

Public Hearing

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before

ASSEMBLY TASK FORCE ON JUVENILE CRIME

"Disclosure of records of juvenile offenders and parental responsibility for juvenile offenses"

LOCATION: Vineland City Hall
Vineland, New Jersey

DATE: May 4, 1994
2:00 p.m.

MEMBERS OF TASK FORCE PRESENT:

Assemblyman Frank Catania, Chairman
Assemblywoman Joanna Gregory-Scocchi, Vice-Chair
Assemblyman John C. Gibson
Assemblyman Charles "Ken" Zisa

ALSO PRESENT:

Assemblyman Frank A. LoBiondo
District 1

Carolyn I. Roscoe Wright
Office of Legislative Services
Acting Aide, Assembly Task Force
on Juvenile Crime



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PUBLIC HEARING NOTICE

The Assembly Task Force on Juvenile Crime will hold a public hearing on Wednesday, May 4, at 2:00 P.M. at Vineland City Hall, 7th and Wood Streets, Vineland, New Jersey.

The topic will be disclosure of records of juvenile offenders and parental responsibility for juvenile offenses.

The public may address comments and questions to Miriam Bavati, Task Force Aide and persons wishing to testify should contact Elaine Fennelli, secretary, at (609) 292-5526. Those persons presenting written testimony should provide 10 copies to the Task Force on the day of the hearing.

Issued 4/21/94

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ASSEMBLYMAN FRANK CATANIA (Chairman): I apologize for being a little late. The drive from North Jersey took a little longer than normal, especially when I was looking for Exit 36A on the Parkway, and there is no 36A. It became a little difficult.

Anyone wishing to testify, please sign in. We will have a list, and we will go in that particular order. We already have some people who wish to testify.

First of all, I will see if any of the members of the Task Force have anything to say.

ASSEMBLYMAN GIBSON: Thank you, Mr. Chairman.

I would like to welcome everyone here today, and thank the Chairman for holding this important hearing down in our district, so we can hear from the people in this area on a subject that I know is very, very sensitive to them. I would also like to thank Mayor Romano and Chairman Ruskoski for their hospitality in providing these facilities for us. I want to thank all of you for coming, for what you have to tell us today, and for your interest in this subject.

Violent crimes are no longer a big-city problem. Gone are the days when murder, rape, and kidnapping only happened in someone else's community. Youth violence is on the rise in our area. The statistics regarding juvenile crime are alarming. One in every five arrests is a juvenile in New Jersey, with juvenile arrests for 1992 totaling almost 89,000 statewide.

Despite the 89,000 arrests statewide, as recently reported in the press, the number of juvenile arrests has decreased or held steady from 1982 to 1992. Locally, in Cumberland, Cape May, and Atlantic Counties, juvenile arrests for violent offenses have increased. Here in Cumberland County alone, there were 223 juvenile arrests for violent crimes in 1992, an increase of 162 percent.

We must develop solutions to this serious problem that now affects all of us, but they must be your solutions. This

Assembly Task Force was created to study juvenile crime in New Jersey by holding hearings like this throughout the State and reporting back to the full Legislature and the Governor with recommended solutions. By addressing the issues of juvenile crime, and, in particular, the disclosure of juvenile records and parental responsibility, we can work together to combat this increasing and frustrating situation. With new legislative initiatives, we hope to lower the juvenile crime rate and make our communities again safe.

Thank you, again, for attending, for caring enough to take the time out to share your concerns.

Thank you, Mr. Chairman.

ASSEMBLYMAN CATANIA: Thank you, Assemblyman.

Assemblyman LoBiondo?

ASSEMBLYMAN LoBIONDO: Thank you, Mr. Chairman.

I appreciate your taking the time to bring the Task Force here to Vineland. I thank everyone for coming out today on this very important issue. It is certainly an issue that has hit very close to home for us in Cumberland County and the City of Vineland with recent events, and only highlights the need to act on these measures.

Most recently, I met with Mayor Romano of Vineland and Mayor Shannon of Millville. I thank them for taking the time to bring their concerns directly in on issues of juvenile crime. We have met with school officials. I was really surprised to hear that because of current laws, they cannot share information with the police, and the police cannot share information with them on students who may be dangerous. I believe, and have said so publicly, that these names should be released and parents should be held accountable; and that, in fact, we need to be treating these dangerous individuals as the criminals they are. They are committing adult crimes; they should be treated as adults in many situations and instances.

Again, we are very appreciative, Mr. Chairman, of you bringing the Task Force here to Vineland. Thank you.

ASSEMBLYMAN CATANIA: Thank you, Assemblyman LoBiondo. Assemblywoman Gregory-Scocchi?

ASSEMBLYWOMAN GREGORY-SCOCCHI: Hi. I would just like to welcome every one here, and again thank the Chairman for bringing the Task Force down to Vineland. I am from Middlesex County, so it was a bit of a drive for me, also. However, I feel this is one of the most important topics that the citizens of New Jersey face today.

It is something that I have been interested in since I was about 18 years old, when I was first a Big Sister type of person to a juvenile who was in a group home trying to get her life together. It has been one of the continuing things through my life that I have been interested in, and I am very pleased to be on this Task Force to be able to make the recommendations, so that, hopefully, we can start to fix the juvenile justice system here in New Jersey. It very badly needs reform.

Thank you, everyone, for coming.

ASSEMBLYMAN CATANIA: Thank you, Assemblywoman. Assemblyman Zisa?

ASSEMBLYMAN ZISA: I, too, just want to thank everyone for being here today to participate. It is through these types of forums that we try to do our work as the State Legislature. From the previous hearings, we have gained a tremendous insight into the juvenile justice system. We have come into a tremendous amount of knowledge of what is working and what does not seem to be working.

So I thank you all for taking the time to participate. I encourage you to get up to speak your mind, because it is with this input that we will be able to try to complete our mission. Thanks again for coming.

ASSEMBLYMAN CATANIA: Thank you, Assemblyman.

At this time, I would like to thank the Mayor, Mayor Joseph Romano, for inviting us here to have this hearing today. Mayor, do you have any remarks?

MAYOR JOSEPH E. ROMANO: I do.

First, I want to welcome everybody here this afternoon. I want to thank the Chairman for convening this session here today. It is most important that we realize what is happening with juvenile crime in this area. It has really been a sad affair for the last few months.

I think the State has already received from the City of Vineland, through the daily Journal, about 5000 or 6000 letters or ballots recommending that we look at the juvenile problem and publish the names of juveniles when they commit these crimes. I think the system has really been soft, and that is one of the problems we face today.

I can tell you from experience just a few things: We had a clothing factory that was in bankruptcy. It was ready to be sold. If I could have sold that, we would have had approximately 120 people working there today. It was torched by two juveniles between the ages of 12 and 15 years old, with prior records. One of them had a prior record.

Nothing ever happened. The city has already spent \$50,000 cleaning up the debris, and we will probably have to spend another \$30,000 to finish cleaning it up. A few weeks later, one of these juveniles was picked up on a gun charge. So the system has failed, as far as I can see. That is only one instance.

On another occasion, at the Vietnam Memorial, we had desecration of the memorial down there. It cost the city about \$4000, because of five juveniles between the ages of 12 and 15. Nothing has ever happened to them. I asked the court if they could work down there during the summer vacation to, you know, rake up the area around the park. Nothing has ever happened. They never did anything. It is just a lost cause.

You know, they laugh; they laugh at the system. The murders we had in Vineland -- the two or three murders we had -- were done by juveniles, and nothing has ever happened. They have had repeat, repeat performances with the court. This is a failure of the system itself. Something has to be addressed. We can no longer tolerate it in this city, nor in the surrounding areas, nor, I think, throughout the State.

I have seen and listened to many programs on the New York and New Jersey channels. The problems are still here. It is all over. It is not isolated here, but it is throughout the State. The system has to change, if we are going to solve this problem.

I can understand the problems, but why are kids out at 2:00, 3:00, 4:00 in the morning, with no parental supervision? Yet, the court does nothing about it when they commit crimes. The burden is really on our law enforcement officers. They try to do a job, but they do not get the support. That is another sad situation.

I think, really, you have to look at this problem and address it. I think it has gone on long enough; I think we have fooled around with it long enough. The people are just fed up with it, and, as Mayor of this city, I am fed up with it. I think the way responsibilities are going, parental responsibility has to take over, and that has not been done. Until we can get back to that era, we are going to continue to have problems.

I can understand the problems of some people at home with their families and all, but, really, we have to address the problem with the juveniles today. The school system itself has failed, because a lot of these kids are in high school when they go out and do this. There are fights that spill out into the streets of the community after school. This is one of the problems you face. It is a two-way street. The school system, the Board of Education, the educational system have to become

involved in this, because they are involved. This is where the juveniles get their education. This is where it emanates from.

That is all I am going to say right now -- I appreciate your taking the time -- but something really has to be done about it.

ASSEMBLYMAN CATANIA: Thank you, Mayor Romano.

Senator Bill Gormley?

S E N A T O R W I L L I A M L. G O R M L E Y: Thank you very much.

I want to compliment everyone for having this hearing. (Senator speaking off mike)

ASSEMBLYMAN CATANIA: Is there any way we can have that mike working over there? (indiscernible response) I think it would be better.

SENATOR GORMLEY: Now I will start again.

I want to compliment the Chairman, the members of the Task Force, and everyone for putting this hearing together today. I think this is a week that we are really, in both Houses, getting the appropriate focus.

As you know, the bills that I will be speaking about today, of which the Chairman is the sponsor in the Assembly, will, hopefully, be moving in the State Senate tomorrow in front of the Senate Judiciary Committee, of which I am the Chairman. So I think this coordinated effort between the leadership of the Assembly and the members of the Assembly, between the leadership of the Senate and the members of the Senate, and between Governor Whitman, who has been at the forefront of this issue, and the Attorney General, Debbie Poritz, sends a very, very sound and appropriate message to people that we do have a great concern. We want to maintain the rights of the juveniles, but at the same time, we have to protect the rights of the victims.

I am sure that this Task Force is well-aware that a serious juvenile crime problem is present in New Jersey. As

statistics published by the Juvenile Delinquency Commission indicate, nearly 90,000 delinquency complaints were filed in 1992. Over 5000 of these complaints were for violent offenses. In terms of the overall criminal justice system, those under 18 account for 22 percent of all persons arrested. Nationally, New Jersey ranks fifth in the number of juvenile arrests per capita, and fourth when it comes to juvenile violent crime arrests.

