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PUBLIC HEARING

before

SENATE COMMITTEE ON CHILDREN'S SERVICES

The Problems of Arson and Fire Setting
Committed by Juveniles

July 21, 1987
Pennsauken Township
Municipal Building
Pennsauken, New Jersey

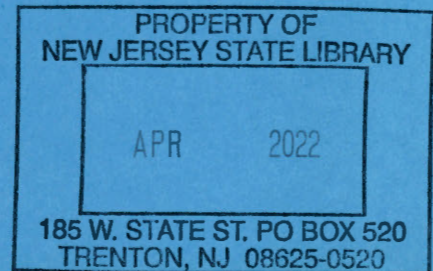
MEMBERS OF COMMITTEE PRESENT:

Senator Catherine A. Costa, Chairman

ALSO PRESENT:

Daniel J. Dalton
Senator, 4th District

Amy S. Fischer
Office of Legislative Services
Aide, Senate Committee on Children's Services



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New Jersey State Legislature

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July 6, 1987

NOTICE OF A PUBLIC HEARING

**THE SENATE COMMITTEE ON CHILDREN'S SERVICES
ANNOUNCES A PUBLIC HEARING TO DISCUSS
THE PROBLEMS OF ARSON AND FIRE SETTING COMMITTED BY
JUVENILES**

Tuesday, July 21, 1987

Beginning at 9:30 A.M.

Pennsauken Township Municipal Building

5605 North Crescent Blvd.

Pennsauken, New Jersey 08110

The Senate Committee on Children's Services will hold a public hearing on Tuesday, July 21, 1987 at 9:30 A.M. in the Pennsauken Township Municipal Building. The purpose of this hearing is to discuss the problems of arson and fire setting among juveniles, to examine the efforts being made to address these problems and to consider possible State policy and legislative initiatives in these areas.

Address any questions and requests to testify to Amy S. Fischer, Committee Aide (609) 292-1646, State House Annex, Trenton, New Jersey 08625. Persons wishing to testify are asked to submit nine copies of their testimony on the day of the hearing. The chairman may find it necessary to limit the number of witnesses or the time available to each witness.

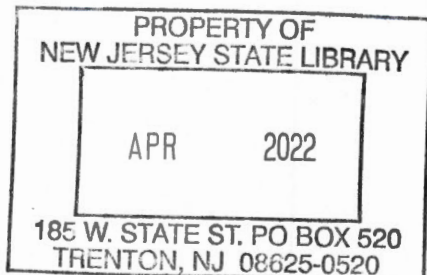


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SENATOR CATHERINE A. COSTA (Chairman): Good morning. I'd like to welcome you to this public hearing. We're going to keep the lights out so that it will stay a little cooler in here. Anyone who would like to take off their jackets please do. It's awfully hot today.

I'm Senator Catherine Costa, and I represent the Senate District in Burlington County where you are right now. Pennsauken is in the 7th Legislative District. I'm Chairman of the Senate Committee on Children's Services. At this time I'd like to introduce Senator Dan Dalton, who's here to testify at this meeting. Senator Dalton is right to my left.

SENATOR DALTON: Thank you very much, Senator.

SENATOR COSTA: As you all know, we're going to be hearing testimony today on juvenile arson and fire setting. Unfortunately, the areas of both juvenile arson and fire setting are growing problems in our State. For example in 1985, there were 19,500 arrests -- that's adult and juvenile -- that was reported for the area nationwide, on arson. Of those 19,500, juveniles under the age of 18 accounted for 41% of the persons arrested for arson, while juveniles under the age of 10 accounted for 20% of the persons arrested for arson. In New Jersey in 1986, there were 732 arrests -- that's adult and juvenile. Of those 732 arrests, juveniles accounted for 45% of the arson arrests, while juveniles under the age of 10 accounted for the 18% of the persons arrested for arson. Consequently, one can see that the New Jersey arson statistics are very similar to that of our entire nation. In addition, total value of property damage due to arson amounted to \$41 million, for an average dollar value loss of \$14,000, with juveniles accounting for \$8 million worth of the damage in New Jersey.

In many cases the fires are accidental, and are called "curiosity fire settings." In other cases, however, fires are

set intentionally to draw attention, or seek affection from parents, or others. Intentional fire settings can also indicate that the juvenile, and/or the juvenile's family, has psychological or other types of psychosocial problems. It's my hope that this information presented here today will be a true reflection of one of the more serious problems that concerns our youth in New Jersey.

I would like to say just for the record, that there are some very unique and dedicated people here today, who care for our youth, and who provide distinct rehabilitative treatment services. These people protect all our State's residents from the dangers of fire, and we certainly appreciate that.

We will hold the record open for this hearing for the next two weeks for anyone who wishes to submit written testimony, and who doesn't have it here today. You can send it to Amy Fischer, the Committee Aide.

I just thought you might be interested in this, that currently there are only two programs in New Jersey that attempt to prevent and treat juvenile arson and fire setting. One is run by the Camden County Fire Marshal's office, and serves juveniles who live in any of the 37 municipalities in Camden County. The other program is the Bergen County Juvenile Fire Prevention Program, which is run by the Mid-Bergen Mental Health Center. Funding for both of these programs is scarce, and most monies come in the form of donations, and small grants from such places as insurance companies. Fire fighters in both of the above named counties are the majority of people who volunteer to work directly with the juveniles.

I'd like to introduce our Committee Aide, Amy Fischer, who's right to my right. Behind her is David Price, who is with the Office of Legislative Services. We have Paul Anzano, who is our Staff Aide to the Committee on Children's Service. He is to the left of Senator Dalton. And Priscilla Parks is

over there in the vibes, our recorder. And I'd like to introduce my personal aide, Lynda Wilson. Lynda where are you? And Senator Dalton's personal aide Debbie Borie. Debbie?

The first one I'll call as a witness is right close to me, one of our Senators who has the greatest rapport with all the other Senators, and is very well respected, Senator Dalton. Dan?

SENATOR DALTON: Thank you, Senator Costa. The statistics that Senator Costa already outlined are illustrative of the magnitude of this problem. Yet, despite these alarming statistics, along with the personal tragedies that we are all too familiar with -- such as the devastating Passaic Labor Day fire, which was set by two juveniles -- the State does not have a statewide program for identifying and treating juvenile arsonists. With the exception, as Senator Costa indicated, of a few county-wide programs, the treatment available for juvenile arsonists is hit and miss, at best.

For example, when a juvenile comes to the attention of the fire service as a firesetter, the child often receives nothing more than a lecture from the local fire chief. Little or no follow-up is ever administered in order to determine if the lecture curtailed fire setting behavior, or if there were hidden circumstances -- such as child abuse -- which prompted the child to set the fire in the first place. Even if a child is identified as a firesetter, in the absence of a recognized and proven rehabilitation program, a judge is faced with only two alternatives: 1) turning the child back onto the streets with the hope that they won't set another fire, and secondly, sentence the child to jail where they are exposed to all sorts of the criminal element. Clearly neither alternative seems to be the best course.

Recognizing this, I attempted to establish a task force that would have been charged with the responsibility for developing a statewide policy for preventing juvenile arson,

educating the public about the issue, as well as treating and penalizing juvenile arsonists. Unfortunately the Governor vetoed this measure, which was overwhelmingly approved by both houses of the Legislature. As a consequence, questions that many of us have raised still remain unanswered today.

I'd like to commend Senator Costa and this Committee for pursuing this issue. I think it's important for this Committee to first determine if the collection of data regarding juvenile arson, is adequate. Additionally, I'd like to see the Committee investigate the effectiveness of existing intervention programs for juveniles, and determine whether existing model programs should be further developed. Similarly, there is a question of funding. Specifically, who should bear the expense of developing these model programs? Lastly, once a child is labeled a firesetter, many traditional counseling facilities are hesitant to house and treat these children, for obvious reasons. Therefore, the lack of an adequate treatment center is an important component of this problem.

Before closing, I'd just like to note that I have received personal pleas from arsonists who are now serving prison sentences, children who are struggling to abandon their fire setting practices, as well as parents of the juvenile firesetters who are begging for one thing specifically -- a recognized treatment and therapy program. With such a program I'm convinced that we can prevent children firesetters from becoming adult arsonists.

Again, Senator Costa, I want to thank you very much for holding this hearing. And I would also like to indicate that we are in the company of some real experts here today, and I think they'll do a fine job of educating both of us. Thank you.

SENATOR COSTA: Thank you very much, Senator Dalton. The fire that Senator Dalton referred to -- the one in Passaic City, the industrial fire on Labor Day of 1985 -- it was one of the worst industrial blazes in the State's history. It destroyed 40 acres of factories, and left more than 100 families homeless, and some 2200 workers without jobs. The economic damage is estimated to reach almost \$32 million. One related fatality resulted from the fire. The ones responsible for it were two boys aged 12 and 13, and they've been charged with setting the blaze.

Our next witness will be Theodore Joseph, Assistant Director of Program Operations, Division of Youth and Family Services. Mr. Joseph, thank you for being here.

T H E O D O R E J O S E P H: Senator Costa, thank you for allowing me to come before you. Senator Dalton, it's good to talk with you again. I'd like to briefly read to you the testimony on behalf of the Division of Youth and Family Services and the Department of Human Services, and then make a few brief comments on my experience, and hopefully we can assist you in your investigation and also in determining what might be done for this problem.

The Division of Youth and Family Services is familiar with juvenile fire setting from our perspective as the State child welfare agency. All too frequently, we see the tragic consequences of unsupervised children who have been "playing with matches." We are often faced with the difficult task of attempting to locate foster care or out of home placements that are willing or able to deal with a child who has a history of fire setting. We are also aware of the general lack of treatment resources for children with a history of fire setting.

An interest and curiosity in fire can be regarded as a normal part of a child's developmental process. This curiosity coupled with access to matches and a lack of supervision can

result in potentially dangerous fire setting by children. DYFS recommends the continuation and expansion of community education programs and activities designed to prevent or reduce the likelihood that children will engage in unsupervised or otherwise potentially dangerous fire setting behavior.

Children who have histories of multiple or pathological fire setting activities present the most serious problems for our Division. As the State child welfare agency, we work extensively with troubled families. The available research clearly illustrates that the same problems that bring families and children to our attention -- abuse, neglect, alcoholism, family instability, school problems, acting out behavior, etc. -- are common variables related to children with a history of repeated fire setting. It is not surprising that many children known to DYFS are also firesetters.

Presently, our biggest problem in providing services to the fire setting population is sufficient treatment and placement resources. Generally, fire setting is only one of the behavioral problems that these children exhibit, yet this aspect of their behavior often received the greatest attention due to its potential for injury to the child or others. When a child with a history of fire setting behavior must be removed from his home, placement options are very limited. Foster parents are understandably reluctant to consider a child with a background that included fire setting. This reluctance to accept children with a history of fire setting extends also to group homes and residential facilities, both in-state and out-of-state.

Approximately 20% of DYFS clients in residential treatment -- or 220 children of a total of 1100 children -- have a history that indicates some fire setting in their backgrounds. Even the residential treatment programs, however, are reluctant to consider children with a recent fire setting history or a background which includes fires that have caused

injury, death, or major loss of property. In spite of their need for treatment, many serious firesetters have been committed to the juvenile correctional system because of a lack of alternative treatment programs.

Traditionally, child firesetters have been treated within the mental health, social services, or correctional systems. These institutions have not collaborated on a comprehensive approach for dealing with the problem of fire setting by children. The utility of having these three systems join together in the treatment of firesetters should be explored and encouraged. The Division of Youth and Family Services recommends the establishment of model treatment and intervention programs incorporating mental health, social services, and correctional perspectives.

Briefly, I'd like to tell you as the person who is responsible for the activity of all DYFS caseworkers, the regional administrative units, and generally speaking everything except adoption for DYFS-- It comes to my attention almost on a daily basis the need for placement out of homes for children. I think one of the issues around fire setting has been our inability to gather together and address this issue, similar to what we did within the last number of years with Corrections around juvenile sex offenders. And I think because of that, on a daily basis I have to struggle with local caseworkers, and local district office managers, and some legislators, as to the placement of a child either in-state or out-of-state, who has had fire setting behaviors. My experience has been that in-state programs -- with some arm twisting, and some additional dollars for extra services -- are willing to try, or attempt to provide a service. But they too have no clear-cut programs that are designed specifically for firesetters.

So I would encourage the Committee to: 1) locate, with us jointly, a model for dealing with this type of behavior, and 2) to help fund it, and put it in a position where it would not simply be a DYFS program, but it would at least be a DYFS, mental health, and correctional, joint program. If I could be of any further help, I would offer it.

