

# Temporary & Executed

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2021                    **CHAPTER:** 196

**NJSA:** Temporary & Executed (Creates two-year "Restorative and Transformative Justice for Youths and Communities Pilot Program" in Juvenile Justice Commission; appropriates \$4.2 million in FY 2022 and FY 2023. )

**BILL NO:** S2924                    (Substituted for A4663 (1R))

**SPONSOR(S)** Turner, Shirley K. and others

**DATE INTRODUCED:** 9/17/2020

**COMMITTEE:**                    **ASSEMBLY:** --

**SENATE:**                        Judiciary  
Budget & Appropriations

**AMENDED DURING PASSAGE:**                    Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** 6/24/2021

**SENATE:** 6/21/2021

**DATE OF APPROVAL:**                    8/11/2021

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (First Reprint enacted)                    Yes

#### **S2924**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):**                    Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:**                        Yes                    Judiciary  
Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    Yes

#### **A4663 (1R)**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):**                    Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes                    Law & Public Safety  
Appropriations

**SENATE:**                        No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

P.L. 2021, CHAPTER 196, *approved August 11, 2021*  
Senate, No. 2924 (*First Reprint*)

1 AN ACT creating a two-year restorative and transformative justice  
2 pilot program focused on reducing initial and repeat youth  
3 involvement with the youth justice system, and making an  
4 appropriation.

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

- 8  
9 1. The Legislature finds and declares that:
- 10 a. Currently, New Jersey's youth justice system has staggering  
11 racial justice disparities, high recidivism rates, and grossly  
12 underfunded community-based services;
- 13 b. New Jersey has the highest Black to white youth  
14 incarceration racial disparity rate in the country with a Black youth  
15 twenty-one times more likely to be detained or committed than a  
16 white youth, even though research shows that Black and white  
17 youth commit most offenses at similar rates;
- 18 c. New Jersey also has the fourth highest Latina-Latino to  
19 white youth incarceration disparity rate in the country;
- 20 d. The recidivism rates in New Jersey are devastating as well.  
21 Of the <sup>1</sup>~~377~~ 336<sup>1</sup> youth released from State juvenile facilities in  
22 <sup>1</sup>~~2014~~, 76.9 had a subsequent arrest or court filing, 58.9 percent  
23 had a subsequent adjudication or conviction, and almost one-fourth,  
24 23.9<sup>1</sup> 2015, over one quarter (28<sup>1</sup> percent<sup>1</sup>)<sup>1</sup>, were recommitted to  
25 a facility within three years of release;
- 26 e. Yet, despite these failures, New Jersey continues to finance  
27 its youth incarceration system at exorbitant cost. In <sup>1</sup>~~calendar~~  
28 fiscal<sup>1</sup> year <sup>1</sup>~~2020~~ 2021<sup>1</sup>, New Jersey <sup>1</sup>~~plans to~~ will<sup>1</sup> spend  
29 <sup>1</sup>~~\$300,000~~ \$445,504<sup>1</sup> to incarcerate each youth in a State secure  
30 juvenile facility managed and operated by the Juvenile Justice  
31 Commission <sup>1</sup>~~,~~ and projects the same expenditure in calendar year  
32 2021<sup>1</sup>;
- 33 f. While the State currently spends approximately <sup>1</sup>~~\$56~~ \$53<sup>1</sup>  
34 million a year to operate its three secure juvenile facilities, it only  
35 allocates around \$16 million to provide counties with funding for  
36 community-based youth programs;
- 37 g. The current public health crisis resulting from the  
38 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
39 19 pandemic, has further illustrated the failures of our youth justice  
40 system by detrimentally harming our impacted youth. As of

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

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 17, 2021.

1 '【August 20】 March 18<sup>1</sup> , '【2020】 2021<sup>1</sup> , according to the  
2 Juvenile Justice Commission, '【29】 92<sup>1</sup> youth and '【56】 221<sup>1</sup> staff  
3 in juvenile facilities have tested positive for the virus SARS-CoV-2  
4 which causes COVID-19; '【21】 54<sup>1</sup> of the '【29】 92<sup>1</sup> youth cases  
5 occurred at the New Jersey Training School, also known as  
6 Jamesburg, the State's largest secure facility for youthful males;

7 h. The Juvenile Justice Commission has taken several measures  
8 to mitigate the spread of the virus, including releasing  
9 approximately '【38】 90<sup>1</sup> incarcerated youth from its facilities 'as  
10 of November 4, 2020<sup>1</sup> . '【Should Senate Bill No. 2519, passed by  
11 the Senate on August 27, 2020, or its counterpart bill, Assembly  
12 Bill No. 4235, become law】 Since the enactment of P.L.2020,  
13 c.111<sup>1</sup> , more incarcerated youths '【would】 will<sup>1</sup> be released in an  
14 expedited fashion because their terms of incarceration '【would】  
15 will<sup>1</sup> be reduced based on awards of credits during the current  
16 declared public health emergency concerning the COVID-19  
17 pandemic;

18 i. As young people are released from facilities in response to  
19 the current pandemic, it is clear that the State must actively engage  
20 communities and properly fund services to reintegrate these youth  
21 back into their communities successfully;

22 j. The Juvenile Justice Commission and community  
23 stakeholders should also work together to create community-based  
24 public safety systems that 'support all young people as they return  
25 home from juvenile facilities and<sup>1</sup> divert young people away from  
26 the youth justice system in the first place;

27 k. Thus, the confluence of the COVID-19 pandemic with the  
28 on-going, fervent call for racial equality demands a fresh and  
29 immediate need to transform New Jersey's youth justice system. As  
30 an alternative to an overreliance on punishment, New Jersey needs a  
31 community-based system that embraces restorative and  
32 transformative justice practices and emphasizes physical,  
33 psychological and emotional safety and healing for youth, their  
34 families and communities;

35 l. Nationally, restorative justice and transformative justice  
36 programs and practices have been recognized as best practices in  
37 keeping young people out of the youth justice system and  
38 successfully reintegrating them into their home communities after  
39 being released from out-of-home placements;

40 m. Restorative justice is a system that brings victims,  
41 community members, and youth who have committed harm together  
42 to discuss the harm that was done and explore solutions to address  
43 the root cause of that harm. This system presents an alternate  
44 avenue for addressing harm and encourages active participation in  
45 the restorative process to facilitate stronger community  
46 relationships and community-driven public safety;

- 1 n. Transformative justice addresses conflicts and harms at the  
2 individual level, community level, and within broader social  
3 structures. Transformative justice works to build alternatives to our  
4 current systems and transform the conditions which help create acts  
5 of violence or make them possible;
- 6 o. Restorative justice and transformative justice offer two  
7 different perspectives of justice aimed at interpersonal and  
8 consensual resolutions, with transformative justice also  
9 incorporating systems-level change;
- 10 p. To sufficiently support young people being released from  
11 juvenile facilities in response to the current public health crisis, and  
12 to provide adequate resources <sup>1</sup>for all youth released from  
13 incarceration and<sup>1</sup> to prevent young people in New Jersey from  
14 entering the youth justice system in the first instance, New Jersey  
15 should explore, through a pilot program, the development of a  
16 comprehensive youth continuum of care based on restorative and  
17 transformative justice practices.

18

19 <sup>1</sup>2. As used in this act:

20 “Community conferencing” is a practice which addresses  
21 conflicts through a collective group session, consensual resolution,  
22 and decision-making processes to heal and repair harms.  
23 Community conferencing works for multiple types of conflicts  
24 involving the community, station house adjustments, juvenile court  
25 diversion, and reentry from youth incarceration.

26 “Peace circles” refer to a technique used to facilitate restorative  
27 conversations, conflict resolution strategies, and healing practices  
28 between youth, families, and community stakeholders.

29 “Restorative justice hubs” are physical spaces within the  
30 community where youth and families can heal, reconnect, and build  
31 healthy relationships in the community. The purpose of restorative  
32 justice hubs is to resolve local conflicts through dialogue instead of  
33 punitive measures. Restorative justice hubs shall provide services  
34 that: include peace circles and community conferencing; connect  
35 youth and families to the services and programs provided for in  
36 paragraphs (1) through (9) of subsection b. of section 3 of P.L. \_\_\_\_\_,  
37 c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending before the Legislature as this bill); and  
38 coordinate service delivery across the community, and by doing so,  
39 create and maintain equitable relationships and collaborations  
40 between the Juvenile Justice Commission, county youth services  
41 commissions, courts, public defenders, prosecutors, law  
42 enforcement, and any other appropriate entities or persons.<sup>1</sup>

43

44 <sup>1</sup>[2.] 3.<sup>1</sup> There is established in the Juvenile Justice  
45 Commission, created by section 2 of P.L.1995, c.284 (C.52:17B-  
46 170), a two-year pilot program, titled the “Restorative and  
47 Transformative Justice for Youths and Communities Pilot

1 Program.” The purpose of the pilot program is to develop  
2 innovative restorative and transformative justice continuums of care  
3 in four target cities that include two components: <sup>1</sup>restorative  
4 justice hubs and<sup>1</sup> community-based enhanced reentry wraparound  
5 services <sup>1</sup>**[and restorative justice hubs]**<sup>1</sup>. The pilot program shall be  
6 established in the municipalities of Camden, Newark, Paterson, and  
7 Trenton.

8 a. The first <sup>1</sup>component of the pilot program shall include  
9 restorative justice hubs. Each of the four pilot program  
10 municipalities shall have one restorative justice hub.

11 b. The second<sup>1</sup> component of the pilot program shall include  
12 community-based enhanced reentry wraparound services <sup>1</sup>to be  
13 provided within each restorative justice hub<sup>1</sup>. These services shall  
14 be designed as an emergency response for those young people being  
15 released from juvenile facilities due to the COVID-19 pandemic,  
16 and may also serve as a long-term program for all young people  
17 released from a facility. Community-based enhanced reentry  
18 wraparound services shall include, but not be limited to, the  
19 following services and supports:

- 20 (1) Mental health services;
- 21 (2) Substance use disorders treatment and recovery;
- 22 (3) Education support;
- 23 (4) Employment services;
- 24 (5) Housing support;
- 25 (6) Financial literacy and debt support services;
- 26 (7) Life skills support services; <sup>1</sup>**[and]**<sup>1</sup>
- 27 (8) Social support services <sup>1</sup>; and
- 28 (9) Preventative mentoring services<sup>1</sup>.

29 <sup>1</sup>**[b.** The second component of the pilot program shall include  
30 restorative justice hubs, which are physical spaces within the  
31 community where youth and families can heal, reconnect and build  
32 healthy relationships in the community. The purpose of restorative  
33 justice hubs is to resolve local conflicts through dialogue instead of  
34 punitive measures, connect youth and families to a variety of  
35 services and programs, and coordinate service delivery across the  
36 community, and by doing so create and maintain equitable  
37 relationships between the Juvenile Justice Commission, county  
38 youth services commissions, courts, State and municipal public  
39 defenders, prosecutors and law enforcement, and additionally,  
40 collaboration on public safety initiatives.]<sup>1</sup>

41 c. The goals of the pilot program shall be:

- 42 (1) To increase participation in education, vocational  
43 programming, and employment. Youth participants in the pilot  
44 program shall receive academic support, depending on personal  
45 development goals, and shall be connected to secondary schools,  
46 alternative schools, vocational schools, apprenticeship programs  
47 and colleges and universities. The program shall collaborate with

1 local community college's admissions and academic support  
2 programs, and offer workshops that include financial aid planning.  
3 Participants seeking employment shall be linked to vocational or  
4 job readiness training. The selected partner-providers participating  
5 in the pilot program shall be trained in and utilize evidence-based  
6 and evidence-informed practices with respect to the provision of  
7 their respective services;

8 (2) To increase participation in mental health and well-being  
9 programming. The program shall employ trauma-informed  
10 practices and connect youth to licensed outpatient mental health  
11 care facilities and professionals. The program shall create safe,  
12 caring environments to address physical health, mental health and  
13 substance use disorder conditions and facilitate healing for youth,  
14 families, and communities.

15 (3) To decrease incidents of harmful and unlawful behavior.  
16 The program shall work with youth to comply with their probation  
17 or parole plan, as applicable. Moreover, the program shall employ  
18 trauma-informed practices, violence reduction, and peacemaking  
19 supports and tools to address harmful and unlawful behavior;

20 (4) <sup>1</sup>To have restorative justice hubs establish working  
21 relationships with local law enforcement agencies, courts,  
22 prosecutors, and defense attorneys to support the diversion of youth  
23 away from arrests and prosecution and towards participation in  
24 restorative justice services provided in the hubs;

25 (5)<sup>1</sup> To improve the socioemotional and behavioral responses of  
26 youth within communities through the use of more appropriate, and  
27 less punitive, interventions, thereby establishing more restorative  
28 interventions; and

29 <sup>1</sup>~~[(5)]~~ (6)<sup>1</sup> To increase program participation rates in other  
30 restorative and transformative justice programs in the municipalities  
31 in which the pilot program is established.

32

33 <sup>1</sup>~~[(3.) 4.]~~<sup>1</sup> a. (1) The county youth services commissions for  
34 the counties in which the municipalities participating in the pilot  
35 program are located shall implement their existing request for  
36 proposal process in order to select service providers to develop and  
37 implement the program.

38 (2) <sup>1</sup>~~[(Persons and organizations)]~~ A restorative justice hub may  
39 have a single service provider or multiple service providers within  
40 one lead service provider.

41 (3) An individual organization<sup>1</sup> interested in <sup>1</sup>[(developing and  
42 implementing aspects of the program in a participating  
43 municipality] becoming a service provider at a restorative justice  
44 hub<sup>1</sup> shall submit a proposal using the existing request for proposal  
45 process to the appropriate youth services commission.