The number of crimes committed by juveniles, and the seriousness of those crimes, has led to the introduction of any number of legislative proposals advocating changing various aspects of the juvenile justice system.

One aspect of the system which I believe should be modified, and on which I would like to focus, is access to information concerning juvenile offenders. Traditionally, in order to better foster rehabilitative efforts, Family Court proceedings were confidential, with only limited access by the public and the media. I believe the public, and especially the victims of juvenile crime, demand and deserve a system which provides greater access to information concerning juvenile offenders.

To that end, I am the co-prime-sponsor with Senate Majority Leader John Bennett of S-893; the Assembly version being A-35, of which the Chairman is the sponsor. A Whitman administration initiative is aimed at opening the juvenile justice system to increased public scrutiny. In order to provide this greater access, S-893 does the following:

- 1) In order to provide the public with greater access to information concerning juveniles who have been adjudicated delinquent on the basis of serious acts, S-893 would require disclosure of the identity of a juvenile, unless the juvenile made an affirmative showing of special harm at the time of disposition. Thus, the prosecutor would be permitted to make a

public statement at the time of disposition in any case in which the juvenile failed to make this special showing of harm.

Under present law, there is only a presumption that such information will be disclosed.

2) In order to aid law enforcement in dealing with juveniles involved in criminal acts, the bill would permit law enforcement officers to exchange information concerning juveniles with law enforcement officers in other states and with Federal authorities.

Senate Bill No. 893 would require law enforcement officers to take and keep fingerprint records of juveniles adjudicated delinquent. Accurate fingerprint records would not only facilitate detection of juveniles involved in criminal acts, but would also ensure that juveniles who have prior adjudications of delinquency will not be treated as first offenders.

Present law seems to permit exchanges of information about juveniles only with other New Jersey agencies, and does not require the fingerprinting of juveniles.

3) In order to aid educators in dealing with juveniles involved in criminal acts, S-893 would revise the law to permit principals to use information concerning charges and adjudications of delinquency for purposes of maintaining order, safety, and discipline in the schools.

Law enforcement would be required to advise school principals of charges and adjudications involving serious or violent criminal acts, and incidents occurring on school property or at school events.

Senate Bill No. 893 also authorizes the Department of Education, in consultation with the Attorney General, to promulgate regulations regarding law enforcement activities on school grounds and the reporting of suspected offenses to law enforcement officials.

Presently, school officials are only notified after a juvenile is adjudicated delinquent.

4) With regard to victims of juvenile crimes, S-893 provides that a victim of juvenile crime has a right to make an oral statement prior to the entry of a disposition.

Presently, victims of juvenile offenses are permitted to submit a written statement prior to the disposition.

5) Senate Bill No. 893 also provides that the victim of a juvenile crime would, upon request, have disclosed to a victim and the victim's family the charge made against the juvenile.

Presently, the identity of the juvenile is disclosed only after adjudicated.

Enactment of S-893 would, I believe, improve the juvenile justice system in New Jersey by increasing access to information about juvenile offenders. Accountability would be ensured, and public safety enhanced.

Thank you. Also, I want to again thank you very much for the hearing. As I said, I think the Governor and the Attorney General deserve a lot of credit for this coordinated effort. It is nice to see both Houses so well-coordinated and the public in tune with what we are doing.

Thank you.

ASSEMBLYMAN CATANIA: I will be glad to see it come out of your Committee, hopefully tomorrow.

SENATOR GORMLEY: Well, I know we will have Senator Cafiero's vote. We'll see.

ASSEMBLYMAN CATANIA: Thank you, Senator.

Deputy Attorney General Harris. Is he here?
(indiscernible response from audience) Oh, he's not here yet.
Okay.

Mayor Rob Shannon, of Millville?

M A Y O R R O B E R T J. S H A N N O N: Thank you, Mr. Chairman and members of the Task Force. We thank you for coming down to our community to hold this hearing today.

I would just like to speak on behalf of the citizens of Millville to the Task Force as you are debating how we should handle the juvenile crime situation that is affecting our cities.

Millville has been blessed for a long time as a small town. We are not a small town anymore. We have big-town problems in our small towns, just like Mayor Romano here in Vineland and Mayor Rainear in Bridgeton.

I think we have to get back to basics here, and I think it is important that the Task Force look at the responsibility for these juveniles. I think it has to go back to the family unit. We have to look at where the responsibility starts. Are we going to be the baby-sitters for everybody's children, or do we look to where the responsibility really lies, with the parents, with the family unit getting back to basics?

We have to say, "Wait a minute, somebody has to take the responsibility for these children." If they have to be hurt in the pocketbook with fines, with community service, with whatever, then so be it. It has to be. We just don't pat them on the head anymore and say, "Don't do that again." We have to make an impression.

I think what the Committee is doing is very important. Jim Parent, Millville City Commissioner, is on the Committee for Juvenile Crime. I know the Committee means well and is trying. This is not an easy subject. But I think, as Mayor Romano alluded to, our police officers have their hands tied. They come to a domestic problem in the neighborhood, and basically the juveniles laugh at them, because nothing is going to happen to them. They are going to go through the system; they are going to get a slap on the wrist; and they are back the next night doing the same thing.

Our police officers in Millville are highly trained, professional, and compassionate. Once they make that arrest,

nothing happens. It is the same thing over and over and over again. I think maybe this is something that ought to be looked at -- and I am just saying this -- to be studied, because I am not sure of the implications of the financial end of it. Our juvie system, right now, goes to the county. Maybe we should look at having that money allocated back to the municipality, and have the responsibility come back to the municipality, to handle that. I would have to see how that would work out financially. I am not sure. But it is just something that has been suggested to me. Maybe if we get it back to the grassroots level, instead of it going to the county, maybe we could deal more effectively with it on a disciplinary basis.

I appreciate the Task Force coming here. There are going to be no easy answers to this. It is going to take a long time to turn this around. I think we have to look around and get back to the basics, to the family unit, to the responsibility for these children -- get that discipline back where it should be, to the family unit. That is not easy to do. I know it is easy for me to say, but for that to happen is going to be very hard. I think if we have the consensus to work on the angle, maybe we can make a difference.

Thank you very much for coming down, Mr. Chairman and Task Force members, and for hearing us today. Thank you.

ASSEMBLYMAN CATANIA: Thank you, Mayor.

Mr. Michael Brooke Fisher, the Prosecutor from Cumberland County.

M I C H A E L B R O O K E F I S H E R: Thank you, Mr. Chairman and Task Force members.

Prosecutors, basically, are reluctant experts on juvenile justice. I have been the Prosecutor for two and a half years. I think I am much more expert about the issue than I was before I took this job.

I want to talk about one thing today, but I have just a couple of comments first. I think there are short-term

solutions and long-term solutions that need to be sought. One thing is, I think we need more alternatives to incarceration. I think everyone recognizes that need, but that need should not be satisfied at the expense of incarceration. In other words, there are serious juvenile crimes committed, and we need the necessary financial commitment to make sure that those juveniles are incarcerated.

There are also many rehabilitative functions that should take place, that do not take place. Perhaps the ultimate court takeover will assist in that situation. I can tell you, I do not have the number of juvenile probation officers we have, but I can analogize it in Cumberland County to State standards, which say we should have 25 adult probation officers. We have six. I can tell you that probation in Cumberland County is not meaningful, not because of fault from the Probation Department, but because of the financial system we operate under.

There are complex problems. We have discussed these at the prosecutors' meetings. We met with the Attorney General and the Governor on February 22. It was less than a month later that the Governor and the Attorney General, through sponsorship of S-893, presented the initiative to the prosecutors and told us that they were going to go forward with that bill. I was very impressed. As a Democrat, I was impressed that our Republican Governor said something would be done, and in less than a month it was there on the table. I am totally supportive of S-893, as are all of the prosecutors.

I am here, though, to speak personally. We try to speak as a unit; we try to come to a position, but I find it necessary today for me to speak personally, because I want to talk about something beyond S-893. I am not normally in favor of single-issue politics, but I came here today in reference to a single issue; that is, the preadjudication confidentiality rule.

In other words, right now, S-893 strengthens a statute which allows, after someone is found guilty, for that information to be disseminated to the press and to the public.

ASSEMBLYMAN CATANIA: Mr. Fisher, may I just-- Senate Bill No. 893-- Are you talking about A-35 also? Is that the same bill?

MR. FISHER: I picked up the numbers-- I believe so.

ASSEMBLYMAN CATANIA: Assembly Bill No. 35 is the same?

MR. FISHER: I think so.

ASSEMBLYMAN CATANIA: Okay. Make reference to A-35 then, all right?

MR. FISHER: I am dealing with the issue of the preadjudication situation. It has come to light in Cumberland County. We have a case -- which everyone in Cumberland County is aware of -- where two elderly persons were murdered. We are now, on May 16, going to go to our third court hearing -- which involves my office and three public defenders -- to establish whether or not that proceeding should be opened up to the public. I can say to you, if that proceeding cannot be opened up to the public, then no proceeding should be opened up to the public.

I can say to you that I personally am in favor of the automatic opening of proceedings for certain class offenses, first and second degree -- not third degree offenses, but first and second degree offenses -- where juveniles are 16 or older. At that point, they are chronologically near adults. The first and second degree crimes are the types of crimes that we should be aware of, for various reasons.

The present law which allows, after a court hearing, opening on third degree offenses-- I think that really stops the law that currently exists from being used at all. It is cumbersome, and it just hasn't been used. I think we need to have an automatic proceeding in certain very serious offenses. There are many reasons for that. One I just alluded to, the

proceedings themselves are cumbersome. We are going to our third court hearing. I do not know if that will be the last.

I can tell you that from a morale standpoint, the police and prosecutors who diligently prosecute -- or investigate and prosecute these crimes feel very depressed, because no one ever finds out what happened. I think it is important that this information be given out to the community. I tell you, victims are revictimized. It was terrible for me personally every time I was interviewed about this recent homicide, to have to go over the exact spelling of the names of the victims with the newspapers and the television stations, but yet not be able to say the names of the individuals who allegedly perpetrated these crimes. So I think victims are revictimized when their names are spread throughout the news media, and yet everyone else is protected.

I think there is a problem that needs to be addressed, and in a simple fashion. I do not, in any way, want to indicate that the current bill that I spoke about should be held up, because I think we desperately need that. But I think we need to look to short-term solutions and long-term solutions.

