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ATTORNEY GENERAL ADMINISTRATIVE EXECUTIVE DIRECTIVE NO. 2022-10

TO: All Division Directors, Department of Law and Public Safety

FROM: Matthew J. Platkin, Acting Attorney General

DATE: September 23, 2022

SUBJECT: Directive Creating the Division of Violence Intervention and Victim Assistance

The United States is in the midst of a crisis of violence in the aftermath of the COVID-19 pandemic, and New Jersey has not been spared. This crisis takes many forms—shootings, acts of domestic violence and sexual violence, violence motivated by hate and bigotry and domestic terrorism, and violence involving youth, both as victims and victimizers. In many instances, this violence is cyclical, borne of the unhealed wounds and trauma that victims carry. While it impacts all New Jerseyans, vulnerable and marginalized communities bear the brunt. Communities with high rates of gun crimes, for example, experience a cascade of effects that extends beyond just the individual directly impacted: the whole community may experience the trauma, and physical, emotional and economic pain of an event. Violence, particularly in communities of color, stymies the economy and personal growth, hampers the trust of law enforcement that communities depend on, and deepens patterns of racial and gender injustice and inequity.

Research shows that past strategies have been insufficient in interrupting these cycles. These strategies fail to recognize that a victim today may be an offender in the future. Additionally, they may at times emphasize a law enforcement and prosecutorial approach at the expense of pursuing strategies that could prevent future crime. There is a clear and pressing need for a public health approach to public safety, one that promotes strategies that contain violence and reduce the risk factors associated with the likelihood of repeat violence and victimization. This approach begins both with victims and those likely to commit violent acts.

New Jersey has already begun to take such a different approach. The Administration of Governor Phil Murphy, in conjunction with the Department of Law and Public Safety (DLPS), has taken clear and forceful steps in this direction: it has led to an unprecedented increase in funding for anti-

violence initiatives and for victims—with the first funding in the state’s history for the Hospital Violence Intervention Program (HVIP), Community-Based Violence Intervention (CBVI) program, Trauma Recovery Centers, and the Youth Justice Hubs. Moreover, it has put the role of mental health in public safety at the fore through the ARRIVE Together (“Alternative Responses to Reduce Instances of Violence & Escalation”) initiative, which pairs a New Jersey State Trooper or municipal law enforcement officer, trained in crisis intervention and de-escalation techniques, with a mental health professional, to respond to 911 calls involving individuals experiencing a mental health crisis.

We need to build on this foundation and create the infrastructure for a more durable and restorative approach.

Through this Directive, the DLPS will create the Division of Violence Intervention and Victim Assistance (the Division, VIVA). VIVA will support the DLPS’s efforts in reducing violence across the State. It will strengthen trust between law enforcement and the communities they serve by incorporating a restorative and healing approach to public safety. It will advance a unified strategy by bringing together victim-related and violence intervention and prevention services that are currently dispersed throughout the DLPS. VIVA will be the DLPS’s lead entity in developing a community-based approach to public safety. This centralized organizational home will cement a public health approach to public safety, and put this work on par with that of other divisions in DLPS, including the Division of Criminal Justice.

Additionally, VIVA will:

1. Promote a trauma-informed approach in the provision of victim assistance and violence intervention and prevention services and in the formulation of policies by the DLPS.
2. Promote access to and deployment of services to vulnerable and hard-to-reach victim populations, and address the needs of more populations of victims than are currently served by the DLPS.
3. Assist the State in developing an infrastructure for victim assistance and violence intervention and prevention services, supporting the development of new initiatives and strategies, supporting community-based organizations that provide these services, setting goals and statewide strategy for the growth and standardization of services, leading community engagement, driving program accountability, and conducting oversight.
4. Serve as a resource center and hub of technical assistance and training for the State with respect to victim assistance and violence intervention and prevention services with the goal of improving access to available services, promoting awareness of available resources and models of services, expanding such services, and developing new preventative strategies.
5. Coordinate among, build partnerships between, and support initiatives involving law enforcement entities and victim assistance and violence intervention and prevention service providers to improve public health and public safety.