SENATOR COSTA: At the present time, when you are aware that a child has these tendencies, do you have any way in reaching that child to try to get him out of that kind of behavior?

MR. JOSEPH: Generally what happens, because of DYFS' role, is that we are then in a protective service situation, rather than in a real child welfare situation, because the child has already committed an act or has had a series of fires set and children come to us after the fact. So the diagnostic part of that process is usually done by others, either a school district, or a mental health system. What we are then asked to do is to provide programing or services for that. Generally speaking we--

SENATOR COSTA: Provide a program for them, or just provide a place for them to stay?

MR. JOSEPH: Well that's an interesting concept. I think what we try to do is to find a program that is willing to provide a service within its facility for that child, and I think many people do try. For instance, a number of out-of-state programs, as well as a number of in-state programs, residentially have group treatment process and individual therapies involving firesetters. That's as well for the very young children below the age of 10, and in some program for adolescents between the age of 10 and 16. Those programs are designed generally on a combination of an inter psychic review of the problems with children, and in some cases behavior modification.

SENATOR COSTA: Actually, the arsonist in general doesn't exist until someone either gives himself up or is caught.

MR. JOSEPH: Correct.

SENATOR COSTA: So in other words, we're dealing with those who are the most unsuccessful arsonists. The successful ones really we don't--

MR. JOSEPH: I think, generally speaking, most children set fires. I think playing with matches is part of growing up. It's a process that most of us have gone through. When it becomes something beyond that, that's when the pathology begins to set in, and is caused by any number of problems that Senator Dalton pointed out, and that just grows and grows until DYFS, or someone else -- usually Corrections unfortunately -- is made aware of it.

SENATOR COSTA: What we're hoping to do here is to establish just the causes of young arsonists -- why they do it. And secondly, what kind of treatment, so we can break that pattern. And as any of you come to testify, your suggestions would be welcomed. Senator Dalton, do you have any questions?

SENATOR DALTON: Thank you, Senator. Mr. Joseph, how many juvenile arsonists came into your system last year?

MR. JOSEPH: During 1986-- It's difficult to assess because they came in different ways, but when we began to review the facts through a peer group, it would seem like those that we touched base with were 150 to 200 children. The difficulty there is that we don't program our systems to identify firesetters for a number of reasons: It becomes very difficult if it's an unusual incident; it becomes difficult to get providers to offer services, so we note it. We tell them, but unless it's been a pathological type of two, three, or four, fire setting incidents, it may not appear in the record. So when I went to determine with my staff what we were dealing with-- For instance, I didn't in the testimony talk about

foster care, but our best estimate at this point is, we have about 200 and 500 children in foster care out of the almost 7000, who have been involved in fire setting activities which would pretty much fit in to the statistics that you mentioned.

Coming from the Corrections side, Senator, would be generally speaking -- since I work closely as a liaison with the Department of Corrections Juvenile Branch -- we would generally see a combination of events that we help to program for. And I would think last year was in the neighborhood of 25 or 30 that I was directly involved with.

SENATOR DALTON: From the Corrections side?

MR. JOSEPH: From the Corrections side, going through that system and coming up.

SENATOR DALTON: So, to your knowledge, you're talking anywhere between 150 and 225 juveniles coming into your system through one method or another. Now, when you get those juveniles into your system, and you identify them as having this problem, what sort of treatment program do you follow in this case?

MR. JOSEPH: Generally speaking, we would attempt to keep children with their families, as we do at all times. If that were the case we would like to work out an agreement with a local mental health provider in the area who could provide one-on-one treatment, or group treatment if that community is in that situation. We would hopefully move quickly with Mental Health, to keep a child there. If that were not the case, then we would look for out of home placement. But that would be a last resort.

SENATOR DALTON: Of the 150 to 225 juveniles that came into your system, how many of them were treated via a mental -- or were referred to a mental health program?

MR. JOSEPH: Well, if you can separate out the children in residential treatment at this point, I would consider a guesstimate again would be that group would be about 50 or 75 were treated in the community.

SENATOR DALTON: Okay, and--

MR. JOSEPH: Because again, we're not-- One of the unfortunate situations is we're not preventative in this. DYFS is reactive. It's already been a problem, people have already identified this child, and therefore we're reacting and providing a service after the fact. If we were preventative, I would assume that anywhere from 50 to 250 children would be getting mental health type of service in their own community.

SENATOR DALTON: Well, if in fact you're treating 75, you're moving 75 and you're moving into a mental health program, and you're saying roughly 225 came into your program during a given year, that means you have roughly 125 who are not being referred to a mental health program.

MR. JOSEPH: Right.

SENATOR DALTON: Okay. What is being done with those juveniles?

MR. JOSEPH: Those children, depending on their ages, they're all in residential treatment in one form or another -- either group homes or a regular residential provider, either in-state or out-of-state -- and we've had some more successes having children placed out-of-state than in-state who have been firesetters -- and those children would be in a full-fledged residential program where they would receive education and individual group therapy, behavior modification type therapies as I said earlier. I would think that those children -- it's difficult to research at this point, but we have been somewhat more successful than I had originally anticipated with those kids.

SENATOR DALTON: When you identify a juvenile as someone who has an arson problem who goes out and sets fires, does your system track that juvenile? In other words, you make a referral, okay, to some extent--

MR. JOSEPH: I don't think we have any option at that -- I was thinking that. Yes, we do track them because the child doesn't leave DYFS, generally speaking. That's not a child that we cut services off from at all, because most families by the time we reach them, they tend to be at wits end as to what to do with this child, or the community system is saying "Help." So, the likelihood is we don't turn it over to Mental Health and say, "Take care of it." There are follow-up services at home. There ought to be even more follow-up services at home to make sure a child remains there. So, I would think of that 225 we'd probably still be dealing with all of them.

SENATOR DALTON: What is the recidivism rate for these juveniles?

MR. JOSEPH: I can't give you that answer. I really don't know. The children who have been--

SENATOR DALTON: So in other words, what you're doing is-- By the way, this is not an indictment on you or the system, I mean this is part of the problem. What we're doing is, we're not making sure in any sort of rational way that the treatment that we're providing is effective. And one of the ways you do that obviously is to determine what is the recidivism rate for these arsonists, because in many cases these juveniles are repeat offenders. You know, again, and again, and again, you see them. So there's really no way of determining that right now the way the system is set up.

MR. JOSEPH: Right. They would get lumped in in terms of numbers with the other recidivisms that we deal with in residential treatment. So we would know for instance, if a child went to Vision Quest who was a fire setter among other behavioral problems, and because Vision Quest and DYFS track together their program, we would know then that four of them repeated last year, or none of them repeated last year. But that would be because they were in residential treatment. Not

because they were firesetters. So you're right we don't make a distinction.

SENATOR DALTON: You indicated that between 150 to roughly 225 came into your system last year. However, this is in no way-- I don't think you were representing that as the universe of the problem.

MR. JOSEPH: Oh no.

SENATOR DALTON: This is just what you're aware of.

MR. JOSEPH: That's right.

SENATOR DALTON: Okay. Many of them, because of some of the things Senator Costa pointed out, there is no treatment for them. There may, in fact, not be a way for you to become aware of them.

I guess the most glaring incident that has come to all of our attentions over the last several years is the Passaic fire. Do you have any knowledge as to what happened to those juveniles? Were they treated?

MR. JOSEPH: I believe they went into the correctional system -- in terms of juveniles -- but I wouldn't want to comment for certain on that. I did have some discussions with the Director of Juvenile Services about treatment processes, but I really couldn't comment on that fairly.

SENATOR DALTON: Yes, well I think you're right. I think they went into the--

MR. JOSEPH: And my guess on that would be Skillman.

SENATOR DALTON: Are they being treated to your knowledge?

MR. JOSEPH: I really can't answer that.

SENATOR DALTON: All right. Thank you, Senator.

MR. JOSEPH: I did want to make one comment, Senator Costa. Of the 75,000 referrals we received last year, and of the 53,000 active children that we have, my guess is that the percentages that are nationwide are probably a little bit higher here in New Jersey in terms of firesetters, because of

the compact area of the State and because of a lot of the very difficult economic and housing problems that we do have. So of that 53,000, if we were to say to parents at the time of our meeting them for the first time, "Has your child set a fire?" I'm sure the numbers would be much higher. That is not a common question that we have.

SENATOR DALTON: Yes, the thread of my questioning wasn't intended to serve as an indictment. I think the bottom line is, you recognize, and we recognize, that there is no system for identifying and treating these individuals.

SENATOR COSTA: Actually I have some statistics here regarding the number of docketed juvenile arson related cases with a fire related charge in 1986, and the total is 247 cases, within Camden County 24, and within Burlington County -- the district that I represent -- 8 cases. From what I hear these figures aren't factual. The number may be much greater than that.

MR. JOSEPH: You're talking about the criminal side of the activity. The likelihood is that most fires that are set do not wind up in the court system. They may not even wind up in a social service system.

SENATOR COSTA: Also you stated that you tried not to let this be known because of placing the juveniles. So that could also increase this number.

MR. JOSEPH: Sometimes we're our own worst enemy on that issue, because it becomes very difficult to get any service, therefore-- I'm not suggesting we hide what has happened, because that's not what we do. What we do say to people is, rather than the very first incident of a minor nature appearing as a broad brush of a child being a firesetter for the rest of his life, we tend to make certain before we put that on a piece of paper.

SENATOR COSTA: But you know anyone reading statistics like this may not be as alarmed as they should be, because the numbers are so low. That's why this public hearing is taking place, so we can get a better idea of just how broad the problem is. Thank you very much, Mr. Joseph.

MR. JOSEPH: Thank you for the time.

SENATOR COSTA: The next person I will call is Richmond Rabinowitz, Staff Associate, Association for Children of New Jersey. You don't look like Richmond.

R I C H M O N D R A B I N O W I T Z: Good morning. I am Richmond Rabinowitz.

SENATOR COSTA: You are? (laughter)

MS. RABINOWITZ: I am here today on behalf of the Association for Children of New Jersey, to present testimony on the issue of juvenile fire setting. We thank the Committee for the opportunity to present our priorities and concerns in this important area. ACNJ is a statewide child advocacy organization, which acts as a voice for children and families who may otherwise have no representation. We do not provide direct services, nor do we receive any State funding. But rather, we are dedicated to bettering the lives of New Jersey's children by changing policies and programs that affect them.

Despite the fact that the numbers of known juvenile arsonists in New Jersey account for only a small percentage of juvenile crime figures, it is still a very significant issue. Research in this area suggest that there are two major aspects to juvenile fire setting: curiosity and experimentation with matches and fire, and the more serious acting out behavior of the emotionally disturbed youngster. Prevention and early intervention are successful with the first group. More intensive treatment is needed for the latter.

Additionally we believe that testimony presented at this hearing today is timely and appropriate to identify issues for a task force on juvenile arson, which is already charged

with studying this problem. In December of 1986, Governor Kean vetoed a bill sponsored by Senator Dalton, which would have established a task force to develop a comprehensive State policy on juvenile fire setting. In his veto message, the Governor supported the concept of the bill, and required that the Bureau of Fire Safety should research and develop a statewide policy preventing juveniles from setting fires, educating the public -- especially young people -- about the issue, and penalizing and treating juveniles who set fires. The bureau is to develop this report by December of 1987. ACNJ believes that this is a wonderful opportunity to develop a comprehensive approach to this problem, and is eager to see specific issues addressed in this report.

ACNJ believes that whatever comprehensive plan is developed, must deal with the two basic areas of prevention, and early intervention. Research shows that educational prevention is a very effective strategy if done at an early age when curiosity about fires is most high. Ideally, this should occur from ages three to six. Fire safety and prevention are important aspects of the curriculum in many school districts. In fact, many preschool programs have cooperative arrangements with the local fire departments to present programs on fire safety. Our concern, however, is that such programs are available in suburban school districts but may not be offered in our poorer districts. We believe that it would be very helpful if the Fire Safety Bureau looked at this issue of equity to determine whether or not early prevention programs are available in all districts.

The issue of early intervention is also an important one. Several communities throughout the State have had disastrous fires caused by young people, in which death and serious property damage have resulted. Programs like Firesetters Companions, and Firehawks, have been developed to pair a juvenile involved in fire setting incidents with a

fireman from his own community. Such programs have proven highly successful in preventing further fire setting behavior on the part of the juvenile. We believe that further development of these programs may be necessary. An important function of the Fire Safety Bureau Task Force could be to identify those communities with specific arson related problems, and to promote the development of one to one efforts such as Firehawks. Again, equity, insuring that lower income communities were able to develop such programs, would be an important one.

