent to the review process and necessary
42 for the formulation of a conclusion by the board;

43 b. Apply for and accept any grant of money from the federal
44 government, private foundations or other sources, which may be
45 available for programs related to the prevention of domestic violence;
46 and

1 c. Enter into contracts with individuals, organizations and
2 institutions necessary for the performance of its duties under this act.

3
4 6. a. The board shall determine which domestic violence-related
5 fatalities and near fatalities shall receive its full review.

6 The board may establish local, community-based teams or
7 committees to compile specific information regarding the fatalities and
8 near ¹[fatalites] fatalities¹ selected by the board for its review.

9 b. Each team or committee shall include, at a minimum, a person
10 experienced in prosecution and local law enforcement investigation, a
11 medical examiner, a physician with expertise in the area of domestic
12 violence ¹[and],¹ a domestic violence specialist certified by the New
13 Jersey Association of Domestic Violence Professionals ¹and one
14 representative each of a legally recognized military organization with
15 expertise in domestic violence and Legal Services of New Jersey to
16 advise on areas relevant to their agencies¹. As necessary to perform
17 its functions, each team or committee may add additional members if
18 the facts of a case warrant additional expertise.

19 c. Each team or committee shall submit to the chairperson of the
20 board a report containing the information the team or committee
21 compiled regarding each domestic violence-related fatality or near
22 fatality and make recommendations for improvements or needed
23 changes concerning the provision of services to victims of domestic
24 violence.

25 d. The board shall review the reports submitted by each team or
26 committee pursuant to subsection c. of this section and issue an annual
27 report to the Governor and the Legislature, which includes the number
28 of cases reviewed and specific non-identifying information regarding
29 cases of particular significance. The board shall also include in the
30 report recommendations for systemwide improvements in services to
31 prevent domestic violence-related fatalities and near fatalities.

32
33 7. a. The records compiled by the board, including all investigatory
34 findings, statistical data and information gathered pursuant to
35 subsection c. of section 4 of this act, shall not be subject to discovery,
36 but may be used by the chairperson of the board to refer an individual
37 case, including the board's deliberations and conclusions, to the extent
38 necessary, to an appropriate agency to investigate or to provide
39 services.

40 b. The records compiled by the board shall not be subject to
41 subpoena or admissible as evidence in any action or proceeding in any
42 court, nor shall a person or entity authorized by the board to have
43 access to the records pursuant to this act be compelled to testify with
44 regard to the records.

45 c. Except as provided in subsection a. of this section, the
46 deliberations and conclusions of the board related to a specific case

1 shall be confidential ¹and shall not be deemed a public record
2 pursuant to P.L. 1963, c.73 (C.47:1A-1 et seq.) and P.L.2001, c.404
3 (C.47:1A-5 et al.)¹. Summary records that are prepared by the board
4 and the teams or committees on each reported case shall not contain
5 any information that would identify the victim of a domestic violence-
6 related fatality or near fatality.

7
8 8. A member of the board, a member of a team, committee or panel
9 established pursuant to this act or an employee of the board shall not
10 be held liable for any civil damages as a result of any action taken or
11 omitted in the performance of his duties pursuant to this act.

12
13 9. a. The board shall establish a Panel to Study Domestic Violence
14 in the Law Enforcement Community. The purpose of the panel is to:
15 examine issues associated with incidents of domestic violence
16 perpetrated by law enforcement officials and, as appropriate, specific
17 cases; evaluate the responses of State and local agencies and
18 organizations to incidents of domestic violence perpetrated by law
19 enforcement officials; and develop strategies to prevent domestic
20 violence-related fatalities and near fatalities among law enforcement
21 officials and their families.

22 The panel shall examine issues, which ¹[,]¹ shall include, but are
23 not limited to:

24 (1) the education of law enforcement officials on the consequences
25 of committing acts of domestic violence;

26 (2) the provision of support services to law enforcement officials
27 in high-risk situations, including cases of separation and divorce;

28 (3) the provision of support services to victims of domestic
29 violence who are the family members of law enforcement officials,
30 including information about and referral to community organizations
31 that provide medical, mental health and legal services to victims of
32 domestic violence; and

33 (4) the development of Statewide policies and procedures regarding
34 the identification and disposition of cases of domestic violence
35 perpetrated by law enforcement officials.

36 b. The panel shall be composed of volunteer members, including
37 representatives from the law enforcement community and experts in
38 the field of domestic violence.

39 c. The members of the panel:

40 (1) shall not disclose to any person or government official any
41 identifying information about a specific case of domestic violence
42 perpetrated by a law enforcement official with respect to which the
43 panel is provided information; and

44 (2) shall not make public other information unless authorized by
45 State statute.

46 d. The panel shall have access to information necessary to carry

1 out its functions. The panel is entitled to call to its assistance and
2 avail itself of the services of employees of any State, county or
3 municipal department, board, bureau, commission or agency as it may
4 require and as may be available for the purposes of effectuating the
5 provisions of this act.

6 e. The panel shall prepare and make available to the public and the
7 board, on an annual basis, a report containing a summary of its
8 activities.

9 f. The panel may receive grants and other funds made available
10 from any governmental, public, private, nonprofit or for-profit agency,
11 including funds made available under any federal or State law,
12 regulation or program.

13

14 10. The board shall adopt regulations pursuant to the
15 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
16 ¹ concerning the operation of the board, procedures for conducting
17 reviews of cases involving domestic violence fatalities and near
18 fatalities, the establishment of the panel pursuant to section 9 of this
19 act and other matters necessary to effectuate the purposes of this act.

20

21 11. This act shall take effect immediately.

22

23

24

25

26 Establishes Domestic Violence Fatality and Near Fatality Review
27 Board in Department of Community Affairs.

ASSEMBLY, No. 2586

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JUNE 24, 2002

Sponsored by:

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

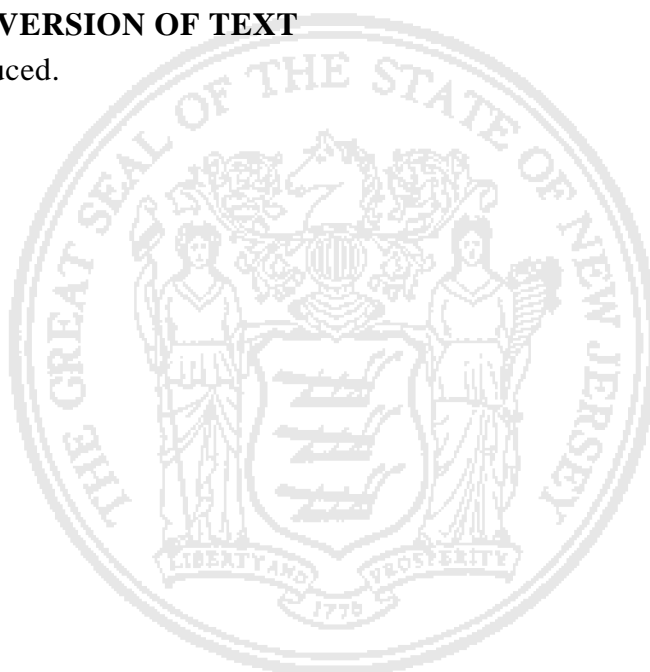
Assemblywoman Heck

SYNOPSIS

Establishes Domestic Violence Fatality and Near Fatality Review Board in Department of Community Affairs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/25/2002)

1 AN ACT concerning domestic violence and supplementing Title 52 of
2 the Revised Statutes.

3

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

6

7 1. As used in this act:

8 "Board" means the Domestic Violence Fatality and Near Fatality
9 Review Board established pursuant to this act.

10 "Domestic violence-related fatality" or "fatality" means a death
11 which arises as a result of one or more acts of domestic violence as
12 defined in section 3 of P.L.1991, c.261 (C.2C:25-19).

13 "Near fatality" means a case in which a victim of domestic violence
14 is in serious or critical condition, as certified by a physician.

15 "Panel" means the Panel to Study Domestic Violence in the Law
16 Enforcement Community established pursuant to section 9 of this act.

17

18 2. There is established the Domestic Violence Fatality and Near
19 Fatality Review Board. For the purposes of complying with the
20 provisions of Article V, Section IV, paragraph 1 of the New Jersey
21 Constitution, the board is established within the Department of
22 Community Affairs, but notwithstanding the establishment, the board
23 shall be independent of any supervision or control by the department
24 or any board or officer thereof.

25 The purpose of the board is to review the facts and circumstances
26 surrounding domestic violence-related fatalities and near fatalities in
27 New Jersey in order to identify their causes and their relationship to
28 government and nongovernment service delivery systems, and to
29 develop methods of prevention. The board shall: review trends and
30 patterns of fatalities and near fatalities; evaluate the responses of
31 government and nongovernment service delivery systems to fatalities
32 and near fatalities and offer recommendations for improvement of
33 these responses; identify and characterize high-risk groups in order to
34 develop public policy; collect statistical data, in a consistent and
35 uniform manner, on the occurrence of fatalities and near fatalities; and
36 improve collaboration between State and local agencies and
37 organizations for the purpose of developing initiatives to prevent
38 domestic violence.

39

40 3. a. The board shall consist of 21 members as follows:

41 (1) the Commissioners of Community Affairs and Health and
42 Senior Services, the Director of the Division on Women in the
43 Department of Community Affairs, the Attorney General, the Public
44 Defender, the Superintendent of the State Police, the Supervisor of the
45 Office on the Prevention of Violence Against Women in the
46 Department of Community Affairs established pursuant to Executive

1 Order No. 61 (1992), the State Medical Examiner, the Program
2 Director of the Domestic Violence Fatality Review Board established
3 pursuant to Executive Order No. 110 (2000), the Executive Director
4 of the New Jersey Task Force on Child Abuse and Neglect, or their
5 designees, who shall serve ex officio;

6 (2) 9 public members appointed by the Governor who shall include
7 a representative of the County Prosecutors Association of New Jersey
8 with expertise in prosecuting domestic violence cases, a representative
9 of the New Jersey Coalition for Battered Women, a representative of
10 a program for battered women that provides intervention services to
11 perpetrators of acts of domestic violence, a representative of a legally
12 recognized military organization with expertise in the area of domestic
13 violence, a representative of the law enforcement community with
14 expertise in the area of domestic violence, a psychologist with
15 expertise in the area of domestic violence or other related fields, a
16 licensed social worker with expertise in the area of domestic violence,
17 a licensed health care professional knowledgeable in the screening and
18 identification of domestic violence cases and a county probation
19 officer; and

20 (3) two judges appointed by the Administrative Director of the
21 Administrative Office of the Courts, one with expertise in family law
22 and one with expertise in municipal law as it relates to domestic
23 violence.