6. Serve as the DLPS's lead entity in assisting localities in the support of victims, survivors, and the community at large in the aftermath of a crime involving multiple victims such as a mass shooting, school shooting, or act of terrorism, and providing assistance to other governmental entities in their responses to such crimes. VIVA will also serve as a repository of resources to assist communities in preparing for such events.
7. Provide a structure and an outlet for community stakeholders, as well as crime survivors and justice-involved persons, to provide input and to bring forth their expertise and local knowledge for the purpose of improving services and influencing policymaking.
8. Support policies and practices that recognize the importance of cultural competency of those providing victim assistance and violence intervention and prevention services.
9. Promote policies and practices that encourage engaging the use of peer support, such as credible messengers, individuals with lived experience, and trauma survivors, in the provision of services.
10. Lead the Department's coordination with other state agencies and offices—including education, health, human services, mental health, juvenile justice, community affairs—that have key roles to play in violence prevention and intervention, so that promoting public safety is a systems-wide approach and a shared responsibility.

Pursuant to the authority granted to me under the New Jersey Constitution; the Law and Public Safety Act of 1948, N.J.S.A. 52:17B-1, *et seq.*, which provides for general responsibility of the DLPS's operations and the supervision of the organization of the DLPS; and the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97, *et seq.*, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State in order to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I have determined that the organization described herein is necessary for the efficient and effective operation of the DLPS's law enforcement functions and hereby direct all DLPS personnel to implement and comply with the following directives.

I. Division of Violence Intervention and Victim Assistance and

- A. ***Establishment.*** There is established in the Department of Law & Public Safety, the Division of Violence Intervention and Victim Assistance (the Division, or VIVA).
- B. ***Leadership of Division.*** The Division shall operate under the supervision of an Executive Director, who shall be appointed by and operate under the authority of the Attorney General. The Executive Director shall direct and supervise the work of the

Division and its constituent organizational units, and shall devote their entire time to the duties of the Division.

- C. ***Organization of Office.*** With the approval of the Attorney General, the Executive Director may organize the work of the Division into any offices or other organizational units as may be necessary for the efficient and effective operation of the Division. The Executive Director may delegate to employees in the Division and its constituent organizational units such powers as the Executive Director deems appropriate, to be exercised subject to the supervision and control of the Executive Director. The Attorney General shall assign to the Division such employees of the DLPS as may be necessary to assist the Executive Director in the performance of his, her, or their duties. The Attorney General may delegate duties to the Executive Director assigned to the Attorney General to assist the Division in fulfilling its purpose.
- D. ***Duties of the VIVA Executive Director.*** The Executive Director will set programmatic and policy vision of VIVA, manage performance and outcomes of VIVA offices, and identify funding, grant and legislative opportunities. The Executive Director will serve as the lead victim assistance and violence intervention and prevention point of contact, subject matter expert, and coordinator for the DLPS and the Office of Attorney General (OAG) or designate such person from VIVA to do the same. The Executive Director will develop and maintain strong working relationships with local, state, and federal partners, community stakeholders, the New Jersey Administrative Office of the Courts, the New Jersey County Prosecutor's Offices, law enforcement, as well as other organizational units and divisions within the DLPS and across State agencies. The Executive Director or his/her designee will coordinate or support training and outreach efforts by VIVA's constituent organizational units, and manage shared services among them, including research, training, policy support, management of programmatic and policy elements of grants, grant applications, technical assistance, and community outreach.
- E. ***Structure of Office.*** In addition to any offices or other organizational units established by the Executive Director pursuant to Section II.C of this Directive, the following constituent organizational units are hereby established in the Division, and shall operate under the general direction and supervision of the Executive Director, as illustrated in the Appendix to this Directive.
1. ***Victims of Crime Compensation Office.*** The Victims of Crime Compensation Office (VCCO) in the DLPS, originally established as the Victims of Crime Compensation Agency pursuant to P.L.1971, c.317 (C.52:4B-1 *et seq.*) and continued as the Victims of Crime Compensation Office pursuant to P.L.2007, c.95 (C.52:4B-3.2 *et al.*) and Reorganization Plan No. 001-2008, shall be administratively allocated to VIVA. The functions, duties, and responsibilities of VCCO shall continue unchanged. The Director of VCCO shall report to the

Executive Director of VIVA. Attorney General Executive Directive No. 2010-1 is hereby superseded.