A more difficult question is the treatment of serious juvenile firesetters. We would urge the Fire Safety Bureau to look at this segment of the population as well. We are aware that this is a small number of children. Our research indicates that at the present time the majority goes to Wiley House in Pennsylvania. Is this the best way to handle these children? Is it effective treatment? Is it cost-effective? Is it the best for the child and the community?

Like many of our hardest to serve youngsters, these children are often multi-problem children. It is rare to find a child described only as an "arsonist." Often they have learning disabilities, are sex offenders, or the victims of neglect or physical or sexual abuse. According to Dr. Wayne Wooden, for many children, fire setting seems to be a symbolic act -- frequently a symptom of underlying physical or emotional stress. Further, according to Dr. Kenneth Fineman, like many of our most difficult to serve youngsters, the treatment of arson is very effective, but you have to get to them early before they do something devastating. In this area we find that seriously disturbed juvenile arsonists are symbolic of our most troubled youngsters. They have multiple problems, and are very difficult to serve.

Is New Jersey meeting the needs of these children? Currently, children who have multiple problems are served through the Division of Youth and Family Services, the Division of Developmental Disabilities, and the Division of Corrections Juvenile Services. Many children end up being served by Corrections because they are the only department which cannot refuse a child. To their credit, the Division of Juvenile Services has done a remarkable job of developing alternatives to Corrections. However, funding levels for this programs are very low. Development of new programs is unlikely, and the survival of many of these programs is in jeopardy. Further, we believe that many of these children do not belong in Corrections.

There are currently approximately 500 children placed out-of-state through the Division of Youth and Family Services, and another 150 placed out-of-state through the Division of Developmental Disabilities. Further, there are many children referred for DYFS for out of home placement, who are still awaiting placement. These figures we believe raise some serious questions. Are there too few treatment programs in our State? Are we relying too heavily on the Division of Juvenile Services? Are we relying too heavily on out-of-state placements and programs? Are the out-of-state programs effective? Who is monitoring these programs? Are we failing our most needy children?

ACNJ believes that we are in great need of services for multi problem and seriously disturbed children. We further believe that this Committee has taken strong leadership in an attempt to address these unmet needs. We are very supportive of Senate Bill 1898, which establishes the County Use Services Commissions. We hope to see this bill funded and signed into law. We support Senate Bill 1879, which would establish a Youth Advocacy Project to develop alternatives to correction and detention. We support S-1996, which establishes a

demonstration project for the development of a program for seriously disturbed offenders. Further, we're supportive for higher funding levels for the Division of Juvenile Services.

We would like to emphasize how important we feel it is for the Fire Safety Bureau report to look carefully at the three basic areas: prevention, early intervention, and treatment of serious offenders. We're grateful to the members of this Committee for your concern, and your commitment to our neediest children. And we look forward to working with you to develop continual care for all of our children. Thank you.

SENATOR COSTA: Thank you very much. Any questions?

SENATOR DALTON: Just one. To your knowledge, what is the status of the Bureau of Fire Safety's efforts in addressing the three questions that you raised?

MS. RABINOWITZ: I don't know. I did try to contact them to see how far along they are. Ty Hodanish is here from the JDDC, and they are supposed to be working with them as I understand it. So, I'm sure he could give you more information.

SENATOR DALTON: Okay.

SENATOR COSTA: Does your organization help in any way these young people who have such problems?

MS. RABINOWITZ: We don't provide any direct services. We are a policy organization.

SENATOR COSTA: Thank you. Joseph Masciandaro please, Director of Mid-Bergen Mental Health Center? Did I say the name right? Masciandaro?

J O S E P H M A S C I A N D A R O: Masciandaro.

SENATOR COSTA: Masciandaro.

MR. MASCIANDARO: Mr. Lynn is the Chief of the Fire Prevention Bureau in Paramus and a member of the Bergen County Juvenile Fire Prevention Program. There was an unfortunate typo at the beginning of the front page. (refers to prepared statement) Your name is referred to as Senator Costs. There was no intended error, so I corrected it this morning.

SENATOR COSTA: Oh that's good, very good.

MR. MASCIANDARO: Senator Costa, distinguished members of the Children's Services Committee. I am Joe Masciandaro, not Richmond Rabinowitz, and I'm the Executive Director of the Mid-Bergen Community Mental Health Center in Paramus. I wish to thank the Committee for the opportunity to testify on what I believe to be one of the major unrecognized social problems in our State today, juvenile fire setting.

As a mental health professional I am excited by the collaborations on this subject which have occurred in our county between volunteer firemen, health and social service providers, and governmental officials, in the development of a program for the prevention of juvenile fire setting.

For most of my professional career, fire setting had always brought to mind arcane psychoanalytical theories which tied fire setting behavior as a specific outcome of repressed sexual urges. The act of fire setting was seen as a symptom of a more significant psychosexual problem, the resolution of which was locked in the individual's psyche, and his amenability to treatment. The incidence and prevalence of juvenile fire setting, and its social significance was brought to my attention by local volunteer firemen -- and I'd like Mr. Lynn to tell you a little bit about that developmental process -- who impressed upon me the all too common occurrences, and the need of the firemen to have professional assistance in providing the appropriate intervention. What I learned from them is the fact that juvenile fire setting is an important symptom of family and social dysfunction, and hence merited the visibility as an entry point for child and family in the social and mental health networks. I hope that the work of this Committee will enhance this visibility.

W I L L I A M J. L Y N N: I am the Chief Fire Inspector for the Borough of Paramus in Bergen County, and I am a member of the Bergen County Juvenile Fire Prevention Program Advisory

Board. I think I'm going to take you through a little bit of history to how I got involved, and how Bergen County got to this point of having one of the active programs within the State.

Approximately three and a half years ago, a gentlemen by the name of George Lucia -- who is the Chief of the Hillsdale Fire Department -- had an incident in his community where a juvenile set a fire in a house. Upon the investigation of that fire, it was determined that this was not the first fire that had been set. That there had been numerous small fires set within the dwelling: the basement, in his closet, and also around the home. As I said, this was about four years ago, and Chief Lucia at the time said, "Obviously I have a problem with this child, and we have to address it." To try to consolidate the whole thing, basically what he did was he gave the child some intense fire prevention instruction, some fire prevention material, and basically rewarded the child on check-backs on a monthly basis. If the child's behavior continued to not set fires, he rewarded the child with a ride on the fire truck. Well, about three months into this whole process, Chief Lucia kind of sat up in bed one night and said, "Am I doing the right thing? Am I going to have this house on fire one night?" Because he is a fire fighter, not a mental health official, was he doing the right thing?

Some investigation on his part led to the Firehawks program, which at that time was based in San Francisco. He contacted them, and he was going to set the program up for his community, the borough of Hillsdale in Bergen County. When he saw the amount of work involved, he decided that maybe just for his town -- population of about 13,000 -- it would be more beneficial if he opened it up to a mutual aid group. You have throughout the State here, fire departments work with surrounding communities to assist each other during large fires. He contacted the Pascack Valley Mutual Aid. They were

supportive of the idea. Work continued. Then he also realized, why don't we open it up to Bergen County? At that time I got involved, and some other members of the fire service in Bergen County.

Our biggest stumbling block along the way was that we needed to have on staff -- or support of, I should say -- mental health professionals. We had community people that thought it was a good idea, superintendents of schools, clergy, police chiefs, juvenile officers, etc. Everybody say "Gee, this is a great idea." But we needed some mental health professionals. We contacted our county hospital up in Bergen County, and for whatever reasons -- there were some administrative changes involved at the hospital at that time -- they did not see fit to take on the program in-house.

Basically what happened was, through a Freeholder, Charlotte Vandervalk from Bergen County, got us in contact with Mr. Masciandaro and the other mental health agencies in Bergen County, and with Mr. Masciandaro's help he became a member of our advisory board. At that point, we had our mental health component on staff.

At this time, we have trained 35 companion volunteers. We have had six referrals to the program since June 6th of this year -- we are started. Basically the thing that I saw through this whole process was, it's a community effort, and that's exactly what it has to be. It has to be mental health, fire service, police, the juvenile disposition conference committees within the county, juvenile officers, educators, all have to come together to support the program. Without that support and commitment on a local level, you will not get anywhere. We floundered literally for two years, two and a half years. Actually, at one point I really thought we were going to give up, because we just could not get politicians -- the right politicians I should say, okay in our case a Freeholder -- on a county level, and a mental health

person, to come forward and say, "Gee, this is a good idea, and we're going to come forward and help." So it was a lot of hard work, and a lot of floundering, as I said.

I'd like to thank at this time-- We had some excellent help from Dave Aron, Camden County Fire Marshal, as well as his assistant Anthony Braig. Without them -- because they had gone through it even before we did-- It was a learning process for all of us, and the program hopefully is going to help these juveniles.

Just a personal note on my part, if I may Senator. I had an incident in my community -- one of the reasons I got involved in this. I had two juveniles; they set fire to an abandoned auto. The dollar value was very minor, but I realized that these juveniles did it for reasons other than curiosity. They were 15 and 16 years old. I attempted through the court system to charge them with a misdemeanor, criminal mischief, because of the dollar value involved. But I went through the probation system and attempted to have them get some sort of counseling. And, jeez, I was patting myself on the back. I did a real good thing for these juveniles. You know, I didn't just charge them and walk away. I checked with their probation officer and they were getting counseling. Fourteen months later they were both arrested in a different community for setting other fires. So at that point I said, "Jeez, I really did a good job, didn't I?" I realized that just putting them into the probation system, and having them get counseling but not structured counseling in a program that works, didn't do them any service, and didn't do the community any service either. So that's when I got actively involved in the Bergen County Juvenile Fire Prevention Program.

SENATOR COSTA: I commend you for your work.

MR. LYNN: Thank you very much.

SENATOR COSTA: I think this is what we're looking for: How you do something about it? Just some data here again: Those two juveniles that caused that Passaic County fire, one of them the charges were dropped. The other was convicted of malicious destruction of property, not arson, and probation resulted. They said he was an unintentional firesetter, just because they were playing with matches; and I think they chastised the people who left some material around that could have caused the fire. What happens to them? Are they in trouble again? Who's following it up? These are things that we're interested in learning about.

MR. MASCIANDARO: The thrust of the program we've put together in Bergen County -- and what has been going on for an longer time in Camden -- is to really not wait until the point where we worry about what happens to the arsonists such as the one you mentioned. There's a couple of problems, one has been alluded to. In a juvenile situation when a child is charged with a crime, the information as to the nature of that crime becomes confidential. So that that probably leads to all kinds of understating statistics. I'd like to take you through some of the general concepts of our program, and answer any questions you may have.

SENATOR COSTA: Just a moment. Senator Dalton do you have any questions of the gentleman that just spoke? (negative response) Go ahead.

MR. MASCIANDARO: As has been stated, juvenile fire setting is a significant social problem in our nation. The International Association of Arson Investigators, estimates that 60 to 75% of all fires are set by juveniles. We're not talking about a small problem. We're talking about a huge, huge problem. In Bergen County, through our own estimates, we think that roughly one fire per community is set by a child each year. Roughly 87 fires we estimated were done. We think that's a low estimate.

At present there is no system or procedure for the early identification and treatment for these juveniles. Our program started June 6th. We're in the process now of setting up the referral networks. The focus on fire setting is provided entirely by the police or court system. What we would want to do-- What these programs do is shift the focus to a broad prevention strategy.

Some of the factors that are included in the fire setting behavior involve the following: limited supervision and monitoring. Antisocial behaviors including fire setting tend to be correlated with limited parental supervision and monitoring. Yarnell noted that parents actually showed less concern over their child's fire activity than over other problems. Interestingly, firesetters often come from large families in which the opportunities for consistent parental supervision and monitoring are limited. Such limited findings could be the subject of a larger investigation that your Committee could sponsor.

A second factor is parental distance and uninvolvedness. A third would be parental pathology and limitations. There are a lot of ill people who are also parents, and I think the limitations of the parents tend to be carried on into this problem for the children.

Stressful external events: fire setting has been found to emerge in children who have recently undergone stressful life events. Although the nature of these events has not been empirically analyzed, the major themes often entail a shift in family structure or cohesion. Other related events have included death or divorce, separation, and family disruption. In some instances, the family situation has been modified to accommodate the addition of a new sibling or a stepparent. A related stressor has been more frequent placement into residential psychiatric facilities, as compared to non firesetters.