46 <sup>1</sup>(4) A lead organization partnering with other organizations  
47 which are interested in becoming service providers at a restorative

1 justice hub shall submit a joint proposal using the existing request  
2 for proposal process to the appropriate youth services commission.  
3 If selected, they shall jointly provide services at the restorative  
4 justice hub.<sup>1</sup>

5 b. All proposals shall include concrete measurements for  
6 success to assess the impact of the program and include outcomes  
7 related to positive youth development, reduction in harmful  
8 behavior, and community engagement.

9 c. In addition to the pilot program requirements set forth in  
10 subsections a. and b. of section <sup>1</sup>**[2 of this act]** 3 of P.L. \_\_\_\_\_, c.  
11 (C. \_\_\_\_\_) (pending before the Legislature as this bill)<sup>1</sup>, concerning  
12 mandatory components of <sup>1</sup>restorative justice hubs<sup>1</sup> enhanced  
13 reentry wraparound services <sup>1</sup>**[and restorative justice hubs]**<sup>1</sup>, a  
14 proposal may also include, and a youth services commission may  
15 consider and accept for the program, additional services and  
16 training that support the development and implementation of  
17 restorative justice and transformative justice practices in the  
18 participating municipalities.

19 d. Persons and organizations selected as service providers shall  
20 collaborate with the service providers of any education pilot  
21 programs operating in the participating municipalities during the  
22 time the pilot program established by this act is operating, in order  
23 to incorporate restorative justice and transformative justice  
24 practices within that education pilot program.

25 e. Person and organizations selected as service providers may  
26 seek additional monies from any public or private source to further  
27 advance the goals of the pilot program.

28 <sup>1</sup>f. Each service provider participating in the pilot program  
29 shall be required to undergo intensive training in restorative and  
30 transformative justice practices. A service provider may be exempt  
31 from this training requirement upon a satisfactory showing of proof  
32 of prior training in these practices which may include certificates of  
33 completion of training courses provided by trainers in restorative  
34 and transformative justice practices approved by the Juvenile  
35 Justice Commission. Service providers may use the monies  
36 awarded from the pilot program to finance this training.<sup>1</sup>

37  
38 <sup>1</sup>**[4.] 5.**<sup>1</sup> There is established within the General Fund a  
39 separate, temporary dedicated fund to be known as the “Restorative  
40 and Transformative Justice for Youths and Communities Pilot  
41 Program Fund,” to be held separate and apart from all other funds  
42 of the State. This fund shall be administered and the monies in the  
43 fund distributed by the Juvenile Justice Commission. From the  
44 monies appropriated under the category of juvenile <sup>1</sup>**[services]**  
45 grants-in-aid<sup>1</sup> for the Department of Law and Public Safety in State  
46 fiscal year <sup>1</sup>**[2021]** 2022<sup>1</sup> and State fiscal year <sup>1</sup>**[2022]** 2023<sup>1</sup>,  
47 <sup>1</sup>**[\$8,400,000]** \$4,200,000<sup>1</sup> in each fiscal year shall be credited to

1 this fund <sup>1</sup>for a total of \$8,400,000<sup>1</sup> , and these monies, and any  
2 interest or other income earned thereon, shall only be used for  
3 purposes associated with the pilot program established by this act.

4 a. (1) Notwithstanding the provisions of the “Administrative  
5 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the  
6 contrary, the Juvenile Justice Commission, <sup>1</sup>【shall,】 immediately  
7 upon filing with the Office of Administrative Law and<sup>1</sup> within  
8 <sup>1</sup>【30】 120<sup>1</sup> days of the effective date of this act, <sup>1</sup>【file proper notice  
9 with the Office of Administrative Law, and thereafter immediately】  
10 shall<sup>1</sup> adopt <sup>1</sup>such<sup>1</sup> rules and regulations <sup>1</sup>【prepared by】 as<sup>1</sup> the  
11 commission <sup>1</sup>deems<sup>1</sup> necessary or proper to <sup>1</sup>implement the  
12 provisions of this act including, but not limited to,<sup>1</sup> setting the  
13 terms and conditions of applying for grants paid for by monies in  
14 the fund, the distribution of those monies, and for publishing these  
15 terms and conditions on its official website. <sup>1</sup>【Following the  
16 adoption of the rules and regulations, the commission shall also  
17 schedule at least one public meeting in the north, central, and  
18 southern regions of the State】 The rules and regulations shall be  
19 effective during any interim period and may thereafter be amended,  
20 adopted, or readopted by the commission in accordance with the  
21 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-  
22 1 et seq.). The Juvenile Justice Commission also shall require: the  
23 Passaic County Youth Services Commission to schedule one public  
24 meeting in Paterson; the Essex County Youth Services Commission  
25 to schedule one public meeting in Newark; the Mercer County  
26 Youth Services Commission to schedule one public meeting in  
27 Trenton; and the Camden County Youth Services Commission to  
28 schedule one public meeting in Camden. These public meetings  
29 shall be held<sup>1</sup> to announce the pilot program, and inform the public  
30 of the adopted rules and regulations for grant applications and  
31 distributions.

32 (2) The initial rules and regulations adopted pursuant to  
33 paragraph (1) of this subsection shall be in effect for the duration of  
34 the two-year pilot program, unless the commission determines it is  
35 necessary to amend or repeal any initial rule or regulation, which it  
36 may do on an expedited basis immediately upon filing proper notice  
37 with the Office of Administrative Law, notwithstanding the  
38 provisions of the “Administrative Procedure Act,” P.L.1968, c.410  
39 (C.52:14B-1 et seq.), to the contrary.

40 b. The fund shall be used to provide grants to participating  
41 service providers selected by the county youth services  
42 commissions <sup>1</sup>through a competitive process<sup>1</sup> pursuant to section  
43 <sup>1</sup>【3 of this act】 4 of P.L. , c. (C. ) (pending before the  
44 Legislature as this bill)<sup>1</sup> to develop and implement the pilot  
45 program established by this act. Priority in distributing monies in  
46 the fund shall be given to service providers located in <sup>1</sup>【or

1 intending to work with youth from those municipalities  
2 participating in the pilot program with a higher rate of youth  
3 committed to a secure juvenile facility] the four pilot municipalities  
4 and to service providers whose employees are representative of the  
5 communities to be served by the pilot program. Monies in the fund  
6 used to provide grants to develop and implement the pilot program  
7 shall be allocated equally among the four county youth services  
8 commissions and distributed in accordance with rules and  
9 regulations adopted by the Juvenile Justice Commission<sup>1</sup> .

10 c. No more than <sup>1</sup>~~10~~ eight<sup>1</sup> percent of the monies in the fund  
11 shall be used <sup>1</sup>by the Juvenile Justice Commission<sup>1</sup> for  
12 administrative purposes <sup>1</sup>and no more than 15 percent of the monies  
13 in the fund shall be used by the county youth services commissions  
14 for administrative purposes<sup>1</sup> .

15 d. Monies in the fund administered and distributed by the  
16 Juvenile Justice Commission shall not replace any other funds  
17 administered and distributed by the commission, including those  
18 administered and distributed through the State/Community  
19 Partnership Grant Program established pursuant to P.L.1995, c.283  
20 (C.52:17B-179 et al.).

21 e. <sup>1</sup>The pilot program shall operate for a period of two years,  
22 exclusive of the time required to implement the grant application  
23 and award process, and to initiate the pilot program. To the extent  
24 necessary, funding distributed to the pilot program shall be carried  
25 forward and used for its purposes regardless of whether the funds  
26 are expended in the same fiscal year in which the funds were  
27 initially distributed.<sup>1</sup> At the conclusion of the two-year pilot  
28 program, any monies remaining in the fund shall be transferred to  
29 the Juvenile Justice Commission for use in administering the  
30 State/Community Partnership Grant Program established pursuant  
31 to P.L.1995, c.283 (C.52:17B-179 et al.), and funding grants  
32 distributed through that program.

33  
34 <sup>1</sup>~~5.~~ 6.<sup>1</sup> The Juvenile Justice Commission shall submit a  
35 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
36 (C.52:14-19.1), to the Legislature at the conclusion of the two-year  
37 pilot program, containing information on the development and  
38 implementation of the pilot program and the feasibility of  
39 expanding the program to other municipalities in the State. The  
40 report shall also include copies of any reports by service providers  
41 selected to develop and implement the pilot program by the county  
42 youth services commissions for the counties in which the  
43 municipalities participating in the pilot program are located  
44 pursuant to section 3 of this act.

45  
46 <sup>1</sup>~~6.~~ 7.<sup>1</sup> This act shall take effect immediately, and shall  
47 expire 30 days following the Juvenile Justice Commission's

**S2924 [1R]**

9

1 submission of the report to the Governor and Legislature as  
2 required by section 5 of this act.

3

4

5

6

7           \_\_\_\_\_

8           Creates two-year “Restorative and Transformative Justice for  
9 Youths and Communities Pilot Program” in Juvenile Justice  
Commission; appropriates \$4.2 million in FY 2022 and FY 2023.

## CHAPTER 196

**AN ACT** creating a two-year restorative and transformative justice pilot program focused on reducing initial and repeat youth involvement with the youth justice system, and making an appropriation.

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

1. The Legislature finds and declares that:
  - a. Currently, New Jersey's youth justice system has staggering racial justice disparities, high recidivism rates, and grossly underfunded community-based services;
  - b. New Jersey has the highest Black to white youth incarceration racial disparity rate in the country with a Black youth twenty-one times more likely to be detained or committed than a white youth, even though research shows that Black and white youth commit most offenses at similar rates;
  - c. New Jersey also has the fourth highest Latina-Latino to white youth incarceration disparity rate in the country;
  - d. The recidivism rates in New Jersey are devastating as well. Of the 336 youth released from State juvenile facilities in 2015, over one quarter (28 percent), were recommitted to a facility within three years of release;
  - e. Yet, despite these failures, New Jersey continues to finance its youth incarceration system at exorbitant cost. In fiscal year 2021, New Jersey will spend \$445,504 to incarcerate each youth in a State secure juvenile facility managed and operated by the Juvenile Justice Commission;
  - f. While the State currently spends approximately \$53 million a year to operate its three secure juvenile facilities, it only allocates around \$16 million to provide counties with funding for community-based youth programs;
  - g. The current public health crisis resulting from the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, has further illustrated the failures of our youth justice system by detrimentally harming our impacted youth. As of March 18, 2021, according to the Juvenile Justice Commission, 92 youth and 221 staff in juvenile facilities have tested positive for the virus SARS-CoV-2 which causes COVID-19; 54 of the 92 youth cases occurred at the New Jersey Training School, also known as Jamesburg, the State's largest secure facility for youthful males;
  - h. The Juvenile Justice Commission has taken several measures to mitigate the spread of the virus, including releasing approximately 90 incarcerated youth from its facilities as of November 4, 2020. Since the enactment of P.L.2020, c.111, more incarcerated youths will be released in an expedited fashion because their terms of incarceration will be reduced based on awards of credits during the current declared public health emergency concerning the COVID-19 pandemic;
  - i. As young people are released from facilities in response to the current pandemic, it is clear that the State must actively engage communities and properly fund services to reintegrate these youth back into their communities successfully;
  - j. The Juvenile Justice Commission and community stakeholders should also work together to create community-based public safety systems that support all young people as they return home from juvenile facilities and divert young people away from the youth justice system in the first place;
  - k. Thus, the confluence of the COVID-19 pandemic with the on-going, fervent call for racial equality demands a fresh and immediate need to transform New Jersey's youth justice system. As an alternative to an overreliance on punishment, New Jersey needs a community-

based system that embraces restorative and transformative justice practices and emphasizes physical, psychological and emotional safety and healing for youth, their families and communities;

l. Nationally, restorative justice and transformative justice programs and practices have been recognized as best practices in keeping young people out of the youth justice system and successfully reintegrating them into their home communities after being released from out-of-home placements;

m. Restorative justice is a system that brings victims, community members, and youth who have committed harm together to discuss the harm that was done and explore solutions to address the root cause of that harm. This system presents an alternate avenue for addressing harm and encourages active participation in the restorative process to facilitate stronger community relationships and community-driven public safety;

n. Transformative justice addresses conflicts and harms at the individual level, community level, and within broader social structures. Transformative justice works to build alternatives to our current systems and transform the conditions which help create acts of violence or make them possible;

o. Restorative justice and transformative justice offer two different perspectives of justice aimed at interpersonal and consensual resolutions, with transformative justice also incorporating systems-level change;

p. To sufficiently support young people being released from juvenile facilities in response to the current public health crisis, and to provide adequate resources for all youth released from incarceration and to prevent young people in New Jersey from entering the youth justice system in the first instance, New Jersey should explore, through a pilot program, the development of a comprehensive youth continuum of care based on restorative and transformative justice practices.

2. As used in this act:

“Community conferencing” is a practice which addresses conflicts through a collective group session, consensual resolution, and decision-making processes to heal and repair harms. Community conferencing works for multiple types of conflicts involving the community, station house adjustments, juvenile court diversion, and reentry from youth incarceration.

“Peace circles” refer to a technique used to facilitate restorative conversations, conflict resolution strategies, and healing practices between youth, families, and community stakeholders.

“Restorative justice hubs” are physical spaces within the community where youth and families can heal, reconnect, and build healthy relationships in the community. The purpose of restorative justice hubs is to resolve local conflicts through dialogue instead of punitive measures. Restorative justice hubs shall provide services that: include peace circles and community conferencing; connect youth and families to the services and programs provided for in paragraphs (1) through (9) of subsection b. of section 3 of P.L.2021, c.196; and coordinate service delivery across the community, and by doing so, create and maintain equitable relationships and collaborations between the Juvenile Justice Commission, county youth services commissions, courts, public defenders, prosecutors, law enforcement, and any other appropriate entities or persons.

