

52:17B-180

LEGISLATIVE HISTORY CHECKLIST
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(Youth Services Commissions)

NJSA: 52:17B-180

LAWS OF: 1995 **CHAPTER:** 282

BILL NO: S2209

SPONSOR(S): Bassano, Matheussen & Ciesla

DATE INTRODUCED: June 26, 1995

COMMITTEE: **ASSEMBLY** ---

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** November 30, 1995

SENATE: October 19, 1995

DATE OF APPROVAL: December 15, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: Yes

HEARINGS: Yes

974.90 New Jersey. Governor's Advisory Council on Juvenile Justice.
J97 Final report...Dec. 30, 1994. Trenton, 1994.
1994a

974.90 New Jersey. Legislature. Assembly Task Force on Juvenile Crime.
J97 Task Force meetings held 3-22-94, 4-12-94, 5-4-94 & 6-22-94,
1994 Manalapan, Paterson, Vineland & Edison, NJ, 1994.

For newspaper clippings: See Legislative History on L.1995, C280.

974.90 New Jersey. Legislature. Senate. Law & Public Safety Committee.
J97 Committee meeting on S2209, held 9-11-95. Trenton, 1995.
1995

KBP:pp

P.L.1995, CHAPTER 282, approved December 15, 1995
1995 Senate No. 2209

1 AN ACT concerning county youth services commissions and
2 supplementing Title 52 of the New Jersey Statutes.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. a. In order to qualify for award of State/Community
7 Partnership Grant funds established pursuant to P.L. c.
8 (C.)(now pending before the Legislature as Assembly Bill
9 No. of 1995 and Senate Bill No. of 1995) a county shall:

10 (1) Establish a county youth services commission in accordance
11 with regulations promulgated by the Juvenile Justice Commission
12 established pursuant to section 2 of P.L. c. (C.)(now
13 pending before the Legislature as section 2 of Assembly Bill No.
14 of 1995 or Senate Bill No. of 1995);

15 (2) Submit and obtain Juvenile Justice Commission approval of
16 a biannual comprehensive plan for services and sanctions for
17 juveniles adjudicated or charged as delinquent and programs for
18 the prevention of juvenile delinquency which:

19 (a) are designed to promote the goals of P.L. c. (C.)(now
20 pending before the Legislature as Assembly Bill No. of 1995
21 and Senate Bill No. of 1995);

22 (b) provide recommendations for funding of programs,
23 sanctions and services that enhance and expand the range of
24 sanctions and services for juveniles adjudicated or charged as
25 delinquent and programs designed to prevent delinquency;

26 (c) make services available in geographical locations within
27 the county where juveniles in need reside; and

28 (d) provide for distribution of State/Community Partnership
29 Grant funds by the county in accordance with contracts or
30 agreements executed by the appropriate county officials in
31 accordance with applicable law.

32 b. The Juvenile Justice Commission shall establish by
33 regulation:

34 (1) Specific guidelines as to membership of a county youth
35 services commission;

36 (2) Specific requirements for the administration of the
37 State/Community Partnership Grant funds awarded by the county.

38 c. Notwithstanding the provisions of subsection a. of this
39 section, the county governing body may elect, upon annual
40 written request approved by the executive director, to designate
41 a commission, council or agency to assume the responsibilities of
42 a county youth services commission in that county. Approval of
43 such a request shall be contingent upon the governing body
44 demonstrating that the membership of the designated entity is
45 sufficiently representative of persons and agencies interested in

1 such a request shall be contingent upon the governing body
2 demonstrating that the membership of the designated entity is
3 sufficiently representative of persons and agencies interested in
4 the juvenile justice system to permit the entity to perform the
5 duties and responsibilities of a county youth services commission,
6 that the members of the designated entity are otherwise qualified
7 to perform the duties and responsibilities of members of a county
8 youth services commission, and that the designated entity has the
9 authority and responsibility to carry out the duties and
10 responsibilities of a county youth services commission.

11 d. A county youth services commission shall:

12 (1) Recommend to the governing body of the county the
13 approval or disapproval of contracts with local government or
14 private agencies that desire participation in the
15 State/Community Partnership Grant Program;

16 (2) Monitor the operations of programs receiving
17 State/Community Partnership Grant funds with reference to
18 compliance with standards, policies and rules established by the
19 Juvenile Justice Commission;

20 (3) Monitor and evaluate the impact of the programs receiving
21 State/Community Partnership Grant funds, including the nature
22 of the offender or at risk populations served by the funded
23 programs, and prepare a written report with relevant
24 documentation, on an annual basis, to be submitted to the
25 Juvenile Justice Commission as part of the commissions'
26 biannual plan and annual update; and

27 (4) Perform such other duties as may be established by the
28 Juvenile Justice Commission to achieve the purposes of P.L.