Service priorities listed-- This was part of an application we made. I just kind of gerrymandered it for the presentation today, and to set some identifications. In addition to the family stress as noted above, the juvenile firesetter possess the following characteristics: 1) The firesetters are more often male, and more frequently diagnosed as conduct disorder or attention deficit disorder than non firesetters. 2) Frequent firesetters are found to participate in fewer social activities and demonstrate lower social skills than non firesetters. 3) They engage in non-delinquent, antisocial, or externalizing behaviors, most notable stealing, lying, property destruction, and vandalism.

What the Bergen County Prevention Program does -- and as I said, it owes a great debt to the Firehawk program and the Camden County program -- is we've laid out a broad prevention strategy that works on three levels, if you will: Primary, which is a change in attitude, secondary prevention, which has to do with the early identification of a problem child, and tertiary prevention, which is the one we worry about all the time which is after the fact -- the treatment of the child.

What we do is identify, or classify, the children in three risk groups: A low risk group, in which we include all juveniles under a certain age, and for that group we prescribe an educational approach. The players, the people involved, are from local fire prevention bureaus and the school system. The activities of what goes on in many school systems nowadays -- which has to do with fire education and fire prevention education -- has many fine programs. I'm sure they occur in every county. The goal of the program is to be assured that the same quality level of education programs exist in each of our communities.

The second risk group is the moderate risk group. These are juveniles that have been involved in fire setting behaviors, and other fire related vandalism. The prevention

approach used here is educational and social. The major feature of this is the matching of the indentified child with a local volunteer fireman who's been trained in the companionship role that he must play. The goal is pretty obvious to a mental health professional. He wants some social learning to occur through the modeling behavior of the local fireman. As Mr. Lynn mentioned, we have 35 volunteers ready, at this point we have coupled six children with six firemen.

The severe risk group is the juveniles who have repeated fire setting behaviors, and histories of anti social action. The prevention approach here is a treatment and rehabilitation approach. What our program does is develop the networks and referral system for the families of these individuals.

One of the problems that we've had in getting the program off the ground is that I think there has been much appropriate focus on the issue of child abuse and neglect, over the past few years. But I'm at a point where I believe the funding system, or the policy making system, only recognizes particular types of behavioral problems as something worthy of attention and funding. We've had our grants submitted to a number of different sources, all State related bureaucracies. It has received good reviews, but is not perceived as a child abuse program. So that it seems to be in a limbo in terms of potential opportunities to develop. It does take some money to run this program. We've managed to do some fund raising on our own. We've donated some time; we've used the center's Xerox machine to publish materials, but it's running on a shoestring budget. I think the program really deserves much more attention than it's getting.

The last page of this testimony attached some profiles of children who have become involved in our program. Not to take the time, I just leave it for your reference. If there's any questions I'll be glad to answer them.

SENATOR COSTA: Are you funded at all by the county or State?

MR. MASCIANDARO: Not for this program. My agency is a nonprofit corporation. We're a comprehensive community mental health center, and provide a variety of services to the municipalities we serve. We've squeezed this program, if you will, in our consultation and education program, but we're not funded for it. We're just doing it.

SENATOR COSTA: Have you found that introducing the juveniles to the fire fighters, and teaching them about putting out fires rather than setting them, is helpful?

MR. LYNN: I believe what it does is, it creates a bond. I'm pretty sure that Andy Braig from the Camden County Fire Marshal's office will speak about this more. It creates a bond between the juvenile and the fire fighter companion obviously showing him good social behavior, and also making the juvenile realize that this guy's my friend. I could hurt him if I set another fire. So I think it's kind of like a twofold-- showing him community service, good social behavior, and also the friendship bond that develops between the two. The juvenile says that, "I think I could hurt my friend if I set another fire."

SENATOR COSTA: Very good. But you did say that you found without the psychological help to reach that child, you weren't advancing too well? Is that correct?

MR. LYNN: The mental health people were key. I'm a fire fighter. I'm a fire prevention officer. By no means do I profess to have any knowledge of mental health treatment. That's not my field. I don't want to get myself involved in that. You need someone, such as Joe, or the community mental health, or a hospital, or some mental health professional, to walk with you. That's what it is, you're going to be walking together hand in hand. There's constant consultation between the volunteer companion and the therapist at the mental health

center. You know, I'm not a mental health professional. I don't profess to be one.

SENATOR COSTA: This may be an unfair question but-- Is there any reason why other counties haven't seen your program and started their own? I mean, there's only two in the entire State.

MR. MASCIANDARO: We're just smarter up north.
(laughter)

SENATOR COSTA: Watch it now, we have Camden you know.

MR. MASCIANDARO: And south, and all the way south.
(laughter) No, there's no reason. The symposium that the Bureau of Fire Safety put together, some of us presented, and there was a lot of interest from all the counties. We're certainly prepared to--

SENATOR COSTA: You speak before fire -- national or statewide fire groups?

MR. MASCIANDARO: Yes. As I said--

SENATOR COSTA: And you brought this up?

MR. MASCIANDARO: We brought this up and my sense is, there's a great deal of interest. I know that a couple of inquires on the phone after the symposium -- that was jointly sponsored by a couple of the groups here -- from Essex County, in terms of wanting to develop-- I think one of the beauties of the model -- that the Firehawks really started, and Camden followed, and now we're continuing to do it -- it's a replicable model. You can really do it in every county. There's certain fixed pieces that you can do. The technical, if you will, expertise I think is available already. I don't think you're really looking to develop something new. You're looking to coordinate and make visible an approach. That's really the fascinating and interesting part of these programs.

As far as the question about the challenge, I just want to make one point. I think the mistake-- This is a personal, professional, opinion. I think the mistake that's

been made in treating this problem in the past is to focus -- at least as a prevention effort -- has been to focus on the individual child as the identified patient. I think what we're talking about is really taking a look at the whole family as part of that problem. It may not sound like a lot, but it's a really radical departure from the way most mental health treatment occurs.

SENATOR COSTA: I guess you're aware in your field, just as we have seen on the Children's Services Committee, that in all instances where there are problems, it's not an individual thing but a family problem.

MR. MASCIANDARO: Absolutely.

SENATOR COSTA: Senator Dalton? (no response) Thank you so much. I guess we'll hear from some of the other counties. We appreciate your efforts. That's marvelous. Ty Hodanish, Juvenile Delinquency Disposition Commission. Director? Oh before that, I'd like to introduce Judith Peoples -- who is with the Senate Minority staff -- who has joined us. Judith is Senate Minority staff, and Paul is the Senate Majority Staff.

T Y H O D A N I S H: Good morning, Senator. I'm Ty Hodanish, from the Juvenile Delinquency Disposition Commission. Let me start off by thanking you for taking an opportunity to address this important issue, and Senator Dalton for taking the first plunge in introducing some legislation to establish a task force to address it. As you're aware, the Juvenile Delinquency Disposition Commission is involved in the topic of juvenile arsonists by virtue of the Governor's veto of the bill, in which he instructed us to work closely with the Bureau of Fire Safety in developing some sort of statewide policy or program in handling the issue.

I've submitted some testimony, and rather than read that -- which contains a lot of information and data-- I think the data that we're giving you, the number of juveniles who are

officially docketed each year -- 247 I think the number is -- gives you a pretty good idea of the limited knowledge that we have officially about the nature of the problem. The mere fact that we have through our court system officially only 247 cases formally docketed, I think our real knowledge tells us that there's many more juveniles who are involved in this kind of problem throughout the State on a yearly basis. It gives us a pretty good indication of exactly what we're talking about.

What I wanted to do was come with some new information for you, in terms of what people were thinking out there in the court system. What we did about two weeks ago was to survey a number of juvenile family court judges, case managers, and intake workers, about the nature of the arson problem among juveniles. They told us the following types of things: 1) It's a very serious problem because of the fact that they simply don't know what to do with juveniles who come before the courts with this type of problem. There are insufficient programs or agencies to refer the juveniles to. 2) Many of them say that the real problem out there is the lack of programs. As you said before, Senator Costa, only two counties in the State have discernible programs to deal with this, one in Bergen County and another down south. There are really a lack of programs specifically to address the issue. One of the big problems that everyone talked about was the lack of community knowledge about the program. And a real need for community education.

I think a very important issue we all face in this field, is that there really is no definitive screening mechanism that anyone uses -- the court system, mental health agencies -- to help us identify potential children with this type of problem. Almost all the people that we talked to in the court system stressed the need for us to come to you with the message that they need clear, immediate action on the problem so they have something to do with the juveniles.

Let me say also that I think part of the issue of where we need to go, is involved with the legislation that you sponsored, Senator Costa, for the Youth Service Commission. The Youth Service Commission really represents an opportunity to bring together all elements of a particular community at a county level -- the mental health agencies, the court systems, the school systems, -- so that effective programs can be designed from each county level. I think that piece of legislation, geared to identifying children with this type of problem, can go a far distance in helping us design effective programs.

Other than that, the Commission will continue to work with the Bureau of Fire Safety in seeing what we can do in performing any kind of research that you think is required, so that come -- I guess it's December that we're talking about -- the bureau will be able to present you with an effective policy position. Thank you. Are there any questions?

SENATOR COSTA: Thank you. You referred to the bill I sponsored on the Youth Commission. Unfortunately, the Governor conditionally vetoed that, and I wish he hadn't. It's holding up a lot of work that could be done in the area of children's services. It's unfortunate. Senator Dalton, do you have any questions?

SENATOR DALTON: Yes. Mr. Hodanish, first of all let me welcome you down south. Okay? This is Camden County, and this is the home of the first program of its kind in the State, that was set up solely to address this problem. I wanted to get an understanding --- or a handle on -- what you have done in conjunction with the Bureau of Fire Safety so far, to meet the Governor's charge -- found in his conditional veto -- to address this issue.

MR. HODANISH: Well, I think we've done a couple of things so far. The first was taking a look at the data base to see exactly what the nature of the problem was officially. As

I indicated before, we came up with a statistic that indicated that formerly there were 247 cases in 1986 that were handled by the court that involved arson related charges. Again I tell you that a number of the cases are handled informally, or deferred -- or not handled through the official court system. I think the second step that we did was try to explore with the key actors in the juvenile justice system the kind of insight that they have in dealing with the juvenile firesetter. The third step, at this point, has been working with the bureau in sponsoring that statewide seminar to bring together groups from all over the State, to try and identify basically what the issues are. I think the next steps are to try and develop some kind of effective policy, or an effective approach. And I think that's probably what we're dealing with right now.

I was very happy to hear you say before-- You were asking a question about effectiveness, whether programs work. You know that's one of the big problems that we really have in this whole juvenile justice system. We have 100,000 juveniles who are arrested each year in the State. We have 50,000 cases that are referred to the juvenile court. We have 25,000 cases that formally are adjudicated in front of the court. Do you know we have virtually little knowledge about what really works in terms of handling those juveniles? The Commission is just beginning now -- with its data base and some of its follow-up activities -- to see what effective strategies can be used for recidivism, not only in terms of the arsonists, but in terms of all the other kinds of problems that juveniles have.

As a matter of fact, there's a bill that's being heard in Assemblyman Kern's Committee this Thursday, which for the first time enables the judge to formally monitor dispositions. Do you know that at this point in time, the judge adjudicates a juvenile, and they refer him to an agency for service, but really has no way of formally following up to see that that juvenile: a) got the service he was referred to, and b)

whether that service is being provided, and c) whether the service is being effective. So, we're beginning to take those steps right now. I think one of the things that need to be done -- and I don't know how quickly we can do this, or exactly what the approach would be -- would be to do some real hard evaluation about what the effective treatment methodology is.

I must compliment the individuals from Bergen County and the Mental Health Center, a very progressive county, involved in all kinds of things in the mental health system. Pray that all the other mental health centers in the State, were as pro active in dealing with delinquency, and sex offenders, and arsonists, as this county is, because they just are not in other parts of the State. The findings of our Commission clearly indicate that the mental health agencies around the State turn their heads on the delinquent population. They really don't know how to deal with them. They either don't have the resources, the knowledge, or the ability, to deal with the delinquent population. And so, we're beginning to see that kind of breakthrough with the mental health systems, and I think that's where the answers are.

SENATOR DALTON: Have you gone down and taken a look at the Camden program as of yet?

MR. HODANISH: No, I haven't, and I plead guilty on that. There are so many programs that I have not seen all around the State. We are extremely lucky that we're beginning to pioneer an awful lot of programs in a lot of areas, that I haven't seen right now.

SENATOR DALTON: I'm not talking about different charges elsewhere. I'm talking about this charge that was given to you, via the Governor's conditional veto.

MR. HODANISH: No, we have not taken a look at that program.