24 b. The public members of the board shall serve for three-year
25 terms, except that of the public members first appointed, four shall
26 serve for a period of one year, three shall serve for a period of two
27 years and two shall serve for a period of three years. The members
28 shall serve without compensation, but shall be eligible for
29 reimbursement for necessary and reasonable expenses incurred in the
30 performance of their official duties and within the limits of funds
31 appropriated for this purpose. Vacancies in the membership of the
32 board shall be filled in the same manner as the original appointments
33 were made.

34 c. The board shall select a chairperson from among its members
35 who shall be responsible for the coordination of all activities of the
36 board.

37 d. The board is entitled to call to its assistance and avail itself of
38 the services of employees of any State, county or municipal
39 department, board, bureau, commission or agency as it may require
40 and as may be available for the purposes of reviewing a case pursuant
41 to the provisions of this act.

42 e. The board may seek the advice of experts, such as persons
43 specializing in the fields of psychiatric and forensic medicine, nursing,
44 psychology, social work, education, law enforcement, family law or
45 other related fields, if the facts of a case warrant additional expertise.

1 4. The board shall:

2 a. Identify domestic violence-related fatalities that meet the
3 following criteria:

4 (1) The manner of death is homicide, and the deceased is the
5 spouse, former spouse, present or former household member of the
6 perpetrator of the homicide or person with whom the perpetrator has
7 had a dating relationship;

8 (2) The manner of death is suicide, and the deceased was a victim
9 of one or more acts of domestic violence committed by a spouse,
10 former spouse, present or former household member or person with
11 whom the victim had a dating relationship;

12 (3) The manner of death is homicide or suicide, and the deceased
13 is the perpetrator of a homicide committed against a spouse, former
14 spouse, present or former household member or person with whom the
15 perpetrator has a dating relationship;

16 (4) The manner of death is homicide or suicide, and the deceased
17 is the child of either a victim of a homicide committed by a spouse,
18 former spouse, present or former household member or person with
19 whom the victim has had a dating relationship, or the perpetrator of
20 the homicide;

21 (5) The manner of death is homicide or suicide, and the deceased
22 is the child of a victim of a homicide committed by a spouse, former
23 spouse, present or former household member or person with whom
24 the victim has had a dating relationship and the perpetrator of the
25 homicide;

26 (6) The deceased is a law enforcement officer, health care
27 professional, representative of any agency or organization that
28 provides services to victims of domestic violence or emergency
29 medical personnel who died while responding to an incident of
30 domestic violence;

31 (7) The manner of death is homicide or suicide, and the deceased
32 is a family member of either a victim of a homicide committed by a
33 spouse, former spouse, present or former household member or person
34 with whom the victim has had a dating relationship, or the perpetrator
35 of the homicide;

36 (8) The manner of death is homicide or suicide, and the deceased
37 is the perpetrator of a homicide of a family member; or

38 (9) The manner of death is homicide or suicide related to an
39 incident of domestic violence, and the deceased is not a family
40 member, spouse, former spouse, present or former household member
41 or person with whom the victim has had a dating relationship.

42 As used in this subsection, "family member" means a person 16
43 years of age or older related to another person by blood, marriage or
44 adoption, including: a sibling, parent, stepsibling or stepparent of the
45 person or his spouse; and a person whose status is preceded by the
46 words "great" or "grand."

1 b. Identify near fatalities where information available to the board
2 indicates that domestic violence may have been a contributing factor.

3 c. Collect and review death certificates, autopsy, investigative,
4 police, medical, counseling, victim service and employment records,
5 child abuse and neglect reports, survivor interviews, surveys, and any
6 other information the board deems necessary and appropriate in
7 determining the cause of a domestic violence-related fatality or near
8 fatality.

9 d. Make a determination whether a domestic violence-related
10 fatality or near fatality may have been prevented with improvements
11 to the policies and procedures used by health care, social service, law
12 enforcement, governmental or nongovernmental agencies and
13 organizations to provide services to victims of domestic violence and
14 their families.

15 e. Implement a Statewide public education campaign to promote
16 awareness among the public, community organizations, law
17 enforcement agencies and health care providers on issues relating to
18 the prevention of domestic violence.

19 f. Conduct a Statewide domestic violence safety and accountability
20 audit. The audit shall include a systematic analysis of intraagency and
21 interagency policies and procedures used by:

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

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

27

28 5. The board is authorized to:

29 a. Subpoena any records concerning a domestic violence-related
30 fatality or near fatality and other records, which may be deemed
31 pertinent to the review process and necessary for the formulation of a
32 conclusion by the board;

33 b. Apply for and accept any grant of money from the federal
34 government, private foundations or other sources, which may be
35 available for programs related to the prevention of domestic violence;
36 and

37 c. Enter into contracts with individuals, organizations and
38 institutions necessary for the performance of its duties under this act.

39

40 6. a. The board shall determine which domestic violence-related
41 fatalities and near fatalities shall receive its full review.

42 The board may establish local, community-based teams or
43 committees to compile specific information regarding the fatalities and
44 near fatalities selected by the board for its review.

45 b. Each team or committee shall include, at a minimum, a person
46 experienced in prosecution and local law enforcement investigation, a

1 medical examiner, a physician with expertise in the area of domestic
2 violence and a domestic violence specialist certified by the New Jersey
3 Association of Domestic Violence Professionals. As necessary to
4 perform its functions, each team or committee may add additional
5 members if the facts of a case warrant additional expertise.

6 c. Each team or committee shall submit to the chairperson of the
7 board a report containing the information the team or committee
8 compiled regarding each domestic violence-related fatality or near
9 fatality and make recommendations for improvements or needed
10 changes concerning the provision of services to victims of domestic
11 violence.

12 d. The board shall review the reports submitted by each team or
13 committee pursuant to subsection c. of this section and issue an annual
14 report to the Governor and the Legislature, which includes the number
15 of cases reviewed and specific non-identifying information regarding
16 cases of particular significance. The board shall also include in the
17 report recommendations for systemwide improvements in services to
18 prevent domestic violence-related fatalities and near fatalities.

19
20 7. a. The records compiled by the board, including all
21 investigatory findings, statistical data and information gathered
22 pursuant to subsection c. of section 4 of this act, shall not be subject
23 to discovery, but may be used by the chairperson of the board to refer
24 an individual case, including the board's deliberations and conclusions,
25 to the extent necessary, to an appropriate agency to investigate or to
26 provide services.

27 b. The records compiled by the board shall not be subject to
28 subpoena or admissible as evidence in any action or proceeding in any
29 court, nor shall a person or entity authorized by the board to have
30 access to the records pursuant to this act be compelled to testify with
31 regard to the records.

32 c. Except as provided in subsection a. of this section, the
33 deliberations and conclusions of the board related to a specific case
34 shall be confidential. Summary records that are prepared by the board
35 and the teams or committees on each reported case shall not contain
36 any information that would identify the victim of a domestic violence-
37 related fatality or near fatality.

38
39 8. A member of the board, a member of a team, committee or panel
40 established pursuant to this act or an employee of the board shall not
41 be held liable for any civil damages as a result of any action taken or
42 omitted in the performance of his duties pursuant to this act.

43
44 9. a. The board shall establish a Panel to Study Domestic Violence
45 in the Law Enforcement Community. The purpose of the panel is to:
46 examine issues associated with incidents of domestic violence

1 perpetrated by law enforcement officials and, as appropriate, specific
2 cases; evaluate the responses of State and local agencies and
3 organizations to incidents of domestic violence perpetrated by law
4 enforcement officials; and develop strategies to prevent domestic
5 violence-related fatalities and near fatalities among law enforcement
6 officials and their families.

7 The panel shall examine issues, which, shall include, but are not
8 limited to:

9 (1) the education of law enforcement officials on the consequences
10 of committing acts of domestic violence;

11 (2) the provision of support services to law enforcement officials
12 in high-risk situations, including cases of separation and divorce;

13 (3) the provision of support services to victims of domestic
14 violence who are the family members of law enforcement officials,
15 including information about and referral to community organizations
16 that provide medical, mental health and legal services to victims of
17 domestic violence; and

18 (4) the development of Statewide policies and procedures regarding
19 the identification and disposition of cases of domestic violence
20 perpetrated by law enforcement officials.

21 b. The panel shall be composed of volunteer members, including
22 representatives from the law enforcement community and experts in
23 the field of domestic violence.

24 c. The members of the panel:

25 (1) shall not disclose to any person or government official any
26 identifying information about a specific case of domestic violence
27 perpetrated by a law enforcement official with respect to which the
28 panel is provided information; and

29 (2) shall not make public other information unless authorized by
30 State statute.

31 d. The panel shall have access to information necessary to carry
32 out its functions. The panel is entitled to call to its assistance and
33 avail itself of the services of employees of any State, county or
34 municipal department, board, bureau, commission or agency as it may
35 require and as may be available for the purposes of effectuating the
36 provisions of this act.

37 e. The panel shall prepare and make available to the public and the
38 board, on an annual basis, a report containing a summary of its
39 activities.

40 f. The panel may receive grants and other funds made available
41 from any governmental, public, private, nonprofit or for-profit agency,
42 including funds made available under any federal or State law,
43 regulation or program.

44

45 10. The board shall adopt regulations pursuant to the
46 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)

1 concerning the operation of the board, procedures for conducting
2 reviews of cases involving domestic violence fatalities and near
3 fatalities, the establishment of the panel pursuant to section 9 of this
4 act and other matters necessary to effectuate the purposes of this act.

5
6 11. This act shall take effect immediately.

7
8
9 STATEMENT

10
11 This bill establishes the Domestic Violence Fatality and Near
12 Fatality Review Board in, but not of, the Department of Community
13 Affairs. The purpose of the board is to review the facts and
14 circumstances surrounding domestic violence-related fatalities and
15 near fatalities in New Jersey in order to identify their causes, their
16 relationship to government and nongovernment service delivery
17 systems, and to develop methods of prevention.

18 As defined in the bill "domestic violence-related fatality" or
19 "fatality" means a death which arises as a result of one or more acts of
20 domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality"
21 means a case in which a victim of domestic violence is in serious or
22 critical condition, as certified by a physician.