The prosecutors themselves, when we got into this think tank meeting-- I can tell you, when you talk about long-term changes, we are law enforcement, and we could not agree in a room. But there are short-term solutions that I think we need to grasp at in the meantime. I think we have to look to noneconomic ones. The reason I so strongly feel that certain proceedings should be opened up at the very beginning, is because: One, it is a noneconomic solution.

I was prosecutor for probably a year before I really started to appreciate the vastness of the juvenile problem. I am the prosecutor, and it took me a period of time to acclimate myself to it. I think the public is just unaware of the vastness of the problem. I think the legislative bodies -- municipal, county, and State -- are also insulated from it, not

purposely, but you are not aware of all the problems that exist. Human nature being what it is, I do not expect any of us to respond to problems until they are put in our face and we have to. I think the Assembly, the Senate, the Freeholders, everyone would be more willing to dedicate the time, the effort, and the resources to some of these problems if they were more aware of them.

To me, the easiest, simplest way to get the ball rolling in a noneconomic way is to open serious crime proceedings up automatically.

Thank you.

ASSEMBLYMAN CATANIA: I just have a couple of questions, Mr. Prosecutor: What is your opinion with regard to various programs that are operated; you know, where you have programs on a county level, as compared to the State level? Do you see any benefit from a county program, as compared to a State program? Do you see where a county program is able to have more control of that juvenile than a State program?

MR. FISHER: Well, I think they could have, but, you know, you have to recognize that this is Cumberland County. We have financial problems that other counties do not have. We are not the only county that has financial problems. We don't have the resources. We have basically no programs.

ASSEMBLYMAN CATANIA: I am not talking about the financing part of it.

MR. FISHER: But I'm saying, I can't tell you that we have--

ASSEMBLYMAN CATANIA: You know, I think what has happened is--

MR. FISHER: I do not have a track record to tell you that I can point to a Cumberland County initiative that is working great. But I think common sense dictates that each county could tailor programs to alleviate their problems.

I can tell you, even as a prosecutor, the Attorney General's Office will sometimes prepare initiatives that we are to follow. Some of them make sense in Essex County, but they make no sense in Cumberland County, because of the different standards -- the population differences, geographic problems, and lack of public transit. There are so many reasons why you have to tailor programs to the individual needs of the community.

ASSEMBLYMAN CATANIA: That is what I am getting at, basically, because we have had hearings in Manalapan and we have had hearings in Paterson, and we see differences. What I am getting at is, it looks as if you should have the individual counties more or less administering the juvenile delinquency system in their particular counties, because of the idiosyncrasies that are there.

MR. FISHER: That's true. There are vast problems, as alluded to-- I forget whether it was by the-- You know, juveniles, it may be their eighth or ninth appearance before they even suffer any consequence, any incarceration whatsoever. Why does that happen? It happens because there are absolutely no alternatives right now. I think the judiciary is depressed, because their hands are tied. We need to come up with alternatives, but not at the sacrifice of incarceration.

I was just at Jamesburg. All of the prosecutors went to Jamesburg. I am happy to tell you, it is no picnic there.

ASSEMBLYMAN CATANIA: Well, I think the problem with Jamesburg has to do with the closing of Lloyd McCorkle by the prior administration, which has now taken 200 beds out of the system. Right now, whether or not the current administration is going to reopen it-- It looks as if that is doubtful also.

My other question to you is: You indicated that there should be an automatic opening of juvenile cases in first and second degree. Do you have an age limit on that?

MR. FISHER: I said, "16."

ASSEMBLYMAN CATANIA: Sixteen. The current age limit is on waiver. What is it, 14?

MR. FISHER: Fourteen.

ASSEMBLYMAN CATANIA: What happens if a 15 year old-- They should proceed as the statute now has it?

MR. FISHER: I personally would not be offended at any age earlier than 16, which you picked. Sixteen was an age that a few of us felt was appropriate, but, you know, I would not quarrel with someone if they said it was 15. The point is, I think--

ASSEMBLYMAN CATANIA: How about if I said it was 12, would you agree with that?

MR. FISHER: No, I wouldn't.

ASSEMBLYMAN CATANIA: Okay. How about 14?

MR. FISHER: I would be hesitant about 14. I would think 15 at the earliest. You know, a 16 year old is very close to 18.

ASSEMBLYMAN CATANIA: I understand that.

MR. FISHER: I would say to you, if you are troubled about intellectually, where do you draw the line? That problem exists in every law we have. You can always take any law and say, "Well, if you do this, does this not make sense?" That is true of anything. There always has to be an arbitrary line, and there is always somebody just on the other side of that arbitrary line.

ASSEMBLYWOMAN GREGORY-SCOCCHI: If I may just ask you a quick question: Do you feel for this county and this area that 16 is the appropriate age? We have heard testimony from other areas that 12 is the appropriate age, or maybe 14 is the appropriate age. Do you really believe that it depends on the county?

MR. FISHER: No, no, no, no.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Is that what you based your 15 on?

MR. FISHER: No. The age would have to be a statewide thing. We discussed 16. You know, people can differ. To me, there should be some crimes that are automatically open. I certainly think nobody-- Obviously, some people thought -- because that law does not exist now. But I don't think 16 is too much to ask. I would not be opposed to an earlier age. Twelve years old-- I think at that point in time there should be a proceeding to deal with that issue.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Thank you.

ASSEMBLYMAN CATANIA: Thank you.

Does anyone have any questions?

ASSEMBLYMAN ZISA: Just two quick questions: You talked about opening up hearings for certain offenses. I am assuming you are talking about violent and serious offenses. Right?

MR. FISHER: Yes.

ASSEMBLYMAN ZISA: Throughout the hearings, I have been trying to get a sense on why the waiver process has not been used more often. Now, if you were to waive those juveniles up to the adult court, then it would become open automatically.

MR. FISHER: That's true, but there is a whole separate problem there. First of all, waiver is a proceeding we file for. It takes months for that to happen. I think there is a need for the community to be aware of the situations from their inception.

In Cumberland County, it normally takes from five to six months before a waiver hearing is held. In a waiver hearing, the defendants have a right to see a psychologist or a psychiatrist to be evaluated, to show if there is any possibility for rehabilitation. So what you run into is --

people go, "Well, what is the difference, it is going to be waived anyway."

But there are two separate intellectual issues. The waiver hearing is months away, so therefore, you have a community that is in the dark. Rumors are spread. They need to know earlier, not later.

ASSEMBLYMAN ZISA: Do you think it would be helpful to make the waiver process easier?

MR. FISHER: Well, I am not even dealing with the waiver process. I am dealing with just opening the proceedings to the public. People try to treat them as one and the same. They are two entirely different proceedings. The waiver process is an important proceeding, and the juveniles have a right to it because they have a right to show that they can be rehabilitated; that the adult law should not apply to them. I think they need an opportunity to present that.

But on the issue as to whether or not the matter should be opened early -- the confidentiality issue, which is separate -- I believe certain cases should be opened automatically.

ASSEMBLYMAN ZISA: Well, in keeping with that -- along the same line -- if you are allowed to do it post-adjudication, which in the juvenile system really does not take that long -- it is not like the adult system-- If the juvenile is found not guilty and in the eyes of the court did not commit the offense, what do you think the benefit is of having released that information prior to that?

MR. FISHER: I certainly don't follow your question. Obviously, before he is found not guilty, you can't release the information that he is not guilty. You can release the information that someone is charged with the offense.

First of all, you know, in serious crimes, the juvenile system is not necessarily that quick. With serious crimes, the waiver process steps in many times, so you are

talking about months and months anyway. I think where a 16 or a 17 year old assaulted someone, or murdered someone, the information should go out to the public, the same as it does if they are 18, 20, or 21. If you want to argue about whether or not we should let the press publish anything about anyone until they are found guilty, I could accept the argument. You could say, "Well, until that person is found guilty, let's not print anything about it. Let's keep their name confidential." But we don't do that. No one would argue that that should happen in America. They would say, "We have a right to know about it." I think the fact that a 19 year old, from day one-- The press can educate the public to who that person is. It should not be any different if the person is 16 or 17. Okay?

Thank you.

ASSEMBLYMAN ZISA: Okay. Thank you.

ASSEMBLYMAN CATANIA: Thank you, Mr. Prosecutor.

Mr. James Harris, Deputy Attorney General. I believe Mr. Harris is appearing on behalf of the Attorney General, Deborah Poritz.

J A M E S D. H A R R I S: Good afternoon. Thank you for inviting me to speak here today.

I am Jim Harris. I am the Chief of the new Bureau of Juvenile Justice, which was created by the Attorney General and the Governor. One of the main things this Bureau will be doing is acting as staff to the Attorney General, who is going to be Chair of the Governor's Advisory Council on Juvenile Justice.

In that position, we have a mandate to really look at the juvenile justice system from the bottom to the top now. Any concerns we bring up today in talking, I will bring those concerns back to the Advisory Council and to the Attorney General. If I do not have answers for you today, I will get you the answers. You are the people who really see what is going on out there and hear from the public. We are trying to do that also. But the public is really who we need to hear

from as to what needs to be done in the system. We need to hear from all levels, not just people in government, not just people on the local level, people on the front lines, but from the citizenry. I guess that is exactly what these public hearings you are having are for.

I would like to talk a little bit about the Advisory Council, if I may. Then I will talk a little bit about the confidentiality initiative that the Attorney General and the Governor have undertaken, which is now a bill before the Assembly -- Assembly Bill No. 32 -- which I know is sponsored by the Chair and by the Vice-Chair. I will talk a little bit about that also.

First, the Advisory Council was created by Executive Order. As I said, the Attorney General is the Chairperson. We had our first meeting on April 19, and we will have our next meeting on May 24. It will be in the Justice Complex.

The Advisory Council is made up of eight other Commissioners or heads of other Departments, including: Education, Health, Human Services, Labor, and a number of others. It also has public members from really all the different associations which deal with juvenile justice. It has probation people; it has social service agencies; it has people who work in detention. It really represents a full range of the different constituent groups out there.

At our next meeting, we will have reports from working groups we have already established. This is to break up the work of the Advisory Council, because we have very short time lines in which to do our work. We have a short-term time line of June 30, 1994. That is for short-term recommendations to the Governor, and that is for things that can be done with existing resources, trying to get the different agencies -- State, county, and local -- to work together and combine to do initiatives. Then, by the end of this calendar year -- December 31 -- we will need long-term recommendations. These

might go to the very essence of the juvenile justice system. There may be substantial changes in the way we do business in juvenile justice in New Jersey.