SENATOR DALTON: Okay. Let me urge you to do so. It's a program that's up and running, and can show you some significant and tangible results. The people from Bergen, as you heard, attempted to model their program after what Camden has already accomplished. What I was trying to do in the legislation was to bring all the many many components of our overall system: i.e. fire setting -- fire fighters, mental health, schools, etc., and start talking about this problem. Given the fact that that bill was vetoed, you're it. Okay? I would urge you to get to Camden and talk to Andy Braig and David Aron as quickly as possible, because I think we don't have to reinvent the wheel here. We have an excellent program that is working.

MR. HODANISH: I think you're probably right on target. I think the nature of the problem is bringing these resources together so that you don't duplicate anything, but getting that prototype in front of other people in other counties who haven't seen it yet so that they can use it as a model. I think probably that's the next step that we should be taking in this process.

SENATOR DALTON: Well, I don't want to belabor the point. I just want to tell you that I'm going to be looking very hard at your report in December. I think it's time for us to move on and address this problem aggressively. I hope your report does that--

MR. HODANISH: We will, Senator.

SENATOR DALTON: --and make some strong recommendations, recommendations as far as the identification, treatment, as far as funding, all these issues have to be addressed. And as I indicated, you're it. You're the vehicle. So--

MR. HODANISH: Okay. Thank you, Senator.

SENATOR COSTA: I might add that you're in Camden County. You could do it today. (laughter) Richard Craft, Fire Protection Inspector of Burlington County -- that's where I live -- and he's not here. Okay, we'll go on. I'd like to call the Assistant Fire Marshal of Camden County, and the Chief Fire Marshal of Camden County, Anthony Braig and David Aron.

D A V I D A R O N: Good morning. My name is David Aron. I am the Chief Fire Marshal. This is Andy Braig. Andy is our program coordinator for our local Firehawks program. Before I get into the written part of the testimony, I feel like David -- even though my name is David -- has cast the first stone and awakened Goliath in the State of New Jersey, concerning this problem that affects every community in the State of New Jersey, every county, every hamlet, every village, has a juvenile fire setting program. I'm pleased to see symposiums conducted by the Bureau of Fire Safety. I'm especially pleased about Senator Dalton's bill -- even though it was vetoed, and of course this Senate hearing today. The interest that has generated throughout the State through the fire service is becoming quite apparent. A lot of groups, a lot of counties, a lot of individuals, are taking an interest in beginning to look at their juvenile fire setting problem. We were fortunate in Camden County. We developed an advisory board, and without their input, and their expertise in the many fields that they represented, I'm sure our program would be no way near the effective capabilities it has presented so far. If I may, I will go into our text.

Thank you for allowing us the opportunity to provide written testimony for the record on juvenile firesetters. The Camden County Fire Marshal's office, located in southern New Jersey, serves an area of 222 square miles, with a population of 650,000. The Camden County Fire Service consists of 85 fire companies operating out of 85 stations. Manpower consists of

approximately 3000 volunteer fire fighters and a career force of approximately 450 persons.

Over the years the Camden County Fire Marshal's office has become increasingly concerned about the involvement of juveniles in fire incidents. The Camden County fire service responds to an average of 22,000 fire calls a year. This office estimates juvenile involvement in approximately 7500 of these incidents. These incidents include dwellings, vacant buildings, brush fires, as well as false alarms, to name a few categories. To recap these figures, just over 34% of all responses the Camden County fire service answers are juvenile related. Camden County stats show that with the investigation of 96 fire deaths from 1979 to 1984, 22% resulted from juveniles playing with fire. Madam Chairperson, we ask that you keep in mind that these figures do not reflect the child who has not come to the attention of the fire service -- the child who is just experimenting with fire, and whose firesetting behavior will intensify if allowed to go unchecked.

In the year 1983, the Camden County Fire Marshal's office had the unpleasant task of investigating two fire deaths which directly had resulted from juveniles playing with fire. On January 12, 1984, this office investigated a fatal fire which claimed the life of a nine-month-old child caused by his five-year-old brother playing with a cigarette lighter. Another nine-month-old child fell victim to a fire on March 6, 1984, started by a three-year-old sister who was playing with a lighter. Sadly, the investigations revealed the child had a past history of playing with fire. Once again, on September 15, 1984, an 18-month-old child died as a result of his five-year-old brother playing with a lighter.

The above mentioned fires were listed as accidental with this office. However, we have experienced premeditated act of fires which have resulted in deaths. These premeditated fires have been carried out by children as young as four years

of age. Recently, we had a 10-year-old child set two fires in an attempt to kill her foster parents. Investigation revealed that she had been sexually abused by both parents. The abuse also consisted of renting the child out to friends for sexual favors. One year after the firesetting incidents, both parents were charged with numerous counts of rape and prostitution.

From these few cases, I am sure you can sympathize with just how frustrating the problem of juvenile firesetters can be for the fire service. The fire service has recognized fire prevention education as its best weapon against needless tragic fires. However, with juvenile involvement on the increase, it was becoming very clear that fire prevention education was not enough. Until the Camden County Board of Freeholders adopted a comprehensive juvenile firesetting program -- Firehawks -- under the recommendation of Freeholder Joseph Roberts, and this office, the approach of the fire service was done on a hit or miss basis. Often a juvenile who came to the attention of the fire chief as a firesetter received a lecture from his local fire chief. Little or no follow-up was ever done to ascertain if the lecture curtailed the firesetting behavior. On the other side of the slate, the juveniles who were apprehended and entered the juvenile justice system, were discovered repeating their acts. It was obvious that the system was not working.

The Camden County Fire Marshal's office works closely with the Camden County Prosecutor's office in an organized Arson Task Force method. Premeditated acts of arson by juveniles proved to be indications that a more coordinated approach should be taken involving the mental health field in addressing the problem of juvenile arson.

On January 22, 1980, investigators from the Camden County Fire Marshal and Prosecutor's offices encountered a four-year-old boy who had set fire to a sofa while his grandparents slept. An investigation revealed that the boy

felt he was unjustly punished by his grandmother. On January 18, 1981, investigators responded to a fire that claimed the lives of three and critically injured another. This fire was intentionally set by a seven-year-old. Investigators learned that the boy shared a bedroom with his mother and live-in boyfriend. Apparently unable to cope with this situation emotionally, the child acted out his resentment of this situation by setting fire to the bed his mother and boyfriend shared. Many other such cases showed even laymen that severe emotional and psychological problems play a substantial role in the behavior of these juvenile firesetters.

The County Fire Marshal's office and Prosecutor's office welcomed the development of the National Firesetters Program. The Firehawk program provided Camden County with a vehicle to coordinate the fire service, the juvenile justice system, and the mental health community. Now instead of individual agencies working independently, a comprehensive team approach exists to help combat the problem. The county program has a 25-member Advisory Board with representatives of the mental health, juvenile justice, police and fire service, education, and county government. The resources that these members represent proved invaluable to the success of the program. And I can't strongly state that enough. Without their help, we would not have a program. The Camden County program started in February, 1984, after the county adopted a legal resolution.

Madam Chairperson, the initial response from the community resulted in 41 referrals in just over 60 days. This reception far exceeded the expectations of the Fire Marshal's office. The program averages approximately 100 referrals a year. Since its inception, Camden County has encountered an 82% reduction in fire deaths caused by juveniles. The fire program has also seen 95% reduction of repeat firesetting by juveniles in the program.

The volume and the type of firesetters the Camden County program is encountering has made us keenly aware that juvenile firesetting is occurring in such proportions as to easily overwhelm the Fire Marshal's office, as well as the already overburdened mental health community. Working on a limited budget, the Camden County Fire Marshal's office is manned by a full-time staff of six men. Duties include investigations of all suspicious and fatal fires occurring within the county, as well as inspections of over 200 county buildings -- which include special inspection requests received from various communities. In addition to these functions, the office also provide fire prevention programs to the residents of Camden County throughout the year, in addition to providing fire prevention and fire fighting programs to various industries within the county. The County Fire Marshal's office also coordinates a complete Emergency Training Center, which trains over 6000 emergency response people from the various agencies in the county.

This office is now finding it is investigating over 40 man-hours per week in the administration of the Firesetter program. Where once we asked the question of, "What can we do to address the problem of juvenile arson?" We now find ourselves faced with another frustrating question. That is, Will we be able to continue to devote the manpower time and expenditures that this program is requiring?

In the fire service, we are accustomed to responding to emergencies rapidly. The Camden County Fire Marshal's office is concerned that without proper funding for a comprehensive juvenile firesetter program such as the one we have adopted, we will become the victims of an overwhelming demand to help these children. The results we fear will be a slow response on our part to come to their aid. Unfortunately, we must realize a slow response to a child who is involved in playing with fire, can be tragic. For adults, fire is a

powerful tool; to a child it is often a deadly toy. We would like to treat the firesetter the same as we handle any other emergency request from our communities; with quick, deliberate action. The children and the community deserve nothing less. Therefore, it is strongly recommended that any community willing to commit to a juvenile firesetter program be prepared to commit fully to the program, both in terms of budget and manpower.

Madame Chairperson, we at the Camden County Fire Marshal's office feel that it is time that the problem of juvenile firesetting is addressed on a statewide level. Juvenile firesetters come from all social and economic groups. No community is immune from their tragic and destructive acts. These acts are costly to a community in terms of dollars and human injury and death. The Camden County program is not the answer for every county. Indeed, our program based on a national model had to be custom tailored to meet the needs of our community. It should be noted that many model programs are in existence nationwide. One thing they all share is a high rate of success in preventing recurrent firesetting behavior in children. It is our belief that communities can no longer afford to ignore the dilemma of juvenile firesetting, or the success of programs designed to combat the problem.

We would now like to address some of the problems that exist throughout the State with regard to juvenile firesetters. First, it is difficult at best to determine the extent of the juvenile firesetting problem in the State. Lack of statistical information in the fire service and justice system needs addressing and structuring. An example of the problem is the downgrading of the charges in juvenile cases. A child who has been caught setting fires is often charged with criminal mischief as opposed to arson. The mislabeling of the charges limits the chance of accumulating valuable statistical information. The fire service should also be encouraged to

start identifying juvenile related fires. It has been a practice in the past to classify juvenile fires in a much broader class -- i.e. accidental.

Second, there is a dire need for a long-term in-house facility which will accept firesetters. Because these children are such a high risk, most facilities will not accept a firesetter. This despite the fact that many of these children have a severe psychological and emotional problem.

Still another area that needs addressing is education. Fire service and juvenile justice and any other agency which deals with children, need to be educated on the juvenile firesetting issue. The education should include, but not be limited to, identifying and accessing juvenile firesetters. There exists a genuine need to educate various organizations on how to network with one another in order to address the problem on a team approach.

In conclusion, on behalf of the County Fire Marshal's office, we, as well as the Camden County Firehawks Advisory Board, we would like to thank the Children's Services Committee of the New Jersey State Senate for holding this hearing and accepting our testimony. The Committee's concerns and initiative is recognized. It is our sincere hope that through ours and others' testimony, the Legislature will be able to develop the much needed legislation which will result in solutions for identifying, placing, treating, and educating juvenile firesetters and their families. We realize that our testimony has just outlined some of our experiences and suggestions. Our staff is available to meet with this Committee or any member thereof to discuss the issue of juvenile firesetting on more specific terms, at any time. We can be reached at our headquarters in Blackwood, New Jersey.

Also attached is a fire death survey chart of percentages for the year prior to our Firehawks program, and the years since the inception of the program. You will note a

considerable decrease in the amount of fire deaths related to juvenile firesetters.

SENATOR COSTA: For those who have not gotten a copy of this, it starts with the year 1979 when the amount of juveniles that were involved was six and the percentage was 43% of the fire deaths. And it goes down to where the program was started in 1985, 1986, 1987 to date. The program's juvenile involvement in '85 was zero, and '86 there was one which was 6% of the fire deaths, and '87 there was one which was 7%. They really clearly show that you've made an impact. In looking upon your statistics though, it's so glaring there are two years on here where there is no juvenile involvement. Did you ever find out how come?

MR. ARON: Well it's not from a lack of an investigation. We really don't know why they weren't involved. I guess it was the grace of God that nobody was killed by their acts, really.

SENATOR COSTA: I see. Do you involve families in your approach to helping the juveniles who are involved in arson?

MR. ARON: Yes. Our program -- as has been testified to by the Bergen County group -- is also broken into three levels we call level one, level two, and level three. Level one a low risk category, where we feel that the child through an intervention program -- through interview we determine this level -- will not be at risk, and we recommend appropriate fire prevention programs. And we also try to follow up on those programs.