23 The board shall consist of 21 members as follows:

24 ! The Commissioners of Community Affairs and Health and
25 Senior Services, the Director of the Division on Women in the
26 Department of Community Affairs, the Attorney General, the
27 Public Defender, the Superintendent of the State Police, the
28 Supervisor of the Office on the Prevention of Violence Against
29 Women in the Department of Community Affairs, the State
30 Medical Examiner, the Program Director of the Domestic
31 Violence Fatality Review Board, the Executive Director of the
32 Task Force on Child Abuse and Neglect, or their designees,
33 who shall serve ex officio;

34 ! 9 public members appointed by the Governor including: one
35 representative each from the County Prosecutors Association
36 of New Jersey, the New Jersey Coalition for Battered Women,
37 a program for battered women that provides intervention
38 services to perpetrators of acts of domestic violence, a legally
39 recognized military organization, and the law enforcement
40 community; a psychologist; a licensed social worker; a licensed
41 health care professional; and a county probation officer; and

42 ! two judges appointed by the Administrative Director of the
43 Administrative Office of the Courts.

44 The board shall:

45 ! identify cases of domestic violence-related fatalities that meet
46 the criteria enumerated in the bill;

- 1 ! identify near fatalities where information available to the board
- 2 indicates that domestic violence may have been a contributing
- 3 factor;
- 4 ! collect and review death certificates, autopsy, investigative,
- 5 police, medical, counseling, victim service and employment
- 6 records, child abuse and neglect reports, survivor interviews,
- 7 surveys, and any other information the board deems necessary
- 8 and appropriate in determining the cause of a domestic
- 9 violence-related fatality and near fatality;
- 10 ! make a determination whether a domestic violence-related
- 11 fatality or near fatality may have been prevented with
- 12 improvements to the policies and procedures used by health
- 13 care, social service, law enforcement, governmental or
- 14 nongovernmental agencies and organizations to provide
- 15 services to victims of domestic violence and their families;
- 16 ! implement a Statewide public education campaign to promote
- 17 awareness among the public, community organizations, law
- 18 enforcement agencies and health care providers on issues
- 19 relating to the prevention of domestic violence;
- 20 ! conduct a Statewide domestic violence safety and
- 21 accountability audit; and
- 22 ! issue an annual report to the Governor and the Legislature,
- 23 which includes the number of cases reviewed, specific
- 24 non-identifying information regarding cases of particular
- 25 significance and recommendations for systemwide
- 26 improvements in services to prevent domestic violence-related
- 27 fatalities and near fatalities.

28 The board would be authorized to: subpoena any records
29 concerning a domestic violence-related fatality or near fatality and
30 other records, which may be deemed pertinent to the review process
31 and necessary for the formulation of a conclusion by the board; apply
32 for and accept any grant of money from the federal government,
33 private foundations or other sources, which may be available for
34 programs related to the prevention of domestic violence; and enter
35 into contracts with individuals, organizations and institutions necessary
36 for the performance of its duties.

37 The bill also provides that the board shall determine which domestic
38 violence-related fatalities and near fatalities shall receive its full review
39 and may establish local, community-based teams or committees to
40 compile information regarding the fatalities and near fatalities selected
41 by the board for review.

42 Each team or committee shall consist of a person experienced in
43 prosecution and local law enforcement investigation, a medical
44 examiner, a physician with expertise in the area of domestic violence
45 and a domestic violence specialist certified by the New Jersey
46 Association of Domestic Violence Professionals. Each team or

1 committee shall also submit to the chairperson of the board a report of
2 the information it compiled regarding each domestic violence-related
3 fatality or near fatality and make recommendations for improvements
4 or needed changes concerning the provision of services to victims of
5 domestic violence.

6 The bill also provides that:

7 ! the records compiled by the board shall not be subject to
8 discovery, subpoena or be admissible into evidence, but may be
9 used by the chairperson of the board to refer an individual case,
10 including the board's deliberations and conclusions, to an
11 appropriate agency to investigate or to provide services;

12 ! a person or entity authorized by the board to have access to the
13 records pursuant to this bill shall not be compelled to testify
14 with regard to the records;

15 ! the deliberations and conclusions of the board, related to a
16 specific case, shall be confidential, except as provided in
17 section F of the bill;

18 ! summary records prepared by the board and the teams or
19 committees on each reported case shall not contain any
20 information that would identify the victim of a domestic
21 violence-related fatality or near fatality; and

22 ! a member of the board, a member of a team, committee or
23 panel established pursuant to the provisions of the bill or an
24 employee of the board shall not be held liable for any civil
25 damages as a result of any action taken or omitted in the
26 performance of his duties.

27 The bill also directs the board to establish a Panel to Study
28 Domestic Violence in the Law Enforcement Community. The purpose
29 of the panel is to: examine issues associated with incidents of domestic
30 violence perpetrated by law enforcement officials and, as appropriate,
31 specific cases; evaluate the responses of State and local agencies to
32 incidents of domestic violence perpetrated by law enforcement
33 officials; and develop strategies to prevent domestic violence-related
34 fatalities and near fatalities among law enforcement officials and their
35 families.

36 The issues to be examined by the panel shall include, but not be
37 limited to:

38 ! the education of law enforcement officials on the consequences
39 of committing acts of domestic violence;

40 ! the provision of support services to law enforcement officials
41 in high-risk situations, including cases of separation and
42 divorce;

43 ! the provision of support services to victims of domestic
44 violence who are the family members of law enforcement
45 officials, including information about and referral to community
46 organizations that provide medical, mental health and legal

1 services to victims of domestic violence; and
2 ! the development of Statewide policies and procedures
3 regarding the identification and disposition of cases of
4 domestic violence perpetrated by law enforcement officials.
5 The panel shall: consist of volunteer members, including
6 representatives from the law enforcement community and experts in
7 the field of domestic violence; be prohibited from disclosing to any
8 person or government official any identifying information about a
9 specific case of domestic violence perpetrated by a law enforcement
10 official and making public other information unless authorized by State
11 statute; and prepare and make available to the public and the board an
12 annual report containing a summary of its activities. The panel may
13 also receive grants and other funds made available from any State and
14 federal governmental, public, private, nonprofit or for-profit agency or
15 program.

ASSEMBLY FAMILY, WOMEN AND CHILDREN'S SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2586

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2002

The Assembly Family, Women and Children's Services Committee reports favorably and with committee amendments Assembly Bill No. 2586.

As amended by the committee, this bill establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes, their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

As defined in the bill "domestic violence-related fatality" or "fatality" means a death which arises as a result of one or more acts of domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality" means a case in which a victim of domestic violence is in serious or critical condition, as certified by a physician.

The board shall consist of 21 members as follows:

- ! The Commissioners of Community Affairs, Human Services and Health and Senior Services, the Director of the Division on Women in the Department of Community Affairs, the Attorney General, the Public Defender, the Superintendent of the State Police, the Supervisor of the Office on the Prevention of Violence Against Women in the Department of Community Affairs, the State Medical Examiner, the Program Director of the Domestic Violence Fatality Review Board and the Executive Director of the Task Force on Child Abuse and Neglect, or their designees, who shall serve ex officio;
- ! 8 public members appointed by the Governor including: one representative each from the County Prosecutors Association of New Jersey, the New Jersey Coalition for Battered Women, a program for battered women that provides intervention services to perpetrators of acts of domestic violence and the law enforcement community; a psychologist; a licensed social worker; a licensed health care professional; and a county probation officer; and

! two retired judges appointed by the Administrative Director of the Administrative Office of the Courts.

The board shall:

- ! identify cases of domestic violence-related fatalities that meet the criteria enumerated in the bill;
- ! identify near fatalities when information available to the board indicates that domestic violence may have been a contributing factor;
- ! collect and review death certificates, autopsy, investigative, police, medical, counseling, victim service and employment records, child abuse and neglect reports, survivor interviews, surveys, and any other information the board deems necessary and appropriate in determining the cause of a domestic violence-related fatality and near fatality;
- ! make a determination whether a domestic violence-related fatality or near fatality may have been prevented with improvements to the policies and procedures used by health care, social service, law enforcement, governmental or nongovernmental agencies and organizations to provide services to victims of domestic violence and their families;
- ! implement a Statewide public education campaign to promote awareness among the public, community organizations, law enforcement agencies and health care providers on issues relating to the prevention of domestic violence;
- ! conduct a Statewide domestic violence safety and accountability audit; and
- ! issue an annual report to the Governor and the Legislature, which includes the number of cases reviewed, specific non-identifying information regarding cases of particular significance and recommendations for systemwide improvements in services to prevent domestic violence-related fatalities and near fatalities.

The board would be authorized to: subpoena any records, other than criminal investigatory records pertaining to an active criminal investigation, concerning a domestic violence-related fatality or near fatality and other records, which may be deemed pertinent to the review process and necessary for the formulation of a conclusion by the board; apply for and accept any grant of money from the federal government, private foundations or other sources, which may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties.

The bill also provides that the board shall determine which domestic violence-related fatalities and near fatalities shall receive its full review and may establish local, community-based teams or committees to compile information regarding the fatalities and near fatalities selected by the board for review.

Each team or committee shall consist of a person experienced in prosecution and local law enforcement investigation, a medical

examiner, a physician with expertise in the area of domestic violence and a domestic violence specialist certified by the New Jersey Association of Domestic Violence Professionals and one representative each from a legally recognized military organization with expertise in domestic violence and Legal Services of New Jersey to advise on areas relevant to their agencies. Each team or committee shall also submit to the chairperson of the board a report of the information it compiled regarding each domestic violence-related fatality or near fatality and make recommendations for improvements or needed changes concerning the provision of services to victims of domestic violence.

The bill also provides that:

- ! the records compiled by the board shall not be subject to discovery, subpoena or be admissible into evidence, but may be used by the chairperson of the board to refer an individual case, including the board's deliberations and conclusions, to an appropriate agency to investigate or to provide services;
- ! a person or entity authorized by the board to have access to the records pursuant to this bill shall not be compelled to testify with regard to the records;
- ! the deliberations and conclusions of the board, related to a specific case, shall be confidential, except as provided in section 7 of the bill and shall not be deemed a public record pursuant to N.J.S.A.47:1A-1 et seq. and N.J.S.A.47:1A-5 et al.;
- ! summary records prepared by the board and the teams or committees on each reported case shall not contain any information that would identify the victim of a domestic violence-related fatality or near fatality; and
- ! a member of the board, a member of a team, committee or panel established pursuant to the provisions of the bill or an employee of the board shall not be held liable for any civil damages as a result of any action taken or omitted in the performance of his duties.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

The issues to be examined by the panel shall include, but not be limited to:

- ! the education of law enforcement officials on the consequences of committing acts of domestic violence;
- ! the provision of support services to law enforcement officials in high-risk situations, including cases of separation and divorce;

- ! the provision of support services to victims of domestic violence who are the family members of law enforcement officials, including information about and referral to community organizations that provide medical, mental health and legal services to victims of domestic violence; and
- ! the development of Statewide policies and procedures regarding the identification and disposition of cases of domestic violence perpetrated by law enforcement officials.