2. **Office of Trial and Criminal Justice Process.** There is established an Office of Trial and Criminal Justice Process (OTCJP), which shall coordinate and set policy for crime victims as they navigate the criminal justice process in order to enhance access to services. OTCJP shall advise the New Jersey State Office of Victim Witness Advocacy (SOVWA) and the County Victim Witness Advocates (CVWA) entities operated by each of the 21 county prosecutor offices. SOVWA shall remain in and under the supervision of the Division of Criminal Justice. The Office of Victim-Witness Advocacy and CVWAs shall coordinate their functions with OTCJP and be subject to any practices and protocols applicable to the rights of crime victims as may be established by the Attorney General through OTCJP. OTCJP will set statewide policy, identify best practices and receive reports regarding performance and compliance with policies and rules for both SOVWA and the CVWAs. OTCJP will also develop policy for witnesses and victims of crime who are not currently served by SOVWA or the CVWAs. OTCJP will also identify best practices, set policies for informing and empowering crimes victims, advance restorative justice approaches, and coordinate with VIVA's organizational units regarding services affecting victims in the criminal justice process.
3. **Office of Victim Support and Assistance.** There is established an Office of Victim Support and Assistance (OVSA), which shall oversee the DLPS's victim-related services. OVSA will lead the DLPS's effort to make victim assistance a key strategy for a public health approach to public safety that prevents violence and revictimization. OVSA will provide strategy and resources to address the needs of victims of crimes, and, through such assistance, to intervene in violence and prevent repeat victimization. It will play a lead role in setting policy with respect to victims of crime and violence, including but not limited to victims of sexual assault, victims of domestic violence and intimate partner abuse, youth, victims of discrimination and bias-based crimes, and immigrant populations. For communities across the state that experience mass or multiple acts of violence or bias-based acts, it will serve as a repository of resources, information, best practices, and guidance, and will develop policies and partnerships to prevent such incidents. OVSA will identify, develop and prioritize polices and resources that are trauma-informed, and promote solutions that are supportive of healing and incorporate mental health services. OVSA will identify, develop recommendations on and set policies around different responses to crimes impacting the range of victim populations, including restorative justice approaches.
4. **Office of Violence Intervention and Prevention.** There is established an Office of Violence Intervention and Prevention (OVIP), which shall manage and oversee the DLPS's violence intervention and prevention work and grant making initiatives,

including its community-based violence intervention work, hospital-based violence intervention and prevention programs, and other similar programs. OVIP will be the lead entity within DLPS for the development of an infrastructure of violence intervention and prevention services and programs that will empower communities across the state to lead with a public health approach to public safety. A key focus will be developing the systems, structures and funding sources that will sustain this infrastructure and establish it as a consistent and dependable part of the State's public safety architecture. OVIP will lead the DLPS's violence intervention and prevention effort by: identifying best practices and evidence-based interventions; developing frameworks to advance this work; coordinating and building partnerships with law enforcement; developing and recommending new community-based initiatives, setting policy, advising community-based and other local entities on how to incorporate violence intervention strategies into their work; providing technical assistance to community-based violence intervention organizations and local and county entities; and securing funding for violence prevention and intervention work.

- F. ***Coordination with Division of Criminal Justice.*** The Division shall work closely with the Division of Criminal Justice to promote public safety, develop innovative strategies for preventing violence, and to safeguard the rights and interests of victims in the performance of public safety, law enforcement and prosecutorial functions.
- G. ***Sexual Assault Coordinating Council.*** The Executive Director or their designee shall serve as the Attorney General's designee on the Sexual Assault Nurse Examiner Coordinating Council established pursuant to N.J.S.A 52:4B-55.
- H. ***Access to Departmental Resources.*** The Division shall be authorized to call upon the expertise and assistance of every division, agency, office, bureau, and unit within the DLPS, in order to carry out its mission. Such entities are hereby required, to the extent not inconsistent with law, to cooperate with the Division and to provide such assistance as the Division may require to accomplish the purposes of this Directive.

II. Other Provisions

- A. ***Non-enforceability by third parties.*** This Directive is issued pursuant to the Attorney General's supervisory authority over the DLPS and the statutory authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice throughout the State. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.
- B. ***Severability.*** The provisions of this Directive shall be severable. If any phrase, clause, sentence or provision of this Directive is declared by a court of competent jurisdiction to be invalid, the validity of the remainder of the Directive shall not be affected.

- C. **Questions.** Any questions concerning the interpretation or implementation of this Directive shall be addressed to the Executive Director of VIVA, or their designee.
- D. **Effective date.** This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Attorney General.



Matthew J. Platkin
Acting Attorney General

ATTEST:



Jonathan S. Garelick
Chief of Staff
Assistant Attorney General

Dated: September 23, 2022