30:1B-26 to 30:1B-32

LEGISLATIVE HISTORY CHECKLIST

NJSA: 30:1B-26 to 30:1B-32 (Juvenile Justice Initiative)

LAWS OF: 1989 **CHAPTER:** 197

Bill No: S2538

Sponsor(s): Ambrosio, Lipman and Ewing

Date Introduced: March 21, 1988

Committee: **Assembly:** Appropriations; Law, Public Safety and Corrections

Senate: Children's Services; Revenue; Finance and Appropriations

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** September 28, 1989

Senate: August 8, 1989

Date of Approval: November 28, 1989

Following statements are attached if available:

Sponsor statement:

Committee Statement: **Assembly:** Yes

Senate: 4-12-88 & 9-29-88

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

See newspaper clipping-attached:

"Funds gain for alternatives..." 10-20-89 Star Ledger.
"Youth offender alternatives," 8-20-89 Star Ledger.

CHAPTER 197 LAWS OF N.J. 1989
APPROVED 28 NOVEMBER 1989

[THIRD REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 2538, 2527 and 2242

STATE OF NEW JERSEY

ADOPTED JUNE 27, 1988

Sponsored by Senators AMBROSIO, LIPMAN and EWING

AN ACT creating alternative programs to detention and incarceration of juveniles and making an appropriation therefor.

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

1. The Legislature finds and declares that: several of the county juvenile detention facilities in this State intended for the housing of juveniles prior to adjudication of delinquency have become so severely overcrowded as to jeopardize the achievement of the goals of the juvenile justice system; the primary causes of overcrowding in juvenile detention facilities are the unavailability of alternatives to detaining juveniles in order to assure their presence at the next court proceeding and the improper housing in those detention facilities of juveniles adjudicated delinquent who are awaiting placement in an appropriate State institution for the rehabilitation of delinquents or other specialized State program; and therefore, the establishment of alternatives to detention for pre-adjudicatory delinquents and the expansion of existing State programs for adjudicated juvenile delinquents is an urgent priority.

2. There is established in the Department of Corrections the "Alternatives to Juvenile Incarceration Grant Program" for the purpose of developing community-based programs for the placement of juveniles who are awaiting delinquency adjudication or who have been adjudicated delinquent. The Commissioner of Corrections shall distribute all funds appropriated for this program in accordance with the provisions of this section.

a. Within 60 days of the effective date of this act, the commissioner shall solicit proposals from community-based groups interested in participating in the program. A community-based group interested in participating in the program shall submit its

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:
1 Senate SRF committee amendments adopted August 4, 1988.
2 Assembly ALP committee amendments adopted September 29, 1988.
3 Assembly floor amendments adopted February 23, 1989.

proposal to the commissioner.

The commissioner, in consultation with those persons from each county charged with the responsibility for planning youth services [1][as defined by section 16 of P.L.1982, c.80 (C.2A:4A-91),][1] shall review the proposals and approve and fund, within the limits of moneys appropriated for this purpose, the proposals which best meet the criteria in subsection b. of this section and the purposes of this program.

b. The criteria for the review of the proposals shall include, but not be limited to:

(1) The potential of the grant recipient to develop a successful program for the placement of adjudicated delinquents into non-custodial settings, or the potential of the grant recipient to develop a successful program for placing juveniles awaiting delinquency adjudication into non-custodial settings which will ensure their presence at the next court proceeding, as appropriate; and

(2) The financial and managerial commitment of the grant recipient to the development of a successful program under paragraph (1) of this subsection.

c. (1) The commissioner shall award no less than 75% of the moneys allocated to this program to proposals which address the needs of those counties with populations in their respective juvenile detention facilities which were in excess of 100% of the maximum population capacity for the facility as assigned by the Department of Corrections and the Department of Human Services in accordance with the provisions of section 18 of P.L.1982, c.77 (C.2A:4A-37) in each of the five months immediately preceding the effective date of this act.

(2) The commissioner shall award the remainder of the moneys allocated to this program to proposals which address the needs of those counties which do not receive funding pursuant to paragraph (1) of this subsection.

d. (1) In accordance with the requirements of subsection c. of this section, the commissioner shall award 30% of the moneys allocated to this program to proposals which provide alternatives to detention for juveniles in a county juvenile detention facility awaiting delinquency adjudication. The commissioner shall not award any of the funds specified in this paragraph to any unit or

division of the Department of Corrections. A juvenile shall not be placed in a program funded pursuant to this paragraph unless the juvenile meets the criteria for placing a juvenile in detention pursuant to section 15 of P.L.1982, c.77 (C.2A:4A-34).