The panel shall: consist of volunteer members, including representatives from the law enforcement community and experts in the field of domestic violence; be prohibited from disclosing to any person or government official any identifying information about a specific case of domestic violence perpetrated by a law enforcement official and making public other information unless authorized by State statute; and prepare and make available to the public and the board an annual report containing a summary of its activities. The panel may also receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program.

COMMITTEE AMENDMENTS

The committee amended the bill to to add the Commissioner of Human Services to the board and remove a representative of a legally recognized military organization from the the board.

The committee also amended the bill to clarify that the two judges appointed to the board by the Administrative Director of the Administrative Office of the Courts shall be retired judges and allow the board to seek the advice of experts specializing in the fields of academia and military affairs, if facts of a case warrant such expertise.

Other committee amendments:

- ! are technical;
- ! correct a reference to emergency medical personnel;
- ! clarify that the board is not authorized to subpoena criminal investigatory records pertaining to an active criminal investigation;
- ! add to the local, community-based teams or committees, one representative each each from a legally recognized military organization with expertise in domestic violence and Legal Services of New Jersey to advise on areas relevant to their agencies; and
- ! clarify that the deliberations and conclusions of the board, related to a specific case, shall not be deemed a public record pursuant to N.J.S.A.47:1A-1 et seq. and N.J.S.A.47:1A-5 et al.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2586

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 2003

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2586 (1R).

Assembly Bill No. 2586 (1R) establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes, their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

As defined in the bill "domestic violence-related fatality" or "fatality" means a death which arises as a result of one or more acts of domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality" means a case in which a victim of domestic violence is in serious or critical condition, as certified by a physician.

The board shall consist of 21 members as follows:

- ! The Commissioners of Community Affairs, Human Services and Health and Senior Services, the Director of the Division on Women in the Department of Community Affairs, the Attorney General, the Public Defender, the Superintendent of the State Police, the Supervisor of the Office on the Prevention of Violence Against Women in the Department of Community Affairs, the State Medical Examiner, the Program Director of the Domestic Violence Fatality Review Board and the Executive Director of the Task Force on Child Abuse and Neglect, or their designees, who shall serve ex officio;
- ! 8 public members appointed by the Governor including: one representative each from the County Prosecutors Association of New Jersey, the New Jersey Coalition for Battered Women, a program for battered women that provides intervention services to perpetrators of acts of domestic violence and the law enforcement community; a psychologist; a licensed social worker; a licensed health care professional; and a county probation officer; and
- ! two retired judges appointed by the Administrative Director of the Administrative Office of the Courts.

The board shall:

- ! identify cases of domestic violence-related fatalities that meet the criteria enumerated in the bill;
- ! identify near fatalities when information available to the board indicates that domestic violence may have been a contributing factor;
- ! collect and review death certificates, autopsy, investigative, police, medical, counseling, victim service and employment records, child abuse and neglect reports, survivor interviews, surveys, and any other information the board deems necessary and appropriate in determining the cause of a domestic violence-related fatality and near fatality;
- ! make a determination whether a domestic violence-related fatality or near fatality may have been prevented with improvements to the policies and procedures used by health care, social service, law enforcement, governmental or nongovernmental agencies and organizations to provide services to victims of domestic violence and their families;
- ! implement a Statewide public education campaign to promote awareness among the public, community organizations, law enforcement agencies and health care providers on issues relating to the prevention of domestic violence;
- ! conduct a Statewide domestic violence safety and accountability audit; and
- ! issue an annual report to the Governor and the Legislature, which includes the number of cases reviewed, specific non-identifying information regarding cases of particular significance and recommendations for systemwide improvements in services to prevent domestic violence-related fatalities and near fatalities.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community, to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

FISCAL IMPACT:

The Office of Legislative Services cannot provide a cost estimate for this bill. DCA established a similar board under Executive Order #110 of 2000 and currently allocates funds from existing appropriations. Federal funds are also involved, to an extent that the board is established by statute. Future additional federal funds are not known at this time.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2586

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2003

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2586 (1R).

This bill establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes and their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

As defined in the bill "domestic violence-related fatality" or "fatality" means a death which arises as a result of one or more acts of domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality" means a case in which a victim of domestic violence is in serious or critical condition, as certified by a physician.

The board shall consist of 21 members as follows:

-- the Commissioners of Community Affairs, Human Services, and Health and Senior Services, the Director of the Division on Women in the Department of Community Affairs, the Attorney General, the Public Defender, the Superintendent of the State Police, the Supervisor of the Office on the Prevention of Violence Against Women in the Department of Community Affairs, the State Medical Examiner, the Program Director of the Domestic Violence Fatality Review Board, and the Executive Director of the Task Force on Child Abuse and Neglect, or their designees, who shall serve *ex officio*;

-- eight public members appointed by the Governor including: one representative each from the County Prosecutors Association of New Jersey, the New Jersey Coalition for Battered Women, a program for battered women that provides intervention services to perpetrators of acts of domestic violence, and the law enforcement community; a psychologist; a licensed social worker; a licensed health care professional; and a county probation officer; and

-- two retired judges appointed by the Administrative Director of the Administrative Office of the Courts.

The board shall:

* identify cases of domestic violence-related fatalities that meet the

criteria enumerated in the bill;

- * identify near fatalities when information available to the board indicates that domestic violence may have been a contributing factor;
- * collect and review death certificates, autopsy, investigative, police, medical, counseling, victim service and employment records, child abuse and neglect reports, survivor interviews, surveys, and any other information the board deems necessary and appropriate in determining the cause of a domestic violence-related fatality or near fatality;
- * make a determination whether a domestic violence-related fatality or near fatality may have been prevented with improvements to the policies and procedures used by health care, social service, law enforcement, governmental or nongovernmental agencies and organizations to provide services to victims of domestic violence and their families;
- * implement a Statewide public education campaign to promote awareness among the public, community organizations, law enforcement agencies and health care providers on issues relating to the prevention of domestic violence;
- * conduct a Statewide domestic violence safety and accountability audit; and
- * issue an annual report to the Governor and the Legislature that includes the number of cases reviewed, specific non-identifying information regarding cases of particular significance and recommendations for systemwide improvements in services to prevent domestic violence-related fatalities and near fatalities.

The board would be authorized to: subpoena any records concerning a domestic violence-related fatality or near fatality and other records that may be deemed pertinent to the review process and necessary for the formulation of a conclusion by the board; apply for and accept any grant of money from the federal government, private foundations or other sources that may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties.

The bill also provides that the board shall determine which domestic violence-related fatalities and near fatalities shall receive its full review and may establish local, community-based teams or committees to compile information regarding the fatalities and near fatalities selected by the board for review. Each team or committee shall consist of a person experienced in prosecution and local law enforcement investigation, a medical examiner, a physician with expertise in the area of domestic violence, a domestic violence specialist certified by the New Jersey Association of Domestic Violence Professionals, and one representative each of a legally recognized military organization with expertise in domestic violence and Legal Services of New Jersey to advise on areas relevant to their

agencies. Each team or committee shall also submit to the chairperson of the board a report of the information it compiled regarding each domestic violence-related fatality or near fatality and make recommendations for improvements or needed changes concerning the provision of services to victims of domestic violence.

The bill also provides that:

- * the records compiled by the board shall not be subject to discovery or subpoena, or admissible into evidence, but may be used by the chairperson of the board to refer an individual case, including the board's deliberations and conclusions, to an appropriate agency to investigate or to provide services;
- * a person or entity authorized by the board to have access to the records pursuant to this bill shall not be compelled to testify with regard to the records;
- * the deliberations and conclusions of the board related to a specific case shall be confidential, except as provided above in the event of referral of such a case to an appropriate agency;
- * summary records prepared by the board and the teams or committees on each reported case shall not contain any information that would identify the victim of a domestic violence-related fatality or near fatality; and
- * a member of the board, a member of a team, committee or panel established pursuant to the provisions of the bill, or an employee of the board shall not be held liable for any civil damages as a result of any action taken or omitted in the performance of his duties.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

The issues to be examined by the panel shall include, but not be limited to:

- * the education of law enforcement officials on the consequences of committing acts of domestic violence;
- * the provision of support services to law enforcement officials in high-risk situations, including cases of separation and divorce;
- * the provision of support services to victims of domestic violence who are the family members of law enforcement officials, including information about and referral to community organizations that provide medical, mental health and legal services to victims of domestic violence; and
- * the development of Statewide policies and procedures regarding the identification and disposition of cases of domestic violence

perpetrated by law enforcement officials.

The panel is to consist of volunteer members, including representatives from the law enforcement community and experts in the field of domestic violence. The bill prohibits panel members from disclosing to any person or government official any identifying information about a specific case of domestic violence perpetrated by a law enforcement official, or making public other information unless authorized by State statute. The panel may receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program, and is to prepare and make available to the public and the board an annual report containing a summary of its activities.

The provisions of this bill are identical to those of Senate Bill No. 1788 (1R) Sca, which the committee also reports this day.

FISCAL IMPACT

The Office of Legislative Services (OLS) cannot provide a cost estimate for this bill.

The OLS notes that the Office on the Prevention of Violence Against Women in the Division on Women in Department of Community Affairs (DCA) was established by Executive Order No. 61 of 1992. Executive Order No. 110 of 2000 established the "Domestic Violence Fatality Review Board" within that office. Both of these Executive Orders will be codified by the enactment of this bill by establishing permanently the Domestic Violence Fatality and Near Fatality Review Board in but not of DCA. In addition, the bill will expand the functions already being performed by the current board.

