


# Why 80 percent of New Jersey's domestic violence cases are dismissed

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*Editor's note: This is the second piece in a Press series looking at the impact of domestic violence in South Jersey. [Read the first story here.](#)*

VINELAND — On any given day, Vineland Prosecutor Amanda Mazzoni expects she will see at least one domestic violence case come across her desk.

And odds are, that case will be dropped.

Eight in 10 municipal [domestic violence cases](#) in the state are dismissed, according to 2015 New Jersey Courts data. It's a statistic that has legal professionals rethinking how domestic violence cases are handled.

"It's not a great number. It's not a comfortable number," said Mazzoni.

The statistics hold true whether it's a case in Vineland or a national scandal like [NFL star Ray Rice's](#) assault of his then-fiancee in an Atlantic City casino elevator. Rice knocked Janay Palmer unconscious at Revel Casino Hotel in 2014. The assault was caught on surveillance cameras.

But the case never went to court. Instead, Rice was allowed entry into a pretrial-intervention program. He completed anger-management training, and charges were eventually dropped.

Controversy over Rice's deal spurred the New Jersey Supreme Court to form the Ad-Hoc Committee on Domestic Violence with judges, lawyers and victim advocates to review the state's handling of domestic violence cases.

The report came out in June with 30 recommendations for overhauling the legal system's response to violence. Some are being put into action, but there is still much work to be done.

## **Lack of evidence**

The dismissal rate for domestic violence cases is almost double the rate for other disorderly-persons offenses, according to the Ad-Hoc Committee report.

Prosecutors are often forced to rely on victim testimony, which Mazzoni said is the "biggest hurdle" in proceeding.

"A large majority of them come into court seeking to dismiss the charges," she said, although legally, they do not have that authority.

Mazzoni is impressive in court — stern and knowledgeable despite her years. Her emotions aren't written on her face, but the 29-year-old attorney's hands tell a different story. She gestures feverishly as she discusses the issues.

At the moment, she's frustrated.

Leaning forward in her chair in a small office in the back of the courtroom, she holds up two folders.

One, 2 inches thick, is for a drunken-driving case.

The other is for a domestic violence case. There are two sheets of paper in it.

On the front lines of domestic violence

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Vineland municipal prosecutor Amanda Mazzoni says the high dismissal rate for domestic violence cases is largely due to a lack of evidence. She and others on the local level are trying out new ideas to get victims and abusers the help they need without a conviction. April 3, 2017 (Craig Matthews / Staff Photographer)

Vineland municipal prosecutor Amanda Mazzoni says the high dismissal rate for domestic violence cases is largely due to a lack of evidence. She and others on the local level are trying out new ideas to get victims and abusers the help they need without a conviction. April 3, 2017 (Craig Matthews / Staff Photographer)

Vineland municipal prosecutor Amanda Mazzoni says the high dismissal rate for domestic violence cases is largely due to a lack of evidence. She and others on the local level are trying out new ideas to get victims and abusers the help they need without a conviction. April 3, 2017 (Craig Matthews / Staff Photographer)

Vineland municipal Prosecutor Amanda Mazzoni says the high dismissal rate for domestic violence cases is largely due to a lack of evidence. She and others on the front lines are trying out new ideas to get victims and abusers the help they need without a conviction.

Vineland municipal prosecutor Amanda Mazzoni, left, works with an unidentified woman, Monday March 6, 2017, during a court session. A study from the state Supreme Court identified the legal system failures for victims of domestic violence and made recommendations how they can be improved. Mazzoni is doing something innovative by offering to drop the charges if the abusers attend anger management.

Vineland prosecutor Amanda Mazzoni, right, is a regular fixture in the courtroom with cases involving domestic violence. Mazzoni has begun an innovative practice by offering to postpone a domestic violence court case in which she lacks evidence to prosecute until the offender is able to take an anger management class.

Vineland municipal prosecutor Amanda Mazzoni listens to Judge Nicholas Lacovara during a court session, Monday March 6, 2017. A study from the state Supreme Court identified the legal system failures for victims of domestic violence and made recommendations how they can be improved. Mazzoni is doing something innovative by offering to drop the charges if the abusers attend anger management.

Claudia Ratliff CEO of the Women's Center in Linwood Thursday March 3, 2017. (The Press of Atlantic City / Edward Lea Staff Photographer)

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Judge Cristen P. D'Arrigo reads the charges to Jeremiah Monell who made his first appearance in Cumberland County Court via video conference, Wednesday Jan 4, 2017, on charges of murdering his estranged wife, Tara O'Shea-Watson. Judge Cristen P. D'Arrigo presided over the case. (Dale Gerhard / Staff Photographer)

Judge Cristen P. D'Arrigo reads the charges as Jeremiah Monell made his first appearance in Cumberland County Court via video conference, Wednesday Jan 4, 2017, on charges of murdering his estranged wife, Tara O'Shea-Watson. (Dale Gerhard / Staff Photographer)

Jeremiah Monell made his first appearance in Cumberland County Court via video conference, Wednesday Jan 4, 2017, on charges of murdering his estranged wife, Tara O'Shea-Watson. Judge Cristen P. D'Arrigo presided over the case. (Dale Gerhard / Staff Photographer)

Court employees speak to relatives of Tara O'Shea-Watson before a scheduled court hearing for Jeremiah Monell on Monday at the Cumberland County Courthouse in Bridgeton.