3. There is established in the Juvenile Justice Commission, created by section 2 of P.L.1995, c.284 (C.52:17B-170), a two-year pilot program, titled the “Restorative and

Transformative Justice for Youths and Communities Pilot Program.” The purpose of the pilot program is to develop innovative restorative and transformative justice continuums of care in four target cities that include two components: restorative justice hubs and community-based enhanced reentry wraparound services. The pilot program shall be established in the municipalities of Camden, Newark, Paterson, and Trenton.

a. The first component of the pilot program shall include restorative justice hubs. Each of the four pilot program municipalities shall have one restorative justice hub.

b. The second component of the pilot program shall include community-based enhanced reentry wraparound services to be provided within each restorative justice hub. These services shall be designed as an emergency response for those young people being released from juvenile facilities due to the COVID-19 pandemic, and may also serve as a long-term program for all young people released from a facility. Community-based enhanced reentry wraparound services shall include, but not be limited to, the following services and supports:

- (1) Mental health services;
- (2) Substance use disorders treatment and recovery;
- (3) Education support;
- (4) Employment services;
- (5) Housing support;
- (6) Financial literacy and debt support services;
- (7) Life skills support services;
- (8) Social support services; and
- (9) Preventative mentoring services.

c. The goals of the pilot program shall be:

(1) To increase participation in education, vocational programming, and employment. Youth participants in the pilot program shall receive academic support, depending on personal development goals, and shall be connected to secondary schools, alternative schools, vocational schools, apprenticeship programs and colleges and universities. The program shall collaborate with local community college’s admissions and academic support programs, and offer workshops that include financial aid planning. Participants seeking employment shall be linked to vocational or job readiness training. The selected partner-providers participating in the pilot program shall be trained in and utilize evidence-based and evidence-informed practices with respect to the provision of their respective services;

(2) To increase participation in mental health and well-being programming. The program shall employ trauma-informed practices and connect youth to licensed outpatient mental health care facilities and professionals. The program shall create safe, caring environments to address physical health, mental health and substance use disorder conditions and facilitate healing for youth, families, and communities;

(3) To decrease incidents of harmful and unlawful behavior. The program shall work with youth to comply with their probation or parole plan, as applicable. Moreover, the program shall employ trauma-informed practices, violence reduction, and peacemaking supports and tools to address harmful and unlawful behavior;

(4) To have restorative justice hubs establish working relationships with local law enforcement agencies, courts, prosecutors, and defense attorneys to support the diversion of youth away from arrests and prosecution and towards participation in restorative justice services provided in the hubs;

(5) To improve the socioemotional and behavioral responses of youth within communities through the use of more appropriate, and less punitive, interventions, thereby establishing more restorative interventions; and

(6) To increase program participation rates in other restorative and transformative justice programs in the municipalities in which the pilot program is established.

4. a. (1) The county youth services commissions for the counties in which the municipalities participating in the pilot program are located shall implement their existing request for proposal process in order to select service providers to develop and implement the program.

(2) A restorative justice hub may have a single service provider or multiple service providers within one lead service provider.

(3) An individual organization interested in becoming a service provider at a restorative justice hub shall submit a proposal using the existing request for proposal process to the appropriate youth services commission.

(4) A lead organization partnering with other organizations which are interested in becoming service providers at a restorative justice hub shall submit a joint proposal using the existing request for proposal process to the appropriate youth services commission. If selected, they shall jointly provide services at the restorative justice hub.

b. All proposals shall include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement.

c. In addition to the pilot program requirements set forth in subsections a. and b. of section 3 of P.L.2021, c.196, concerning mandatory components of restorative justice hubs enhanced reentry wraparound services, a proposal may also include, and a youth services commission may consider and accept for the program, additional services and training that support the development and implementation of restorative justice and transformative justice practices in the participating municipalities.

d. Persons and organizations selected as service providers shall collaborate with the service providers of any education pilot programs operating in the participating municipalities during the time the pilot program established by this act is operating, in order to incorporate restorative justice and transformative justice practices within that education pilot program.

e. Persons and organizations selected as service providers may seek additional monies from any public or private source to further advance the goals of the pilot program.

f. Each service provider participating in the pilot program shall be required to undergo intensive training in restorative and transformative justice practices. A service provider may be exempt from this training requirement upon a satisfactory showing of proof of prior training in these practices which may include certificates of completion of training courses provided by trainers in restorative and transformative justice practices approved by the Juvenile Justice Commission. Service providers may use the monies awarded from the pilot program to finance this training.

5. There is established within the General Fund a separate, temporary dedicated fund to be known as the "Restorative and Transformative Justice for Youths and Communities Pilot Program Fund," to be held separate and apart from all other funds of the State. This fund shall be administered and the monies in the fund distributed by the Juvenile Justice Commission. From the monies appropriated under the category of juvenile grants-in-aid for the Department of Law and Public Safety in State fiscal year 2022 and State fiscal year 2023, \$4,200,000 in each fiscal year shall be credited to this fund for a total of \$8,400,000, and

these monies, and any interest or other income earned thereon, shall only be used for purposes associated with the pilot program established by this act.

a. (1) Notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the Juvenile Justice Commission, immediately upon filing with the Office of Administrative Law and within 120 days of the effective date of this act, shall adopt such rules and regulations as the commission deems necessary or proper to implement the provisions of this act including, but not limited to, setting the terms and conditions of applying for grants paid for by monies in the fund, the distribution of those monies, and for publishing these terms and conditions on its official website. The rules and regulations shall be effective during any interim period and may thereafter be amended, adopted, or readopted by the commission in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The Juvenile Justice Commission also shall require: the Passaic County Youth Services Commission to schedule one public meeting in Paterson; the Essex County Youth Services Commission to schedule one public meeting in Newark; the Mercer County Youth Services Commission to schedule one public meeting in Trenton; and the Camden County Youth Services Commission to schedule one public meeting in Camden. These public meetings shall be held to announce the pilot program, and inform the public of the adopted rules and regulations for grant applications and distributions.

(2) The initial rules and regulations adopted pursuant to paragraph (1) of this subsection shall be in effect for the duration of the two-year pilot program, unless the commission determines it is necessary to amend or repeal any initial rule or regulation, which it may do on an expedited basis immediately upon filing proper notice with the Office of Administrative Law, notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary.

b. The fund shall be used to provide grants to participating service providers selected by the county youth services commissions through a competitive process pursuant to section 4 of P.L.2021, c.196 to develop and implement the pilot program established by this act. Priority in distributing monies in the fund shall be given to service providers located in the four pilot municipalities and to service providers whose employees are representative of the communities to be served by the pilot program. Monies in the fund used to provide grants to develop and implement the pilot program shall be allocated equally among the four county youth services commissions and distributed in accordance with rules and regulations adopted by the Juvenile Justice Commission.

c. No more than eight percent of the monies in the fund shall be used by the Juvenile Justice Commission for administrative purposes and no more than 15 percent of the monies in the fund shall be used by the county youth services commissions for administrative purposes.

d. Monies in the fund administered and distributed by the Juvenile Justice Commission shall not replace any other funds administered and distributed by the commission, including those administered and distributed through the State/Community Partnership Grant Program established pursuant to P.L.1995, c.283 (C.52:17B-179 et al.).

e. The pilot program shall operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program. To the extent necessary, funding distributed to the pilot program shall be carried forward and used for its purposes regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed. At the conclusion of the two-year pilot program, any monies remaining in the fund shall be transferred to the Juvenile Justice

Commission for use in administering the State/Community Partnership Grant Program established pursuant to P.L.1995, c.283 (C.52:17B-179 et al.), and funding grants distributed through that program.

6. The Juvenile Justice Commission shall submit a report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature at the conclusion of the two-year pilot program, containing information on the development and implementation of the pilot program and the feasibility of expanding the program to other municipalities in the State. The report shall also include copies of any reports by service providers selected to develop and implement the pilot program by the county youth services commissions for the counties in which the municipalities participating in the pilot program are located pursuant to section 3 of this act.

7. This act shall take effect immediately, and shall expire 30 days following the Juvenile Justice Commission's submission of the report to the Governor and Legislature as required by section 5 of this act.

Approved August 11, 2021.

# SENATE, No. 2924

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senators Ruiz, Cruz-Perez, Scutari and Diegnan**

**SYNOPSIS**

Creates two-year “Restorative and Transformative Justice for Youths and Communities Pilot Program” in Juvenile Justice Commission focused on reducing youth involvement with youth justice system; appropriates \$8.4 million in FY 2021 and FY 2022.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/11/2021)**

1 AN ACT creating a two-year restorative and transformative justice  
2 pilot program focused on reducing initial and repeat youth  
3 involvement with the youth justice system, and making an  
4 appropriation.

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

8  
9 1. The Legislature finds and declares that:

10 a. Currently, New Jersey's youth justice system has staggering  
11 racial justice disparities, high recidivism rates, and grossly  
12 underfunded community-based services;

13 b. New Jersey has the highest Black to white youth  
14 incarceration racial disparity rate in the country with a Black youth  
15 twenty-one times more likely to be detained or committed than a  
16 white youth, even though research shows that Black and white  
17 youth commit most offenses at similar rates;

18 c. New Jersey also has the fourth highest Latina-Latino to  
19 white youth incarceration disparity rate in the country;

20 d. The recidivism rates in New Jersey are devastating as well.  
21 Of the 377 youth released from State juvenile facilities in 2014,  
22 76.9 percent had a subsequent arrest or court filing, 58.9 percent  
23 had a subsequent adjudication or conviction, and almost one-fourth,  
24 23.9 percent, were recommitted to a facility within three years of  
25 release;

26 e. Yet, despite these failures, New Jersey continues to finance  
27 its youth incarceration system at exorbitant cost. In calendar year  
28 2020, New Jersey plans to spend \$300,000 to incarcerate each youth  
29 in a State secure juvenile facility managed and operated by the  
30 Juvenile Justice Commission, and projects the same expenditure in  
31 calendar year 2021;

32 f. While the State currently spends approximately \$56 million  
33 a year to operate its three secure juvenile facilities, it only allocates  
34 around \$16 million to provide counties with funding for  
35 community-based youth programs;

36 g. The current public health crisis resulting from the  
37 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
38 19 pandemic, has further illustrated the failures of our youth justice  
39 system by detrimentally harming our impacted youth. As of August  
40 20, 2020, according to the Juvenile Justice Commission, 29 youth  
41 and 56 staff in juvenile facilities have tested positive for the virus  
42 SARS-CoV-2 which causes COVID-19; 21 of the 29 youth cases  
43 occurred at the New Jersey Training School, also known as  
44 Jamesburg, the State's largest secure facility for youthful males;

45 h. The Juvenile Justice Commission has taken several measures  
46 to mitigate the spread of the virus, including releasing  
47 approximately 38 incarcerated youth from its facilities. Should  
48 Senate Bill No. 2519, passed by the Senate on August 27, 2020, or

- 1 its counterpart bill, Assembly Bill No. 4235, become law, more  
2 incarcerated youths would be released in an expedited fashion  
3 because their terms of incarceration would be reduced based on  
4 awards of credits during the current declared public health  
5 emergency concerning the COVID-19 pandemic;
- 6 i. As young people are released from facilities in response to  
7 the current pandemic, it is clear that the State must actively engage  
8 communities and properly fund services to reintegrate these youth  
9 back into their communities successfully;
- 10 j. The Juvenile Justice Commission and community  
11 stakeholders should also work together to create community-based  
12 public safety systems that divert young people away from the youth  
13 justice system in the first place;
- 14 k. Thus, the confluence of the COVID-19 pandemic with the  
15 on-going, fervent call for racial equality demands a fresh and  
16 immediate need to transform New Jersey's youth justice system. As  
17 an alternative to an overreliance on punishment, New Jersey needs a  
18 community-based system that embraces restorative and  
19 transformative justice practices and emphasizes physical,  
20 psychological and emotional safety and healing for youth, their  
21 families and communities;
- 22 l. Nationally, restorative justice and transformative justice  
23 programs and practices have been recognized as best practices in  
24 keeping young people out of the youth justice system and  
25 successfully reintegrating them into their home communities after  
26 being released from out-of-home placements;
- 27 m. Restorative justice is a system that brings victims,  
28 community members, and youth who have committed harm together  
29 to discuss the harm that was done and explore solutions to address  
30 the root cause of that harm. This system presents an alternate  
31 avenue for addressing harm and encourages active participation in  
32 the restorative process to facilitate stronger community  
33 relationships and community-driven public safety;
- 34 n. Transformative justice addresses conflicts and harms at the  
35 individual level, community level, and within broader social  
36 structures. Transformative justice works to build alternatives to our  
37 current systems and transform the conditions which help create acts  
38 of violence or make them possible;
- 39 o. Restorative justice and transformative justice offer two  
40 different perspectives of justice aimed at interpersonal and  
41 consensual resolutions, with transformative justice also  
42 incorporating systems-level change;
- 43 p. To sufficiently support young people being released from  
44 juvenile facilities in response to the current public health crisis, and  
45 to provide adequate resources to prevent young people in New  
46 Jersey from entering the youth justice system in the first instance,  
47 New Jersey should explore, through a pilot program, the

1 development of a comprehensive youth continuum of care based on  
2 restorative and transformative justice practices.

3  
4 2. There is established in the Juvenile Justice Commission,  
5 created by section 2 of P.L.1995, c.284 (C.52:17B-170), a two-year  
6 pilot program, titled the “Restorative and Transformative Justice for  
7 Youths and Communities Pilot Program.” The purpose of the pilot  
8 program is to develop innovative restorative and transformative  
9 justice continuums of care in four target cities that include two  
10 components: community-based enhanced reentry wraparound  
11 services and restorative justice hubs. The pilot program shall be  
12 established in the municipalities of Camden, Newark, Paterson, and  
13 Trenton.