In FY2003 the Office on the Prevention of Violence Against Women received a Direct State Services appropriation of \$200,000. Currently DCA funds the costs associated with implementing the two Executive Orders by allocating resources from the department's Prevention of Violence Against Women Fund (PVAWF). Each year since 1997 the department has matched 25 percent of the grant funding it has received from the Federal "Violence Against Women Act" (VAWA). According to DCA, the history of the level of funding for this program is as follows: in 1997 the Federal VAWA grant award equaled \$75,000 and the department provided \$25,000 in matching aid, for a total program budget of \$100,000; in 1999 the Federal VAWA grant award equaled \$119,000 and the department provided \$39,667 in matching aid, for a total program budget of \$158,677; in 2000 the Federal VAWA grant award equaled \$125,000 and the department provided \$41,667 in matching aid, for a total program budget of \$166,667; in 2001 the Federal VAWA grant award equaled \$60,000 and the department provided \$15,000 in matching aid, for a total program budget of \$75,000. By establishing the board by statute, this bill would permit the Department of Community Affairs to apply for additional Federal VAWA grants. OLS cannot provide an estimate as to how much additional grant aid would be procured through the

enactment of this bill, nor does OLS have any indication of the level of State funding that would be required to effectuate the purposes of this bill.

LEGISLATIVE FISCAL ESTIMATE
 [First Reprint]
ASSEMBLY, No. 2586
STATE OF NEW JERSEY
210th LEGISLATURE

DATED: FEBRUARY 6, 2003

SUMMARY

Synopsis: Establishes Domestic Violence Fatality and Near Fatality Review Board in Department of Community Affairs.

Type of Impact: Increased cost to the General Fund

Agencies Affected: Department of Community Affairs (DCA)

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Indeterminate	
State Revenue		Indeterminate	

- ! The Office of Legislative Services (OLS) cannot provide a cost estimate for this bill and notes that the bill contains no appropriation for the operation of the board created by this bill. OLS notes that the board is charged in the bill with certain responsibilities such as: 1) implementing a Statewide public education campaign to promote awareness among the public and 2) conducting an annual Statewide domestic violence safety and accountability audit. OLS notes further that the cost of implementing these responsibilities cannot be determined.
- ! This bill creates the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs (DCA). The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes, their relationship to government and nongovernment service delivery systems, and methods of preventing them.
- ! Members of the board do not receive a salary but are reimbursed for expenses incurred during performing their official duties.
- ! The board may apply for and accept any grant money from the federal government, private foundations or other sources, which may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties. Also board members may call on State, county, and local employees to provide their expertise and to assist in the board's deliberations and activities. The cost associated with either contracting with or soliciting assistance from any outside party cannot be determined.

- ! The bill also calls for the establishment of a "Panel to Study Domestic Violence in the Law Enforcement Community". This panel may also receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program and may call to its assistance employees of any State, county or municipal department or entity.

BILL DESCRIPTION

Assembly Bill No. 2586 (1R) of 2002 establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes and their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

The board would be authorized to: subpoena any records, other than criminal investigatory records pertaining to an active criminal investigation, concerning a domestic violence-related fatality or near fatality and other records which may be deemed pertinent to the review process and necessary for the formulation of a conclusion by the board; apply for and accept any grant of money from the federal government, private foundations or other sources which may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties.

The bill also provides that the board shall determine which domestic violence-related fatalities and near fatalities shall receive its full review and may establish local or community-based teams or committees to compile information regarding the fatalities and near fatalities selected by the board for review.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) cannot provide a cost estimate for this bill. OLS notes that the Office on the Prevention of Violence Against Women in the division on Women in DCA was established pursuant to Executive Order No. 61 of 1992. Executive Order No. 110 of 2000 established the "Domestic Violence Fatality Review Board" within the Office on the Prevention of Violence Against Women. Both of these Executive Orders will be codified by the enactment of this bill by establishing permanently the Domestic Violence Fatality and Near

Fatality Review Board in but not of DCA. In addition, the bill will expand the functions already being performed by the current board. In Fiscal Year 2003 the Office on the Prevention of Violence Against Women received a Direct State Services appropriation of \$200,000. Currently DCA funds the costs associated with implementing the two aforementioned Executive Orders by allocating resources from the department's "Prevention of Violence Against Women Fund"(PVAWF). Each year since 1997 the department has matched 25 percent of the grant funding it has received from the Federal "Violence Against Women Act"(VAWA). According to DCA the history of the level of funding for this program is as follows: in 1997 the Federal VAWA grant award equaled \$75,000 and the department provided \$25,000 in matching aid, for a total program budget of \$100,000; in 1999 the Federal VAWA grant award equaled \$119,000 and the department provided \$39,667 in matching aid, for a total program budget of \$158,677; in 2000 the Federal VAWA grant award equaled \$125,000 and the department provided \$41,667 in matching aid, for a total program budget of \$166,667; in 2001 the Federal VAWA grant award equaled \$60,000 and the department provided \$15,000 in matching aid, for a total program budget of \$75,000. By establishing the board by statute, this bill would permit the Department of Community Affairs to apply for additional Federal VAWA grants. OLS cannot provide an estimate as to how much additional grant aid would be procured through the enactment of this bill, nor does OLS have any indication of the level of State funding that would be required to effectuate the purposes of this bill.

Section: *Local Government*

Analyst: *Pedro Carrasquillo*
Assistant Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 1788

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED SEPTEMBER 12, 2002

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senator Singer

SYNOPSIS

Establishes Domestic Violence Fatality and Near Fatality Review Board in Department of Community Affairs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/18/2002)

1 AN ACT concerning domestic violence and supplementing Title 52 of
2 the Revised Statutes.

3

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

6

7 1. As used in this act:

8 "Board" means the Domestic Violence Fatality and Near Fatality
9 Review Board established pursuant to this act.

10 "Domestic violence-related fatality" or "fatality" means a death
11 which arises as a result of one or more acts of domestic violence as
12 defined in section 3 of P.L.1991, c.261 (C.2C:25-19).

13 "Near fatality" means a case in which a victim of domestic violence
14 is in serious or critical condition, as certified by a physician.

15 "Panel" means the Panel to Study Domestic Violence in the Law
16 Enforcement Community established pursuant to section 9 of this act.

17

18 2. There is established the Domestic Violence Fatality and Near
19 Fatality Review Board. For the purposes of complying with the
20 provisions of Article V, Section IV, paragraph 1 of the New Jersey
21 Constitution, the board is established within the Department of
22 Community Affairs, but notwithstanding the establishment, the board
23 shall be independent of any supervision or control by the department
24 or any board or officer thereof.

25 The purpose of the board is to review the facts and circumstances
26 surrounding domestic violence-related fatalities and near fatalities in
27 New Jersey in order to identify their causes and their relationship to
28 government and nongovernment service delivery systems, and to
29 develop methods of prevention. The board shall: review trends and
30 patterns of fatalities and near fatalities; evaluate the responses of
31 government and nongovernment service delivery systems to fatalities
32 and near fatalities and offer recommendations for improvement of
33 these responses; identify and characterize high-risk groups in order to
34 develop public policy; collect statistical data, in a consistent and
35 uniform manner, on the occurrence of fatalities and near fatalities; and
36 improve collaboration between State and local agencies and
37 organizations for the purpose of developing initiatives to prevent
38 domestic violence.

39

40 3. a. The board shall consist of 21 members as follows:

41 (1) the Commissioners of Community Affairs and Health and
42 Senior Services, the Director of the Division on Women in the
43 Department of Community Affairs, the Attorney General, the Public
44 Defender, the Superintendent of the State Police, the Supervisor of the
45 Office on the Prevention of Violence Against Women in the
46 Department of Community Affairs established pursuant to Executive

1 Order No. 61 (1992), the State Medical Examiner, the Program
2 Director of the Domestic Violence Fatality Review Board established
3 pursuant to Executive Order No. 110 (2000), and the Executive
4 Director of the New Jersey Task Force on Child Abuse and Neglect,
5 or their designees, who shall serve ex officio;

6 (2) nine public members appointed by the Governor who shall
7 include a representative of the County Prosecutors Association of
8 New Jersey with expertise in prosecuting domestic violence cases, a
9 representative of the New Jersey Coalition for Battered Women, a
10 representative of a program for battered women that provides
11 intervention services to perpetrators of acts of domestic violence, a
12 representative of a legally recognized military organization with
13 expertise in the area of domestic violence, a representative of the law
14 enforcement community with expertise in the area of domestic
15 violence, a psychologist with expertise in the area of domestic violence
16 or other related fields, a licensed social worker with expertise in the
17 area of domestic violence, a licensed health care professional
18 knowledgeable in the screening and identification of domestic violence
19 cases and a county probation officer; and

20 (3) two judges appointed by the Administrative Director of the
21 Administrative Office of the Courts, one with expertise in family law
22 and one with expertise in municipal law as it relates to domestic
23 violence.

24 b. The public members of the board shall serve for three-year
25 terms, except that of the public members first appointed, four shall
26 serve for a period of one year, three shall serve for a period of two
27 years and two shall serve for a period of three years. The members
28 shall serve without compensation, but shall be eligible for
29 reimbursement for necessary and reasonable expenses incurred in the
30 performance of their official duties and within the limits of funds
31 appropriated for this purpose. Vacancies in the membership of the
32 board shall be filled in the same manner as the original appointments
33 were made.

34 c. The board shall select a chairperson from among its members
35 who shall be responsible for the coordination of all activities of the
36 board.

37 d. The board is entitled to call to its assistance and avail itself of
38 the services of employees of any State, county or municipal
39 department, board, bureau, commission or agency as it may require
40 and as may be available for the purposes of reviewing a case pursuant
41 to the provisions of this act.

42 e. The board may seek the advice of experts, such as persons
43 specializing in the fields of psychiatric and forensic medicine, nursing,
44 psychology, social work, education, law enforcement, family law or
45 other related fields, if the facts of a case warrant additional expertise.

1 4. The board shall:

2 a. Identify domestic violence-related fatalities that meet the
3 following criteria:

4 (1) The manner of death is homicide, and the deceased is the
5 spouse, former spouse, present or former household member of the
6 perpetrator of the homicide or person with whom the perpetrator has
7 had a dating relationship;

8 (2) The manner of death is suicide, and the deceased was a victim
9 of one or more acts of domestic violence committed by a spouse,
10 former spouse, present or former household member or person with
11 whom the victim had a dating relationship;

12 (3) The manner of death is homicide or suicide, and the deceased
13 is the perpetrator of a homicide committed against a spouse, former
14 spouse, present or former household member or person with whom the
15 perpetrator has a dating relationship;

16 (4) The manner of death is homicide or suicide, and the deceased
17 is the child of either a victim of a homicide committed by a spouse,
18 former spouse, present or former household member or person with
19 whom the victim has had a dating relationship, or the perpetrator of
20 the homicide;

21 (5) The manner of death is homicide or suicide, and the deceased
22 is the child of a victim of a homicide committed by a spouse, former
23 spouse, present or former household member or person with whom
24 the victim has had a dating relationship and the perpetrator of the
25 homicide;

26 (6) The deceased is a law enforcement officer, health care
27 professional, representative of any agency or organization that
28 provides services to victims of domestic violence or emergency
29 medical personnel who died while responding to an incident of
30 domestic violence;

31 (7) The manner of death is homicide or suicide, and the deceased
32 is a family member of either a victim of a homicide committed by a
33 spouse, former spouse, present or former household member or person
34 with whom the victim has had a dating relationship, or the perpetrator
35 of the homicide;

36 (8) The manner of death is homicide or suicide, and the deceased
37 is the perpetrator of a homicide of a family member; or

38 (9) The manner of death is homicide or suicide related to an
39 incident of domestic violence, and the deceased is not a family
40 member, spouse, former spouse, present or former household member
41 or person with whom the victim has had a dating relationship.