(2) The commissioner shall award 70% of the moneys allocated to this program to proposals from community groups which provide alternatives to incarceration for juveniles who have been adjudicated delinquent. In the event that the commissioner does not receive a sufficient number of proposals acceptable to him which conform to the requirements of this paragraph and the other criteria of this section, the commissioner may use the remainder of the funds subject to the requirements of this paragraph to fund a program within the department which provides an alternative to incarceration for juveniles who have been adjudicated delinquent.

e. The commissioner shall not award any funds allocated to this program for the operation or expansion of secured facilities for juveniles.

f. The grants made pursuant to this act shall not be subject to the requirements of P.L.1954, c.48 (C.52:34-6 et seq.).

3. There is established in the Department of Corrections a "Youth Vocational Training and Aftercare Program." The Commissioner of Corrections shall distribute all moneys appropriated for this program in accordance with the provisions of this section.

a. The commissioner shall provide funds to the New Jersey Training School for Boys [3], the Juvenile Medium Security Facility[3] and the Lloyd McCorkle Training School for Boys and Girls for vocational education and training of juveniles.

b. The commissioner shall establish a program for community-based [1][aftercare] services[1] , both day and residential, which shall include vocational education and training projects affiliated with community colleges and vocational schools, to be developed in those counties with the greatest need. [1]This program shall be available to juveniles served by the Department of Corrections.[1]

[1][(1) Within 60 days of the effective date of this act, the commissioner shall solicit proposals from community-based groups interested in participating in the program. A community-based group interested in participating in the program shall submit its

proposal to the commissioner. The commissioner, in consultation with those persons from each county charged with the responsibility for planning youth services as defined by section 16 of P.L.1982, c.80 (C.2A:4A-91), shall review the proposals and approve and fund, within the limits of moneys appropriated for this purpose, the proposals which best meet the purposes of this program.

In reviewing the proposals, the commissioner shall consider the severity of overcrowding in the juvenile detention facility of the county in which the project would be located.

(2) In the event that the commissioner does not receive a sufficient number of proposals acceptable to him which conform to the requirements of this subsection, the commissioner may use the remainder of the funds subject to the requirements of this subsection to fund a program within the department which meets the purposes of this subsection.

(3)]1 The commissioner shall not 1[award] expend1 any funds allocated to this program for the operation or expansion of secured facilities for juveniles.

1[(4) The grants made pursuant to this act shall not be subject to the requirements of P.L.1954, c.48 (C.52:34-6 et seq.).]1

1 c. The commissioner shall establish a program for aftercare services, both day and residential, to facilitate the transition of juveniles who have been served by the Department of Corrections, to be developed in those counties with the greatest needs.1

2[1[c.] d.1 The commissioner shall establish a pilot program of specialized day treatment for juveniles as an alternative to incarceration, for juveniles between the ages of 13 and 18, who have been adjudicated delinquent of an act which, if committed by an adult, would have constituted a crime. A juvenile eligible for this pilot program shall participate for a period of up to one year.

(1) The pilot program shall be established in two counties which have juvenile detention facilities with maximum population capacities as assigned by the Department of Corrections and the Department of Human Services in accordance with the provisions of section 18 of P.L.1982, c.77 (C.2A:4A-37) in excess of 50 juveniles and which were in excess of 100% of their respective capacities in each of the five months immediately preceding the effective date of this act.

(2) The commissioner shall notify the Administrative Office of the Courts and the assignment judges of the Superior Court for the counties selected for the program of the existence of the pilot program.

(3) The commissioner shall not award any funds allocated to this program for the operation or expansion of secured facilities for juveniles.][2]

4. Within the limits of funds appropriated pursuant to this act, the Commissioner of Corrections shall expand existing services to include those juveniles who are adjudicated delinquent and [1][diagnosed] require placement in custodial or residential facilities and who have been identified[1] as being emotionally disturbed [1]by a child study team[1] but who are not presently [1][receiving treatment] in a specialized program[1] for this condition.