14 a. The first component of the pilot program shall include  
15 community-based enhanced reentry wraparound services. These  
16 services shall be designed as an emergency response for those  
17 young people being released from juvenile facilities due to the  
18 COVID-19 pandemic, and may also serve as a long-term program  
19 for all young people released from a facility. Community-based  
20 enhanced reentry wraparound services shall include, but not be  
21 limited to, the following services and supports:

- 22 (1) Mental health services;
- 23 (2) Substance use disorders treatment and recovery;
- 24 (3) Education support;
- 25 (4) Employment services;
- 26 (5) Housing support;
- 27 (6) Financial literacy and debt support services;
- 28 (7) Life skills support services; and
- 29 (8) Social support services.

30 b. The second component of the pilot program shall include  
31 restorative justice hubs, which are physical spaces within the  
32 community where youth and families can heal, reconnect and build  
33 healthy relationships in the community. The purpose of restorative  
34 justice hubs is to resolve local conflicts through dialogue instead of  
35 punitive measures, connect youth and families to a variety of  
36 services and programs, and coordinate service delivery across the  
37 community, and by doing so create and maintain equitable  
38 relationships between the Juvenile Justice Commission, county  
39 youth services commissions, courts, State and municipal public  
40 defenders, prosecutors and law enforcement, and additionally,  
41 collaboration on public safety initiatives.

42 c. The goals of the pilot program shall be:

- 43 (1) To increase participation in education, vocational  
44 programming, and employment. Youth participants in the pilot  
45 program shall receive academic support, depending on personal  
46 development goals, and shall be connected to secondary schools,  
47 alternative schools, vocational schools, apprenticeship programs  
48 and colleges and universities. The program shall collaborate with

1 local community college's admissions and academic support  
2 programs, and offer workshops that include financial aid planning.  
3 Participants seeking employment shall be linked to vocational or  
4 job readiness training. The selected partner-providers participating  
5 in the pilot program shall be trained in and utilize evidence-based  
6 and evidence-informed practices with respect to the provision of  
7 their respective services;

8 (2) To increase participation in mental health and well-being  
9 programming. The program shall employ trauma-informed  
10 practices and connect youth to licensed outpatient mental health  
11 care facilities and professionals. The program shall create safe,  
12 caring environments to address physical health, mental health and  
13 substance use disorder conditions and facilitate healing for youth,  
14 families, and communities.

15 (3) To decrease incidents of harmful and unlawful behavior.  
16 The program shall work with youth to comply with their probation  
17 or parole plan, as applicable. Moreover, the program shall employ  
18 trauma-informed practices, violence reduction, and peacemaking  
19 supports and tools to address harmful and unlawful behavior;

20 (4) To improve the socioemotional and behavioral responses of  
21 youth within communities through the use of more appropriate, and  
22 less punitive, interventions, thereby establishing more restorative  
23 interventions; and

24 (5) To increase program participation rates in other restorative  
25 and transformative justice programs in the municipalities in which  
26 the pilot program is established.

27  
28 3. a. (1) The county youth services commissions for the  
29 counties in which the municipalities participating in the pilot  
30 program are located shall implement their existing request for  
31 proposal process in order to select service providers to develop and  
32 implement the program.

33 (2) Persons and organizations interested in developing and  
34 implementing aspects of the program in a participating municipality  
35 shall submit a proposal using the existing request for proposal  
36 process to the appropriate youth services commission.

37 b. All proposals shall include concrete measurements for  
38 success to assess the impact of the program and include outcomes  
39 related to positive youth development, reduction in harmful  
40 behavior, and community engagement.

41 c. In addition to the pilot program requirements set forth in  
42 subsections a. and b. of section 2 of this act, concerning mandatory  
43 components of enhanced reentry wraparound services and  
44 restorative justice hubs, a proposal may also include, and a youth  
45 services commission may consider and accept for the program,  
46 additional services and training that support the development and  
47 implementation of restorative justice and transformative justice  
48 practices in the participating municipalities.

1 d. Persons and organizations selected as service providers shall  
2 collaborate with the service providers of any education pilot  
3 programs operating in the participating municipalities during the  
4 time the pilot program established by this act is operating, in order  
5 to incorporate restorative justice and transformative justice  
6 practices within that education pilot program.

7 e. Person and organizations selected as service providers may  
8 seek additional monies from any public or private source to further  
9 advance the goals of the pilot program.

10

11 4. There is established within the General Fund a separate,  
12 temporary dedicated fund to be known as the “Restorative and  
13 Transformative Justice for Youths and Communities Pilot Program  
14 Fund,” to be held separate and apart from all other funds of the  
15 State. This fund shall be administered and the monies in the fund  
16 distributed by the Juvenile Justice Commission. From the monies  
17 appropriated under the category of juvenile services for the  
18 Department of Law and Public Safety in State fiscal year 2021 and  
19 State fiscal year 2022, \$8,400,000 in each fiscal year shall be  
20 credited to this fund, and these monies, and any interest or other  
21 income earned thereon, shall only be used for purposes associated  
22 with the pilot program established by this act.

23 a. (1) Notwithstanding the provisions of the “Administrative  
24 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the  
25 contrary, the Juvenile Justice Commission, shall, within 30 days of  
26 the effective date of this act, file proper notice with the Office of  
27 Administrative Law, and thereafter immediately adopt rules and  
28 regulations prepared by the commission necessary or proper to  
29 setting the terms and conditions of applying for grants paid for by  
30 monies in the fund, the distribution of those monies, and for  
31 publishing these terms and conditions on its official website.  
32 Following the adoption of the rules and regulations, the commission  
33 shall also schedule at least one public meeting in the north, central,  
34 and southern regions of the State to announce the pilot program,  
35 and inform the public of the adopted rules and regulations for grant  
36 applications and distributions.

37 (2) The initial rules and regulations adopted pursuant to  
38 paragraph (1) of this subsection shall be in effect for the duration of  
39 the two-year pilot program, unless the commission determines it is  
40 necessary to amend or repeal any initial rule or regulation, which it  
41 may do on an expedited basis immediately upon filing proper notice  
42 with the Office of Administrative Law, notwithstanding the  
43 provisions of the “Administrative Procedure Act,” P.L.1968, c.410  
44 (C.52:14B-1 et seq.), to the contrary.

45 b. The fund shall be used to provide grants to participating  
46 service providers selected by the county youth services  
47 commissions pursuant to section 3 of this act to develop and  
48 implement the pilot program established by this act. Priority in

1 distributing monies in the fund shall be given to service providers  
2 located in or intending to work with youth from those  
3 municipalities participating in the pilot program with a higher rate  
4 of youth committed to a secure juvenile facility.

5 c. No more than 10 percent of the monies in the fund shall be  
6 used for administrative purposes.

7 d. Monies in the fund administered and distributed by the  
8 Juvenile Justice Commission shall not replace any other funds  
9 administered and distributed by the commission, including those  
10 administered and distributed through the State/Community  
11 Partnership Grant Program established pursuant to P.L.1995, c.283  
12 (C.52:17B-179 et al.).

13 e. At the conclusion of the two-year pilot program, any monies  
14 remaining in the fund shall be transferred to the Juvenile Justice  
15 Commission for use in administering the State/Community  
16 Partnership Grant Program established pursuant to P.L.1995, c.283  
17 (C.52:17B-179 et al.), and funding grants distributed through that  
18 program.

19  
20 5. The Juvenile Justice Commission shall submit a report to the  
21 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-  
22 19.1), to the Legislature at the conclusion of the two-year pilot  
23 program, containing information on the development and  
24 implementation of the pilot program and the feasibility of  
25 expanding the program to other municipalities in the State. The  
26 report shall also include copies of any reports by service providers  
27 selected to develop and implement the pilot program by the county  
28 youth services commissions for the counties in which the  
29 municipalities participating in the pilot program are located  
30 pursuant to section 3 of this act.

31  
32 6. This act shall take effect immediately, and shall expire 30  
33 days following the Juvenile Justice Commission's submission of the  
34 report to the Governor and Legislature as required by section 5 of  
35 this act.

36  
37  
38 STATEMENT

39  
40 This bill would establish a two-year pilot program in the Juvenile  
41 Justice Commission, which would assist with the reintegration of  
42 youths released from juvenile facilities to prevent repeated  
43 involvement with the youth justice system and to help youths avoid  
44 any initial involvement with such system; the program would be  
45 titled the "Restorative and Transformative Justice for Youths and  
46 Communities Pilot Program." The program would be designed to  
47 help provide ways the Juvenile Justice Commission and  
48 communities directly impacted by the State's current harmful

1 juvenile justice policies can transform New Jersey's youth justice  
2 system – during the current public health crisis caused by the  
3 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
4 19 pandemic, and potentially beyond – based on a restorative justice  
5 and transformative justice approach.

6 Nationally, restorative justice and transformative justice  
7 programs and practices have been recognized as best practices in  
8 keeping young people out of the youth justice system and  
9 successfully reintegrating them into their home communities after  
10 being released from out-of-home placements. Restorative justice is  
11 a system that brings victims, community members, and youth who  
12 have committed harm together to discuss the harm that was done  
13 and explore solutions to address the root cause of that harm. This  
14 system presents an alternate avenue for addressing harm and  
15 encourages active participation in the restorative process to  
16 facilitate stronger community relationships and community-driven  
17 public safety. Transformative justice addresses conflicts and harms  
18 at the individual level, community level, and within broader social  
19 structures. Transformative justice works to build alternatives to our  
20 current systems and transform the conditions which help create acts  
21 of violence or make them possible. Both restorative justice and  
22 transformative justice offer different perspectives of justice aimed  
23 at interpersonal and consensual resolutions, with transformative  
24 justice also incorporating systems-level change.

25 The purpose of the pilot program would be to develop  
26 innovative restorative and transformative justice continuums of care  
27 in four target cities, Camden, Newark, Paterson, and Trenton, that  
28 include two components: community-based enhanced reentry  
29 wraparound services and restorative justice hubs. Community-  
30 based enhanced reentry wraparound services would include, but not  
31 be limited to, services and supports, such as: mental health  
32 services; substance use disorders treatment and recovery; life skills  
33 support; and other social support services. Restorative justice hubs  
34 would be physical spaces within the community where youth and  
35 families could heal, reconnect and build healthy relationships in the  
36 community, and help resolve local conflicts through dialogue  
37 instead of punitive measures. By doing so, such hubs are intended  
38 to create and maintain equitable relationships between the Juvenile  
39 Justice Commission, county youth services commissions, courts,  
40 State and municipal public defenders, prosecutors and law  
41 enforcement, and additionally, collaboration on public safety  
42 initiatives.

43 For the youth participants, the overall goals of the pilot program  
44 would be to: increase participation in education, vocational  
45 programming, and employment, which would be aided by the  
46 program service providers being trained in and utilizing evidence-  
47 based and evidence-informed practices with respect to the provision  
48 of their respective services; increase participation in mental health

1 and well-being programming; decrease incidents of harmful and  
2 unlawful behavior; improve the socioemotional and behavioral  
3 responses of youth within communities through the use of more  
4 appropriate, and less punitive, interventions, thereby establishing  
5 more restorative interventions; and increase program participation  
6 rates in other restorative and transformative justice programs in the  
7 municipalities in which the pilot program is established.

8 As to the development and implementation of the pilot program,  
9 the county youth services commissions for the counties in which the  
10 municipalities participating in the pilot program are located would  
11 implement their existing request for proposal process in order to  
12 solicit proposals from interested persons and organizations and  
13 select from among them the service providers to work on the  
14 program. All submitted proposals would have to include concrete  
15 measurements for success to assess the impact of the program and  
16 include outcomes related to positive youth development, reduction  
17 in harmful behavior, and community engagement. Also, in addition  
18 to supplying information in proposals about the mandatory program  
19 components of enhanced reentry wraparound services and  
20 restorative justice hubs, proposals could include offers to provide  
21 additional services and training that support the development and  
22 implementation of restorative justice and transformative justice  
23 practices in the participating municipalities. The selected service  
24 providers for the pilot program would be required to collaborate  
25 with the service providers of any education pilot programs  
26 operating in the participating municipalities during the time the  
27 pilot program operated, in order to incorporate restorative justice  
28 and transformative justice practices within that education pilot  
29 program.

30 Funding for the pilot program would come from taking  
31 \$8,400,000 in State fiscal year 2021 and State fiscal year 2022 that  
32 is appropriated under the category of juvenile services for the  
33 Department of Law and Public Safety, and crediting it to a separate,  
34 temporary dedicated fund to be known as the “Restorative and  
35 Transformative Justice for Youths and Communities Pilot Program  
36 Fund.” This fund would be administered and the monies in the fund  
37 distributed as grants to selected service providers by the Juvenile  
38 Justice Commission. All monies in the fund, and any interest or  
39 other income earned thereon, would only be used for purposes  
40 associated with the pilot program established by the bill; and no  
41 more than 10 percent of the monies in the fund could be used for  
42 administrative purposes.

43 Notwithstanding the provisions of the “Administrative Procedure  
44 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the  
45 Juvenile Justice Commission, would, within 30 days of the bill  
46 taking effect (immediately), file proper notice with the Office of  
47 Administrative Law, and thereafter immediately adopt rules and  
48 regulations prepared by the commission necessary or proper to

1 setting the terms and conditions of applying for grants paid for by  
2 monies in the fund, the distribution of those monies, and for  
3 publishing these terms and conditions on its official website.  
4 Following the adoption of the rules and regulations, the commission  
5 would also schedule at least one public meeting in the north,  
6 central, and southern regions of the State to announce the pilot  
7 program, and inform the public of the adopted rules and regulations  
8 for grant applications and distributions. The initially adopted rules  
9 and regulations would be in effect for the duration of the two-year  
10 pilot program, unless the commission determined it to be necessary  
11 to amend or repeal any such rule or regulation, which it could do on  
12 an expedited basis.