29 c. (C.)(now pending before the Legislature as Assembly Bill
30 No. of 1995 and Senate Bill No. of 1995) which creates the
31 Juvenile Justice Commission and P.L. c. (C.)(now pending
32 before the Legislature as Assembly Bill No. of 1995 and Senate
33 Bill No. of 1995) which creates the State/Community
34 Partnership Grant Program.

35 e. No county may use funds received pursuant to this section
36 to supplant or replace existing funds or other resources from
37 federal, State or county government for existing juvenile
38 justice-related programs or for purposes of capital construction
39 or renovation.

40 f. If a county elects not to participate in the State/Community
41 Partnership Grant Program, the commission is authorized to
42 allocate and expend that county's share of Partnership funding in
43 a manner consistent with the commission's annual Juvenile
44 Justice Master Plan.

45 2. This act shall take effect immediately.

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STATEMENT

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50 This bill is part of the package of bills concerning the
51 Governor's initiative on juvenile justice reform. This bill would
52 authorize counties to establish county youth services commissions.

53 As the Governor's Advisory Council on Juvenile Justice noted
54 in their final report, the establishment of a local entity to

1 advocate, plan and implement community based services and
2 sanctions, as well as prevention and intervention strategies to
3 reduce juvenile delinquency, is essential to the success of the
4 Governor's initiative. In the final report, the advisory council
5 stated that legislation to mandate and adequately fund county
6 youth service commissions had been proposed in the past but
7 never enacted. The advisory council cited to the Juvenile
8 Delinquency Commission's 1988 report which recognized the
9 need to formalize and extend the authority of county youth
10 service commissions.

11 This bill would charge the county youth service commissions
12 with the following responsibilities: assess and prioritize the
13 needs of youth involved or at risk of involvement in the system;
14 develop, implement and contract for community programs for
15 juveniles; and review and monitor new and existing community
16 programs to determine their effectiveness.

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24 documentation, on an annual basis, to be submitted to the
25 Juvenile Justice Commission as part of the commissions'
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SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2209

STATE OF NEW JERSEY

DATED: SEPTEMBER 11, 1995

The Senate Law and Public Safety Committee favorably reports Senate Bill No. 2209.

This bill is part of the package of bills concerning the Governor's initiative on juvenile justice reform. This bill would authorize counties to establish county youth service commissions.

As the Governor's Advisory Council on Juvenile Justice noted in its final report, the establishment of a local entity to advocate, plan and implement community based services and sanctions, as well as prevention and intervention strategies to reduce juvenile delinquency, is essential to the success of the Governor's initiative. In the final report, the advisory council stated that legislation to mandate and adequately fund county youth service commissions had been proposed in the past but had not been enacted. The advisory council cited the Juvenile Delinquency Commission's 1988 report, which recognized the need to formalize and extend the authority of county youth service commissions.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

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TRENTON, NJ 08625

RELEASE: Dec.15,1995

Gov. Christie Whitman today signed into law an overhaul of the juvenile justice system which promotes public safety, makes juveniles more accountable for their actions, and emphasizes prevention and early intervention.

The five-bill package of legislation creates a single agency to coordinate efforts to control juvenile crime, establishes a grant program to fund community-based programs and provides a continuum of responses to juvenile crime --from prevention and early intervention through incarceration, treatment and aftercare.

"This legislation gives the people of New Jersey a juvenile justice system that protects them from youths who commit crime and expect to get away with it because of their age," said Gov. Whitman. "We will hold them accountable for their actions, but we will also help them find a better way."

"The bills provide meaningful sentencing options for judges and true consequences for juvenile delinquents and their parents," she said.

Responding to an alarming increase in juvenile crime, Gov. Whitman established the Governor's Advisory Council on Juvenile Justice shortly after taking office in 1994 to find ways to improve and restructure the juvenile justice system. The legislation signed today implements the recommendations of the Council.

"The latest statistics show that violent crime committed by juveniles is increasing at a dramatic rate, with over 90,000 juveniles arrested in this state last year," said Gov. Whitman. "In 1994, 28 percent of all persons arrested for serious violent crimes were juveniles. These numbers clearly tell us that the time to act is now."