These working groups have been established, as I said, and they will present their goals and objectives to the Advisory Council on May 24.

I have been in a number of other Cabinet action groups and on different juvenile justice task forces in the past. This is one where I can really see that business is being done in a quick and efficient manner. There really is a new enthusiasm with the backing of this Governor and the backing of this Attorney General, who really have a personal interest in improving this system. We really stand a good chance of improving the system significantly.

Law enforcement, in particular the Prosecutors' Association, is well represented on the committee. We have two prosecutors on the Advisory Council itself, and a number of other prosecutors in the various working groups.

We are also going to have a legislative subcommittee. If I may ask, through the Chair, if there is any way we could assist your group, or the Assembly, or the Legislature as a whole-- As I said, we represent a broad constituency, and any number of people who have been involved in this for years and years. If you have any questions on bills, or you would like us to review them or offer you comments as an Advisory Council, I would be more than happy to do that. I can leave information with your Aide as to how you can get in touch with me. I will follow up with a letter making this offer again more formally.

ASSEMBLYMAN CATANIA: Thank you.

We should be working together, and I am sure we will be.

MR. HARRIS: I would appreciate that. That is the Advisory Council.

We also started off this process with an initiative on confidentiality. The Governor had asked the Attorney General to review the confidentiality laws in New Jersey's Juvenile Code and report back to her. That was done in March. We are lucky enough to have that bill already pending in both Houses. It is in the Senate and, as I said, it is A-35, which is presently pending in the Assembly. Among the sponsors are the Chair and Vice-Chair. So I don't have to tell you too much about the bill. It does any number of things.

I know that one of the subjects we want to talk about today is automatic disclosure. Assemblyman Catania and Assemblywoman Gregory-Scocchi asked our office for a legal opinion, an interpretation of that statute, which I have provided. I have also provided additional copies to your Aide. Have you had a chance to look at that?

ASSEMBLYMAN CATANIA: I have had a chance to look at it.

MR. HARRIS: I will talk a little bit about that, and a little bit about what the rest of that confidentiality initiative does. Then I would be happy to entertain any questions you might have.

That section, what it does-- Under the present law, there is a presumption of disclosure for certain serious and violent offenses. There has been confusion among law enforcement and the courts as to what that means. Traditionally in law, presumption is a way of establishing a burden of proof. It is not necessarily self-effectuating. There is still someone who must determine whether that burden -- even though when it is a presumption it is quite low -- has been met or not met.

Traditionally under the old law, before this new section on confidentiality, there had to be an affirmative judgment by the court before this sort of identifying juvenile information could be disclosed. I could find no specific

legislative intent that showed that the existing law was supposed to change that. There is nothing on the face of the law that says it was supposed to change that.

Now, reasonable minds can disagree as to whether this is something which should act as an automatic disclosure or not, but as a practical matter, there has been vast confusion in this field. There was a survey done by the Juvenile Delinquency Commission. They surveyed a number of the court officers in the counties, and they got as many opinions as to what this law meant as there were counties that they contacted.

Also, I have talked to the prosecutors. Some think there should be automatic disclosure; some think there shouldn't; some think there is something in the middle. The problem is, if you are not sure and there is no Appellate or Supreme Court case out there interpreting the statute-- If you are not sure and you're wrong, it is a crime. I should say, it is an offense. It is a petty disorderly offense to disclose something which is not authorized under the statute.

So, rather than worry about what the precise meaning of this is, because, frankly, it is beyond us to decide, and there is so much confusion as a practical matter, why don't we just change it? The language which we set forth to change it, and you have adopted in your bill, just point blank says, "It shall be disclosed." Then we are going to put in something -- which you also kept in the statement -- that says, "What this means is that a prosecutor can release this information right after adjudication and make it public."

I don't know whether the Prosecutor mentioned-- I'm sorry, but I came in at the end of his talk. I know the Prosecutors' Association, which met this morning, is already promulgating guidelines, and what they are really doing-- Disclosure is not self-effectuating. Disclosure means that if the police, the prosecutor, or the court are asked to disclose this information, they have to. But what the Prosecutors'

Association is doing, along with the Attorney General's Office, is saying, "We will take the burden of making sure this information is made available in any case and every case which falls under a serious and violent crime as listed in the provision.

Besides this rule of disclosure, there are a number of other things the law would do. It would allow law enforcement to more easily share information with schools. It would also allow schools to do more with that information. Under current law, schools are confined to using that information for educational purposes, which is fine, and that is an important thing that they need to use it for. But there are other things which are just as important; that is, to maintain order and safety and be able to manage their school and know when different groups are getting in trouble, and whether that trouble is going to spill over into the school. If there has been trouble on the weekend, is that trouble going to spill over into the school on Monday? They really have a right to be advised of that possibility.

At the same time, we are doing regulations in conjunction with the Department of Education to make sure that that information is kept as confidential as possible after it is used by the school.

This would also allow New Jersey law enforcement to share juvenile information with other states and with the Federal government. For some reason, that is not allowed under current law. There is no reason why it shouldn't be allowed, especially when we are talking about cities up north, when there is so much traffic back and forth with New York City, and we also have Philadelphia, more down in this region, where people are going back and forth. If we cannot share information and know what these same juveniles are doing, committing crimes over our borders, we really do not have a full picture of the dangers from these individuals.

The initiative would also give victims a bigger role in the dispositions and in the hearings. They would get to come in in person and state their case to the judge at disposition, and also to the defendant -- the juvenile defendant in this case. That is something, also, that is not provided for under existing law.

Finally, there is a section which allows for fingerprinting and the maintaining of those fingerprint records of juveniles who have been involved in serious and violent crimes.

Now, if there are any questions, I would be happy to answer them.

ASSEMBLYMAN CATANIA: Assemblyman Zisa?

ASSEMBLYMAN ZISA: I have not had the benefit of seeing that letter you spoke about, so I would like to ask a question: When you said that you couldn't find any legislative intent that would indicate to you that juvenile identity should be disclosed, could you go a little bit more into detail on that for me?

MR. HARRIS: I forget the exact date that the current law was enacted-- (witness pauses to go through his papers) It was 1982, and I guess this was Chapter 79. I guess it was part of a bigger introduction of what is mostly our modern Juvenile Code now. When they did this section, they also did another section which allowed release of information to certain people in groups which had a specific relationship with the juvenile. For instance, law enforcement -- law enforcement that lives in the town where the juvenile is from -- the victims, and other groups.

The Legislature, in its statements, specifically said, "This is mandatory disclosure of this information. This goes to these individuals automatically." So we see that they knew how to make disclosure automatic if they chose to, but they did

not choose to in the section on disclosure post-adjudication for certain serious crimes.

In 1977, there was also a Supreme Court Task Force which made a specific recommendation to the Legislature about what the section on disclosure should look like. Their recommendation was really the recommendation which is now in A-35. That recommendation was that for these serious crimes, unless the juvenile came forward and proved that some sort of specific harm in a specific case would occur, there is automatic disclosure. That was not adopted. That was not adopted by the Legislature. Instead, they put this language, "as a presumption."

Now, I do not pretend that I have looked at every piece of secondary and tertiary legislative history that exists, and there are all sorts out there. If there is other information we have missed, I would be happy to take a look at it.

ASSEMBLYMAN ZISA: Well, the reason I asked the question is because the statute reads, "There shall be a presumption that information shall be released" -- and it lists the offenses. It goes on to say, "Unless upon application at the time of disposition the juvenile can demonstrate a substantial likelihood that specific harm would result from such disclosure. Where the court finds that disclosure would be harmful, the reasons therefore shall be stated on the record."

Now, I would interpret that, with regard to legislative intent, that they wanted that information released. Would you differ from that opinion?

MR. HARRIS: Well, I just gave you my interpretation of it. It says, "There shall be a presumption." Every presumption in 2C, and in every other part of the criminal code-- It is not something that is self-effectuating. It is a way of setting a burden of proof. A burden of proof must be

acted upon and affirmatively ruled upon by a court. Again, in fact, that was the previous law. Except for the face of the statute, I see no legislative history, or statements by the Legislature, that say they meant to change that aspect of the law.

As I said, reasonable minds can differ. I think there probably are-- If we got 50 people here, 25 might say, "Yes, that's true. You can have automatic now," and 25 might say, "No, you cannot." Presumption is a legal term loaded with all sorts of dangers. It is something that even in other contexts where there have been interpretations by the court-- It is not something that everybody understands: What sort of mechanism is it? What sort of tool is it?

The best I know is that it is a way of establishing a burden of proof. There is nothing in the word itself which allows for it to be self-effectuating. We have also seen in these discussions, I guess, as you have gone across the State, that if anything, there is confusion. I guess I am saying, "Let's clear it up. Let's state it unequivocally so we all know what it means, so that somewhere down the line a court does not decide to interpret it another way, and we get people who are really acting in good faith into trouble."

ASSEMBLYMAN ZISA: You think that by inserting the word "shall," eliminating presumption but still giving them an out with regard to demonstrating that harm would occur to them-- Will that be sufficient?

In other words-- Let me clarify my question. I agree with the disclosure aspect of it. I am just afraid when we change this law, that somehow there will still be a way around it. Under the new statute, you are still creating a defense on the juvenile's part that he can show the likelihood that harm will occur. Am I correct in that interpretation?

MR. HARRIS: That is correct. We have stiffened that penalty a little to make it clear, you know, that it is in a

specific circumstance, about a specific offense. The way we interpret that is to mean that it is more than just a typical rehabilitative factor of any juvenile who is there, but rather there is some disability as to that individual specifically, in that specific circumstance. For instance, if there was a disclosure made, it would put him in physical jeopardy, or somehow or other be a direct danger to life or limb of that individual.

Yes, there is still "unless." But unless an actual motion is made by the juvenile -- and that is very rarely the case-- It is only the case in very highly publicized cases, or when there are some real infirmities on the part of the juvenile defendant. There is still an "unless" here, and I think that is why it is important to also have the language in the statement that says, "The way this operates is that the minute adjudication is done, the prosecutor can go out, take a list of those names of the people who fit in the offense categories listed, and give it to the press, to the public, and to everybody else who gets adult indictments and other information in the adult system."