The level two area is a child that's a more acute risk, and for all intents and purposes will continue the fire setting pattern if not for some professional intervention, such as counseling. At this level we also introduce our fire fighter volunteers -- or fire companions -- to this. One of the requirements of our program is that the family and the

child attend at least three sessions with a counselor, whether it be a family counselor, or a psychologist, or whatever has been determined. Once these three sessions have been completed, then a companion will be assigned. Once the companion has been assigned, another requirement is that the family and the child continue the professional treatment, whether it be through Family Services or again another type of psychologist.

The level three area is obviously above the means of the fire service. These people are in desperate need of mental health treatment, and intervention programs such as Firehawks, or just fire prevention programs are not nearly enough to handle this type of juvenile. They must have professional psychiatric help to get these people back on the road to recovery.

SENATOR COSTA: What comes through here is that in many instances a child is looking for help. It's their way of crying out for help. You mentioned something that was a real horror story, where this ten-year-old child was sexually abused by its foster parents and loaned out to their friends. Where do you come in there? Do you have the forces there to take that child out, and assist that child, and get him some help from this terrible experience?

MR. ARON: I'll refer that to-- (inaudible)

ANTHONY R. BRAIG: What happened, Senator -- and this is the need for the fire service to become educated. Most of the time a child with a severe problem such as this-- As the fire service responds to a fire and they don't go that extra step to find out why the child is setting that fire, it's never brought to our attention. So, it's important to educate the fire service that, hey, these children are setting these fires for a reason. The fire setting itself is not the problem, but there may be a problem in the child's life that's causing the child to act out in fire setting.

SENATOR COSTA: Well in that instance, were you able to take that child away from those people? Or do they go back to where they were?

MR. BRAIG: In that particular incident, the family denied investigators a chance to talk to the child or interview the child. It came to our attention a year after the fire setting incidents, when the child confided in a friend at school of this situation. Regressing back, she was questioned about the fires, and admitted setting the fires in an attempt to kill her foster parents, one of which was a school teacher in Burlington County as a matter of fact, in the Cinnaminson school district.

SENATOR COSTA: I'm curious. Did they take that child away from them, or is she still in the same--

MR. BRAIG: Yes, the child--

MR. ARON: Both children were taken away.

MR. BRAIG: Right. There were two children in the--

SENATOR COSTA: From your investigations-- I mean, do you follow through?

MR. BRAIG: Yes. On other cases we've been able to recognize-- After we bring a family into our office and evaluate them and determine that the child is at risk, we make a referral to the mental health services. Okay? They have the expertise to pick up if there is a problem, and in many cases they've picked up abuse within the family. Fortunately, we've been able to identify that, and take corrective steps, whether it's turning a family over to DYFS or just juvenile justice agencies, or whatever.

SENATOR COSTA: Thank you very much. I'd like to commend you for the work you've done.

MR. ARON: Senator, were you asking whether the Fire Marshal's office took the child away?

SENATOR COSTA: No. I didn't ask that.

MR. ARON: Oh, okay. We don't have that authority.

SENATOR COSTA: Whether you got in touch with the appropriate -- I know you don't have the authority -- appropriate authorities to do that, rather than leaving that individual there once the knowledge was known to you.

MR. ARON: Another area of juveniles that we're picking up also -- that our written testimony did not include -- is the potential suicides. We've had several youths that have been diagnosed as potential suicide victims, had their firesetting abilities continued. One individual, who was 13-years-old, was lighting approximately three to five fires a day, including putting alcohol on himself and setting himself on fire. We had another youngster in an affluent community that would set leaves on fire and roll in the leaves every time the parents disciplined him. The parents thought it was an isolated event. Through questioning of the juvenile it was found out that, no, every time that he was mad at them he lit the fire and rolled in the leaves. He was later diagnosed as having suicide tendencies. This is at seven years old. Sometimes it's very hard for fire service people to fathom this. I know for myself, it's been an extremely enlightening experience. When I find out some of the problems that some of these children are going through, it's just mind boggling.

SENATOR COSTA: I don't know if Senator Russo did me a favor in appointing me as Chair of this Committee, because it is breaking my heart every time I listen to these things. Thank you.

MR. BRAIG: Madam Chairman if I may -- Chairperson rather -- if I can just commend the Committee and Senator Dalton for all his efforts. It's certainly welcome to see people responsive and responding to the issue. In particular with Senator Dalton, I know he's dedicated and committed, and personally I just want to say that I can recognize it, and I really didn't think that anybody could be as committed unless they sat across -- as I've had unfortunately many

opportunities to do -- and hearing a mother who has terror on her face because she is afraid to stay at home with her child. She's afraid the child is going to get up at three o'clock in the morning and set the house on fire. It's a concern by many parents. What it causes me is, some anxiety, and a sense of urgency. That's why I'm really happy to see this Committee form this hearing and act with a sense of urgency that I feel, and it's great to feel that it's shared. Thank you.

SENATOR COSTA: And we appreciate that you recognize the dedication of Senator Dalton. He certainly is. Senator Dalton?

SENATOR DALTON: Anthony or Dave, one of your tougher questions I suspect is the issue of funding. You were talking about in your program having one person 40 hours a week. I think you were indicating that, hey, the potential is limitless here as far as addressing this issue. The bottom line is, you need a whole lot more help.

MR. ARON: We do.

SENATOR DALTON: I was just wondering, your experience with the Firehawk program-- Are there other states that have put together a comprehensive statewide program to address this issue? What has been the funding base?

MR. ARON: Statewide? I don't believe statewide. I think you'll see community-wide, or city-wide in certain areas. Rochester, New York has a very extensive program, but there again it's only city-wide.

SENATOR DALTON: The California experience, what's that been? I know that's where Firehawk started.

MR. BRAIG: Yes, California was the first state to introduce legislation developing a juvenile arson task force -- very similar to Senator Dalton's proposed bill that was vetoed. They are the only state that I know of that is operating on a statewide basis. To tell you the truth, we have not received any communications as far as seeing what the success of their program has been.

SENATOR DALTON: But it might be an area for us to contact -- people to contact out there and see how their program is set up, what's the funding base. I have no further questions, Senator.

MR. ARON: One thing I'd like to add. We referred to the National Firehawks; unfortunately the National Firehawks have gone out of business. So there is no national program to date. The Education Resource Committee in Gloucester County is attempting to pick up that franchise, although I don't know how successful that will be.

SENATOR COSTA: Unfortunately, children do get short shrift because they are a cry in the wind. Their voices are voiceless. They're trying to be heard, I guess, in these various ways. I do appreciate Senator Russo creating this Committee, and appointing me as its first Chair because we can air a number of these problems, and hopefully go in the right direction to help all these young children. Judith Peoples would like to ask a question.

MS. PEOPLES (Senate Staff Aide): Yes. Thank you gentlemen. On behalf of Senator Brown and Senator DiFrancesco, who could not be here this morning, has the program had an impact on your recruiting volunteers? I see this from two directions, either they would be eager to participate in something that would help a very bad situation to be better, or it might turn them off because of the responsibilities associated with it. Can you just give us some idea of how the volunteers respond to that?

MR. BRAIG: The volunteers have been very responsive. We're drawing from volunteer firemen and paid firemen. I guess we're at a distinct advantage as opposed to a program like Big Brothers, and we've talked to them. One of the things where I think we're at the advantage is that volunteers we're getting from the fire service are used to volunteering time and responding to emergency situations. They're very

enthusiastic. We do provide extensive training, extensive background checks, before we do assign a companion. However, we have experienced a lot of burnout. Okay? The companion doesn't realize what the relationship is going to entail. And a lot of times there are setbacks where a companion goes into the companion relationship with the thought that he is going to cure this kid of all the problems. He learns that his role is really just to be a friend and a listener. Okay? We operate the program in conjunction with mental health therapists who are there to really work long-term with the child and the family. a lot of times there are setbacks, where a child a few months down the line starts another fire. It's important for the companion to realize that it's not necessarily their fault. You know, this is a problem that's ingrained into the child, and that together, over a long-term-- Some of the commitment we ask of our companions is to spend a year and a half with a child. So, the long-term approach has been yes, successful. Again, we've experienced between a 90 and 95% success rate of stopping the recurrent fire setting behavior, through our follow-ups.

SENATOR COSTA: Thank you very much. Did you wish to say anything more?

MR. BRAIG: The commitment of the companions is between six months and a half-- That we ask the companions to commit to a child. The time per month is eight hours physical contact with the child. There are other phone contacts, and just general contacts during the course of that month that are very helpful to the child. But the eight contact hours that the companion spends with the child takes the form of just walking through a park and listening to the child and some problems he may be having, or taking the child to a ball game or sports event, and at times intermixing some fire safety education.

One other thing on legislation, if I may add. One of the side problems that we have, I guess is educating communities. And I apologize, I wasn't prepared to tell you this story. It's an experience I had about two weeks ago in my own town, where I had a child set three fairly major fires in one week's period of time. I had a lot of difficulty getting a hold of the parents. Each time I was at the scene I caught the child, had him empty his pockets, and he always had matches from a convenience store. I made a trip to the convenience store, and sitting out on the counter was a bucket of book matches. Again, it's something that's very minor on the surface, but it's something that needs to be looked into and addressed.

One other highlight of the program, if I may -- and it doesn't deal with a firesetter, but just having the Firehawk Advisory Board mechanism in place in the county has worked wonders. Recently we had a child, I believe he was eight or nine years old, die in a fire. Okay? He was not a firesetter. It was an accidental fire. I believe it was ruled careless smoking by a parent. Well the child died, and the school contacted our office because they knew of our association with the mental health community, that we had a mechanism in place. They told us about various classmates who were having problems with this child's death. So we sent a local fire marshal and one of our mental health advisory board members to the school, and it cleared up most of the problems. We found out that one child was not in school the day we sent a fire marshal and mental health representative. This was a young girl who played with the child that died, quite frequently, and she was a straight A student. Well in a two month period of time her marks went down. She was terrified to sleep in her house. She would sleep in the living room and insist that her parents be awake all night long, and if she would happen to wake up during the middle of the night she

became very angry if she found her parents asleep. She was that terrified to sleep in the house alone. The mental health expert went for consultation visits, and a visit by myself and a fire marshal to do a fire safety inspection at the child's house, and to identify problems and see the child and have the parents correct the problems right there-- I'm happy and pleased to report that after only two visits the child is back up, and completed a straight A report card in June. Again, it's another side feature of just having a program in place, what it can do. The advantages are unlimited. Thank you, again.

SENATOR COSTA: Well we commend you for the work you've done. Thank you.

Richard Whelan, Advisory Board Member, Mental Health Subcommittee, Camden County Firehawks?

R I C H A R D W H E L A N: Just as a follow-up to a question first to Joe Masciandaro from Bergen County. Cape May County is currently putting together a Firehawks type companion program.

SENATOR COSTA: Very good.

MR. WHELAN: I was asked to represent the Mental Health Subcommittee for the Camden County Fire Marshal's Advisory Board for Juvenile Firesetters, and in doing so talked to the other members of the board and have put together some information that they have shared.

One of the largest factors missing in an attempt to educate individuals to the problem of adolescent firesetting is that of statistics. Most experts agree that the number of known youth who are involved in firesetting behavior is far short of the actual totals.

Mental health professionals have discovered that in the normal course of an evaluation, interview, or a counseling session, the topic of firesetting in the child's past is not one that generally comes up as a problem. Consequently, when

counselors are asked about having firesetters on their caseload, most will deny having any. However, it has been found that once a counselor or social worker asks the family about any history of firesetting behavior, the affirmative response at times is overwhelming.

One community mental health center introduced this question into their standard initial interview form, and in more cases than anyone imagined possible, families began to unburden themselves with incidents or stories that, until this opportunity, they felt they had to keep to themselves.

This scenario illustrates the need for counselors, whether in private practice or part of a mental health agency, to realize that juvenile firesetters are more prevalent than anyone might expect. The need to stop relying totally on existing statistics and to begin to investigate cases on their own, is important. In this way, these children will finally be recognized and helped. Their cries for help will not have to be expressed by way of a match or a cigarette lighter.

However, to effectively sensitize the mental health community to the extent of this problem, training and training monies are both needed. Through comprehensive training programs for mental health professionals, this group will realize not only the need, but also have the ability to identify these troubled youths and their families. They will also be in a better position to address their specific needs therapeutically, realizing that this population requires a different type of intervention.

This same type of training will help professionals recognize that there is also a growing problem of firesetting behavior in children in the three- to five-year-old age range. This destructive pattern is not only confined to adolescents or school-age children. Pre-school children have often been discovered by their parents with a preoccupation for fire that transcends the curiosity with which many would prefer to label

it. As a tragic result, these children too often go unrecognized as having a problem that continues to grow as they do.