Attorney General Deborah T. Poritz, who chaired the Advisory Council stressed, "While this state is not alone in facing an increasingly serious juvenile crime problem,

S-2205/A-2991, sponsored by Senators Peter Inverso (R-Mercer/Middlesex) and Robert Singer (R-Burlington, Monmouth/Ocean) and Assemblymen Gary Stuhltrager (R-Salem/Cumberland/Gloucester) and Thomas Smith (R-Monmouth), amends the Juvenile Code to explicitly recognize accountability and public safety, along with rehabilitation, as key goals of the juvenile justice system. It also requires courts to consider the goals of accountability and public safety when determining whether to incarcerate a juvenile who has been adjudicated delinquent.

The bill also requires each term of incarceration to be followed by a term of community supervision up to one-third of the incarceration term ordered. This ensures that incarcerated juveniles who complete their term of incarceration, or "max out" and would otherwise receive no supervision on parole, will be supervised upon release.

This new law provides for greater parental responsibility by allowing family courts to order parents who fail to exercise reasonable supervision and control over juveniles who commit delinquent acts, to pay restitution. Current law limits parental restitution to juvenile auto theft cases.

Under current law, there is no way to hold a juvenile near the age of 18 accountable, other than imposing a term of incarceration, because a juvenile disposition terminates when the juvenile reaches the age of 18 or 1 year after the order, whichever is later. **S-2208/A-2992**, sponsored by Senators Jack Sinagra (R-Middlesex) and Andrew Ciesla (R-Monmouth/Ocean) and Assemblymen John Gibson (R-Cape May/Atlantic/Cumberland) and Nicholas Asselta (R-Cape May/Atlantic/Cumberland), extends one year limitation on non-custodial dispositions to three years after the issuance of the order.

The bill also makes it clear that a juvenile who has been ordered to pay a fine or restitution is not absolved of the obligation when the order of disposition is terminated. A judgment for the amount owed will be docketed upon termination of the order and would have the same effect as a civil judgment.

"With these new laws I believe we will reduce juvenile delinquency and make living and working in New Jersey a safer proposition, said Gov. Whitman. "We will do this town by town, neighborhood by neighborhood, child by child."

with the signing of this legislation, New Jersey takes the forefront in addressing the problem.”

“Gov. Whitman’s commitment to juveniles and to public safety has driven the revamping of the juvenile services system being signed into law today. I am proud of the role my department has played in these efforts and look forward to working as a member of the executive board of the Juvenile Justice Commission to provide services to juveniles that will make a difference for them and for all of New Jersey,” said Human Services Commissioner William Waldman, vice-chair of the Advisory Council.

For the first time, responsibility for juvenile correctional programs and other youth programs will be centralized in one agency. **S-2211/A-2988**, sponsored by Senators Louis Kosco (R-Bergen) and John Bennett (R-Monmouth) and Assemblywoman Rose Heck (R-Bergen) and Assemblyman Lee Solomon (R-Camden), creates the Juvenile Justice Commission in, but not of, the Department of Law and Public Safety. Currently, three state departments, Human Services, Corrections and Law and Public Safety each have a role in juvenile justice issues.

“Consolidating responsibility for all juvenile programs in the Commission is sensible, cost-effective, and treats the problem of juvenile crime with the seriousness that the public deserves and the problems demand,” said Gov. Whitman.

“The Juvenile Justice Commission offers a real solution to problems that have been talked about for years,” said Corrections Commissioner William H. Fauver, a member of the new panel. “The Corrections Department is looking forward to a long and successful partnership with the Commission aimed at keeping New Jersey’s communities safe while giving troubled kids the help they need.”

A grant program will provide funding for locally created juvenile services and sanctions, including prevention and early intervention, sanctions short of incarceration, and post-incarceration supervision for those who do serve time. The State/Community Partnership Grant program is created by **S-2210/A-2989**, sponsored by Senators William Gormley (R-Atlantic) and Andrew Ciesla (R-Monmouth/Ocean) and Assemblyman Paul Kramer (R-Mercer/Middlesex) and Assemblywoman Barbara Wright (R-Mercer/Middlesex). The FY 1996 budget allocates \$7 million for this program.

The partnership grants will be administered by county youth services commissions authorized by **S-2209/A-2990**, sponsored by Senators Louis Bassano (R-Essex/Union) and John Matheussen (R-Camden/Gloucester) and Assemblymen Christopher “Kip” Bateman (R-Morris/Somerset) and Patrick Roma (R-Bergen). Additionally, the county commissions will assess and prioritize the needs of youth involved or at risk of involvement in the juvenile justice system, develop and implement community programs for juveniles, and review and monitor existing programs to determine their effectiveness.