So really, as I said, disclosure is not self-effectuating. Typically, somebody has to ask for it, and that is part of the problem, too. People do not know that; they don't know who to ask; they don't know how to get the information. What the Prosecutors' Association, in conjunction with the Attorney General's Office, has taken on, is that we will be the ones to provide that information. We will provide it in every case that falls under these offenses listed.

ASSEMBLYMAN ZISA: One last question.

MR. HARRIS: Sure.

ASSEMBLYMAN ZISA: The legislation deals with an obligation on the part of law enforcement to share information with the schools.

MR. HARRIS: Correct.

ASSEMBLYMAN ZISA: But unless I am reading it wrong, I don't really see the same reciprocal type of obligation on the part of the schools. Do you think it would be helpful to include some type of language that would mandate that schools disclose to local law enforcement, problems that are occurring in the schools which, for one reason or another, have not resulted in complaints being signed?

MR. HARRIS: One factor is a section of the current initiative, and it puts it in a different way than saying specifically what offenses will be given from the schools to law enforcement. What we currently have are model agreements. This is done under regulations in Education. What this law calls for are further regulations by Education, but with input from the Attorney General to decide when schools need to report certain offenses to law enforcement.

Right now, in fact, those regulations include: drugs, any weapon offense, and all biased crimes. What we are going to do is look to see if there are other crimes which should also be reported. So there really is a responsibility on the other side of the fence. The schools do have to report, but it is something we really need to leave open, because there are really categories in schools of crimes where they need specific help and where we need to impose a duty. Right now, they are the ones I mentioned, you know, that most happen in schools having to do with any kinds of weapons, especially firearms. There is a huge problem with weapons and firearms in our schools. There is a huge problem with drugs in our schools. Bias crime has been on the rise over the last couple of years.

So they are the ones we are identifying. We will be looking at that entire system to see if there are other offenses which should be put under those regulations and be required to be reported by the school officials to local law enforcement.

ASSEMBLYMAN ZISA: Well, that is really my question. I am familiar with the model agreement, and I am asking you if you think it is more appropriate to leave it with an agreement that has to be signed by the local and school officials, or wouldn't it be better to bring it right into the statutory obligation?

MR. HARRIS: Well really, right now, it is in between those two. It is not just in the model agreements that the two organizations sign. It is also in regulations in the Department of Education. Those regulations apply at least to all public schools. I don't think they are on a mandatory basis with private schools, but all public schools. Even outside of those model agreements, those offenses must be reported under regulations.

Whether we have to go forward and put them specifically in the legislation-- I would leave that open because of something I have seen breathe and sort of evolve over the last years. What I would hate to do is confine ourselves to something now, where we would be sorry we were so restricted in the near future.

ASSEMBLYMAN ZISA: Thank you.

MR. HARRIS: If there are any other questions, I would be happy to entertain them. (no response)

Again, thank you very much.

ASSEMBLYMAN CATANIA: Thank you, Mr. Harris. Thank you for coming by today. I know it was a long trip for you also. I appreciate the letter, you know, and the quick response to our inquiry.

I will be in contact with you, and we will be working in conjunction with your group as well.

MR. HARRIS: Thank you very much.

ASSEMBLYMAN CATANIA: Art Marchand, Freeholder, Cumberland County.

F R E E H O L D E R A R T H U R J. M A R C H A N D:

Thank you, Mr. Chairman.

Mr. Chairman and members of the Task Force, first of all, I want to thank you for inviting me here today. I believe I come with kind of a unique perspective.

I come from a family of teachers. My mother taught for 42 years; my father, before he passed away, for 20; my wife for 21; my aunt for 30. Even my brother before he became a lawyer, as I am, taught for 1. I put in three and a half years as a teacher -- three years as a teacher and three and a half years as an assistant principal. Now I have been an attorney for about 10 years. A lot of that time has been spent dealing with juveniles. So I believe I see them almost from the cradle right on up to the time they are adults. Believe me, it is not a pretty sight at times. From that point of view mainly, I have dealt with fifth graders up to about the age of 18. So there is a pretty good span there.

When I was a teacher, in about every class I had, there were about three or four students in that classroom who would disrupt the class. Those students then, of course, at one time or another, would go to the office. When I became an assistant principal, that is when I got to see those students. I have often said that I saw 10 percent of the students 90 percent of the time. They were the disruptive ones. In fact, I think I saw Tom McCann here today, who has been an assistant principal for years, and now he is, I believe, a principal. I hope he backs me up on that statement.

The disruptive students inside the school, then go outside the school and become disruptive. They become the juvenile delinquents, and they end up in juvenile court. When I have appeared in front of judges before in juvenile court, I have often said to the judges that they reminded me of me, only with black robes on, because they were meting out the same types of punishment that I had to deal with most of the time.

I did not have the luxury of being able to say to the student, "You are going to go to Jamesburg for three years, or four years." The only thing we had available to us at that time, many times, was to suspend them from school. When they left school and went home, there were no parents there, and they were not properly supervised. What do you think they did? They did not behave. They ended up in juvenile court.

In short, what I am saying is that juveniles are in the minor leagues; they are the minor leaguers. It is not long before these juveniles grow up, become 18 years old, and go to the major leagues. They become the major leaguers, and the adult offenders. I would venture to say -- and I do not have the statistics in front of me -- and I have defended both adults and juveniles -- that 90 percent of the adult offenders have juvenile records. So what I am saying is, from the minor leagues right up to the major leagues.

It is too bad that it has taken -- and I see many people here today-- It is too bad it has taken these high-profile, very violent crimes, especially in our town here -- Vineland -- to make people aware that juveniles have become worse and worse. I have known it now for quite some years; I have seen it occurring. It just seems that the students -- I call them students, but the juveniles are starting out much younger and doing much worse deeds than they ever have before.

After saying all that -- I guess you all know that, and everybody in this room knows that -- what do we do about it? For a moment, let's just talk about a few of the hot topics, the big issues.

Number one is, they print the name of the juvenile in the paper. I have no problem with that at all. Now, at what age? I would agree with the Prosecutor, but disagree with him somewhat. I would take it down to age 14, with no problem at all; that they should have their name printed in the paper if they are accused of a crime. Before that-- I would wait until

they were adjudicated a juvenile delinquent before that name went into the paper.

Many times, as adults-- Adults are indicted, and believe me, that indictment, from what I have seen, is just as bad as if that person had been convicted. So I would not want to tag a juvenile, let's say under the age of 14, who has only been accused of committing a crime, to have his name in the paper right away, unless -- unless it is one of the enumerated crimes -- murder, rape, a gun offense, something of that nature -- and believe me, they can be spelled out, because they are spelled out in order to waive a juvenile, at the age of 14, up to become an adult offender.

The second is, when do you try them as adults? Well, right now, if I am a juvenile and I am 13 years old and 11 months, and I go out and murder someone, I am facing maximum four years at Jamesburg. If I had waited one more month, and I am now 14 years old and I murder someone, I can be waived up to adult court, and I am now facing life, must do 30. There is a big difference in that one month of maturity. I think it has to be weighed somewhat. You can have a juvenile who is 10 years old who has the mind and the modus operandi of a 16 year old, but you can also have a 16 year old who has the modus operandi and the mind of a 10 year old. So that is a problem.

Do I have a solution for that? No. Okay? The Legislature is going to have to set an arbitrary number, whether it be 14, 12, 10. I have written down on my paper here, "How low do you go?" I don't know. I am going to finish by saying you are going to have to listen to what the people want right now, and I am sure you will because you are up for reelection every two years, and that's tough. You have to listen to what the people say and what they want at this time. If the people want you to go as low as 12 years old, or 14, or 11, or 10, or whatever to be able to waive a juvenile up to adult court, then so be it.

One interesting thing I wrote down here on the way over: Caning. That is another hot topic wherever you go. I have had people mention to me about caning and paddling of juveniles. Believe it or not, I saw on the TV the other day that 70 percent of a call-in show said, "Yes, Michael Fay should be caned. Cane juveniles." Well, that's interesting. I did not know that 70 percent of the people believe in that.

Let me tell you, I have had students in my office; I have had them in my class. I have had juvenile delinquents in my office. I am not going to promote caning, but I would have liked to give them a good paddle on the behind a couple of times. I think it would have done them a little bit of good. I remember that my father and mother didn't hesitate to paddle me a little bit. Those of you who know me, I am not too bad a person anyhow.

Now, the solutions I would recommend to this Task Force, boot camps: They are kind of hot right now. Boot camp is not something that we have available in Cumberland County at this time. I think it would be beneficial, because many of the students and juveniles who get in trouble do not have any discipline at home. They are misbehaving -- at home they have no supervision -- and they are doing so in school and out on the street. I would recommend boot camp. Boot camps cost money.

Inpatient drug rehab: Many of our juveniles have drug problems. Many of the crimes they commit are drug related. A lot of times, a juvenile will get into an inpatient program, and he or she will be there for 28 days. Why? Because that is all the insurance is going to pay for. Then they come back out. Those juveniles have to go into inpatient. They have to be cured of this drug problem. They cannot come out until they are cured, and when they do come out, they have to have after-care. Any recovering drug addict knows that you have to have that after-care.

More jobs for juveniles: We have a Summer Youth Program here in Cumberland County run by the JTPA, that works very well. I wish we could supply more jobs to juveniles in the summer. By the way, all of these cost money. Many juveniles who do not have jobs and are running loose for 12 weeks in the summer, what do they do? Well, they inevitably find a way to get themselves into trouble.

We have to get the juvenile in front of the judge, and get him or her adjudicated quickly. I know from personal experience. I have had juveniles who have gone right down into the City of Millville and broken windows out of about 24 cars. By the time that juvenile finally got his or her day in court, it was nine months later.

Now, you know as well as I do, if your puppy does something on your rug at home, you are not going to wait nine months to tell him he did something wrong. To the juvenile, it just does not register nine months later. The worst part is, they are let back out on the street, and guess what they are going to do? They are going to have a bigger record when they come in.

So we must get in front of judges more quickly. The only way you are going to do that is, once again, more money. You are going to have to have additional juvenile judges and more probation officers. If you are going to put a juvenile on probation, it has to have teeth in it. That probation officer has to be able to supervise that juvenile, because if he or she doesn't, it is a joke, and they know it.

Lastly, we have to do something about parents. Most of us in this room are parents. None of us have been taught, really, how to be good parents. We do it as best we can. Some of us do it better than others. Most of the juveniles who are in trouble have parents who lack parenting skills.