13 Priority in distributing grants using monies in the fund would be  
14 given to service providers located in or intending to work with  
15 youth from those municipalities participating in the pilot program  
16 with a higher rate of youth committed to a secure juvenile facility.  
17 Additionally, the bill notes that monies in the fund administered and  
18 distributed by the Juvenile Justice Commission would not replace  
19 any other funds administered and distributed by the commission,  
20 including those administered and distributed through the  
21 State/Community Partnership Grant Program established pursuant  
22 to P.L.1995, c.283 (C.52:17B-179 et al.). At the conclusion of the  
23 two-year pilot program, any monies remaining in the fund would be  
24 transferred to the commission for use in administering the  
25 State/Community Partnership Grant Program, and funding grants  
26 distributed through that program.

27 The Juvenile Justice Commission would be required to submit a  
28 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
29 (C.52:14-19.1), to the Legislature at the conclusion of the pilot  
30 program, containing information on the development and  
31 implementation of the program and the feasibility of expanding the  
32 program to other municipalities in the State. The report would also  
33 include copies of any reports by service providers selected to  
34 develop and implement the pilot program by the county youth  
35 services commissions for the counties in which the municipalities  
36 participating in the pilot program are located. Thirty days after that  
37 report was filed, the bill's provisions would expire.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 2924

# STATE OF NEW JERSEY

DATED: FEBRUARY 16, 2021

The Senate Judiciary Committee reports favorably Senate Bill No. 2924.

This bill would establish a two-year pilot program in the Juvenile Justice Commission, which would assist with the reintegration of youths released from juvenile facilities to prevent repeated involvement with the youth justice system and to help youths avoid any initial involvement with such system; the program would be titled the “Restorative and Transformative Justice for Youths and Communities Pilot Program.” The program would be designed to help provide ways the Juvenile Justice Commission and communities directly impacted by the State’s current harmful juvenile justice policies can transform New Jersey’s youth justice system – during the current public health crisis caused by the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, and potentially beyond – based on a restorative justice and transformative justice approach.

Nationally, restorative justice and transformative justice programs and practices have been recognized as best practices in keeping young people out of the youth justice system and successfully reintegrating them into their home communities after being released from out-of-home placements. Restorative justice is a system that brings victims, community members, and youth who have committed harm together to discuss the harm that was done and explore solutions to address the root cause of that harm. This system presents an alternate avenue for addressing harm and encourages active participation in the restorative process to facilitate stronger community relationships and community-driven public safety. Transformative justice addresses conflicts and harms at the individual level, community level, and within broader social structures. Transformative justice works to build alternatives to our current systems and transform the conditions which help create acts of violence or make them possible. Both restorative justice and transformative justice offer different perspectives of justice aimed at interpersonal and consensual resolutions, with transformative justice also incorporating systems-level change.

The purpose of the pilot program would be to develop innovative restorative and transformative justice continuums of care in four target cities, Camden, Newark, Paterson, and Trenton, that include two components: community-based enhanced reentry wraparound services

and restorative justice hubs. Community-based enhanced reentry wraparound services would include, but not be limited to, services and supports, such as: mental health services; substance use disorders treatment and recovery; life skills support; and other social support services. Restorative justice hubs would be physical spaces within the community where youth and families could heal, reconnect and build healthy relationships in the community, and help resolve local conflicts through dialogue instead of punitive measures. By doing so, such hubs are intended to create and maintain equitable relationships between the Juvenile Justice Commission, county youth services commissions, courts, State and municipal public defenders, prosecutors and law enforcement, and additionally, collaboration on public safety initiatives.

For the youth participants, the overall goals of the pilot program would be to: increase participation in education, vocational programming, and employment, which would be aided by the program service providers being trained in and utilizing evidence-based and evidence-informed practices with respect to the provision of their respective services; increase participation in mental health and well-being programming; decrease incidents of harmful and unlawful behavior; improve the socioemotional and behavioral responses of youth within communities through the use of more appropriate, and less punitive, interventions, thereby establishing more restorative interventions; and increase program participation rates in other restorative and transformative justice programs in the municipalities in which the pilot program is established.

As to the development and implementation of the pilot program, the county youth services commissions for the counties in which the municipalities participating in the pilot program are located would implement their existing request for proposal process in order to solicit proposals from interested persons and organizations and select from among them the service providers to work on the program. All submitted proposals would have to include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement. Also, in addition to supplying information in proposals about the mandatory program components of enhanced reentry wraparound services and restorative justice hubs, proposals could include offers to provide additional services and training that support the development and implementation of restorative justice and transformative justice practices in the participating municipalities. The selected service providers for the pilot program would be required to collaborate with the service providers of any education pilot programs operating in the participating municipalities during the time the pilot program operated, in order to incorporate restorative justice and transformative justice practices within that education pilot program.

Funding for the pilot program would come from taking \$8,400,000 in State fiscal year 2021 and State fiscal year 2022 that is appropriated under the category of juvenile services for the Department of Law and Public Safety, and crediting it to a separate, temporary dedicated fund to be known as the “Restorative and Transformative Justice for Youths and Communities Pilot Program Fund.” This fund would be administered and the monies in the fund distributed as grants to selected service providers by the Juvenile Justice Commission. All monies in the fund, and any interest or other income earned thereon, would only be used for purposes associated with the pilot program established by the bill; and no more than 10 percent of the monies in the fund could be used for administrative purposes.

Notwithstanding the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the Juvenile Justice Commission, would, within 30 days of the bill taking effect (immediately), file proper notice with the Office of Administrative Law, and thereafter immediately adopt rules and regulations prepared by the commission necessary or proper to setting the terms and conditions of applying for grants paid for by monies in the fund, the distribution of those monies, and for publishing these terms and conditions on its official website. Following the adoption of the rules and regulations, the commission would also schedule at least one public meeting in the north, central, and southern regions of the State to announce the pilot program, and inform the public of the adopted rules and regulations for grant applications and distributions. The initially adopted rules and regulations would be in effect for the duration of the two-year pilot program, unless the commission determined it to be necessary to amend or repeal any such rule or regulation, which it could do on an expedited basis.

Priority in distributing grants using monies in the fund would be given to service providers located in or intending to work with youth from those municipalities participating in the pilot program with a higher rate of youth committed to a secure juvenile facility. Additionally, the bill notes that monies in the fund administered and distributed by the Juvenile Justice Commission would not replace any other funds administered and distributed by the commission, including those administered and distributed through the State/Community Partnership Grant Program established pursuant to P.L.1995, c.283 (C.52:17B-179 et al.). At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

The Juvenile Justice Commission would be required to submit a report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature at the conclusion of the pilot program, containing information on the development and implementation of the program and the feasibility of expanding the

program to other municipalities in the State. The report would also include copies of any reports by service providers selected to develop and implement the pilot program by the county youth services commissions for the counties in which the municipalities participating in the pilot program are located. Thirty days after that report was filed, the bill's provisions would expire.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 2924**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 17, 2021

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 2924.

As amended and reported by the committee, Senate Bill No. 2924 establishes a two-year pilot program in the Juvenile Justice Commission (JJC) to assist with the reintegration of youths released from juvenile facilities and to help them avoid involvement with the youth justice system - during the current public health crisis caused by the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, and potentially beyond. This program would be titled the “Restorative and Transformative Justice for Youths and Communities Pilot Program.”

The purpose of the pilot program would be to develop innovative restorative and transformative justice continuums of care in four target cities: Camden, Newark, Paterson, and Trenton. The program is to include two components: restorative justice hubs and community-based enhanced reentry wraparound services. There is to be one restorative justice hub in each of the four pilot municipalities. Each hub will provide the restorative justice services and reentry wraparound services outlined in the bill. The restorative justice hubs would establish working relationships with law enforcement, courts, prosecutors, and defense attorneys to support the diversion of youth away from arrests and prosecution and towards participation in restorative justice services.

The appropriate county youth services commissions would implement the existing request for proposal process in order to solicit proposals from interested persons and organizations. All submitted proposals would need to include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement. A restorative justice hub could have a single service provider or multiple service providers with one lead service provider.

The pilot program is to be funded from the General Fund with \$4,200,000 in State fiscal year 2022 and \$4,200,000 in State fiscal

year 2023 to be credited to a separate, temporary dedicated fund known as the “Restorative and Transformative Justice for Youths and Communities Pilot Program Fund.” The fund is to be used to provide grants to participating service providers through a competitive process established under the bill. Priority in distributing monies in the fund is to be given to service providers located in the four pilot municipalities whose employees represent the diversity of the communities which they serve. All monies in the fund, and any earned interest or other income, are only to be used for purposes associated with the pilot program; no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes.

Following the adoption of the rules and regulations the JJC is required to adopt under the bill, the JJC would be required to announce the program and require one public meeting to be held by the appropriate youth services commission in Paterson, Newark, Trenton, and Camden. The provisions of the bill specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission.

All service providers participating in the pilot program would be required under the bill to undergo intensive training in restorative and transformative justice practices or provide proof of prior training in these practices. Service providers may use the monies awarded from the pilot program to finance this training. The bill also notes that monies in the fund administered and distributed by the JJC would not replace any other funds administered and distributed by the commission, including those administered and distributed through the JJC’s State/Community Partnership Grant Program. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

Under the bill, the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program. To the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

The JJC would be required to submit a report to the Governor and the Legislature at the conclusion of the pilot program, containing information on the development and implementation of the program

and the feasibility of expanding the program to other municipalities in the State. The report also would include copies of any reports by service providers selected to develop and implement the pilot program. Thirty days after that report is filed, the bill's provisions would expire.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define "peace circles" and "community conferencing," which are conflict resolution and healing practices to be implemented under the bill;

(2) reorganize certain provisions of the bill to state and appropriately describe that restorative justice hubs and community-based enhanced reentry wraparound services are the two components of the pilot program established under the bill;

(3) include that preventative mentoring services are to be included in the services provided in the community-based enhanced reentry wraparound services provided in the restorative justice hubs;

(4) clarify that the community-based enhanced reentry wraparound services enumerated in the bill are to be provided in each restorative justice hub;

(5) provide that a restorative justice hub may have either a single service provider or multiple service providers with one lead service provider;

(6) provide that an individual or lead organization interested in becoming a service provider is to submit a proposal using the existing request for proposal process to the appropriate youth services commission;

(7) require all service providers participating in the pilot program to undergo intensive training in restorative and transformative justice practice or show proof of JJC approved training and provide that service providers may use the monies awarded pursuant to the pilot program to fund this training;

(8) require a public meeting to be scheduled in each of the four pilot municipalities; as introduced the bill requires a public meeting to be scheduled in each of the northern, central, and southern regions of the State;

(9) provide that priority in distributing monies in the fund established under the bill is to be given to service providers in four pilot municipalities, and providers whose employees reflect the diversity of the communities they serve;

(10) provide that \$4,200,000 in funding is to be appropriated from the General Fund in both State fiscal year 2022 and State fiscal year 2023; as introduced, the bill provided for funding in the amount of \$8,400,000 in State fiscal year 2021 and State fiscal year 2022;

(11) provide that rules and regulations are to be adopted by the JJC immediately upon filing with the Office of Administrative Law

and within 120 days of the bill's effective date, and that the rules adopted are to be in effect during an interim period, but may subsequently be amended, adopted, or readopted by the JJC in accordance with the Administrative Procedure Act; as introduced, rules and regulations were to be established by the JJC within 30 days of the bill's effective date;

(12) specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission;

(13) provide that no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes; as introduced, the bill provided that no more than 10 percent of the monies in the fund is be used for administrative purposes;

(14) provide that the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program; and

(15) provide that, to the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

**FISCAL IMPACT:**

Fiscal information for this bill is currently unavailable.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 2924 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 24, 2021

### SUMMARY

- Synopsis:** Creates two-year “Restorative and Transformative Justice for Youths and Communities Pilot Program” in Juvenile Justice Commission; appropriates \$4.2 million in FY 2022 and FY 2023.
- Type of Impact:** Two-year State and local government expenditure increase; two-year local government revenue increase.
- Agencies Affected:** Department of Law and Public Safety; Superior Courts; Office of the Public Defender; County Prosecutors; Certain County Law Enforcement Agencies; Certain County Youth Services Commissions.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Two-Year Duration of the Pilot Program</u></b>
<b>State Expenditure Increase</b>	Up to \$8.4 Million
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that this bill will result in an increase in State expenditures of up to \$8.4 million over two years to fund the grants under the pilot program. The Juvenile Justice Commission (JJC) in the Department of Law and Public Safety may also experience indeterminate workload increases to establish, administer, and report on the status of the program.
- Additionally, certain participating county youth services commissions may experience indeterminate cost increases over the two years from the: a) solicitation of proposals from interested persons and organizations; b) administration and review of proposals; c) requirement to hold public meetings; and d) collaboration with local service providers, including establishing restorative justice hubs. The bill allows that up to 15 percent of monies in the dedicated Restorative and Transformative Justice for Youths and Communities Pilot Program Fund to be used by the county youth services commissions for administrative purpose, which represents a revenue increase for these local government entities.
- The bill requires the restorative justice hubs created under the program to collaborate with the county youth services commissions, courts, public defenders, prosecutors, law enforcement,

and any other appropriate entities or persons, which may lead to marginal cost increases for these entities during the pilot program.

## **BILL DESCRIPTION**

This bill establishes a two-year pilot program in the JJC, which would assist with the reintegration of youths released from juvenile facilities to prevent repeated involvement with the youth justice system and to help youths avoid any initial involvement with the youth justice system; the program would be titled the Restorative and Transformative Justice for Youths and Communities Pilot Program.

The purpose of the pilot program would be to develop innovative, restorative, and transformative justice continuums of care in four target cities, Camden, Newark, Paterson, and Trenton, that include two components: restorative justice hubs and community-based enhanced reentry wraparound services.