**REMARKS OF GOVERNOR CHRISTINE TODD WHITMAN
JUVENILE JUSTICE BILL SIGNING
STATE HOUSE
FRIDAY, DECEMBER 15, 1995**

I would like to thank everyone for coming.

We know that children are the hope for our future and deserve our care.

At the same time, we know that we have lost too many children to crime, cheating everyone of the future we all could have and enjoy.

We also know that violent juvenile crime continues to rise in New Jersey and around the country. The most recent available statistics indicate that one in every six alleged killers and one in every three accused rapists is 17 or younger.

And yet, the juvenile justice system on which we rely both to protect us and to turn troubled and troubling youngsters around has itself been breaking down for years. For too long, our juvenile justice system has been ill-equipped to meet the growing problems.

New Jersey needs a juvenile justice system that will accomplish several important goals:

It should promote and protect the public's safety and security;

It should reduce juvenile delinquency;

It should turn troubled youth away from a road that will only lead to further trouble;

And it should hold juvenile offenders accountable for their actions.

In my first weeks as Governor, I saw first-hand how our uncoordinated approach to dealing with youthful offenders was getting the best of us. We simply weren't intervening early or effectively enough to steer troubled youngsters away from crime-ridden lives.

Reforming juvenile justice became for me more than just another policy initiative. I saw it as a critical mission to save our future. A future where law-abiding citizens feel safe and secure in their homes and neighborhoods. A future toward which every child could look with hope.

That is why I immediately formed the Juvenile Justice Advisory Council and charged its members with the task of overhauling the entire system. That is also why I called upon the Legislature, the clergy, educators, judges, prosecutors, counselors, police officers, detention officers, and citizens from every walk of life to join us on this mission.

I don't think I've ever seen so many people mobilize so quickly and work together so well. There have been no turf battles. There has been no partisanship or petty squabbling. Instead, everyone has put children and public safety first.

Thanks to this spirit of partnership, I can stand here and pronounce that our mission officially begins today.

The package of legislation I am about to sign will create an efficient, unified juvenile justice system that promotes prevention and early intervention while answering the public demand for accountability.

The first order of business is to get our own house in order. Today, we establish a single Juvenile Justice Commission that will bring together all the elements of juvenile justice in one unit, with one voice, and one central mission -- to deal effectively with juveniles who have either broken the law or are at risk of committing crimes.

While the Juvenile Justice Commission will provide the coordination and administer the resources, our reforms recognize that those closest to the problems in communities have a better take on what's needed to solve those problems.

That is why we are creating the State/Community Partnership Grant Program. It's a state block grant approach that supports local efforts to fight juvenile crime and deal with youthful offenders.

Our reforms authorize county-level Youth Services Commissions to administer the partnership grants.

These commissions will bring together key decision makers in the juvenile justice system with citizens who care. As partners, they will create local solutions to local problems.

The beauty of this whole structure is that you will have one coordinated state entity working in partnership with county and local governments. The assistance will flow from Trenton, but the solutions will come from the local level. Having chaired the Somerset County Youth Services Commission, I can attest that this approach works.

I also know from experience that partnerships work. As I remarked a moment ago, juvenile justice reform will succeed in New Jersey as long as we all stick together and keep our focus on our children and public safety.

We have come far in a short time already.

We are making changes that will give the people of New Jersey a juvenile justice system that protects them from youths who commit crime and expect to get away with it because of their age.

And we must also make sure young people know, that while we will hold them accountable for their actions, we are also willing to help them find a better way.

But we're a long way from being able to say, "Mission accomplished." The juvenile justice system suffered from years of neglect. While we've begun to straighten out the system, I am not so naive to predict that juvenile crime will drop precipitously overnight. We have to give our reforms time to produce the results we're seeking.

We also have to give children more of our time. Because when all is said and done, every citizen has to be part of the solution. We need to remind ourselves: How much time do we as parents spend talking to our kids and listening to them? How many activities do we share with them? How much does it take for a teacher in the classroom, the cop on the beat, the good neighbor next door, to take a kid under their wing and make a positive difference in that child's life?

If we give the time, we can prevent a lot of crime.

Before I sign this legislation, I want to thank all the bill sponsors and their colleagues in the Legislature, my staff, and my Cabinet for engineering a complete overhaul of our juvenile justice system. I want to particularly thank Attorney General Poritz, Commissioners Waldman and Fauver, Policy Advisor Bruce Stout, and every member of the Juvenile Justice Advisory Commission for taking a vision and making it real. You all have lived up to the highest ideals of public service.

Now, I will sign the legislation.