I would suggest that when a juvenile is truant, misbehaves, that a part of his or her punishment be that the

parents or guardians, whoever that juvenile is living with, go to parenting classes together, because that way maybe -- maybe -- we can help the parents to become better parents. After all, ladies and gentlemen, that is where it all begins, from the cradle right up until the time they are 18 years old.

I would just ask you, with all due respect, to listen to the people. I don't know what the people are willing to pay for. I was surprised. I spoke at a meeting of women about two months ago, and I mentioned some of this to them. I was mentioning that, you know, if you are going to put juveniles in jail for a longer time, if you are going to have boot camps, or you are going to have this or that, it is going to cost money. Are you willing to spend more money? I was surprised. Ninety percent said, "Yes."

Now, I do not know if that is indicative across the State of New Jersey, but I think that is what we have to find out. There are up sides, and there are down sides to everything.

I thank you very much.

ASSEMBLYMAN CATANIA: Thank you, Freeholder.

Hold on for one second.

ASSEMBLYMAN ZISA: No questions. I would just like to thank the witness. He made some excellent points.

Just one quick correction: A juvenile who commits a murder can be sentenced up to 20 years, even if tried as a juvenile.

FREEHOLDER MARCHAND: Help me out with that, because I remember when I was-- Well, that was three years ago, because I am not allowed to practice juvenile criminal law in Cumberland County now, and I have not done so for about three years. It was my understanding that even the serious crimes were four years, tops.

ASSEMBLYMAN ZISA: First degree crimes are a maximum of four years, with the exception of murder. That can go up to 20 years.

FREEHOLDER MARCHAND: Well, then, what I should have said was rape or assault. I used the wrong degree. It was to make the point that in that one month, you do not become that much more mature, or are you less mature if you are only 13 years and 11 months.

Thank you, Assemblyman.

ASSEMBLYMAN ZISA: Thank you.

ASSEMBLYMAN CATANIA: Thank you, Freeholder.

Freeholder Director Jennifer Lookabough.

F R E E H O L D E R D I R E C T O R J . L O O K A B O U G H :
Mr. Chairman and members of the Task Force: Thank you for this opportunity and for coming to our county.

In addition to my duties as Freeholder Director of Cumberland County, I am now in my 23rd year of education, 15 of which have been spent as a principal. About 11:00 this morning, I would have set the age at eight years old. (that was a joke) I do not envy you the task of setting the age, because children develop at different rates and the circumstances are so vast. That is part of the problem.

The problem is being discussed here in Cumberland County by the different school groups, government leaders, judiciary, policemen, and community leaders, like the Chamber of Commerce in Vineland. There are no simple or quick solutions. There does, however, appear to be a common thread, and I heard it again today. "Our hands are tied." I heard it from the judiciary, from the school systems, from the community groups, and from the police. The municipal mayors were saying, you know, "Our police department does a good job, but they can't--" The school systems say, "But we can't." So it does appear that you are on the right track, and we are in the right place to change the laws for this.

I cannot talk about the juvenile system and separate my principalship from my job as Freeholder. They just cross over all the time. But I know that within the school system

there are a lot of changes needed, and I hope you will be working closely with the Department of Education. There are some rules and regulations for when children are violent in school that require us to go through what is called "a Child Stury Team referral," that is a rather lengthy process. That could involve a child being classified with a learning disability that might be, say, emotionally disturbed. If that were the label put on this child, then the punishment changes, because you cannot punish a child for his disability. Then if they do something violent and they are classified emotionally disturbed, you don't suspend. That is their disability.

We do not have enough alternate programs to deal with this, especially at this very young age. I am in elementary school. So that is something the Education Department has to really work seriously on. We have to be able to exchange the information. The confidentiality has really gotten in the way many, many times. I don't think we used to commit juvenile crime as often. I knew my father knew the chief of police, knew the principal, and knew everybody. There was no confidentiality. They shared, and the whole town knew. That is the way it should be.

I know the chief of police. All the principals do. We should be raising these children as a community. We can do that. I have no doubt that we have all the people, the ability, and the interest to solve this problem within our community. The only thing we need to do is just untie our hands a little and let us be creative in solving these problems here in Cumberland. They are, indeed, serious.

Thank you very much.

ASSEMBLYMAN CATANIA: Thank you, Freeholder Director.

Stephen Moore, Cape May County Prosecutor.

S T E P H E N W. M O O R E: Good afternoon. Thank you, again, for the invitation.

I do not want to cover ground that has been covered, and a lot of the things I wanted to touch upon have been covered in various aspects.

I think we have to really take an expansive view of this kind of a problem. People from different disciplines, I think, have been focusing on the various aspects of it. It is a multifaceted problem. Obviously, there is no magic bullet; there are no simple answers. We can tinker with legislation; we can have better disclosure; we can have better coordination. What I fear we have gotten into in this society is, it is a fragmented society where the various aspects of the problem are being addressed in isolation, without tying the fragments together. We have somehow gotten away from the idea -- as Freeholder Director Lookabaugh just mentioned -- of community, and the idea that perhaps one of the best deterrents in terms of not only juvenile crime, but adult crime, is the idea of the disapproval of society; the idea that you are out there for the public when you do something.

Now, it is one thing to warehouse people. It is a very expensive thing to warehouse people. But how much of a deterrent warehousing people is, is certainly subject to question. In more organic societies, more homogeneous societies where there is less emphasis, of course, on the liberties that we are guaranteed, there is a greater sense that you are a member of the community and you are going to be shamed when something occurs, or you violate the norms of that society.

I think we have to try to get back and take a more expansive view of this problem, not just look at it in terms of a law enforcement problem, or an education problem, but a community problem where we work more closely together. Sometimes I feel that we are not able to communicate with the educational community as much as we should be able to on problem kids.

In terms of law enforcement, we have to know who these problem kids are and what kinds of problems they are encountering. If we do not have that access, that availability, we don't have the kinds of tools we need in order to deal with these kids when they get into the juvenile justice system.

Obviously, it starts at childbirth. The criminal problem starts in terms of parenting. It has to be addressed in the social context. Then it gets into, of course, the school system. It has to be addressed there in terms of discipline. But there has to be a continuum, instead of having it isolated in the school context and then in the juvenile justice context.

Obviously, by the time it gets to us, by the time it gets to the police departments, by the time it gets to the prosecutors, by the time it gets to the correction systems, it is much too far along. The flip side, of course, is, if we can treat the juvenile delinquency problem, what we are going to have is a dividend. We are going to be treating the adult criminal problem as well.

I think there was an estimate that perhaps 90 percent of all adult criminals have had a juvenile history. I would venture to guess, as I mentioned to Officer Brogan from Lower Township, it is probably closer to 99 percent. I think any time you have an adult in the system, virtually any time, unless it is a white-collar kind of thing, you have had a juvenile problem, whether they have gotten documented in the juvenile system or not.

We have to start early. We have to do preventive programs. We have to get to these kids in the schools. We have to get to the parents. We have to address it, I think, as a whole. I personally am involved in a couple of things on both ends, as adjuncts to being prosecutor in Cape May County. One program we have, and we still don't know if the returns are

in yet, is the DARE program. Local police departments are getting into community policing. They are going into the schools with a 16-week program usually, and they are getting into teaching these kids how they can resist the temptations and the peer pressure of getting into drugs and alcohol. It is something that my office sponsors, and we work very closely with the police departments. It pays an added dividend in terms, I think, of the police departments having closer contact with the schools, the teachers, and the kids in opening up lines of communication.

On the other end of the continuum are the sanctions we have. Once a kid has gotten into an adjudication, he has gone into juvenile court, and we recognize that this kid has a problem, he has broken the law, he has been adjudicated, we need an array of options. Now we have station house adjustments and Juvenile Conference Committees. Then we have Jamesburg. What we need are some real good creative options in the middle, I think, where the community really gets involved; where the kids know they are going to be subject to public disapproval when they do something. It is not going to just be a little hush-hush secret.

Peer pressure is perhaps one of the greatest motivators in terms of getting kids into trouble. It could be one of the greatest motivators in terms of deterring kids from getting into trouble if we channel those energies properly.

On the other end, we have -- and I am working closely with Sheriff Plousis in our county-- He has taken the initiative and I am working closely and supporting him in this project. It is something you might call a boot camp, but we are trying to go a little bit beyond simply a boot camp concept. It is currently scheduled for approximately 11 days at the end of July. We are still formulating some of the aspects of that right now.

What we do not have is funding, quite frankly. We are getting a lot of volunteerism. I am able to use a little bit of forfeiture funds. We are looking for surplus for uniforms and so forth. It is not strictly a boot camp. We are looking to have a substance abuse component; a work component; a drill component. We are hoping that this will be more of an intermediate sanction where kids-- They are not at the stage where they might be sent to Jamesburg, and they are certainly beyond the stage where station house adjustments are going to do any good. I would defer to Sheriff Plousis in that regard when he testifies.

Just to summarize: I think we have to look at the whole continuum, and somehow we have to learn to tie these fragments together, instead of continuing to look at them in isolation.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Mr. Prosecutor. I appreciate it.

Sheriff Jim Plousis, from Cape May County.

S H E R I F F J A M E S T. P L O U S I S: Thank you, Mr. Chairman and members of the Task Force, whom I know very well.

I have been here, and I just want to zero in on one aspect of what I think we have to do. The first thing is, right now 38 states have boot camps. We have had legislation in since 1989. Senator Codey put it in. The sheriffs endorsed it. I spent two days in Elmira at a camp up there in New York State. It was very successful. Here we are, five years later, and we don't have a boot camp. We end up being one of the few states that do not have the ability to use that form of incarceration.

My first recommendation is, we have to get moving on that. Now, the Chairman asked, "Should it be State based or county based?" I don't think we have to do much research. I am very close with the Department of Corrections. We have an

excellent Commissioner, but the facts speak for themselves. For 14 years, four Governors, we have had an emergency executive order housing State inmates in county jails. If we think that the Department of Corrections can take another bite and set up boot camps, I think we are all very naive. They have their hands full with the senior correction problem we have.

So my recommendation is that we allow flexibility. If the State can do it, fine. If the counties can do it -- and I am biased to the counties-- I think the best bang for the buck in corrections or anything else is at the county level. I think we can do it better at the county level. We hear about community policing. It is community corrections. We know what the children need. We can use local volunteers. We can use local personnel so they will have a contact after they get out because they live in the community.