The commissioner shall allocate funds appropriated for this purpose among existing and newly developed community residential programs and therapeutic foster homes in order to provide additional beds for emotionally disturbed juveniles. The commissioner shall not allocate any funds appropriated for the purposes of this section for treatment of juveniles adjudicated delinquent who are developmentally disabled or for [1][treatment of][1] juveniles [1][committed to] who are classified for[1] the New Jersey Training School for Boys [1][or] ,[1] the Lloyd McCorkle Training School for Boys and Girls [1]or the [3][Albert C. Wagner Youth Correctional Facility[1]] Juvenile Medium Security Facility[3].

5. The commissioner shall expand, within the limits of funds appropriated for this purpose, existing services to provide additional beds for treatment of juvenile sex offenders.

6. The Commissioner of Corrections shall adopt rules and regulations necessary to effectuate the purposes of this act in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

7. Within six months of the effective date of this act and six months thereafter, the Commissioner of Corrections, in consultation with the Commissioner of Human Services, shall report to the Governor and the Legislature on the effectiveness of the programs established pursuant to this act. The report shall include, but not be limited to, the current number of juveniles being detained in juvenile detention facilities, the number and

effectiveness of proposals funded pursuant to this act, the numbers of juvenile sex offenders and emotionally disturbed juveniles treated with funds appropriated pursuant to this act, the number of juveniles detained pending adjudication who were released into programs funded by grants under this act, the number of juveniles in need of community services who have not been able to receive the services, and the number of juveniles held in juvenile detention facilities pending placement in facilities operated by, or which contract with, the Department of Human Services or pending transfer to training schools operated by the Department of Corrections.

8. There is appropriated from the General Fund to the Department of Corrections 2[$5,000,000] 3[$4,500,0002] $2,500,0003 to carry out the purposes of this act.

Of this sum, 3[$1,000,000] $750,0003 is allocated to the "Alternatives to Juvenile Incarceration Grant Program"; 2[$2,500,000] 3[$2,000,0002] $950,0003 is allocated to the "Youth Vocational Training and Aftercare Program," of which 3[$300,000] $250,0003 is for education and training at State facilities pursuant to subsection a. 2[,] of section 3 of this act and2 3[$1,700,000] $700,0003 is for community-based 1service programs and community-based1 aftercare programs pursuant to 1[subsection] subsections1 b. 1and c.1 2[, and $500,000 is for specialized day treatment pursuant to subsection 1[c.] d.1]2 of section 3 of this act; 3[$750,000] $400,0003 is allocated to expanded services to emotionally disturbed juveniles pursuant to section 4 of this act; and 3[$750,000] $400,0003 is allocated for expanded services to juvenile sex offenders pursuant to section 5 of this act.

9. This act shall take effect immediately.

CORRECTIONS AND PRISONS

Juvenile Justice

Creates alternative programs to detention and incarceration of juveniles and appropriates $2.5 million.

SENATE, No. 2538

STATE OF NEW JERSEY

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INTRODUCED MAY 16, 1988

By Senators AMBROSIO, DiFRANCESCO, LIPMAN, EWING and COSTA

A SUPPLEMENT to "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 1988 and regulating the disbursement thereof," approved June 30, 1987 (P.L. 1987, c. 154).

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

1. In addition to the amounts appropriated under P.L. 1987, c. 154, there is appropriated out of the General Fund the following sum for the purpose specified:

DIRECT STATE SERVICES
26 DEPARTMENT OF CORRECTIONS
18 Juvenile Correctional Services
7270 Juvenile Community Programs

12-7270 Residential Care		$4,500,000
Special Purpose:		
Sex Offenders Treatment Program	($ 750,000)	
Mental Health Program	($ 750,000)	
Youth Vocational Training and Aftercare ..	($2,000,000)	
Grants:		
County Subsidy Program	($1,000,000)	

2. This act shall take effect immediately.

STATEMENT

This bill appropriates the sum of $4,500,000 from the General Fund to the Department of Corrections to fund the Juvenile Justice Initiative. The Initiative is comprised of four components: (1) a County Subsidy to address the overcrowding and inappropriate placement of juveniles in county detention facilities ($1 million); (2) a Youth Job-Training and Aftercare Program, to replicate and expand successful job training programs, both at the State institutions and in the community, and to provide follow-up placement and

aftercare ($2 million); a Mental Health Program to provide appropriate services to the mentally retarded and developmentally disabled juveniles committed to the custody of the Department ($750,000) and (4) a Sex Offender Treatment Program to provide professional care in a group-living setting for youthful sex offenders ($750,000).

