



Alliance for the Betterment of
Citizens with Disabilities

Empowering People: Providers Shaping Policies

Will the proposed New Jersey Justice Center for the Protection of Individuals with Intellectual and Developmental Disabilities violate the integration mandate of the ADA?¹

Law enforcement is charged with patrolling our communities, responding to crimes and needs, and apprehending criminals. As part of the community, law enforcement performs these duties for those citizens living in groups homes and supportive apartments and participating in programs under the purview of the Department of Human Services/Division of Developmental Disabilities.

One of two units proposed by the legislation creating the New Jersey Center for the Protection of Individuals with Intellectual and Developmental Disabilities (NJJC) would replace law enforcement and have jurisdiction over the investigation and prosecution of criminal offenses involving abuse, neglect and exploitation of adults with I/DD who reside in or are receiving services from a department program or facility.^{2 3 4} Unlike the New York Justice Center for the Protection of People with Special Needs (NYJC) which not only provides protective services to New Yorkers served by the Office of People with Developmental Disabilities, but to the Office of Mental Health, Office of Children and Families, Office of Addiction Services and Supports, Department of Health, and the State Education Department, the proposed NJJC bill will have jurisdiction only over the portion of the adult I/DD population receiving services from a NJ Division of Developmental Disabilities funded program or facility. To clarify, the proposed legislation would set up a separate system for investigating and prosecuting alleged crimes for the approximate 30,000-person subset of adults with I/DD from the over 9 million of New Jersey's citizens with and without special needs.

For generations the I/DD community has worked to dismantle the systemic and structural separation of people based on a diagnosis of I/DD. Admittedly, law enforcement can be inconsistent when working with marginalized populations; more exposure and education is needed. That said, is the solution proffered by the legislation an unnecessary segregation of a subset of adult citizens with I/DD?

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¹ <https://www.ada.gov/topics/community-integration/>

² Standing as a law enforcement agency was declared unconstitutional by the NYS Court of Appeals and subsequently removed from the NYJCs jurisdiction. At this point we do not know if NJJC bill version is different enough from NYJC to remain in the final version of the bill.

³ We assume that the NJJC jurisdiction includes individuals with IDD who are receiving services in the family home.

⁴ A significant number of adult citizens with I/DD do not receive services form DDD.