An appropriation from the General Fund of \$4.2 million in each of FY 2022 and FY 2023 would fund the temporary dedicated fund to be known as the Restorative and Transformative Justice for Youths and Communities Pilot Program Fund. This fund would distribute grants to selected service providers by the JJC. The bill establishes that no more than eight percent of the monies in the fund may be used for State administrative purposes and no more than 15 percent for county youth services commissions administrative purposes. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

The JJC shall require each participating county to schedule one public meeting to announce the pilot program and inform the public of the adopted rules and regulations for grant applications and distributions.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that this bill will result in an increase in State expenditures of up to \$8.4 million over two years to fund the grants under the pilot program. The JJC may also experience indeterminate workload increases during the two years from the: a) establishment of the pilot program; b) administration of grants from the Restorative and Transformative Justice for Youths and Communities Pilot Program Fund; and c) requirement to compile and submit status reports. Additionally, Camden, Essex, Mercer, and Passaic county youth services commissions will experience workload increases under the pilot program from the: a) solicitation of proposals from interested persons and organizations; b) administration and review of proposals; c) requirement to hold public meetings; and d) collaboration with local service providers, including establishing restorative justice hubs to support the municipalities of Camden, Newark, Paterson, and Trenton. Similarly, the bill requires the restorative justice hubs created under the program to collaborate with the county youth services commissions, courts, public defenders, prosecutors, law

enforcement, and any other appropriate entities or persons, which may lead to marginal cost increases for these entities in the affected municipalities during the pilot program.

A maximum of eight percent of the monies in the fund may be used for JJC administrative purposes and a maximum of 15 percent may be used for county youth services commission administrative purposes, which represents revenue increases for these local government entities.

*Section: Law and Public Safety*

*Analyst: Kristin Brunner Santos  
Lead Fiscal Analyst*

*Approved: Thomas Koenig  
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 (C.52:13B-6 et seq.).

# ASSEMBLY, No. 4663

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

**Sponsored by:**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman SHANIQUE SPEIGHT**

**District 29 (Essex)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

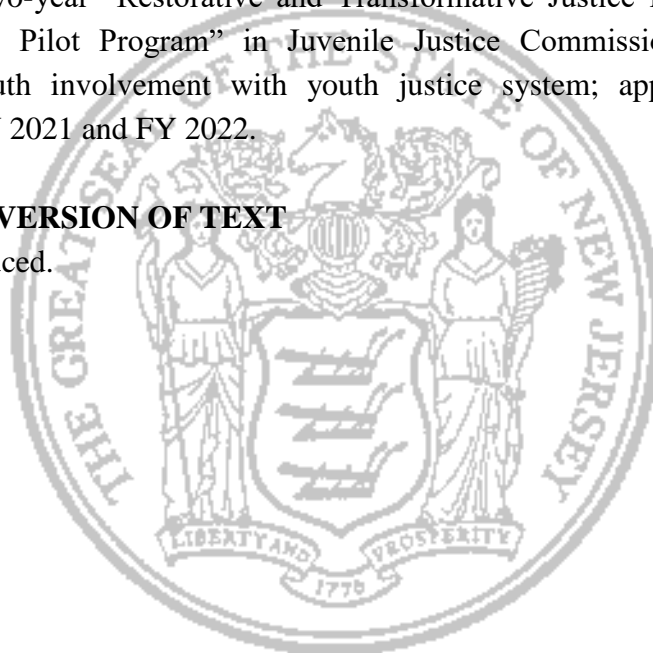
**Assemblywomen Vainieri Huttie, Chaparro, Assemblyman Spearman,  
Assemblywomen Jasey, Carter, Assemblyman Wimberly, Assemblywomen  
Tucker, Dunn and Assemblyman Stanley**

**SYNOPSIS**

Creates two-year “Restorative and Transformative Justice for Youths and Communities Pilot Program” in Juvenile Justice Commission focused on reducing youth involvement with youth justice system; appropriates \$8.4 million in FY 2021 and FY 2022.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/5/2021)**

1 AN ACT creating a two-year restorative and transformative justice  
2 pilot program focused on reducing initial and repeat youth  
3 involvement with the youth justice system, and making an  
4 appropriation.

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

8  
9 1. The Legislature finds and declares that:

10 a. Currently, New Jersey's youth justice system has staggering  
11 racial justice disparities, high recidivism rates, and grossly  
12 underfunded community-based services;

13 b. New Jersey has the highest Black to white youth  
14 incarceration racial disparity rate in the country with a Black youth  
15 twenty-one times more likely to be detained or committed than a  
16 white youth, even though research shows that Black and white  
17 youth commit most offenses at similar rates;

18 c. New Jersey also has the fourth highest Latina-Latino to  
19 white youth incarceration disparity rate in the country;

20 d. The recidivism rates in New Jersey are devastating as well.  
21 Of the 377 youth released from State juvenile facilities in 2014,  
22 76.9 percent had a subsequent arrest or court filing, 58.9 percent  
23 had a subsequent adjudication or conviction, and almost one-fourth,  
24 23.9 percent, were recommitted to a facility within three years of  
25 release;

26 e. Yet, despite these failures, New Jersey continues to finance  
27 its youth incarceration system at exorbitant cost. In calendar year  
28 2020, New Jersey plans to spend \$300,000 to incarcerate each youth  
29 in a State secure juvenile facility managed and operated by the  
30 Juvenile Justice Commission, and projects the same expenditure in  
31 calendar year 2021;

32 f. While the State currently spends approximately \$56 million  
33 a year to operate its three secure juvenile facilities, it only allocates  
34 around \$16 million to provide counties with funding for  
35 community-based youth programs;

36 g. The current public health crisis resulting from the  
37 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
38 19 pandemic, has further illustrated the failures of our youth justice  
39 system by detrimentally harming our impacted youth. As of August  
40 20, 2020, according to the Juvenile Justice Commission, 29 youth  
41 and 56 staff in juvenile facilities have tested positive for the virus  
42 SARS-CoV-2 which causes COVID-19; 21 of the 29 youth cases  
43 occurred at the New Jersey Training School, also known as  
44 Jamesburg, the State's largest secure facility for youthful males;

45 h. The Juvenile Justice Commission has taken several measures  
46 to mitigate the spread of the virus, including releasing  
47 approximately 38 incarcerated youth from its facilities. Should  
48 Senate Bill No. 2519, passed by the Senate on August 27, 2020, or

- 1 its counterpart bill, Assembly Bill No. 4235, become law, more  
2 incarcerated youths would be released in an expedited fashion  
3 because their terms of incarceration would be reduced based on  
4 awards of credits during the current declared public health  
5 emergency concerning the COVID-19 pandemic;
- 6 i. As young people are released from facilities in response to  
7 the current pandemic, it is clear that the State must actively engage  
8 communities and properly fund services to reintegrate these youth  
9 back into their communities successfully;
- 10 j. The Juvenile Justice Commission and community  
11 stakeholders should also work together to create community-based  
12 public safety systems that divert young people away from the youth  
13 justice system in the first place;
- 14 k. Thus, the confluence of the COVID-19 pandemic with the  
15 on-going, fervent call for racial equality demands a fresh and  
16 immediate need to transform New Jersey's youth justice system. As  
17 an alternative to an overreliance on punishment, New Jersey needs a  
18 community-based system that embraces restorative and  
19 transformative justice practices and emphasizes physical,  
20 psychological and emotional safety and healing for youth, their  
21 families and communities;
- 22 l. Nationally, restorative justice and transformative justice  
23 programs and practices have been recognized as best practices in  
24 keeping young people out of the youth justice system and  
25 successfully reintegrating them into their home communities after  
26 being released from out-of-home placements;
- 27 m. Restorative justice is a system that brings victims,  
28 community members, and youth who have committed harm together  
29 to discuss the harm that was done and explore solutions to address  
30 the root cause of that harm. This system presents an alternate  
31 avenue for addressing harm and encourages active participation in  
32 the restorative process to facilitate stronger community  
33 relationships and community-driven public safety;
- 34 n. Transformative justice addresses conflicts and harms at the  
35 individual level, community level, and within broader social  
36 structures. Transformative justice works to build alternatives to our  
37 current systems and transform the conditions which help create acts  
38 of violence or make them possible;
- 39 o. Restorative justice and transformative justice offer two  
40 different perspectives of justice aimed at interpersonal and  
41 consensual resolutions, with transformative justice also  
42 incorporating systems-level change;
- 43 p. To sufficiently support young people being released from  
44 juvenile facilities in response to the current public health crisis, and  
45 to provide adequate resources to prevent young people in New  
46 Jersey from entering the youth justice system in the first instance,  
47 New Jersey should explore, through a pilot program, the

1 development of a comprehensive youth continuum of care based on  
2 restorative and transformative justice practices.

3  
4 2. There is established in the Juvenile Justice Commission,  
5 created by section 2 of P.L.1995, c.284 (C.52:17B-170), a two-year  
6 pilot program, titled the “Restorative and Transformative Justice for  
7 Youths and Communities Pilot Program.” The purpose of the pilot  
8 program is to develop innovative restorative and transformative  
9 justice continuums of care in four target cities that include two  
10 components: community-based enhanced reentry wraparound  
11 services and restorative justice hubs. The pilot program shall be  
12 established in the municipalities of Camden, Newark, Paterson, and  
13 Trenton.

14 a. The first component of the pilot program shall include  
15 community-based enhanced reentry wraparound services. These  
16 services shall be designed as an emergency response for those  
17 young people being released from juvenile facilities due to the  
18 COVID-19 pandemic, and may also serve as a long-term program  
19 for all young people released from a facility. Community-based  
20 enhanced reentry wraparound services shall include, but not be  
21 limited to, the following services and supports:

- 22 (1) Mental health services;
- 23 (2) Substance use disorders treatment and recovery;
- 24 (3) Education support;
- 25 (4) Employment services;
- 26 (5) Housing support;
- 27 (6) Financial literacy and debt support services;
- 28 (7) Life skills support services; and
- 29 (8) Social support services.

30 b. The second component of the pilot program shall include  
31 restorative justice hubs, which are physical spaces within the  
32 community where youth and families can heal, reconnect and build  
33 healthy relationships in the community. The purpose of restorative  
34 justice hubs is to resolve local conflicts through dialogue instead of  
35 punitive measures, connect youth and families to a variety of  
36 services and programs, and coordinate service delivery across the  
37 community, and by doing so create and maintain equitable  
38 relationships between the Juvenile Justice Commission, county  
39 youth services commissions, courts, State and municipal public  
40 defenders, prosecutors and law enforcement, and additionally,  
41 collaboration on public safety initiatives.

42 c. The goals of the pilot program shall be:

- 43 (1) To increase participation in education, vocational  
44 programming, and employment. Youth participants in the pilot  
45 program shall receive academic support, depending on personal  
46 development goals, and shall be connected to secondary schools,  
47 alternative schools, vocational schools, apprenticeship programs  
48 and colleges and universities. The program shall collaborate with

1 local community college's admissions and academic support  
2 programs, and offer workshops that include financial aid planning.  
3 Participants seeking employment shall be linked to vocational or  
4 job readiness training. The selected partner-providers participating  
5 in the pilot program shall be trained in and utilize evidence-based  
6 and evidence-informed practices with respect to the provision of  
7 their respective services;

8 (2) To increase participation in mental health and well-being  
9 programming. The program shall employ trauma-informed  
10 practices and connect youth to licensed outpatient mental health  
11 care facilities and professionals. The program shall create safe,  
12 caring environments to address physical health, mental health and  
13 substance use disorder conditions and facilitate healing for youth,  
14 families, and communities.

15 (3) To decrease incidents of harmful and unlawful behavior.  
16 The program shall work with youth to comply with their probation  
17 or parole plan, as applicable. Moreover, the program shall employ  
18 trauma-informed practices, violence reduction, and peacemaking  
19 supports and tools to address harmful and unlawful behavior;

20 (4) To improve the socioemotional and behavioral responses of  
21 youth within communities through the use of more appropriate, and  
22 less punitive, interventions, thereby establishing more restorative  
23 interventions; and

24 (5) To increase program participation rates in other restorative  
25 and transformative justice programs in the municipalities in which  
26 the pilot program is established.

27

28 3. a. (1) The county youth services commissions for the  
29 counties in which the municipalities participating in the pilot  
30 program are located shall implement their existing request for  
31 proposal process in order to select service providers to develop and  
32 implement the program.

33 (2) Persons and organizations interested in developing and  
34 implementing aspects of the program in a participating municipality  
35 shall submit a proposal using the existing request for proposal  
36 process to the appropriate youth services commission.

37 b. All proposals shall include concrete measurements for  
38 success to assess the impact of the program and include outcomes  
39 related to positive youth development, reduction in harmful  
40 behavior, and community engagement.

41 c. In addition to the pilot program requirements set forth in  
42 subsections a. and b. of section 2 of this act, concerning mandatory  
43 components of enhanced reentry wraparound services and  
44 restorative justice hubs, a proposal may also include, and a youth  
45 services commission may consider and accept for the program,  
46 additional services and training that support the development and  
47 implementation of restorative justice and transformative justice  
48 practices in the participating municipalities.

1 d. Persons and organizations selected as service providers shall  
2 collaborate with the service providers of any education pilot  
3 programs operating in the participating municipalities during the  
4 time the pilot program established by this act is operating, in order  
5 to incorporate restorative justice and transformative justice  
6 practices within that education pilot program.

7 e. Person and organizations selected as service providers may  
8 seek additional monies from any public or private source to further  
9 advance the goals of the pilot program.