As important and crucial as the provision of awareness and skill training is for all mental health professionals, is the need for residential treatment facilities, which is equally as vital. At present, many juveniles are refused treatment in a residential facility, be it public or private, because they have some history of firesetting behavior in their background. Consequently, many juveniles who need this type of placement, for any number of psychiatric reasons, have it unavailable to them, and go on with their presenting emotional problems unchecked and untreated. There have been documented incidents where if certain residential facilities have problems with overcrowding, they may ask as part of their initial interview or screening process, if they've ever been involved in any firesetting behavior at all? There was one incident where a 16-year-old needed to be placed, and at the age of eight he had set one minor paper fire outside of his house. The facility felt that was close enough to refuse him admission into their facility.

Coincidentally, there is also a legal facet to this problem that needs to be addressed at this time. Counselors and social workers both report that even in cases where a child or juvenile is identified and may be referred for treatment by the courts, there is an alarmingly high incidence of non-compliance with treatment. Another community mental health facility reported that in searching through their records of all families that we referred to them for treatment where firesetting behavior was the presenting problem, 100% failed to report after their initial interview. It was felt that if some sort of legal recourse was established to deal with this issue of non-compliance, treatment could then be given a chance and successful intervention possibly accomplished. The courts can

be of immense value in not only getting these families into treatment, but helping the counselors keep them in treatment until a positive change can be effected within the entire family.

And finally, I want to thank the members of this Committee for their interest, concern, and support in this important issue.

SENATOR COSTA: Thank you very much. Senator Dalton, any questions?

SENATOR DALTON: Yes, that's a part of it that I never thought about before. I'm glad you raised the issue of insuring involvement in the program. How would you suggest you go about that?

MR. WHELAN: Probably as a stipulation for probation, with a change in the family court rules over the last several years, making it implicit on the family that they be an active part of therapy; that the juvenile -- him or herself -- not be the only one referred for treatment. The recognition that it's a family problem. That it affects the family, and because of that the entire family must be a part of the treatment. At this point there are probably very few private practitioners in mental health, or agencies, that will see an adolescent alone for treatment. They try to get as many members of the family involved as possible. So, I think the courts mandating that, and holding parents responsible for complying with the treatment, and perhaps making it more than just a suggestion that they be involved, a stipulation; and that probation officers -- having been one once myself -- realize that they have the power at any time while an adolescent is on probation to add that stipulation that therapy be provided, and that they continue in therapy until their successful completion.

SENATOR DALTON: Now as far as that's concerned, you don't need another statute or a new law?

MR. WHELAN: No, I think it's just reeducating the courts, probation, and family courts, that this is an option open to them, and they need to take better advantage of it.

SENATOR DALTON: You also talked about the fact that some mental health treatment facilities will not even accept a juvenile with an arson problem. How do you suggest we address that, or, how do you think that should be addressed?

MR. WHELAN: I think in two ways: Perhaps, one in educating these facilities as to what the dynamics and personality traits of the adolescent firesetter is. That it's not a fiend that's been sent in, and before the week is over will turn their facility into a parking lot. The idea that there are other problems -- as been brought up in several testimonies prior -- that it's a symptom. And that symptom can be addressed, and once the symptoms are addressed, the behavior will subside. Also, developing programs that are physically constructed that can house adolescent firesetters. So when you get a high risk, or third stage adolescent who has been diagnosed as having a serious problem with firesetting, there can be facilities in the State of New Jersey. They don't have to be shipped to several other states where they can be treated.

SENATOR COSTA: Are we sending those youngsters out-of-state for treatment?

MR. WHELAN: Yes.

SENATOR COSTA: We seem to be doing a lot of that. It's unfortunate.

MR. WHELAN: Which also makes it difficult for having any kind of family involvement in the treatment. When you're sending someone to the midwest, it's virtually impossible that a family connect in.

SENATOR DALTON: Where are we sending them now?

MR. WHELAN: I know there's one in Michigan that's being used, and one up in either Connecticut or New Hampshire. There has been talk of the Michigan program opening up a site

in North Jersey, but that's still in the planning stages from what I've heard.

SENATOR COSTA: Interesting. Thank you very much.

MR. WHELAN: Thank you.

SENATOR COSTA: Robert Horner, Department of Community Affairs, Bureau of Fire Safety?

R O B E R T H O R N E R: Good morning, Senator. To try and go a little quicker-- We do have a fact sheet that I believe you have copies of. I'll skip the first paragraph that's just historical relating to the bill.

In accordance with the instructions from the Governor in his veto message, the bureau conferred with the Juvenile Delinquency Disposition Commission and began planning a fact-finding symposium. On April 10, 1987, over 120 invitations were mailed to people including: Senators Dalton and Costa, Assemblymen Genova and DiGaetano, all of whom had indicated an interest in juvenile firesetters. The symposium was held on May 6, 1987, and was extremely informative and well received. The panel of speakers was divided into probation and education personnel. In addition, representatives from the states of New York, Delaware, Maryland, and the City of Philadelphia, presented their respective programs. The symposium ended with a question and answer period, at which time a number of participating panelists and members of the audience indicated their willingness to continue seeking solutions to this most serious problem, and became, in effect, a de facto task force.

The bureau is now in the process of convening the task force and has begun the preliminary draft of the report. As recommendations are formulated, the Bureau of Fire Safety will invite all the initial participants to discuss and come to a consensus as to recommendations to be included in the final report due in Governor Kean's office by December of '87.

That's essentially the history of where we are at the bureau right now, and I'll be glad to answer any questions.

SENATOR COSTA: Yes, I'd like to ask you a question. As you've heard testimony here today, it constantly brought up that the family has to be involved. This is not just an individual act, but it's something that involves the entire family. And yet, in the instructions from the Governor, I see nothing that involves the family. We're speaking of punishment, we're speaking of the justice system, the whatever, but nowhere there does it say "the family."

MR. HORNER: My response to that would be, Senator, that what we did was -- we're using that veto message and, quite frankly, Senator Dalton's bill, as a guideline on how to approach this problem. The purpose of the symposium was to -- as the Senator said earlier -- not reinvent the wheel. We knew, either personally or throughout the office, of certain programs going on. We consulted with Fire Marshals Aron and Braig, and invited people to the symposium -- which I should indicate, the invitees to the symposium-- These people were invited. You know, we didn't put out the word that we were going to have a symposium. The symposium was by invitation only, to people whose names we had been given by such people as Dave Aron and Joe Masciandaro and other people that we contacted, trying to get everybody that had some piece of this problem, and some knowledge of this problem, into this symposium, with the idea: 1) of not reinventing the wheel, and determining what pieces had to go into this problem. Certainly when you're talking about the family-- Obviously that has to be addressed when we come out with a policy recommendation.

SENATOR COSTA: I'll turn it over to you, Senator Dalton.

SENATOR DALTON: What do you perceive as the big obstacle to establishing a statewide program?

MR. HORNER: See you're saying program and I'm saying policy. I think maybe the State shouldn't in and of itself establish a program, but should establish a policy. Perhaps --

and I don't know this, and I'm not going to speak for the task force, or the other staff member, or the bureau -- I think that our role may be as a resource, and that may be our policy; to gather all these pieces for the individual municipalities, counties, and put it together for them. One thing that I think the State has to get involved in is the funding of, quite frankly, of brick and mortar facilities in the State to handle these problem children that these programs are kicking out. That's the only difference I have with your question, Senator.

SENATOR DALTON: Well, have you looked at the California experience?

MR. HORNER: Only historically. I looked at a lot of these other states, and that's why we had other state programs-- The California experience-- If I may deviate and give you Bob Horner's perspective of this, not the bureau's, okay?

SENATOR DALTON: It's not what?

MR. HORNER: Not the bureau's perspective, mine. What has happened historically that I can see-- The Federal government funded a lot of investigation into juvenile firesetters, put out some good work. Firesetters (sic) evolved from that. Firesetters is essentially a program -- or, I'm saying firesetters, I'm sorry-- Firehawks is essentially a program dealing with the juvenile after the fact. It's an excellent program, essentially a companion program. Lots of other states and areas are using companion programs. The Burlington County Probation Department, as I understand it, is using the Firehawk concept, but they're not calling it that. They're just providing the companions too, somehow. This overall program -- if you want to call it, or programs -- usually pop up as a result of a spark plug. You heard testimony this morning from the gentleman from Bergen County. The Chief sat up in bed and said, "We've got to do something." And I happen to know that Chief personally, and he is a spark

plug up there. He got that thing going. You had two gentlemen here this morning that were spark plugs in Camden County. I'm sure if we can find a spark plug in every county, you can get one of these programs going. That might be difficult to legislate, or even policy-wise. You've got to motivate people. I think the State's role in there, might be to educate the firemen, as Bill spoke to this morning.

SENATOR DALTON: I think you also said, the role is treatment.

MR. HORNER: Is, beg your pardon?

SENATOR DALTON: Is treatment.

MR. HORNER: Yes. That--

SENATOR DALTON: You mentioned prior--

MR. HORNER: Yes. I'm talking about before you get there, at this point. Treatment is at the end.

SENATOR DALTON: Regardless if you get there or not, you've got to-- You know, if the referral is from a Firehawk program, or if it's from a community mental health program, you need adequate treatment facilities that presently aren't available. Would you agree, Mr. Horner?

MR. HORNER: I couldn't agree with you more completely. And I really think there the State really should play a role. Has to play a role.

SENATOR DALTON: What policy do you envision? I mean, do you envision that the State serves as an entity that makes people aware of the various elements -- whether they be mental health, whether they be education, whether they be treatment -- available to a person with a problem or to a community based group?

MR. HORNER: I could respond to that as Bob Horner, What we're trying to do is, Senator, put together a policy based on statewide input at this point. So, we don't have that policy in shape yet.

SENATOR DALTON: I'm aware of that. Okay.

MR. HORNER: Okay. To respond, the task force will create the policy.

SENATOR DALTON: Okay. You're not ready to address that yet?

MR. HORNER: No sir.

SENATOR DALTON: The members of the task force, do they include people like the Bergen County people that heard from, or Dave Arons or Anthony Braig?

MR. HORNER: Yes, you got half of them on your agenda today. As I said, we used your bill, and we found out who these people were. We used the Governor's message, found out who those people were. Quite frankly, personally, I never heard of Juvenile Delinquency Disposition Commissioner, or Ty, but Ty and his organization have been a great help to us--

SENATOR DALTON: Okay.

MR. HORNER: --got this thing off the ground. See, I hate to make this a personal thing--

SENATOR DALTON: No, that's all right.

MR. HORNER: When I came out of the fire service--

SENATOR DALTON: Right.

MR. HORNER: When we got into the symposium there's a lot of things that popped up prior to it, that I wasn't aware of. I've been in the fire service for 37 years. Okay? For example, in the justice system, I found out -- not I found out, we found out -- in the symposium, the judge has 17 options on what he can do with these juveniles. I never knew that. I figured you either let them go, or you keep them someplace. Seventeen options, the seventeenth says he can try any new program that comes along. So we're wide open legally, I think to go with this. We've just got to put the rest of these things together. And we've got good people, we think. We welcome any more. Hopefully, we're here to see what you think. Have you got something we missed? Or, is there something out there you think we should be doing? Fine. We're on your side, Senator.

SENATOR DALTON: Okay.

SENATOR COSTA: Do we have legislators on that task force at all?

MR. HORNER: No, not yet. Do I hear any volunteers?

SENATOR COSTA: Well we should. Actually we should.

SENATOR DALTON: Could you supply Senator Costa's Committee with a list of the task force members?

MR. HORNER: Sure.

SENATOR COSTA: I'd appreciate having it. I didn't even know it existed. But as you see, we've had some testimony here today that I hope you did get something out of, to bring back to your task force, because there definitely is a problem in this State and there definitely is a need--

MR. HORNER: I'd like to bring back a couple of Senators. (laughter)

SENATOR COSTA: There definitely is a need for some kind of action on our part to assist these young people.

SENATOR DALTON: I'd love to have the opportunity to sit down with you, when you're ready with your report. Love it.

MR. HORNER: Of course, Senator. Possibly even before?

SENATOR COSTA: That's quite all right. Perhaps the task force could meet with the -- include the Children's Services Committee.

MR. HORNER: Of course.

SENATOR COSTA: All right? As we've seen, in listening to testimony on juvenile arson, and as the Chairman of the Children's Services Committee, what comes through loud and constantly is that the breakup of the family in our State and in our country have had a great effect on our young people. If I had a magic wand, all I would say is, love your children, love each other, just so that for the children's sake, and the future of our State is at stake, and the future of our country. But I don't have that magic wand, and we as legislators will try to do whatever we can, within our ability

to do whatever we can, from this Committee, and working together in the Legislature.