CORRECTIONS AND PRISONS

Juvenile Justice

Appropriates $4,500,000 to Department of Corrections for Juvenile Justice Initiative.

SENATE, No. 2527

STATE OF NEW JERSEY

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INTRODUCED MAY 16, 1988

By Senators LIPMAN, AMBROSIO, RICE and GRAVES

AN ACT establishing a pilot program of intensive supervision as an alternative to juvenile incarceration in the Department of Corrections, Division of Juvenile Services, 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. Juvenile offenses have dramatically increased over the past two years, particularly in the urban counties and municipalities, and juvenile delinquency is becoming a way of life for many inner-city youth.

b. Many county detention facilities and youth correctional institutions are overcrowded; are not properly monitored and do not provide adequate rehabilitative or educational services.

c. There is a need to establish an alternative to juvenile incarceration which will provide intensive supervision, education, counseling, vocational training, employment counseling, work or other community service programs.

2. a. There is established in the Department of Correction, Division of Juvenile Services, a pilot program of intensive juvenile supervision, as an alternative to juvenile incarceration, for male juveniles between the ages of 13 and 18, who have been adjudicated delinquent of an act which, if committed by an adult, would have constituted a crime.

b. These programs shall be established in two counties as follows: one county of the first class with a population according to the latest federal decennial census which exceeds 840,000 and a county of the second class with a population according to the latest federal decennial census between 450,000 and 475,000.

c. A juvenile eligible for alternative disposition pursuant to this act shall be sentenced by the court to participate in the program for a period up to six months.

3. The Commissioner of Corrections, shall promulgate rules and regulations pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) to effectuate the purposes of this act.

4. The Commissioner of Corrections shall compile and analyze information on the effectiveness of these programs and shall report his findings and recommendations to the Governor and the Legislature within two years after the effective date of this act.

5. There is appropriated to the Department of Corrections from the General Fund $500,000 to effectuate the purposes of this act.

6. This act shall take effect immediately and shall expire three years following the effective date.

STATEMENT

This bill establishes a three year pilot program of intensive supervision as an alternative to juvenile incarceration in the Department of Corrections, Division of Juvenile Services. This program is to be an alternative disposition for male juveniles, between the ages of 13 and 18 who have been adjudicated delinquent of an act which, if committed by an adult, would have constituted a crime. Juveniles who qualify may be sentenced by the court to participate in the program for a period up to six months. This program is to be established in Essex and Passiac counties.

The bill appropriates $500,000 to carry out the purposes of the act.

CRIMINAL JUSTICE
Juvenile Justice

Establishes a pilot progam of intensive supervision for juveniles; appropriates $500,000.

SENATE, No. 2242

STATE OF NEW JERSEY

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INTRODUCED MARCH 21, 1988

By Senator EWING

AN ACT establishing an aftercare program for certain juveniles, supplementing Title 30 of the Revised Statutes 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 one of the major functions of a State youth correctional facility is to provide rehabilitation services to the children assigned to the institution; that it is often difficult for these children to sustain the pattern of positive growth when they return to their community; and, that it is necessary to provide a structured aftercare environment for these children to assist them in making a successful transition to community life.

2. There is established an aftercare program in the Division of Juvenile Services in the Department of Corrections. Juveniles may apply for admission to the program upon their release or parole from a State youth correctional institution.

The program shall be noncustodial, may be residential or nonresidential as determined by the division, and shall, at a minimum, include:

a. Counseling;

b. Educational and vocational training;

c. Preparation for independent, community living.

3. The Division of Juvenile Services shall be responsible for informing juveniles of the goals and objectives of the program, and shall establish eligibility criteria, application procedures, performance standards and all other standards and procedures necessary for the program.

4. Juveniles wishing to participate in the program shall apply to the Division of Juvenile Services. An individualized program with specific goals and objectives shall be established for each child accepted into the program which shall, at a minimum, include

personal counseling and the continuation of the child's educational and vocational training.

5. The Department of Corrections shall, pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) adopt rules and regulations necessary to implement the provisions of this act.

6. There is appropriated from the General Fund to the Department of Corrections $300,000 for the program established pursuant to this act.