We hear about funding. I was at the White House two weeks ago. In the Crime Bill there is funding for the boot camps. As you members know, we are a Block Grant State. So when that money comes into New Jersey, it will go up to the Attorney General for distribution. My recommendation is that you lock him in to make sure that the counties get their fair share of that money.

They are my ideas. Now, let me just mention this: I have been in law enforcement for 21 years. I can remember years ago -- 15, 16 years ago -- when the Army still wanted people, we had guys we had picked up for minor offenses. They would say, "Well, I am going into the service next month." I hate to tell you, a lot of times we didn't press the charges because they were going into the service.

We do not have that luxury today. The services do not want them. I am very close with the captain at the Coast Guard base. It saddens me every week that I talk to him, or I go down and visit him, I see a bus coming in to take the kids they

threw out. We do not have that luxury of a lot of people getting straightened out by going into military service. This would be a step going back in that direction, I think, where the kids could learn discipline and proper eating, sleeping, and working habits.

We have to get moving on this. I think five years is long enough to talk about it in New Jersey. We have to get moving on it. So my recommendation is, please move ahead on the boot camp proposal. I would footnote, you have to give the counties the flexibility.

Let me just mention one other thing you have to look at. The Prosecutor who was up here -- Prosecutor Moore -- and I have talked about, "Is there a need in Cape May County for a juvenile lockup?" Of course, there is a need. There is a need in every county. We look at the guidelines. We say, "We have plenty of acreage at the county jail. We will put it with the county jail, and we can merge our food service with the juvenile facility."

You go into the State Code. You cannot have a juvenile facility in eyesight of an adult facility. That is totally ridiculous. That is one of a long laundry list of guidelines. We were reviewing the guidelines prior to us working on the boot camp that we want to put into place. I will give you an example: If you have juveniles in lockup, they have to be in individual rooms, private beds. I thought we were building a Ramada when I read about the juvenile lockup. We have to do something. We have to look at that and say, "We are not building a Ramada. We want to make a barracks type living and put these juvenile delinquents in that kind of an atmosphere."

If we move ahead on any of these things, we have to look at some of the guidelines that are in place now, because many of them are just really hamstringing us.

Thank you, Mr. Chairman.

ASSEMBLYMAN CATANIA: Sheriff, I have one question for you, and that question is with regard to boot camps: Some of the criticism of boot camps was heard at one of our meetings up in Passaic County. In fact, it wasn't really boot camps. If they go to Jamesburg, really what they are doing is, they just start bulking up. You know, they go out and they lift weights all the time. They come back out, and the police have more of a problem with these not only juveniles, but the adult inmates, because they are now stronger.

I think we should be looking at boot camps, but we should be looking at boot camps not with the intent of strength, but maybe with the intent of some type of education.

SHERIFF PLOUSIS: I think I am probably the only person in this room, and probably one of the few people in the State who have had the opportunity to actually spend time at a boot camp. The concept is that they want to give them military bearing. You know, they do morning exercises. That is what we plan on doing at our facility. That is what they do at the other facilities. In Manatee, Florida-- I have some material here for you on Manatee, Florida, and Los Angeles County. Basically, it is to teach them self-discipline. There is no physical training we seek such as in the traditional jails where people are lifting weights.

Now, just for your information, in the Crime Bill, in every Federal prison they will be taking the weights out. Ironically, if you look at the Federal guidelines on incarceration and our own State guidelines, it says we must have recreation and athletic activities for the inmates. We are hamstrung. If you look at the Correction Code in New Jersey, you know, they give us the square footage. You have to have natural lighting. You have to have outside exercise. You have to have recreation. Of course, as you know, if I do not comply with that, the inmate advocate, as we all know, takes collect calls two days a week. They call up there, and within

a week I have an inmate advocate attorney saying, "Sheriff, you have to let them do this or do that." We have a long way to go in incarceration in this country.

ASSEMBLYMAN CATANIA: Sheriff, I agree with you. I agree that New Jersey has gone too far, in certain instances. We have made it more comfortable for our prisoners than really it should be. I think if we are going to make any type of change, either juvenile or adult, we better make it as uncomfortable as possible for them, so that they do not want to go back there. Right now, we have people who want to go back.

SHERIFF PLOUSIS: Absolutely, absolutely. I know we have a lot of policemen in here, and a few chiefs -- Chief Douglas in the back.

Just one final comment. I do not want to take up any more time. In my 21 years, I have been on a lot of raids. The jail is much nicer than the homes they are coming from. So, you know, it is a problem, and we have to address it.

I brought you some material on Manatee County's boot camp.

Good luck on your endeavor today.

ASSEMBLYMAN CATANIA: Thank you for that information.
Mayor Laura Pizzo.

M A Y O R L A U R A P I Z Z O: Good afternoon.

I met with several people in my community to get insight from them on how they perceive the juvenile justice system today. I asked them for input. If I were to make mention of all the interviews I had, we would be here until 9:00. So I am going to make them brief.

I also had the opportunity to meet with a 14-year-old juvenile offender. I will also share that information with you, and I am sure you will find it very interesting.

I met with people from different walks of life and different professions. I have a letter here from a chief school administrator on how he perceives the present justice

system for juveniles with regard to making a juvenile offender relate to the public.

Today's children often seem to lack direction, family support, and moral decision-making abilities. It appears that we are caught up in the "me" generation. Material possessions have replaced family values and a conscientious work ethic. Few recognize the need to adhere to responsibility for one's self.

My opinion regarding, "Should juvenile offenders have their names made public?" would certainly qualify as a "Yes." However, this action would be reactionary. It may serve as a deterrent to some offenders. I would like to see the media refocus its responsibility to youth by reducing its sensationalism approach to youth crime, such as news articles, movies, and television news.

Another preventive approach would be the enforcement of fair and consistent punishment that is carried out. I could never understand the conviction sentence of anyone issued three life terms, or facing up to 147 years in prison. An additional educational method for prevention of juvenile crime would be to require the legal parent or guardian of the juvenile to jointly and successfully participate in a parenting seminar. From my observation, many of our citizens are having children, but lack, for a variety of reasons, the skills to promote a healthy self-esteem, confidence, discipline, responsible behavior, and a sense of respect for others and their property.

Disclosing the identify of repeating youth offenders: The Cumberland County NAACP supports disclosing the identities of juveniles who have had repeated encounters with the law or crimes that can be labeled as being of a serious nature. However, they do express concern about the possible abuse that can occur when young African-Americans commit offenses of a trivial nature, but find that their identities are flashed across the front pages of our local newspapers in such a manner

that one would be led to believe that they are nothing but trouble and should be banished as same.

Therefore, while lending their support to changing our system to expose those individuals that the public should be concerned about, we also stress that clear and specific terms should be delineated so that innocent young people do not become the victims of overaggressive news reporters.

A registered nurse's point of view: I feel that juvenile crime is a very serious problem in our country. It has not been dealt with properly, and it continues to grow. If juveniles are not taught that crime doesn't pay, they grow up to be adult criminals. Sadly enough, today all crime pays, juvenile and adult. Therefore, I recommend the following:

- * All juvenile offenders, regardless of age, have their names and pictures in the newspapers. If a second offense occurs, they have their names and pictures published, along with the names and pictures of their parents or legal guardians.

- * All juvenile offenders are not released to the custody of their parents. They should be processed exactly as the adults -- court hearing, bail, etc. They need to realize at an early age that crime will not be tolerated in our society.

- * There should be no plea bargaining. Also, when they are sentenced to serve four years in jail, no parole, and they should serve four years in jail.

Of course, everyone knows our criminal justice system is in need of revision. When our present laws are changed for adults, the same laws are to be applied to juveniles.

A social worker's point of view: Juvenile crime has gotten out of hand. Teenagers have gotten out of hand. Youth feel they are invulnerable and they cannot be permanently hurt or die. For some reason, they have very little feeling for personal property or for people. As adults, we need to take responsibility for our children and set an example. If a

responsible adult, such as a police officer, elected official, or someone with wealth and power is allowed to commit a crime, then walk free without consequences, what is this telling our young people?

As parents, we should also be trying to instill values in our children from infancy on. Young people need to be made to take responsibility for the wrong they do. They need to understand that they will be arrested, tried, and convicted if they are guilty of crimes such as drug use and sale, burglary, assault, murder, etc. Parents also need to understand that there will be no exceptions to the rule.

I had the opportunity to speak to a young man who is 14 years old. He has had several run-ins with the law since he was seven years old. He describes his actions as being fun, and nothing really happens to him when he does something wrong. When I asked him to name some of the crimes he committed, he laughed and said they were not crimes, they were fun things.

Some of the things he has done since seven years of age: stealing a car; breaking large windows out of a storefront; terrorizing a senior citizen by tapping on her windows late at night; stealing clothing and sneakers from various stores; recently riding a bike down the street and ripping a shoulder bag off a lady's arm.

This 14 year old has no compassion or remorse. I made mention of the elderly couple being murdered recently, and his only comment was, as he hunched his shoulders, "I guess you gotta do what you gotta do." He describes our law enforcement officers as "pigs," when speaking of them. He says they cannot do anything to him, because he is a kid and he has his rights.

I explained to this 14 year old that the Legislature is preparing to change the juvenile criminal system, and asked, "How would you feel if your name and picture appeared on the front page of our local newspaper with a description of your

actions?" It embarrasses me to show you this, but his only reply to having his picture and name on the front page was-- (witness demonstrates) It sure was a fine example of how our juveniles perceive the system.

During our conversation, he repeatedly stated how he hates school and his parents. When I asked him what he wanted to be in life, he said, after a pause, "Nothing, lady. I just want money in my pocket." He terminated our conversation by saying to me, "Good luck with your book," and he left the room.

Last, but certainly not least, allow me to share my personal experience when my family was terrorized in the early morning hours in 1974. While each family member was asleep, three young men broke into my home. The pain was unbearable to see my husband in a critical state, not knowing whether he was going to survive, since he was so severely beaten and left for dead. Although they were of young adult age, they all had extensive records of being habitual juvenile offenders. I, along with each family member, continue to live the horrors of that night today.

So I urge you, please, protect our society from all criminals. Now is the time to start with our juveniles. With the support I extend to you today, you must change our present system for juvenile offenders. As humans, we are all capable of making a mistake, but we must learn from that mistake and not repeat it.

I recommend to you today that, yes, juvenile offenders must be made available to the public. Their names and photos should appear smack on the front page of every local newspaper.