I appreciate everyone's coming here today. If there is anyone else that I do not have on my list, who does want to make a statement-- Yes?

B R I A N L E V I N E: (responds from audience) Hello. My name is Brian Levine (inaudible)

SENATOR COSTA: Won't you come here? Are you representing the Fire Inspector?

MR. LEVINE: No. I've been in contact with Dick Craft and that's why--

SENATOR COSTA: I see. He was supposed to be here, yes.

MR. LEVINE: Since he's not here I thought I would say a few words.

SENATOR COSTA: I'd appreciate it.

MR. LEVIN: Again, my name is Brian Levine, I'm with Drenk Guidance Center, Burlington County, in Mount Holly. My program is the Adolescent Offenders Treatment Unit. For the past year and a half we've worked with Dick Craft in coordination of deliverance of services to families and individuals, that he has identified as firesetters in need of some sort of counseling services. Unfortunately there is no leverage in regards to families following through with that. Only instances where adolescents are on probation, then we have the court system as leverage in keeping families in counseling. So the dropout rate tends to be very high. Offhand I would say there's maybe been 20 different families that deliver services to -- maybe higher over the past 18 months -- working with Dick Craft, through his referrals. I'm sure if Dick were here he could give you many more statistics and causes and reasons that he's found for the firesetters. But there is a program at a very minimal level at least, going on in Burlington County with the Fire Marshal department.

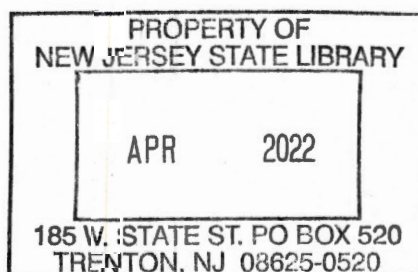
SENATOR COSTA: Thank you so much. I had spoken to Evan Kline, the Fire Marshal in Burlington County, and he said he could not be here but he was sending someone. Unfortunately something must have occurred for Dick Craft not to be here, but I appreciate your comments.

MR. LEVIN: Thank you.

SENATOR COSTA: Thank you very much everyone, for being here. I appreciate it very much.

(HEARING CONCLUDED)

APPENDIX



CASE VIGNETTES

RH

RH is an 11 year old boy who has a history of acting out behavior that has been confined to his home environment. He has been quite abusive to pets and has started several fires on the property surrounding his home. He has difficulty controlling his anger and is very excitable.

His parents are divorced and RH lives with his mother, a cocktail waitress who works from 5pm until 4am. During this time RH is alone with his 14 year old sister, who is unable to control or discipline him. This sister had a different father, who has no current relationship with the family. A 27 year old half-sister does not live at home and has sporadic contact with the family. RH's relationship with his father is not good and contact seems very infrequent. A great deal of anger is expressed toward the father as well as toward the mother, who is depicted as showing more concern for her pet animals than himself.

On the other hand, RH's relationships with adult authority figures outside of the home appear to be good. He maintains fairly adequate peer relationships and expresses a desire to have close relationships with caring adults. As he fails to achieve this in his family situation, his self-concept is seriously impaired.

RH is currently in individual and family therapy and has a volunteer companion.

KK

KK, 5 years old, is the youngest of three sons in a single parent family headed by a mother who returned to work 10 months ago. Child care arrangements for KK often involve a neighbor who also has a 5 year old boy. Together, the two boys have recently been discovered playing with matches on two separate occasions. Although a fire was not actually ignited, the mother did bring her concern to the attention of the fire fighting personnel in her town.

Initial assessment indicates that KK does not have a thorough understanding of the danger of fireplay. His mother seems to have difficulty setting limits and following through in situations where rules have been broken. After two one hour educational sessions with a fire safety instructor, KK has shown signs of using fireplay as an attention getting tactic. Assignment of a volunteer companion is currently underway. Over-extended mother could benefit from parenting education but is not able to commit to any additional involvements at the moment.

SR

SR, 16 years old, and his family have a long history of involvement with social service agencies. Mother has a history of mental illness and was divorced from father, who died several years ago of a heart ailment. There has been suspicion of child abuse reported by the school but unsubstantiated by an investigation by DYFS. SR has been the recipient of special educational services as a result of being classified as attention deficit disorder. His behavioral acting out over the years has included fireplay at an early age (6 years old), unreported by his mother, who discovered matches and burned papers in his possession on two occasions.

Currently, when alone at home, he tends to do a lot of "cooking" that has on one occasion caused the ignition of a dish cloth which he extinguished in the sink. At other times, destroyed pots and charred contents were discovered in the kitchen. SR has difficulties forming and maintaining peer relationships. His school records indicate a history of appearing to be picked on. He actively seeks the affection and recognition of his peers but generally does so in an inappropriate manner. He lacks social skills and uses bizarre verbal and physical behavior to attract attention. He shows signs of depression and does not exhibit his emotions.

SR and his mother are currently receiving counseling services from a County mental health agency. A volunteer companion has been assigned.

1979	14	6	43%
1980	16	2	13%
1981	21	8	38%
1982	18	0	0
1983	11	2	18%
1984	16	3	19%
5 YEAR REPORT	96	21	22%
•		PROGRAM START	
1985	16	0	0
1986	17	1	6%
1987 TO DATE	15	1	7%

TESTIMONY OF TY HODANISH, EXECUTIVE DIRECTOR
JUVENILE DELINQUENCY DISPOSITION COMMISSION
PUBLIC HEARING ON:
JUVENILE FIRESETTING JULY 21, 1987

I would like to thank Senator Costa for initiating public hearings on this issue. It is an important one. My purpose here today is to supply the Committee with information so that this information may assist you in developing a direction.

As you are aware, S.1576, sponsored by Senator Dalton, sought to establish a Task Force on Juvenile Arson. The bill was vetoed on the theory that agencies presently existed that could address the problem.

In the Governor's veto statement, he instructed the Bureau of Fire Safety, in consultation with the Juvenile Delinquency Disposition Commission, to research and develop a statewide policy for preventing juveniles from setting fires.

The Bureau has taken a lead on this topic. On May 6, 1987 we participated with them in a symposium addressing this issue. Some of our findings were:

- o Just a few counties have existing programs (Bergen and Camden have Fire Hawk programs.)
- o Other counties have tried to address the problems through County Fire Marshalls, Departments of Education and Mental Health agencies.
- o There is not a simple uniform method or agency that coordinates efforts in identifying and treating the problem of juvenile fire starters.

A major problem in this area is that only a small percentage of actual arson cases are dealt with. First, there are many arson cases where arrests are not made. We also know that arson cases may be docketed for other charges. We've also heard that there is a strong correlation between the juvenile sexual offender and the juvenile firestarter. We are only beginning to see real numbers relative to this issue.

Never the loss, let me give you some hard statistics (based on calendar year 1986):

- o 247 cases were docketed in 1986 for arson-related offenses. The categories included: aggravated arson, arson, failure to control or report a dangerous fire, hiring/being hired to start a fire or explosion, and purposely, knowingly, unlawfully causing widespread injury or damage whether by fire, flood or avalanche.

- o Over 1/2 of the cases docketed for fire related charges involved an arson charge.
- o Essex County had the highest number of cases docketed, Passaic the fewest.
- o Males represent 89.9% of docketed cases, females 9.7%.
- o The age group of 15-17 accounted for 53.4% of all cases docketed.
- o 9.8% of all those docketed for arson related offenses were female; 90.2% were male.

We also wanted to get a first-hand idea of how juveniles with this problem were disposed - that is, what we do with them. So we surveyed Local Court Case Managers and others at the local level. Let me summarize what they told us:

- o Some counties have programs, but these are the exception rather than the rule.
- o Almost all of the aides we talked to said there was a need for community education.
- o Almost everyone expressed the need for a screening and/or identification process.
- o All said they see a much larger number of juveniles charged with offenses other than arson when in fact some sort of arson related offense is involved.
- o All expressed the need for some sort of immediate care or counseling.

In closing, I would like to thank you for listening. We stand prepared as always to assist you with any further assistance.

FACT SHEET

JUVENILE FIRESETTERS

On January 30, 1986, Senator Dalton introduced S-1576, an act creating a task force on Juvenile Arson and making an appropriation therefore, which was vetoed by Governor Kean on December 3, 1986. In his veto message, (see attached) Governor Kean instructed the Bureau of Fire Safety, in consultation with the Juvenile Delinquency Disposition Commission, "...to research and develop a statewide policy for preventing juveniles from setting fires, educating the public, especially young people, about the issue; and penalizing and treating juveniles who set fires. The Bureau of Fire Safety shall submit its report to the Governor and the Legislature within twelve months. The Bureau of Fire Safety shall consult with the Juvenile Delinquency Disposition Commission for its expertise in the area of the juvenile justice system. The Bureau of Fire Safety is further encouraged to consult with any other individual, agency, department, commission or group which may deal with the issues related to juvenile firesetters."

In accordance with these instructions, the bureau conferred with the Juvenile Delinquency Disposition Commission and began planning a fact-finding symposium. On April 10, 1987, over 120 invitations were mailed to people including Senators Dalton and Costa, and Assemblymen Genova and DiGaetano, all of whom had indicated an interest in juvenile firesetters. The symposium was held on May 6, 1987 and was extremely informative and well received. The panel of speakers was divided into first responders, police and justice representatives, mental health, probation and education personnel. In addition, representatives from the states of New York, Delaware, Maryland and the City of Philadelphia presented their respective programs. The symposium ended with a question and answer period at which time a number of participating panelists and members of the audience indicated their willingness to continue seeking solutions to this most serious problem and become, in effect, a de facto task force.

The bureau is now in the process of convening the task force and has begun the preliminary draft of the report. As recommendations are formulated, the Bureau of Fire Safety will invite all the initial participants to discuss and come to a consensus as to the recommendations to be included in the final report due in Governor Kean's office by December, 1987.



December 3, 1986

SENATE BILL NO. 1576 (OCR)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1576 (OCR) without my approval.

Senate Bill No. 1576 (OCR) establishes a Task Force on Juvenile Fire Setting to recommend to the Governor and the Legislature a Statewide policy for preventing juveniles from setting fires, educating the public about the issue and penalizing and treating juveniles who set fires.

I commend the bill sponsors for their concern regarding this important public health and safety issue. While I fully support the concept of developing a Statewide policy concerning the issues of juvenile fire setting, I believe that there currently exist entities that could, and to some extent do, perform the functions that this bill gives to the Task Force on Juvenile Fire Setting.

P.L. 1983, c. 382, established the Bureau of Fire Safety and the Fire Safety Commission in the Division of Housing and Urban Renewal in the Department of Community Affairs. In addition to providing staff support for the Fire Safety Commission and its advisory councils, the Bureau is charged with conducting research and master planning for fire safety and implementing training and education programs for the fire service and the public. The Fire Safety Commission assists and advises the Commissioner of the Department of Community Affairs and the Bureau of Fire Safety in the administration of the State's safety laws and regulations, and training and education programs. Members of the Fire Safety Commission include, among others, representatives of paid and volunteer fire organizations.

Section 30 of P.L. 1982, c. 77, established the Juvenile Delinquency Disposition Commission. The Commission is responsible for reviewing and developing recommendations for the juvenile justice system relating to the disposition of persons adjudged delinquent. Members of the Juvenile Delinquency Disposition Commission include, among others, the Chief Justice, the Attorney General, the Public Advocate, the Commissioners of the Departments of Health and Human Services, and the President of the County Prosecutors Association, or their designees.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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I believe that the Bureau of Fire Safety, in consultation with the Juvenile Delinquency Disposition Commission, is fully able to assist the Executive and Legislative Branches in planning and developing new or expanded programs regarding the issues of juvenile fire setting. I therefore instruct the Bureau of Fire Safety to research and develop a Statewide policy for preventing juveniles from setting fires; educating the public, especially young people, about the issue; and penalizing and treating juveniles who set fires. The Bureau of Fire Safety shall submit its report to the Governor and the Legislature within twelve months. The Bureau of Fire Safety shall consult with the Juvenile Delinquency Disposition Commission for its expertise in the area of the juvenile justice system. The Bureau of Fire Safety is further encouraged to consult with any other individual, agency, department, commission or group which may deal with issues related to juvenile fire setting.

Accordingly, I herewith return Senate Bill No. 1576 (OCR) without my signature.

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Michael R. Cole

Chief Counsel

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