10  
11 4. There is established within the General Fund a separate,  
12 temporary dedicated fund to be known as the “Restorative and  
13 Transformative Justice for Youths and Communities Pilot Program  
14 Fund,” to be held separate and apart from all other funds of the  
15 State. This fund shall be administered and the monies in the fund  
16 distributed by the Juvenile Justice Commission. From the monies  
17 appropriated under the category of juvenile services for the  
18 Department of Law and Public Safety in State fiscal year 2021 and  
19 State fiscal year 2022, \$8,400,000 in each fiscal year shall be  
20 credited to this fund, and these monies, and any interest or other  
21 income earned thereon, shall only be used for purposes associated  
22 with the pilot program established by this act.

23 a. (1) Notwithstanding the provisions of the “Administrative  
24 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the  
25 contrary, the Juvenile Justice Commission, shall, within 30 days of  
26 the effective date of this act, file proper notice with the Office of  
27 Administrative Law, and thereafter immediately adopt rules and  
28 regulations prepared by the commission necessary or proper to  
29 setting the terms and conditions of applying for grants paid for by  
30 monies in the fund, the distribution of those monies, and for  
31 publishing these terms and conditions on its official website.  
32 Following the adoption of the rules and regulations, the commission  
33 shall also schedule at least one public meeting in the north, central,  
34 and southern regions of the State to announce the pilot program,  
35 and inform the public of the adopted rules and regulations for grant  
36 applications and distributions.

37 (2) The initial rules and regulations adopted pursuant to  
38 paragraph (1) of this subsection shall be in effect for the duration of  
39 the two-year pilot program, unless the commission determines it is  
40 necessary to amend or repeal any initial rule or regulation, which it  
41 may do on an expedited basis immediately upon filing proper notice  
42 with the Office of Administrative Law, notwithstanding the  
43 provisions of the “Administrative Procedure Act,” P.L.1968, c.410  
44 (C.52:14B-1 et seq.), to the contrary.

45 b. The fund shall be used to provide grants to participating  
46 service providers selected by the county youth services  
47 commissions pursuant to section 3 of this act to develop and  
48 implement the pilot program established by this act. Priority in

1 distributing monies in the fund shall be given to service providers  
2 located in or intending to work with youth from those  
3 municipalities participating in the pilot program with a higher rate  
4 of youth committed to a secure juvenile facility.

5 c. No more than 10 percent of the monies in the fund shall be  
6 used for administrative purposes.

7 d. Monies in the fund administered and distributed by the  
8 Juvenile Justice Commission shall not replace any other funds  
9 administered and distributed by the commission, including those  
10 administered and distributed through the State/Community  
11 Partnership Grant Program established pursuant to P.L.1995, c.283  
12 (C.52:17B-179 et al.).

13 e. At the conclusion of the two-year pilot program, any monies  
14 remaining in the fund shall be transferred to the Juvenile Justice  
15 Commission for use in administering the State/Community  
16 Partnership Grant Program established pursuant to P.L.1995, c.283  
17 (C.52:17B-179 et al.), and funding grants distributed through that  
18 program.

19  
20 5. The Juvenile Justice Commission shall submit a report to the  
21 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-  
22 19.1), to the Legislature at the conclusion of the two-year pilot  
23 program, containing information on the development and  
24 implementation of the pilot program and the feasibility of  
25 expanding the program to other municipalities in the State. The  
26 report shall also include copies of any reports by service providers  
27 selected to develop and implement the pilot program by the county  
28 youth services commissions for the counties in which the  
29 municipalities participating in the pilot program are located  
30 pursuant to section 3 of this act.

31  
32 6. This act shall take effect immediately, and shall expire 30  
33 days following the Juvenile Justice Commission's submission of the  
34 report to the Governor and Legislature as required by section 5 of  
35 this act.

36  
37

38 STATEMENT

39

40 This bill would establish a two-year pilot program in the Juvenile  
41 Justice Commission, which would assist with the reintegration of  
42 youths released from juvenile facilities to prevent repeated  
43 involvement with the youth justice system and to help youths avoid  
44 any initial involvement with such system; the program would be  
45 titled the "Restorative and Transformative Justice for Youths and  
46 Communities Pilot Program." The program would be designed to  
47 help provide ways the Juvenile Justice Commission and  
48 communities directly impacted by the State's current harmful

1 juvenile justice policies can transform New Jersey's youth justice  
2 system – during the current public health crisis caused by the  
3 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
4 19 pandemic, and potentially beyond – based on a restorative justice  
5 and transformative justice approach.

6 Nationally, restorative justice and transformative justice  
7 programs and practices have been recognized as best practices in  
8 keeping young people out of the youth justice system and  
9 successfully reintegrating them into their home communities after  
10 being released from out-of-home placements. Restorative justice is  
11 a system that brings victims, community members, and youth who  
12 have committed harm together to discuss the harm that was done  
13 and explore solutions to address the root cause of that harm. This  
14 system presents an alternate avenue for addressing harm and  
15 encourages active participation in the restorative process to  
16 facilitate stronger community relationships and community-driven  
17 public safety. Transformative justice addresses conflicts and harms  
18 at the individual level, community level, and within broader social  
19 structures. Transformative justice works to build alternatives to our  
20 current systems and transform the conditions which help create acts  
21 of violence or make them possible. Both restorative justice and  
22 transformative justice offer different perspectives of justice aimed  
23 at interpersonal and consensual resolutions, with transformative  
24 justice also incorporating systems-level change.

25 The purpose of the pilot program would be to develop  
26 innovative restorative and transformative justice continuums of care  
27 in four target cities, Camden, Newark, Paterson, and Trenton, that  
28 include two components: community-based enhanced reentry  
29 wraparound services and restorative justice hubs. Community-  
30 based enhanced reentry wraparound services would include, but not  
31 be limited to, services and supports, such as: mental health  
32 services; substance use disorders treatment and recovery; life skills  
33 support; and other social support services. Restorative justice hubs  
34 would be physical spaces within the community where youth and  
35 families could heal, reconnect and build healthy relationships in the  
36 community, and help resolve local conflicts through dialogue  
37 instead of punitive measures. By doing so, such hubs are intended  
38 to create and maintain equitable relationships between the Juvenile  
39 Justice Commission, county youth services commissions, courts,  
40 State and municipal public defenders, prosecutors and law  
41 enforcement, and additionally, collaboration on public safety  
42 initiatives.

43 For the youth participants, the overall goals of the pilot program  
44 would be to: increase participation in education, vocational  
45 programming, and employment, which would be aided by the  
46 program service providers being trained in and utilizing evidence-  
47 based and evidence-informed practices with respect to the provision  
48 of their respective services; increase participation in mental health

1 and well-being programming; decrease incidents of harmful and  
2 unlawful behavior; improve the socioemotional and behavioral  
3 responses of youth within communities through the use of more  
4 appropriate, and less punitive, interventions, thereby establishing  
5 more restorative interventions; and increase program participation  
6 rates in other restorative and transformative justice programs in the  
7 municipalities in which the pilot program is established.

8 As to the development and implementation of the pilot program,  
9 the county youth services commissions for the counties in which the  
10 municipalities participating in the pilot program are located would  
11 implement their existing request for proposal process in order to  
12 solicit proposals from interested persons and organizations and  
13 select from among them the service providers to work on the  
14 program. All submitted proposals would have to include concrete  
15 measurements for success to assess the impact of the program and  
16 include outcomes related to positive youth development, reduction  
17 in harmful behavior, and community engagement. Also, in addition  
18 to supplying information in proposals about the mandatory program  
19 components of enhanced reentry wraparound services and  
20 restorative justice hubs, proposals could include offers to provide  
21 additional services and training that support the development and  
22 implementation of restorative justice and transformative justice  
23 practices in the participating municipalities. The selected service  
24 providers for the pilot program would be required to collaborate  
25 with the service providers of any education pilot programs  
26 operating in the participating municipalities during the time the  
27 pilot program operated, in order to incorporate restorative justice  
28 and transformative justice practices within that education pilot  
29 program.

30 Funding for the pilot program would come from taking  
31 \$8,400,000 in State fiscal year 2021 and State fiscal year 2022 that  
32 is appropriated under the category of juvenile services for the  
33 Department of Law and Public Safety, and crediting it to a separate,  
34 temporary dedicated fund to be known as the “Restorative and  
35 Transformative Justice for Youths and Communities Pilot Program  
36 Fund.” This fund would be administered and the monies in the fund  
37 distributed as grants to selected service providers by the Juvenile  
38 Justice Commission. All monies in the fund, and any interest or  
39 other income earned thereon, would only be used for purposes  
40 associated with the pilot program established by the bill; and no  
41 more than 10 percent of the monies in the fund could be used for  
42 administrative purposes.

43 Notwithstanding the provisions of the “Administrative Procedure  
44 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the  
45 Juvenile Justice Commission, would, within 30 days of the bill  
46 taking effect (immediately), file proper notice with the Office of  
47 Administrative Law, and thereafter immediately adopt rules and  
48 regulations prepared by the commission necessary or proper to

1 setting the terms and conditions of applying for grants paid for by  
2 monies in the fund, the distribution of those monies, and for  
3 publishing these terms and conditions on its official website.  
4 Following the adoption of the rules and regulations, the commission  
5 would also schedule at least one public meeting in the north,  
6 central, and southern regions of the State to announce the pilot  
7 program, and inform the public of the adopted rules and regulations  
8 for grant applications and distributions. The initially adopted rules  
9 and regulations would be in effect for the duration of the two-year  
10 pilot program, unless the commission determined it to be necessary  
11 to amend or repeal any such rule or regulation, which it could do on  
12 an expedited basis.

13 Priority in distributing grants using monies in the fund would be  
14 given to service providers located in or intending to work with  
15 youth from those municipalities participating in the pilot program  
16 with a higher rate of youth committed to a secure juvenile facility.  
17 Additionally, the bill notes that monies in the fund administered and  
18 distributed by the Juvenile Justice Commission would not replace  
19 any other funds administered and distributed by the commission,  
20 including those administered and distributed through the  
21 State/Community Partnership Grant Program established pursuant  
22 to P.L.1995, c.283 (C.52:17B-179 et al.). At the conclusion of the  
23 two-year pilot program, any monies remaining in the fund would be  
24 transferred to the commission for use in administering the  
25 State/Community Partnership Grant Program, and funding grants  
26 distributed through that program.

27 The Juvenile Justice Commission would be required to submit a  
28 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
29 (C.52:14-19.1), to the Legislature at the conclusion of the pilot  
30 program, containing information on the development and  
31 implementation of the program and the feasibility of expanding the  
32 program to other municipalities in the State. The report would also  
33 include copies of any reports by service providers selected to  
34 develop and implement the pilot program by the county youth  
35 services commissions for the counties in which the municipalities  
36 participating in the pilot program are located. Thirty days after that  
37 report was filed, the bill's provisions would expire.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4663**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 5, 2021

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 4663.

As amended and reported by the committee, Assembly Bill No. 4663 establishes a two-year pilot program in the Juvenile Justice Commission (JJC) to assist with the reintegration of youths released from juvenile facilities and to help them avoid involvement with the youth justice system - during the current public health crisis caused by the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, and potentially beyond. This program would be titled the “Restorative and Transformative Justice for Youths and Communities Pilot Program.”

The purpose of the pilot program would be to develop innovative restorative and transformative justice continuums of care in four target cities: Camden, Newark, Paterson, and Trenton. The program is to include two components: restorative justice hubs and community-based enhanced reentry wraparound services. There is to be one restorative justice hub in each of the four pilot municipalities. Each hub will provide the restorative justice services and reentry wraparound services outlined in the bill. The restorative justice hubs would establish working relationships with law enforcement, courts, prosecutors, and defense attorneys to support the diversion of youth away from arrests and prosecution and towards participation in restorative justice services.

The appropriate county youth services commissions would implement the existing request for proposal process in order to solicit proposals from interested persons and organizations. All submitted proposals would need to include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement. A restorative justice hub could have a single service provider or multiple service providers with one lead service provider.

The pilot program is to be funded from the General Fund with \$4,200,000 in State fiscal year 2022 and \$4,200,000 in State fiscal

year 2023 to be credited to a separate, temporary dedicated fund known as the “Restorative and Transformative Justice for Youths and Communities Pilot Program Fund.” The fund is to be used to provide grants to participating service providers through a competitive process established under the bill. Priority in distributing monies in the fund is to be given to service providers located in the four pilot municipalities whose employees represent the diversity of the communities which they serve. All monies in the fund, and any earned interest or other income, are only to be used for purposes associated with the pilot program; no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes.

Following the adoption of the rules and regulations the JJC is required to adopt under the bill, the JJC would be required to announce the program and require one public meeting to be held by the appropriate youth services commission in Paterson, Newark, Trenton, and Camden. The provisions of the bill specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission.