42 As used in this subsection, "family member" means a person 16
43 years of age or older related to another person by blood, marriage or
44 adoption, including: a sibling, parent, stepsibling or stepparent of the
45 person or his spouse; and a person whose status is preceded by the
46 words "great" or "grand."

- 1 b. Identify near fatalities where information available to the board
2 indicates that domestic violence may have been a contributing factor.
- 3 c. Collect and review death certificates, autopsy, investigative,
4 police, medical, counseling, victim service and employment records,
5 child abuse and neglect reports, survivor interviews, surveys, and any
6 other information the board deems necessary and appropriate in
7 determining the cause of a domestic violence-related fatality or near
8 fatality.
- 9 d. Make a determination whether a domestic violence-related
10 fatality or near fatality may have been prevented with improvements
11 to the policies and procedures used by health care, social service, law
12 enforcement, governmental or nongovernmental agencies and
13 organizations to provide services to victims of domestic violence and
14 their families.
- 15 e. Implement a Statewide public education campaign to promote
16 awareness among the public, community organizations, law
17 enforcement agencies and health care providers on issues relating to
18 the prevention of domestic violence.
- 19 f. Conduct a Statewide domestic violence safety and accountability
20 audit. The audit shall include a systematic analysis of intra agency and
21 interagency policies and procedures used by:
- 22 (1) law enforcement agencies and the court system when
23 investigating and prosecuting cases of domestic violence-related
24 fatalities and near fatalities, as appropriate; and
- 25 (2) State and local agencies and organizations when providing
26 services to victims of domestic violence.
- 27
- 28 5. The board is authorized to:
- 29 a. Subpoena any records concerning a domestic violence-related
30 fatality or near fatality and other records, which may be deemed
31 pertinent to the review process and necessary for the formulation of a
32 conclusion by the board;
- 33 b. Apply for and accept any grant of money from the federal
34 government, private foundations or other sources, which may be
35 available for programs related to the prevention of domestic violence;
36 and
- 37 c. Enter into contracts with individuals, organizations and
38 institutions necessary for the performance of its duties under this act.
- 39
- 40 6. a. The board shall determine which domestic violence-related
41 fatalities and near fatalities shall receive its full review.
- 42 The board may establish local, community-based teams or
43 committees to compile specific information regarding the fatalities and
44 near fatalities selected by the board for its review.
- 45 b. Each team or committee shall include, at a minimum, a person
46 experienced in prosecution and local law enforcement investigation, a

1 medical examiner, a physician with expertise in the area of domestic
2 violence and a domestic violence specialist certified by the New Jersey
3 Association of Domestic Violence Professionals. As necessary to
4 perform its functions, each team or committee may add additional
5 members if the facts of a case warrant additional expertise.

6 c. Each team or committee shall submit to the chairperson of the
7 board a report containing the information the team or committee
8 compiled regarding each domestic violence-related fatality or near
9 fatality and make recommendations for improvements or needed
10 changes concerning the provision of services to victims of domestic
11 violence.

12 d. The board shall review the reports submitted by each team or
13 committee pursuant to subsection c. of this section and issue an annual
14 report to the Governor and the Legislature, which includes the number
15 of cases reviewed and specific non-identifying information regarding
16 cases of particular significance. The board shall also include in the
17 report recommendations for systemwide improvements in services to
18 prevent domestic violence-related fatalities and near fatalities.

19
20 7. a. The records compiled by the board, including all
21 investigatory findings, statistical data and information gathered
22 pursuant to subsection c. of section 4 of this act, shall not be subject
23 to discovery, but may be used by the chairperson of the board to refer
24 an individual case, including the board's deliberations and conclusions,
25 to the extent necessary, to an appropriate agency to investigate or to
26 provide services.

27 b. The records compiled by the board shall not be subject to
28 subpoena or admissible as evidence in any action or proceeding in any
29 court, nor shall a person or entity authorized by the board to have
30 access to the records pursuant to this act be compelled to testify with
31 regard to the records.

32 c. Except as provided in subsection a. of this section, the
33 deliberations and conclusions of the board related to a specific case
34 shall be confidential. Summary records that are prepared by the board
35 and the teams or committees on each reported case shall not contain
36 any information that would identify the victim of a domestic violence-
37 related fatality or near fatality.

38
39 8. A member of the board, a member of a team, committee or panel
40 established pursuant to this act or an employee of the board shall not
41 be held liable for any civil damages as a result of any action taken or
42 omitted in the performance of his duties pursuant to this act.

43
44 9. a. The board shall establish a Panel to Study Domestic Violence
45 in the Law Enforcement Community. The purpose of the panel is to:
46 examine issues associated with incidents of domestic violence

1 perpetrated by law enforcement officials and, as appropriate, specific
2 cases; evaluate the responses of State and local agencies and
3 organizations to incidents of domestic violence perpetrated by law
4 enforcement officials; and develop strategies to prevent domestic
5 violence-related fatalities and near fatalities among law enforcement
6 officials and their families.

7 The panel shall examine issues which, shall include, but are not
8 limited to:

9 (1) the education of law enforcement officials on the consequences
10 of committing acts of domestic violence;

11 (2) the provision of support services to law enforcement officials
12 in high-risk situations, including cases of separation and divorce;

13 (3) the provision of support services to victims of domestic
14 violence who are the family members of law enforcement officials,
15 including information about and referral to community organizations
16 that provide medical, mental health and legal services to victims of
17 domestic violence; and

18 (4) the development of Statewide policies and procedures
19 regarding the identification and disposition of cases of domestic
20 violence perpetrated by law enforcement officials.

21 b. The panel shall be composed of volunteer members, including
22 representatives from the law enforcement community and experts in
23 the field of domestic violence.

24 c. The members of the panel:

25 (1) shall not disclose to any person or government official any
26 identifying information about a specific case of domestic violence
27 perpetrated by a law enforcement official with respect to which the
28 panel is provided information; and

29 (2) shall not make public other information unless authorized by
30 State statute.

31 d. The panel shall have access to information necessary to carry
32 out its functions. The panel is entitled to call to its assistance and
33 avail itself of the services of employees of any State, county or
34 municipal department, board, bureau, commission or agency as it may
35 require and as may be available for the purposes of effectuating the
36 provisions of this act.

37 e. The panel shall prepare and make available to the public and the
38 board, on an annual basis, a report containing a summary of its
39 activities.

40 f. The panel may receive grants and other funds made available
41 from any governmental, public, private, nonprofit or for-profit agency,
42 including funds made available under any federal or State law,
43 regulation or program.

44

45 10. The board shall adopt regulations pursuant to the
46 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et

1 seq.), concerning the operation of the board, procedures for
2 conducting reviews of cases involving domestic violence fatalities and
3 near fatalities, the establishment of the panel pursuant to section 9 of
4 this act and other matters necessary to effectuate the purposes of this
5 act.

6

7 11. This act shall take effect immediately.

8

9

10 STATEMENT

11

12 This bill establishes the Domestic Violence Fatality and Near
13 Fatality Review Board in, but not of, the Department of Community
14 Affairs. The purpose of the board is to review the facts and
15 circumstances surrounding domestic violence-related fatalities and
16 near fatalities in New Jersey in order to identify their causes, their
17 relationship to government and nongovernment service delivery
18 systems, and to develop methods of prevention.

19 As defined in the bill "domestic violence-related fatality" or
20 "fatality" means a death which arises as a result of one or more acts of
21 domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality"
22 means a case in which a victim of domestic violence is in serious or
23 critical condition, as certified by a physician.

24 The board shall consist of 21 members as follows:

25 -- the Commissioners of Community Affairs and Health and Senior
26 Services, the Director of the Division on Women in the Department of
27 Community Affairs, the Attorney General, the Public Defender, the
28 Superintendent of the State Police, the Supervisor of the Office on the
29 Prevention of Violence Against Women in the Department of
30 Community Affairs, the State Medical Examiner, the Program Director
31 of the Domestic Violence Fatality Review Board, and the Executive
32 Director of the Task Force on Child Abuse and Neglect, or their
33 designees, who shall serve ex officio;

34 -- nine public members appointed by the Governor including: one
35 representative each from the County Prosecutors Association of New
36 Jersey, the New Jersey Coalition for Battered Women, a program for
37 battered women that provides intervention services to perpetrators of
38 acts of domestic violence, a legally recognized military organization,
39 and the law enforcement community; a psychologist; a licensed social
40 worker; a licensed health care professional; and a county probation
41 officer; and

42 -- two judges appointed by the Administrative Director of the
43 Administrative Office of the Courts.

44 The board shall:

45 C identify cases of domestic violence-related fatalities that meet the
46 criteria enumerated in the bill;

- 1 C identify near fatalities where information available to the board
- 2 indicates that domestic violence may have been a contributing
- 3 factor;
- 4 C collect and review death certificates, autopsy, investigative, police,
- 5 medical, counseling, victim service and employment records, child
- 6 abuse and neglect reports, survivor interviews, surveys, and any
- 7 other information the board deems necessary and appropriate in
- 8 determining the cause of a domestic violence-related fatality and
- 9 near fatality;
- 10 C make a determination whether a domestic violence-related fatality
- 11 or near fatality may have been prevented with improvements to the
- 12 policies and procedures used by health care, social service, law
- 13 enforcement, governmental or nongovernmental agencies and
- 14 organizations to provide services to victims of domestic violence
- 15 and their families;
- 16 C implement a Statewide public education campaign to promote
- 17 awareness among the public, community organizations, law
- 18 enforcement agencies and health care providers on issues relating
- 19 to the prevention of domestic violence;
- 20 C conduct a Statewide domestic violence safety and accountability
- 21 audit; and
- 22 C issue an annual report to the Governor and the Legislature, which
- 23 includes the number of cases reviewed, specific non-identifying
- 24 information regarding cases of particular significance and
- 25 recommendations for systemwide improvements in services to
- 26 prevent domestic violence-related fatalities and near fatalities.