Joseph McCoy, 43, attends his first appearance via video teleconference, Tuesday March 21, 2017, in front of Superior Court Judge Timothy Maguire, right, at the Atlantic County criminal courthouse in Mays Landing. McCoy is charged for the murder of Jacqueline Hoyle, 23, of Atlantic City.

Jacqueline Hoyle, left, was a friend and roommate of Keturah Foster, who has a child with one of Hoyle's brothers. She said the former Ocean City woman was a loyal friend with a healthy laugh who could make others laugh, too.

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Family members of Bessy Blanco attend the detention hearing for Jose B. Lopez, the man accused of killing Blanco, on Thursday in Mays Landing.

Jose B. Lopez, of Ventnor, faces 30 years in prison in the 2017 murder of Bessy Blanco.

Jose B. Lopez, of Ventnor, appears in court Thursday in Mays Landing for a detention hearing in the killing of Bessy Blanco.

**LOPEZ** Jose B. Lopez, of Ventnor, appears at the Atlantic County Criminal Court House in Mays Landing for a detention hearing, Thursday Feb. 23, 2016. He is charged in the stabbing death of Bessy Blanco, of Atlantic City and injuring Mark Richart, of Quakertown, Pennsylvania, last Saturday.

Family members of Bessy Blanco, of Atlantic City attend the detention hearing of Jose B. Lopez, of Ventnor, at the Atlantic County Criminal Court House in Mays Landing, Thursday Feb. 23, 2016. Lopez is charged in the stabbing death of Blanco, and injuring Mark Richart, of Quakertown, Pennsylvania, last Saturday.

Bessy Blanco was an assistant manager in housekeeping at Tropicana in Atlantic City who was loving and kind, said a co-worker. Blanco was the victim of a fatal stabbing Saturday night.

Bessy Blanco was a beautiful person inside and out, said a friend after her stabbing death Saturday night. A Ventnor man was arrested in her killing.

### **He-said, she-said**

Atlantic City police spokesman Sgt. Kevin Fair said officers are trained to handle domestic violence cases, but a lot more training comes from experience.

"Unfortunately, we do go to quite a few domestics, so each one is different," Fair said. "You're dealing with different people and different parties and different emotions, so you're always learning."

Atlantic City police respond to domestic situations on a daily basis. In 2014, 1,012 domestic violence cases were heard in Atlantic City municipal court.

Fair said police try their best to collect as much evidence as possible, but there are many factors at play when officers arrive to the scene of a domestic dispute.

"Obviously, if you're going to a domestic, you're already having parties that are agitated," he said. "We don't know what those emotions are when we're responding."

Police have to hear and document from both parties what happened.

The system seems to put police in a referee position. Fair said it's frustrating for police who respond to try to help domestic violence victims only to find out later the victim has returned to her situation.

"And we go through the paperwork and we get them a restraining order. And then we come to find out that the victim drops the restraining order and allows the suspect back into their home, back into their life," Fair said.

But relationships are tricky, he said.

"If you're in love, you're in love," Fair said.

### **Love or fear?**

Donna D'Andrea, a victim advocate from the Atlantic County Women's Center, said the prevailing emotion that leads to a domestic violence cycle isn't love.

"It's always about fear," she said.

Police need to do a better job of investigating domestic violence complaints so witness testimony isn't the sole evidence because, for some victims, testifying is not an option, she said.

"The victim is the one who knows her reality," D'Andrea said. "She knows what she has to be fearful of. The rest of us are just invited in for the moment."

She would like to see police gather the 911 call and witness testimony, take photos of injuries and detail the scene to which they respond.

D'Andrea cites former Atlantic County Prosecutor Jeffrey Blitz, who once told her, "Police should be preparing a domestic violence case the same way they're preparing a traffic case."

Months can go by before a victim of domestic violence will have to go to court for a case. In that time, victims may return to their abusers and decline to testify. For others, there is the shame of having to testify before a courtroom full of neighbors, she said.

One solution, according to the ad-hoc committee report, is to have separate days or dockets for domestic violence cases, as is done in Atlantic City and Hammonton.

Another is to equip victims with better resources. That's where D'Andrea comes in. She has been going to a different court almost every day for nearly 10 years to meet with victims and is able to refer them to support services including shelters, legal help and those offered by organizations other than the Women's Center.

### **Thinking outside the box**

About 43 percent of new domestic violence cases are heard in municipal court.

So it may be surprising that of all the legal professionals required to obtain training on the topic, municipal prosecutors are not among them.

Nicole Morella, of the New Jersey Coalition to End Domestic Violence, said the ad-hoc committee recognized this flaw.

A bill recently passed unanimously in the state Assembly would make this a requirement.

There also are several bills before the state Legislature to require more training for judges, judicial personnel, law-enforcement officers and assistant county prosecutors.

Morella said she knows it's not going to solve all the challenges, but it will make sure all the people who have their hands in the case are "speaking the same language."

Meanwhile, those on the front lines try to get help for victims and offenders any way they can.

In Vineland, in cases where she lacks evidence to prosecute, Mazzoni offers to postpone the case until the offender is able to take an anger-management class and provide certification. At that point, she offers to drop the charges.

The defendant isn't required to take the course but often accepts the offer.

Similarly, Judge Billie Moore in Atlantic City works with D'Andrea to require offenders to provide certification of anger-management class or a batterers intervention program before dismissing charges, even though that's not a legal requirement.

"It's my hope that I stop something in a situation where I legally can't," Mazzoni said. "A guilty plea does not stop domestic violence."

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