7. This act shall take effect immediately.

STATEMENT

This bill establishes an aftercare program in the Department of Corrections to provide aftercare services to adjudicated juveniles upon their release or parole from a State youth correctional facility. The program would be under the jurisdiction of the Division of Juvenile Services in the Department of Corrections. Its primary purpose would be to provide a structured environment in which the participant could receive personal counseling, complete his high school education, continue his employment or vocational training and thus make a successful transition to independent living. The bill appropriates $300,000 for the program.

CORRECTIONS AND PRISONS
Children

Establishes an aftercare program to provide transitional services for adjudicated juveniles upon their release from a State youth correctional facility, and appropriates $300,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[SECOND REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 2538, 2527 and 2242

STATE OF NEW JERSEY

DATED: DECEMBER 12, 1988

The Assembly Appropriations Committee reports favorably the Senate Committee Substitute (2R) for Senate Bill Nos. 2538, 2527, and 2242.

The Senate Committee Substitute (2R) for Senate Bill Nos. 2538, 2527, and 2242 establishes two new programs and expands existing programs for services to juvenile offenders, and appropriates $4,500,000 to the Department of Corrections.

The bill establishes the "Alternatives to Juvenile Incarceration Grant Program," to provide community-based programs for juveniles awaiting delinquency adjudication and juveniles who have been adjudicated delinquent into non-custodial settings; $1,000,000 is appropriated to this program. No less than 75% of that amount is to be allocated for proposals in counties which have overcrowded juvenile detention facilities. The bill further requires that this appropriation be allocated as follows: 30% for proposals to provide alternatives to detention for juveniles who are in a county detention facility awaiting delinquency adjudication, and 70% for community group proposals to provide alternatives to incarceration for juveniles who have been adjudicated delinquent.

The bill also establishes the "Youth Vocational Training and Aftercare Program," for new and expanded services and appropriates $2,000,000 to that program. Of this amount, $300,000 is allocated to the New Jersey Training School for Boys and the Lloyd McCorkle Training School for Boys and Girls. The remaining $1,700,000 is allocated for new initiatives, community-based vocational education and training for juveniles adjudicated delinquent and aftercare services for former department-supervised juveniles.

The bill also appropriates $750,000 to expand the department's services to emotionally disturbed juvenile delinquents, and appropriates $750,000 to expand the department's services to juvenile sex offenders.

This bill is identical to Assembly Bill No. 3158 (1R).

FISCAL IMPACT:

This bill appropriates $4,500,000 from the General Fund to the Department of Corrections.

ASSEMBLY LAW, PUBLIC SAFETY AND CORRECTIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 2538, 2527 and 2242

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 29, 1988

The Assembly Law, Public Safety and Corrections Committee favorably reports Senate Bill Nos. 2538, 2527 and 2242 SCS (1R) with committee amendments.

Senate Bill Nos. 2538, 2527 and 2242 SCS (1R) provides for the establishment of two new programs designed to offer alternatives to institution-based detention and incarceration of juvenile offenders and authorizes the expansion of existing services for juvenile sex offenders and juvenile delinquents who have been identified as being emotionally disturbed. As amended by the Committee, the bill appropriates $4,500,000 to fund these new programs and expanded services.

The "Alternatives to Juvenile Incarceration Grant Program" is designed to provide community-based programs for the placement of juveniles who are awaiting delinquency adjudication and juveniles who have been adjudicated delinquent into non-custodial settings. Under the provisions of the bill, the Commissioner of Corrections is to solicit proposals from community-based groups interested in participating in the program. The bill appropriates $1,000,000 for this program. No less than 75% of that amount is to be allocated for proposals that address the needs of those counties which have severe overcrowding problems in their juvenile detention facilities (i.e., county juvenile detention facilities which have populations in excess of 100% of their capacity in each of the five months immediately preceding the effective date of the bill). In addition, the bill requires that 30% of the appropriation be allocated for proposals which will provide alternatives for juveniles which are in a county detention facility awaiting delinquency adjudication, while 70% is to be used to fund community group proposals which will provide alternatives to

incarceration for juveniles who have been adjudicated delinquent. In the event the commissioner is unable to secure a sufficient number of acceptable proposals, he may use those remaining funds for a departmental program that would provide alternatives to incarceration for juveniles who have been adjudicated delinquent. The provisions of the bill specifically prohibit the commissioner from awarding any of the moneys appropriated for this program for either the operation or expansion of secured facilities for juveniles.