27 The board would be authorized to: subpoena any records
28 concerning a domestic violence-related fatality or near fatality and
29 other records, which may be deemed pertinent to the review process
30 and necessary for the formulation of a conclusion by the board; apply
31 for and accept any grant of money from the federal government,
32 private foundations or other sources, which may be available for
33 programs related to the prevention of domestic violence; and enter
34 into contracts with individuals, organizations and institutions necessary
35 for the performance of its duties.

36 The bill also provides that the board shall determine which domestic
37 violence-related fatalities and near fatalities shall receive its full review
38 and may establish local, community-based teams or committees to
39 compile information regarding the fatalities and near fatalities selected
40 by the board for review.

41 Each team or committee shall consist of a person experienced in
42 prosecution and local law enforcement investigation, a medical
43 examiner, a physician with expertise in the area of domestic violence
44 and a domestic violence specialist certified by the New Jersey
45 Association of Domestic Violence Professionals. Each team or
46 committee shall also submit to the chairperson of the board a report of

1 the information it compiled regarding each domestic violence-related
2 fatality or near fatality and make recommendations for improvements
3 or needed changes concerning the provision of services to victims of
4 domestic violence.

5 The bill also provides that:

6 C the records compiled by the board shall not be subject to discovery,
7 subpoena or be admissible into evidence, but may be used by the
8 chairperson of the board to refer an individual case, including the
9 board's deliberations and conclusions, to an appropriate agency to
10 investigate or to provide services;

11 C a person or entity authorized by the board to have access to the
12 records pursuant to this bill shall not be compelled to testify with
13 regard to the records;

14 C the deliberations and conclusions of the board related to a specific
15 case shall be confidential, except as provided in section 7 of the bill;

16 C summary records prepared by the board and the teams or
17 committees on each reported case shall not contain any information
18 that would identify the victim of a domestic violence-related fatality
19 or near fatality; and

20 C a member of the board, a member of a team, committee or panel
21 established pursuant to the provisions of the bill or an employee of
22 the board shall not be held liable for any civil damages as a result
23 of any action taken or omitted in the performance of his duties.

24 The bill also directs the board to establish a Panel to Study
25 Domestic Violence in the Law Enforcement Community. The purpose
26 of the panel is to: examine issues associated with incidents of domestic
27 violence perpetrated by law enforcement officials and, as appropriate,
28 specific cases; evaluate the responses of State and local agencies to
29 incidents of domestic violence perpetrated by law enforcement
30 officials; and develop strategies to prevent domestic violence-related
31 fatalities and near fatalities among law enforcement officials and their
32 families.

33 The issues to be examined by the panel shall include, but not be
34 limited to:

35 C the education of law enforcement officials on the consequences of
36 committing acts of domestic violence;

37 C the provision of support services to law enforcement officials in
38 high-risk situations, including cases of separation and divorce;

39 C the provision of support services to victims of domestic violence
40 who are the family members of law enforcement officials, including
41 information about and referral to community organizations that
42 provide medical, mental health and legal services to victims of
43 domestic violence; and

44 C the development of Statewide policies and procedures regarding the
45 identification and disposition of cases of domestic violence
46 perpetrated by law enforcement officials.

S1788 VITALE

11

1 The panel shall: consist of volunteer members, including
2 representatives from the law enforcement community and experts in
3 the field of domestic violence; be prohibited from disclosing to any
4 person or government official any identifying information about a
5 specific case of domestic violence perpetrated by a law enforcement
6 official and making public other information unless authorized by State
7 statute; and prepare and make available to the public and the board an
8 annual report containing a summary of its activities. The panel may
9 also receive grants and other funds made available from any State and
10 federal governmental, public, private, nonprofit or for-profit agency or
11 program.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1788

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 17, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 1788.

As amended by committee, this bill establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes and their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

As defined in the bill "domestic violence-related fatality" or "fatality" means a death which arises as a result of one or more acts of domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality" means a case in which a victim of domestic violence is in serious or critical condition, as certified by a physician.

The board shall consist of 21 members as follows:

-- the Commissioners of Community Affairs and Health and Senior Services, the Director of the Division on Women in the Department of Community Affairs, the Attorney General, the Public Defender, the Superintendent of the State Police, the Supervisor of the Office on the Prevention of Violence Against Women in the Department of Community Affairs, the State Medical Examiner, the Program Director of the Domestic Violence Fatality Review Board, and the Executive Director of the Task Force on Child Abuse and Neglect, or their designees, who shall serve ex officio;

-- nine public members appointed by the Governor including: one representative each from the County Prosecutors Association of New Jersey, the New Jersey Coalition for Battered Women, a program for battered women that provides intervention services to perpetrators of acts of domestic violence, a legally recognized military organization, and the law enforcement community; a psychologist; a licensed social worker; a licensed health care professional; and a county probation officer; and

-- two retired judges appointed by the Administrative Director of the Administrative Office of the Courts.

The board shall:

- C identify cases of domestic violence-related fatalities that meet the criteria enumerated in the bill;
- C identify near fatalities WHEN information available to the board indicates that domestic violence may have been a contributing factor;
- C collect and review death certificates, autopsy, investigative, police, medical, counseling, victim service and employment records, child abuse and neglect reports, survivor interviews, surveys, and any other information the board deems necessary and appropriate in determining the cause of a domestic violence-related fatality or near fatality;
- C make a determination whether a domestic violence-related fatality or near fatality may have been prevented with improvements to the policies and procedures used by health care, social service, law enforcement, governmental or nongovernmental agencies and organizations to provide services to victims of domestic violence and their families;
- C implement a Statewide public education campaign to promote awareness among the public, community organizations, law enforcement agencies and health care providers on issues relating to the prevention of domestic violence;
- C conduct a Statewide domestic violence safety and accountability audit; and
- C issue an annual report to the Governor and the Legislature, which includes the number of cases reviewed, specific non-identifying information regarding cases of particular significance and recommendations for systemwide improvements in services to prevent domestic violence-related fatalities and near fatalities.

The board would be authorized to: subpoena any records concerning a domestic violence-related fatality or near fatality and other records, which may be deemed pertinent to the review process and necessary for the formulation of a conclusion by the board; apply for and accept any grant of money from the federal government, private foundations or other sources, which may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties.

The bill also provides that the board shall determine which domestic violence-related fatalities and near fatalities shall receive its full review and may establish local, community-based teams or committees to compile information regarding the fatalities and near fatalities selected by the board for review. Each team or committee shall consist of a person experienced in prosecution and local law enforcement investigation, a medical examiner, a physician with expertise in the area of domestic violence and a domestic violence

specialist certified by the New Jersey Association of Domestic Violence Professionals. Each team or committee shall also submit to the chairperson of the board a report of the information it compiled regarding each domestic violence-related fatality or near fatality and make recommendations for improvements or needed changes concerning the provision of services to victims of domestic violence.

The bill also provides that:

- C the records compiled by the board shall not be subject to discovery or subpoena, or admissible into evidence, but may be used by the chairperson of the board to refer an individual case, including the board's deliberations and conclusions, to an appropriate agency to investigate or to provide services;
- C a person or entity authorized by the board to have access to the records pursuant to this bill shall not be compelled to testify with regard to the records;
- C the deliberations and conclusions of the board related to a specific case shall be confidential, except as provided in section 7 of the bill;
- C summary records prepared by the board and the teams or committees on each reported case shall not contain any information that would identify the victim of a domestic violence-related fatality or near fatality; and
- C a member of the board, a member of a team, committee or panel established pursuant to the provisions of the bill, or an employee of the board shall not be held liable for any civil damages as a result of any action taken or omitted in the performance of his duties.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

The issues to be examined by the panel shall include, but not be limited to:

- C the education of law enforcement officials on the consequences of committing acts of domestic violence;
- C the provision of support services to law enforcement officials in high-risk situations, including cases of separation and divorce;
- C the provision of support services to victims of domestic violence who are the family members of law enforcement officials, including information about and referral to community organizations that provide medical, mental health and legal services to victims of domestic violence; and
- C the development of Statewide policies and procedures regarding

the identification and disposition of cases of domestic violence perpetrated by law enforcement officials.

The panel shall: consist of volunteer members, including representatives from the law enforcement community and experts in the field of domestic violence; be prohibited from disclosing to any person or government official any identifying information about a specific case of domestic violence perpetrated by a law enforcement official and making public other information unless authorized by State statute; and prepare and make available to the public and the board an annual report containing a summary of its activities. The panel may also receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program.

The committee amended the bill to clarify that the two judges appointed to the board by the Administrative Director of the Administrative Office of the Courts shall be retired judges. Other committee amendments are technical, and correct a reference to emergency medical personnel.

This bill is similar to Assembly Bill No. 2586 (Watson Coleman/Weinberg), which is pending before the Assembly Family, Women and Children's Services Committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1788

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2003

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1788 (1R).

This bill establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes and their relationship to government and nongovernment service delivery systems, and to develop methods of prevention.

As defined in the bill "domestic violence-related fatality" or "fatality" means a death which arises as a result of one or more acts of domestic violence as defined in N.J.S.A.2C:25-19 and "near fatality" means a case in which a victim of domestic violence is in serious or critical condition, as certified by a physician.

The board shall consist of 21 members as follows:

-- the Commissioners of Community Affairs, Human Services, and Health and Senior Services, the Director of the Division on Women in the Department of Community Affairs, the Attorney General, the Public Defender, the Superintendent of the State Police, the Supervisor of the Office on the Prevention of Violence Against Women in the Department of Community Affairs, the State Medical Examiner, the Program Director of the Domestic Violence Fatality Review Board, and the Executive Director of the Task Force on Child Abuse and Neglect, or their designees, who shall serve *ex officio*;

-- eight public members appointed by the Governor including: one representative each from the County Prosecutors Association of New Jersey, the New Jersey Coalition for Battered Women, a program for battered women that provides intervention services to perpetrators of acts of domestic violence, and the law enforcement community; a psychologist; a licensed social worker; a licensed health care professional; and a county probation officer; and

-- two retired judges appointed by the Administrative Director of the Administrative Office of the Courts.