All service providers participating in the pilot program would be required under the bill to undergo intensive training in restorative and transformative justice practices or provide proof of prior training in these practices. Service providers may use the monies awarded from the pilot program to finance this training. The bill also notes that monies in the fund administered and distributed by the JJC would not replace any other funds administered and distributed by the commission, including those administered and distributed through the JJC’s State/Community Partnership Grant Program. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

Under the bill, the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program. To the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

The JJC would be required to submit a report to the Governor and the Legislature at the conclusion of the pilot program, containing information on the development and implementation of the program

and the feasibility of expanding the program to other municipalities in the State. The report also would include copies of any reports by service providers selected to develop and implement the pilot program. Thirty days after that report is filed, the bill's provisions would expire.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define "peace circles" and "community conferencing," which are conflict resolution and healing practices to be implemented under the bill;

(2) reorganize certain provisions of the bill to state and appropriately describe that restorative justice hubs and community-based enhanced reentry wraparound services are the two components of the pilot program established under the bill;

(3) include that preventative mentoring services are to be included in the services provided in the community-based enhanced reentry wraparound services provided in the restorative justice hubs;

(4) clarify that the community-based enhanced reentry wraparound services enumerated in the bill are to be provided in each restorative justice hub;

(5) provide that a restorative justice hub may have either a single service provider or multiple service providers with one lead service provider;

(6) provide that an individual or lead organization interested in becoming a service provider is to submit a proposal using the existing request for proposal process to the appropriate youth services commission;

(7) require all service providers participating in the pilot program to undergo intensive training in restorative and transformative justice practice or show proof of JJC approved training and provide that service providers may use the monies awarded pursuant to the pilot program to fund this training;

(8) to require a public meeting to be scheduled in each of the four pilot municipalities; as introduced, the bill requires a public meeting to be scheduled in each of the northern, central, and southern regions of the State;

(9) provide that priority in distributing monies in the fund established under the bill is to be given to service providers in the four pilot municipalities, and providers whose employees reflect the diversity of the communities they serve;

(10) provide that \$4,200,000 in funding is to be appropriated from the General Fund in both State fiscal year 2022 and State fiscal year 2023; as introduced, the bill provided for funding in the amount of \$8,400,000 in State fiscal year 2021 and State fiscal year 2022;

(11) provide that rules and regulations are to be adopted by the JJC immediately upon filing with the Office of Administrative Law

and within 120 days of the bill's effective date, and that the rules adopted are to be in effect during an interim period, but may subsequently be amended, adopted, or readopted by the JJC in accordance with the Administrative Procedure Act; as introduced, rules and regulations were to be established by the JJC within 30 days of the bill's effective date;

(12) specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission;

(13) Provide that no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes; as introduced, the bill provided that no more than 10 percent of the monies in the fund is be used for administrative purposes;

(14) provide that the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program; and

(15) provide that, to the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 4663**

# **STATE OF NEW JERSEY**

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4663 (1R).

This bill establishes a two-year pilot program in the Juvenile Justice Commission (JJC) to assist with the reintegration of youths released from juvenile facilities and to help them avoid involvement with the youth justice system - during the current public health crisis caused by the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, and potentially beyond. This program would be titled the “Restorative and Transformative Justice for Youths and Communities Pilot Program.”

The purpose of the pilot program would be to develop innovative restorative and transformative justice continuums of care in four target cities: Camden, Newark, Paterson, and Trenton. The program is to include two components: restorative justice hubs and community-based enhanced reentry wraparound services. There is to be one restorative justice hub in each of the four pilot municipalities. Each hub will provide the restorative justice services and reentry wraparound services outlined in the bill. The restorative justice hubs would establish working relationships with law enforcement, courts, prosecutors, and defense attorneys to support the diversion of youth away from arrests and prosecution and towards participation in restorative justice services.

The appropriate county youth services commissions would implement the existing request for proposal process in order to solicit proposals from interested persons and organizations. All submitted proposals would need to include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement. A restorative justice hub could have a single service provider or multiple service providers with one lead service provider.

The pilot program is to be funded from the General Fund with \$4,200,000 in State fiscal year 2022 and \$4,200,000 in State fiscal year 2023 to be credited to a separate, temporary dedicated fund known as the “Restorative and Transformative Justice for Youths and Communities Pilot Program Fund.” The fund is to be used to provide grants to participating service providers through a competitive process

established under the bill. Priority in distributing monies in the fund is to be given to service providers located in the four pilot municipalities whose employees represent the diversity of the communities which they serve. All monies in the fund, and any earned interest or other income, are only to be used for purposes associated with the pilot program; no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes.

Following the adoption of the rules and regulations the JJC is required to adopt under the bill, the JJC would be required to announce the program and require one public meeting to be held by the appropriate youth services commission in Paterson, Newark, Trenton, and Camden. The provisions of the bill specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission.

All service providers participating in the pilot program would be required under the bill to undergo intensive training in restorative and transformative justice practices or provide proof of prior training in these practices. Service providers may use the monies awarded from the pilot program to finance this training. The bill also notes that monies in the fund administered and distributed by the JJC would not replace any other funds administered and distributed by the commission, including those administered and distributed through the JJC's State/Community Partnership Grant Program. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

Under the bill, the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program. To the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

The JJC would be required to submit a report to the Governor and the Legislature at the conclusion of the pilot program, containing information on the development and implementation of the program and the feasibility of expanding the program to other municipalities in the State. The report also would include copies of any reports by service providers selected to develop and implement the pilot program. Thirty days after that report is filed, the bill's provisions would expire.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 4663

### STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 24, 2021

#### SUMMARY

- Synopsis:** Creates two-year “Restorative and Transformative Justice for Youths and Communities Pilot Program” in Juvenile Justice Commission; appropriates \$4.2 million in FY 2022 and FY 2023.
- Type of Impact:** Two-year State and local government expenditure increase; two-year local government revenue increase.
- Agencies Affected:** Department of Law and Public Safety; Superior Courts; Office of the Public Defender; County Prosecutors; Certain County Law Enforcement Agencies; Certain County Youth Services Commissions.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Two-Year Duration of the Pilot Program</u></b>
<b>State Expenditure Increase</b>	Up to \$8.4 Million
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that this bill will result in an increase in State expenditures of up to \$8.4 million over two years to fund the grants under the pilot program. The Juvenile Justice Commission (JJC) in the Department of Law and Public Safety may also experience indeterminate workload increases to establish, administer, and report on the status of the program.
- Additionally, certain participating county youth services commissions may experience indeterminate cost increases over the two years from the: a) solicitation of proposals from interested persons and organizations; b) administration and review of proposals; c) requirement to hold public meetings; and d) collaboration with local service providers, including establishing restorative justice hubs. The bill allows that up to 15 percent of monies in the dedicated Restorative and Transformative Justice for Youths and Communities Pilot Program Fund to be used by the county youth services commissions for administrative purpose, which represents a revenue increase for these local government entities.

- The bill requires the restorative justice hubs created under the program to collaborate with the county youth services commissions, courts, public defenders, prosecutors, law enforcement, and any other appropriate entities or persons, which may lead to marginal cost increases for these entities during the pilot program.

## **BILL DESCRIPTION**

This bill establishes a two-year pilot program in the JJC, which would assist with the reintegration of youths released from juvenile facilities to prevent repeated involvement with the youth justice system and to help youths avoid any initial involvement with the youth justice system; the program would be titled the Restorative and Transformative Justice for Youths and Communities Pilot Program.

The purpose of the pilot program would be to develop innovative, restorative, and transformative justice continuums of care in four target cities, Camden, Newark, Paterson, and Trenton, that include two components: restorative justice hubs and community-based enhanced reentry wraparound services.

An appropriation from the General Fund of \$4.2 million in each of FY 2022 and FY 2023 would fund the temporary dedicated fund to be known as the Restorative and Transformative Justice for Youths and Communities Pilot Program Fund. This fund would distribute grants to selected service providers by the JJC. The bill establishes that no more than eight percent of the monies in the fund may be used for State administrative purposes and no more that 15 percent for county youth services commissions administrative purposes. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

The JJC shall require each participating county to schedule one public meeting to announce the pilot program and inform the public of the adopted rules and regulations for grant applications and distributions.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that this bill will result in an increase in State expenditures of up to \$8.4 million over two years to fund the grants under the pilot program. The JJC may also experience indeterminate workload increases during the two years from the: a) establishment of the pilot program; b) administration of grants from the Restorative and Transformative Justice for Youths and Communities Pilot Program Fund; and c) requirement to compile and submit status reports. Additionally, Camden, Essex, Mercer, and Passaic county youth services commissions will experience workload increases under the pilot program from the: a) solicitation of proposals from interested persons and organizations; b) administration and review of proposals; c) requirement to hold public meetings; and d) collaboration with local service providers, including establishing

restorative justice hubs to support the municipalities of Camden, Newark, Paterson, and Trenton. Similarly, the bill requires the restorative justice hubs created under the program to collaborate with the county youth services commissions, courts, public defenders, prosecutors, law enforcement, and any other appropriate entities or persons, which may lead to marginal cost increases for these entities in the affected municipalities during the pilot program.

A maximum of eight percent of the monies in the fund may be used for JJC administrative purposes and a maximum of 15 percent may be used for county youth services commission administrative purposes, which represents revenue increases for these local government entities.

*Section: Law and Public Safety*

*Analyst: Kristin Brunner Santos  
Lead Fiscal Analyst*

*Approved: Thomas Koenig  
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 (C.52:13B-6 et seq.).

# Acting Governor Oliver Signs Legislation Establishing Juvenile Justice Pilot Program

08/11/2021

**TRENTON** – Acting Governor Sheila Oliver today signed legislation (S2924/A4663) creating a two-year “Restorative and Transformative Justice for Youths and Communities” pilot program in the Juvenile Justice Commission at the Office of the Attorney General. This legislation appropriates \$4.2 million in Fiscal Years 2022 and 2023, for a total of \$8.4 million over two years, to the Juvenile Justice Commission to assist with the process of reintegrating young people released from juvenile facilities back into their communities, aiming to prevent initial and/or repeated involvement with the youth justice system.

This legislation will support the Juvenile Justice Commission’s efforts to modify New Jersey’s current youth justice policies to adopt a more restorative and transformative approach with regards to prevention and reintegration. This program will develop innovative restorative and transformative justice continuums of care in four target cities—Camden, Newark, Paterson, and Trenton. The programs will include two components: community-based enhanced reentry wraparound services and restorative justice hubs. Community-based enhanced reentry wraparound services will include various social support services, such as employment assistance and mentoring services, while restorative justice hubs will be physical spaces within the community where youth and families can heal, reconnect and build healthy relationships, and help resolve local conflicts through dialogue instead of punitive measures.

“A stronger and fairer New Jersey begins, in many ways, with our young people,” **said Acting Governor Sheila Oliver, who also serves as the Commissioner of the Department of Community Affairs.** “It is essential that we not only invest in our communities but also in our youth. Every child, regardless of their zip code, deserves a chance to succeed and reach their full potential. This bill is bringing us closer to that realization in New Jersey.”

“New Jersey is a national leader in reforming its juvenile justice system, and that’s in part because of innovative programs like the one signed into law today,” **said Acting Attorney General Andrew Bruck.** “I commend Governor Murphy and Acting Governor Oliver for partnering with a broad range of stakeholders to design this pilot program and look forward to working with our Juvenile Justice Commission to assist with implementation.”

“As a result of strong and collaborative partnerships, New Jersey’s youth justice system has undergone a remarkable transformation over the past fifteen years, marked by a dramatic reduction in the number of youth incarcerated in our state. The Juvenile Justice Commission is proud to be a leader in these ongoing reform efforts aimed at improving outcomes for youth, families, and communities,” **said Jennifer LeBaron, Ph.D., Acting Executive Director of the New Jersey Juvenile Justice Commission.** “And today, the JJC is proud to be part of this new initiative that makes an additional investment in our youth – an initiative that represents a significant expansion of funding for community-based programs. Through the Restorative and Transformative Youth Justice Pilot Program, youth in communities most impacted by the justice system will be presented with new opportunities for growth and development and critical social supports that will both help to prevent system involvement and ensure a successful transition home following placement with the JJC.”

Primary sponsors of the legislation include Senators Shirley Turner and Nellie Pou, and Assemblymembers Verlina Reynolds-Jackson, Anthony Verrelli, Shanique Speight, and Shavonda Sumter.

“Restorative justice and transformative justice programs have been nationally recognized as the best

practices in keeping young people out of the criminal justice system and successfully reintegrating them into their communities after being released from out-of-home placements,” **said Senator Shirley Turner.** “This program will develop innovative restorative and transformative justice continuums of care in Camden, Newark, Paterson and Trenton that offer both individual support services and spaces to foster systemic change. I look forward to seeing the impact this program has on our communities. It is crucial we are doing everything in our power to redirect these young adults onto the right path to avoid further involvement in the criminal justice system.”

“When our young people leave juvenile justice facilities and return to society, too many of them are ill-equipped to meet the challenges they will face. Too often they fall through the cracks because of underfunded, over-burdened community-based services,” **said Senator Nellie Pou.** “This law will help us think more creatively about the concept of juvenile justice, especially for those most at-risk. It seeks to create restorative justice hubs with wrap-around services that will enable these young people not only to survive upon their release, but to thrive and grow and become positive, productive citizens.”

“This pilot program will help find new ways to transform our youth justice system during the current public health crisis and beyond. COVID-19’s impact on our communities and the fervent calls for racial equality demand changes in the way our state implements justice. Only once we acknowledge the inequalities and failures of our current system can we begin to find better solutions to the challenges we face,” **said Assembly sponsors Verlina Reynolds-Jackson, Anthony Verrelli, Shanique Speight, and Shavonda Sumter in a joint statement.** “Rather than relying on incarceration and punitive measures, New Jersey needs a community-based plan of action that embraces restorative and transformative justice practices. We must place an emphasis on the social and emotional rehabilitation of young people, their families and their community members if we are to succeed in our goal. It’s time to look at how we can make real, lasting change in our communities and lift up our young men and women to break the cycle of incarceration and recidivism.”

“This legislation is a tremendous victory as we begin to shift funds – and our mindset – from investing in our kids’ failure to investing in their success,” **said Andrea McChristian, Director of Law & Policy at the New Jersey Institute for Social Justice.** “This legislation will be transformative for young people of color in New Jersey whose lives have been devastated by our broken youth justice system. It is an important step toward our larger goal of closing all three of New Jersey’s youth prisons and meaningfully investing dollars into the communities disproportionately harmed by youth incarceration.”

“Now that I serve a congregation and the community of Trenton this initiative is more personally meaningful than ever. Restorative Justice Hubs are the community imagined alternative to punitive responses to our young people’s trauma,” **said Reverend Charles Boyer.** “This law is historic for our state as we look to support youth and affirm their humanity and care. I am so grateful for the young people, the community leaders, The NJ Institute for Social Justice, the sponsors, the Governor and the Lieutenant Governor for their commitment to the well-being of our children.”