Under the "Youth Vocational Training and Aftercare Program," the Department of Corrections is to initiate new programs and expand its current services in the areas of vocational education and aftercare. The new initiatives include community-based vocational education and training projects and aftercare services to facilitate the transition of juveniles back to society from a detention or department-supervised setting. As amended by the Committee, the bill appropriates a $2,000,000 for the "Youth Vocational Training and Aftercare Program." Of that amount, $300,000 is to be appropriated to the New Jersey Training School for Boys and the Lloyd McCorkle Training School for Boys and Girls for the vocational education and training of the juveniles in those schools. For the new initiatives, community-based vocational education and training for juveniles adjudicated delinquent and aftercare services for former department-supervised juveniles, the bill allocates $1,700,000.

The bill also appropriates $750,000 to expand the department's services to juveniles that have been adjudicated delinquent and have been identified as being emotionally disturbed. These moneys are to be allocated by the commissioner among existing and newly developed community residential programs and therapeutic foster homes in order to provide additional beds for these emotionally disturbed juveniles. The bill specifically prohibits the commissioner from using any of these moneys for the treatment of juveniles who are developmentally disabled or for juveniles who are classified for the New Jersey Training School for Boys, the Lloyd McCorkle Training School for Boys and Girls, or the Albert C. Wagner Youth Correctional Facility.

Finally, the bill appropriates $750,000 to expand the department's existing services in order to provide additional beds for the treatment of juvenile sex offenders.

The Committee amendments deleted a proposed pilot program of specialized day treatment for juveniles adjudicated delinquent. As received by the Committee, the Senate Committee Substitute appropriated $500,000 for a one year study which would have established a specialized day treatment program, as an alternative to incarceration, for juveniles adjudicated delinquent. The study was to be conducted in two counties that were experiencing serious overcrowding problems in their juvenile detention facilities. The Committee amendments also reduced the bill's overall appropriation to reflect the deletion of that proposed pilot program.

SENATE COMMITTEE ON CHILDREN'S SERVICES

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 2538, 2527 and 2242

STATE OF NEW JERSEY

DATED: JUNE 27, 1988

The Senate Committee on Children's Services favorably reports a Senate Committee Substitute for Senate Bill Nos. 2538, 2527, and 2242.

The substitute creates several alternative programs to detention and incarceration of juveniles and appropriates a total of $5,000,000 to fund these programs.

The committee substitute creates the "Alternatives to Juvenile Incarceration Grant Program" to provide community-based programs for the placement of juveniles who are awaiting adjudication or who have been adjudicated delinquent. At least 75% of the $1,000,000 appropriated to this program is allocated to counties with juvenile detention facilities which are in excess of 100% their maximum population capacities in each of five months immediately preceding the effective date of the act. The substitute also requires that 70% of the funds appropriated to this program shall be allocated to proposals addressing the needs of juveniles adjudicated delinquent and 30% shall be allocated to proposals addressing the needs of juveniles awaiting adjudication of delinquency.

The committee substitute also establishes the "Youth Vocational Training and Aftercare Program," and appropriates a total of $2,500,000 to this initiative. Of this total, $300,000 is allocated to the New Jersey Training School for Boys and the Lloyd McCorkle Training School for Boys and Girls for vocational education and training. An additional $1,700,000 is allocated to fund proposals of community-based groups to provide aftercare for juveniles adjudicated delinquent. The substitute also appropriates $500,000 to establish a one-year pilot program of specialized day treatment as an alternative to juvenile incarceration. This program would provide an alternative disposition for juveniles, between the ages of 13 and 18 in Essex

and Passaic counties, who have been adjudicated delinquent of an act which, if committed by an adult, would have constituted a crime.

Finally, the committee substitute appropriates $750,000 to expand services to emotionally disturbed juveniles and $750,000 to expand services to juvenile sex offenders.

SENATE REVENUE, FINANCE AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 2538, 2527 and 2242

with Senate committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 4, 1988

The Senate Revenue, Finance and Appropriations Committee reported the Senate Committee Substitute for Senate Bill Nos. 2538, 2527 and 2242 favorably with committee amendments.