The board shall:

- * identify cases of domestic violence-related fatalities that meet the criteria enumerated in the bill;
- * identify near fatalities when information available to the board indicates that domestic violence may have been a contributing factor;
- * collect and review death certificates, autopsy, investigative, police, medical, counseling, victim service and employment records, child abuse and neglect reports, survivor interviews, surveys, and any other information the board deems necessary and appropriate in determining the cause of a domestic violence-related fatality or near fatality;
- * make a determination whether a domestic violence-related fatality or near fatality may have been prevented with improvements to the policies and procedures used by health care, social service, law enforcement, governmental or nongovernmental agencies and organizations to provide services to victims of domestic violence and their families;
- * implement a Statewide public education campaign to promote awareness among the public, community organizations, law enforcement agencies and health care providers on issues relating to the prevention of domestic violence;
- * conduct a Statewide domestic violence safety and accountability audit; and
- * issue an annual report to the Governor and the Legislature that includes the number of cases reviewed, specific non-identifying information regarding cases of particular significance and recommendations for systemwide improvements in services to prevent domestic violence-related fatalities and near fatalities.

The board would be authorized to: subpoena any records concerning a domestic violence-related fatality or near fatality and other records that may be deemed pertinent to the review process and necessary for the formulation of a conclusion by the board; apply for and accept any grant of money from the federal government, private foundations or other sources that may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties.

The bill also provides that the board shall determine which domestic violence-related fatalities and near fatalities shall receive its full review and may establish local, community-based teams or committees to compile information regarding the fatalities and near fatalities selected by the board for review. Each team or committee shall consist of a person experienced in prosecution and local law enforcement investigation, a medical examiner, a physician with expertise in the area of domestic violence, a domestic violence specialist certified by the New Jersey Association of Domestic Violence Professionals, and one representative each of a legally

recognized military organization with expertise in domestic violence and Legal Services of New Jersey to advise on areas relevant to their agencies. Each team or committee shall also submit to the chairperson of the board a report of the information it compiled regarding each domestic violence-related fatality or near fatality and make recommendations for improvements or needed changes concerning the provision of services to victims of domestic violence.

The bill also provides that:

- * the records compiled by the board shall not be subject to discovery or subpoena, or admissible into evidence, but may be used by the chairperson of the board to refer an individual case, including the board's deliberations and conclusions, to an appropriate agency to investigate or to provide services;
- * a person or entity authorized by the board to have access to the records pursuant to this bill shall not be compelled to testify with regard to the records;
- * the deliberations and conclusions of the board related to a specific case shall be confidential, except as provided above in the event of referral of such a case to an appropriate agency;
- * summary records prepared by the board and the teams or committees on each reported case shall not contain any information that would identify the victim of a domestic violence-related fatality or near fatality; and
- * a member of the board, a member of a team, committee or panel established pursuant to the provisions of the bill, or an employee of the board shall not be held liable for any civil damages as a result of any action taken or omitted in the performance of his duties.

The bill also directs the board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to: examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

The issues to be examined by the panel shall include, but not be limited to:

- * the education of law enforcement officials on the consequences of committing acts of domestic violence;
- * the provision of support services to law enforcement officials in high-risk situations, including cases of separation and divorce;
- * the provision of support services to victims of domestic violence who are the family members of law enforcement officials, including information about and referral to community organizations that provide medical, mental health and legal services to victims of domestic violence; and

C the development of Statewide policies and procedures regarding the identification and disposition of cases of domestic violence perpetrated by law enforcement officials.

The panel is to consist of volunteer members, including representatives from the law enforcement community and experts in the field of domestic violence. The bill prohibits panel members from disclosing to any person or government official any identifying information about a specific case of domestic violence perpetrated by a law enforcement official, or making public other information unless authorized by State statute. The panel may receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program, and is to prepare and make available to the public and the board an annual report containing a summary of its activities.

The provisions of this bill, as amended, are identical to those of Assembly Bill No. 2586 (1R), which the committee also reports this day.

COMMITTEE AMENDMENTS

Committee amendments to this bill: (1) add the Commissioner of Human Services as an *ex officio* member of the board; (2) remove a provision for the appointment of a representative of a legally recognized military organization as a public member and provide instead for inclusion of such a representative, together with a representative of Legal Services of New Jersey, on any community-based team or committee formed to compile information on cases selected for review by the board; (3) add specialists from academia and the field of military affairs as authorized advisors to the board; (4) exclude from the board's subpoena power any criminal investigatory records pertaining to an in-progress investigation; and (5) specify that the board's deliberations and conclusions relating to a specific case shall not be a public record under the right-to-know law.

FISCAL IMPACT

The Office of Legislative Services (OLS) cannot provide a cost estimate for this bill.

The OLS notes that the Office on the Prevention of Violence Against Women in the Division on Women in Department of Community Affairs (DCA) was established by Executive Order No. 61 of 1992. Executive Order No. 110 of 2000 established the "Domestic Violence Fatality Review Board" within that office. Both of these Executive Orders will be codified by the enactment of this bill by establishing permanently the Domestic Violence Fatality and Near Fatality Review Board in but not of DCA. In addition, the bill will expand the functions already being performed by the current board.

In FY2003 the Office on the Prevention of Violence Against Women received a Direct State Services appropriation of \$200,000. Currently DCA funds the costs associated with implementing the two

Executive Orders by allocating resources from the department's Prevention of Violence Against Women Fund (PVAWF). Each year since 1997 the department has matched 25 percent of the grant funding it has received from the Federal "Violence Against Women Act" (VAWA). According to DCA, the history of the level of funding for this program is as follows: in 1997 the Federal VAWA grant award equaled \$75,000 and the department provided \$25,000 in matching aid, for a total program budget of \$100,000; in 1999 the Federal VAWA grant award equaled \$119,000 and the department provided \$39,667 in matching aid, for a total program budget of \$158,677; in 2000 the Federal VAWA grant award equaled \$125,000 and the department provided \$41,667 in matching aid, for a total program budget of \$166,667; in 2001 the Federal VAWA grant award equaled \$60,000 and the department provided \$15,000 in matching aid, for a total program budget of \$75,000. By establishing the board by statute, this bill would permit the Department of Community Affairs to apply for additional Federal VAWA grants. OLS cannot provide an estimate as to how much additional grant aid would be procured through the enactment of this bill, nor does OLS have any indication of the level of State funding that would be required to effectuate the purposes of this bill.

LEGISLATIVE FISCAL ESTIMATE
 [First Reprint]
SENATE, No. 1788
STATE OF NEW JERSEY
210th LEGISLATURE

DATED: DECEMBER 18, 2003

SUMMARY

Synopsis: Establishes Domestic Violence Fatality and Near Fatality Review Board in Department of Community Affairs.

Type of Impact: Increase in expenditures from the General Fund.

Agencies Affected: The Department of Community Affairs.

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Indeterminate	
State Revenue		Indeterminate	

- * The Office of Legislative Services (OLS) cannot provide a cost estimate for this bill and notes that the bill contains no appropriation for the operation of the board created by this bill. OLS notes that the board is charged in the bill with certain responsibilities such as: 1) implementing a Statewide public education campaign to promote awareness among the public and 2) conducting an annual Statewide domestic violence safety and accountability audit. OLS notes further that the cost of implementing these responsibilities cannot be determined.
- * This bill creates the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs (DCA). The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes, their relationship to government and nongovernment service delivery systems, and methods of preventing them.
- * The board may apply for and accept any grant money from the federal government, private foundations or other sources, which may be available for programs related to the prevention of domestic violence; and enter into contracts with individuals, organizations and institutions necessary for the performance of its duties. The cost associated with either contracting with or soliciting assistance from any outside party cannot be determined.
- * The bill also calls for the establishment of a "Panel to Study Domestic Violence in the Law Enforcement Community". This panel may also receive grants and other funds made available from any State and federal governmental, public, private, nonprofit or for-profit agency or program and may call to its assistance employees of any State, county or municipal

department or entity.

BILL DESCRIPTION

Senate Bill No. 1788 (1R) of 2002 establishes the Domestic Violence Fatality and Near Fatality Review Board in, but not of, the Department of Community Affairs. The purpose of the board is to review the facts and circumstances surrounding domestic violence-related fatalities and near fatalities in New Jersey in order to identify their causes and their relationship to government and nongovernment service delivery systems, and to develop methods of prevention. The bill also directs the Domestic Violence Fatality and Near Fatality Review Board to establish a Panel to Study Domestic Violence in the Law Enforcement Community. The purpose of the panel is to examine issues associated with incidents of domestic violence perpetrated by law enforcement officials and, as appropriate, specific cases; evaluate the responses of State and local agencies to incidents of domestic violence perpetrated by law enforcement officials; and develop strategies to prevent domestic violence-related fatalities and near fatalities among law enforcement officials and their families.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) is unable to provide a cost estimate to this bill because OLS has no information indicating the level of State funding that would be required to effectuate the purposes of the bill.

OLS notes that the Office on the Prevention of Violence Against Women in the Division on Women in the Department of Community Affairs (DCA) was established pursuant to Executive Order No. 61 of 1992. Executive Order No. 110 of 2000 established the "Domestic Violence Fatality Review Board" within the Office on the Prevention of Violence Against Women. Both of these Executive Orders will be codified by the enactment of this bill, by establishing permanently the Domestic Violence Fatality and Near Fatality Review Board in, but not of, DCA. In addition, the bill will expand the functions already being performed by the current board. In Fiscal Year 2003 the Office on the Prevention of Violence Against Women received a Direct State Services appropriation of \$200,000. Currently DCA funds the costs associated with implementing the two aforementioned Executive Orders by allocating resources from the department's "Prevention of Violence Against Women Fund"(PVAWF). Each year since 1997, the department has matched 25 percent of the grant funding it has received from the Federal "Violence Against Women Act"(VAWA). According to DCA, the history of the level of funding for this program is as follows: in 1997 the Federal VAWA grant award equaled \$75,000 and the department provided \$25,000 in matching aid, for a total program budget of \$100,000; in 1999 the Federal VAWA grant award equaled \$119,000 and the department provided \$39,667 in matching aid, for a total program budget of \$158,677; in 2000 the Federal VAWA grant award equaled \$125,000 and the department provided \$41,667 in matching aid, for a total program budget of \$166,667; in 2001 the Federal VAWA grant award equaled \$60,000 and the department provided \$15,000 in matching aid, for a total program budget of \$75,000. By

establishing the board by statute, this bill would permit the Department of Community Affairs to apply for additional Federal VAWA grants. However, OLS cannot provide an estimate as to how much additional grant aid would be procured by DCA as the result of the enactment of this bill.

Section: *Local Government*

Analyst: *Cindy Lombardi Hesper*
Lead Research Analyst

Approved: *Frank W. Haines III*
Assistant Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.