Senate Committee Substitute for Senate Bill Nos. 2538, 2527, and 2242, as amended, provides for the establishment and funding of several alternative programs to institution-based detention and incarceration of juveniles. The bill appropriates a total of $5,000,000 to fund these programs.

The bill creates the "Alternatives to Juvenile Incarceration Grant Program" to provide community-based programs for the placement of juveniles who are awaiting adjudication or who have been adjudicated delinquent and appropriates $1,000,000 for this initiative. The Commissioner of Corrections is to solicit and review proposals for these non-custodial programs. Funds allocated for this program are not to be used for the operation or expansion of secured facilities for juveniles.

The bill also establishes the "Youth Vocational Training and Aftercare Program," and appropriates a total of $2,500,000 to this initiative for funding a variety of dispositional alternatives.

The Commissioner of Corrections in consultation with the Commissioner of Human Services is to report every six months to the Governor and the Legislature on the effectiveness of the programs established under the bill.

COMMITTEE AMENDMENTS

The committee amendments provide that community-based day and residential services are to be available to juveniles who are receiving juvenile services from the Department of Corrections. The amendments also clarify that aftercare service programs are to provide transitional services to juveniles who were under the department's juvenile services supervision and are to be

established in counties with the greatest need. Further amendments to section 3 of the bill clarify that the "Youth Vocational Training and Aftercare Program" is not a grant program to be performed by outside providers but require new or expanded services to be performed by the department in community-based settings. The amendment to section 4 of the bill clarify that the department may offer expanded services to emotionally disturbed juveniles who have been so identified by a child study team, which may include juveniles identified by a team in a local school system or by the department itself. The amendments also make technical and clarifying changes.

FISCAL IMPACT

This bill appropriates $5,000,000 from the General Fund to the Department of Corrections for several alternative programs to institution-based detention and incarceration of juveniles. Of that amount, $1,000,000 is appropriated to the "Alternatives to Juvenile Incarceration Grant Program," of which at least 75% is allocated to counties with juvenile detention facilities which are in excess of 100% their maximum population capacities in each of five months immediately preceding the effective date of the bill. The bill also requires that 70% of the funds appropriated to this program shall be allocated to proposals addressing the needs of juveniles adjudicated delinquent and 30% shall be allocated to proposals addressing the needs of juveniles awaiting adjudication of delinquency.

Of the $2,500,000 appropriated for the "Youth Vocational Training and Aftercare Program," $300,000 is allocated to the New Jersey Training School for Boys and the Lloyd McCorkle Training School for Boys and Girls for vocational education and training; $1,700,000 is allocated to fund community-based vocational education and training services for juveniles adjudicated delinquent and for aftercare services for former department-supervised juveniles; and $500,000 is allocated to establish a one-year pilot program of specialized day treatment as an alternative to juvenile incarceration. The pilot program would provide an alternative disposition for juveniles, between the ages of 13 and 18 in Essex and Passaic counties, who have been adjudicated delinquent of an act which, if committed by an adult, would have constituted a crime.

Finally, $750,000 is appropriated to expand services to emotionally disturbed juveniles and $750,000 is appropriated to expand services to juvenile sex offenders.

FISCAL NOTE TO

SENATE, No. 2242

STATE OF NEW JERSEY

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DATED: June 13, 1988

Senate Bill No. 2242 of 1988 would establish, within the Division of Juvenile Services, an aftercare program for juveniles released from State correctional facilities. The bill appropriates $300,000 for this purpose.

The Department of Corrections (DOC) reports that the Division of Juvenile Services intends to open a group home in Newark which would provide structured re-entry programs for up to ten juveniles at any one time.

DOC estimates that the cost of operating this facility would be as follows:

FY 1989	FY 1990	FY 1991
$298,018	$282,995	$297,145

The facility would have on its staff: one Superintendent, five Youth Workers and two Youth Work Supervisors for total salaries in FY 1989 of $174,018. Non-salary costs would be $124,000 which includes a first year one-time cost of $28,500 for vehicles. Future year costs were determined by adjusting both salaries and recurring non-salary costs by 5 percent per year.

The Office of Legislative Services concurs but notes that DOC did not include fringe benefit costs in its salary analysis. Based on the current fringe benefit rate of 23.85 percent, the additional cost of this bill would be $41,500 in FY 1989, $43,580 in 1990 and $45,760 in FY 1991.

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