I suggest developing boot camps. Stop them at a young age. Make them become educated, and teach them how to be decent, law-abiding citizens in our society at a young age.

We, the people, have had enough with juvenile crime, and now we, the people, are ready to do something about it. We

support your efforts, and I offer you my assistance in any way possible.

Thank you, Assemblyman Gibson, for this opportunity today -- to each and every one of us here -- to share our opinions and our feelings on juvenile crime in our society today. Thank you.

ASSEMBLYMAN CATANIA: Thank you, Mayor.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Mr. Chairman, before the next speaker-- I am a senior citizen. May we have a 10-second stand-up period?

ASSEMBLYMAN CATANIA: Sure. We are going to have a 10-second stand-up period -- a seventh inning stretch. How's that? We are going to have someone play "Take Me Out to the Ballgame."

We will take a five-minute recess. We will get back as soon as possible. Okay?

(RECESS)

AFTER RECESS:

ASSEMBLYMAN CATANIA: Okay, we are going to start up again. We are taking a little bit longer than I had expected, so I am going to ask our speakers as they come up if they would more or less move along as best as possible, because whatever time this meeting is over, just add three and a half hours to that, and that is the time my night will end. So I would appreciate it.

At this time, I would like to call Police Chief John Biondi, Bridgeton.

Chief, may I ask you a question?

C H I E F J O H N E. B O N D I: Of course.

ASSEMBLYMAN CATANIA: Have you ever appeared before the Judiciary Committee?

CHIEF BONDI: No, I have not.

ASSEMBLYMAN CATANIA: Have you ever appeared before any of our committees in Trenton before?

CHIEF BONDI: No, I have not.

ASSEMBLYMAN CATANIA: You look very familiar.

ASSEMBLYWOMAN GREGORY-SCOCCHI: He does to me, too.

CHIEF BONDI: And the name, sir, is Bondi.

I very much appreciate this opportunity. Juvenile crime as a general failure in the criminal justice system, beginning with the juvenile justice system, is very obvious to us.

I am not going to bore you. I am not going to take a lot of time with this. I think this will strike a point. This is the record of a young fellow I would like to tell you about, a very indicative record: 1/16/90, shoplifting; 8/4/91, simple assault; 11/5/91, missing person; 4/12/92, burglary theft, criminal mischief; 6/3/92, missing person; 8/6/92, terroristic threats, robbery, criminal mischief; 8/11/92, harassment; 11/8/92, curfew violation; 1/24/92, possession of stolen property; 12/9/92, possession of burglary tools, burglary, curfew violation; 12/20/92, curfew violation, trespass; 12/27/92, attempted burglary, possession of burglary tools; 1/14/93, possession of stolen property; 1/23/93, burglary and theft -- it doesn't go on too much longer -- 3/17/92, possession of stolen property, attempted theft, terroristic threats, witness tampering, defiant trespass, resisting arrest; 3/25/92, defiant trespass, burglary; and finally, 3/26/92, Superior Court warrant.

Now, the thing that makes that, I think, pretty outstanding to me is the fact that when I finished that Superior Court warrant, this subject was 11 years of age. This is not the exception. If this were the exception to what we deal with on a daily basis, I probably wouldn't be standing

here before you. In Bridgeton, in a two-year period, we had 2329 arrests of juveniles, 57 percent of whom were repeat offenders.

I have been in the business for 26 years. I have tried to figure out what is happening. I believe what's happening is, we have a learned response to our juvenile justice system. We have modified -- we have, in the criminal justice system, modified the behavior of our young people until it has reached this point. Now, that comes from a lot of things, and I think probably the most important thing is uniformity in discipline, or a lack of any kind of discipline on first and subsequent offenses.

I agree wholeheartedly with what I have heard about the use of boot camps. I agree wholeheartedly with the release of information regarding juveniles. However, I think that is more important in a working relationship between school and police than it is to the public, because I really don't think they care about having their name released to the public. What we have to do is affect their peer level.

Right now, when they have a contact with the juvenile justice system, and the juvenile justice system "fails" because there is no discipline, then they go back to the neighborhood and they are elevated in the eyes of their peers. Now, that happens on a first offense. With a subsequent offense, the whole neighborhood knows they committed it; they were arrested by the police for it; and now they are back in the neighborhood and they are a rung higher, not a rung lower. This is not the way it was in 1950. This is now.

What we have to do is affect these juveniles in such a way that we bring them down a rung in the eyes of their peers. That has to be done on a first offense. It has to be done at a young age. When I say I approve of boot camps, I do, at a certain level, certainly after a first offense referee hearing,

and we have 10th and 12th offense referee hearings before they ever get to a judge. By the way, this young fellow I read to you about has never done one day, not a minute.

I am hopeful of seeing something like two boot camps in each county: One boot camp separated residential, nonresidential. Let's give them the carrot and the stick. If you can't get along in school, we have something-- By the way, we have an agreement with our School Board in the City of Bridgeton of zero tolerance. Any violent offense that occurs in any Bridgeton school, we are notified. The police are notified. We go to the school; we take the kid out of school in handcuffs, every kid, because we are not going to show any difference one kid to another.

Beyond that, we don't get the results from the juvenile justice system. What we get is unsupervised probation; second offense, unsupervised probation; third offense, unsupervised probation; and without going into -- you know, 9th, 10th, 12th offense, it is the same type of situation.

What I propose is that we have an alternative, not the current alternative education, but perhaps a boot camp, and by that I mean a disciplinary atmosphere boot camp where a juvenile could be sentenced by semester in each county. If that doesn't work and he doesn't come around, doesn't respond to the discipline and he doesn't do what he is supposed to do, that is when we get into the secondary or residential boot camp, again, in each county.

How would that be funded? I would certainly hope to see some State and Federal funds given to the county to do that, and possibly even some of the local funds could go toward that financing.

It certainly is a very difficult problem; it is a very complex problem, but it is not going to be dealt with until we do this. We have to go into a problem-solving mode. All of the other rhetoric is not going to count until we find out what

the root core of the problem is. We can test the root core of the problem by saying, "If I eliminate this, will the problem go away?" If the answer is not yes, then you have not reached the root core of the problem. The dangerous thing that occurs when we get legislation that does not address the root core of the problem, is that we begin burning resources -- police resources, prosecutorial resources, and judicial resources. That is why I think it has to be done in such a way that-- It has to be something that will strike the root core of the problem, or it is going to proliferate the problem.

I thank you very much for the opportunity.

ASSEMBLYMAN CATANIA: Thank you, Chief, for coming today.

Bridgeton Councilman Donald Olbrich.

C O U N C I L M A N D O N A L D O L B R I C H: Thank you, Mr. Chairman, and a special thanks to your Task Force for conducting these hearings.

Our city began involvement with our Police Chief in 1993 discussing the situation in the City of Bridgeton. We met with several public officials to discuss these problems. In October of '93, we passed a resolution requesting a comprehensive study of our juvenile justice system. As you know, the current laws in New Jersey are inadequate, and a more stringent juvenile justice system code must be enacted. So I thank you and applaud you for taking on this challenge.

You know, as a parent of a 10 year old and a 7 year old, I feel the names of those individuals should be released, because as a parent it would give us another tool to know who our children are hanging around with. As parents, we hope we know who they are hanging around with, but we sometimes really don't know. So that would just be another tool for the parents to use in our parenting skills, to be able to address that if we see those names listed in the paper.

Children learn very young exactly how they will be dealt with if they are caught committing a crime. There is currently little or no negative discipline employed by the system and, as a result, we are creating a greater number of offenders who commit increasingly violent offenses through a learned behavior response to our existing system.

Drug dealers today use our juveniles in that process because they know nothing will happen to them. A reform of the system which includes a balanced approach to both enforcement and prevention programs needs to be addressed, and a possible solution-- You know, money is always easy to talk about and always hard to find. As an elected official, I know that, and I know you deal with those issues every day. But maybe if grants could be made available, funds to the cities and towns with maximum flexibility allowed in those programs, to be able to create community programs such as opening our schools at night for educational and recreational programs--

I think we need to target the at-risk group of young people and, as someone said earlier, include the parents in that process. They need to be taught just as the children need to be taught.

Again, let me thank you for the opportunity today to make my brief remarks.

I would just like to say, I think it is nice to see someone whom I coached in Little League now a Legislative Aide for Assemblyman Gibson, Tom Suthard.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Councilman.

Councilman Joseph Santagata. Did I say that correctly?

C O U N C I L M A N J O S E P H S A N T A G A T A: Yes, very good.

ASSEMBLYMAN CATANIA: Councilman from Buena Borough, is it?

COUNCILMAN SANTAGATA: That is correct.

I will be real brief. Before I was a Councilman, I was a Police Chief in Buena for 25 years. I think everything has been said that has to be said. I just want to reiterate that the juveniles know they are going to go back to court many, many times, and they are going to get unsupervised probation. It's a joke, so they are just going to keep doing it again. There is no respect for the law, for the law enforcement officers.

I remember an incident when I arrested a juvenile for vandalism. He was back home and on the street before I completed the paperwork, doing more vandalism. Then I was back out there arresting him again. That happens time and time again. The police officer is still doing his reports and paperwork, and the juvenile is home, or back on the streets.

I think we have to get a lot more strict with the juveniles, whether it be in the court system or through the boot camps. A lot of good ideas have been brought out here today. Most of our kids today, I think, are good kids. Somebody said 90 percent. It might even be more than that. I think our kids are better than 90 percent. Kids are really good kids today. It is the handful that causes all the problems. Let's get tough with this real small handful.

The other thing I wanted to mention, I still serve on the Legislative Committee for the New Jersey State Association of Chiefs of Police. Assembly Bill No. 35-- Yesterday we had a meeting, and we are in support of that bill. I just wanted you to be aware of that.

Thank you very much.

ASSEMBLYMAN CATANIA: I appreciate that. Hopefully, we will have that bill out of Committee very, very shortly, and will start moving on that.

Mike Brogan, Lower Township Police Department.

M I C H A E L P. B R O G A N: Thank you, Mr. Chairman and members of the Task Force, for allowing me the opportunity to speak here today.

I am a police officer with the Lower Township Police Department. I have been with them for the past 21 years. I am presently assigned to the Juvenile Bureau, and I have been doing this for the past 10 years.

In recognition of your request for brevity, I am going to paraphrase a lot of what I was going to say.

I want to share a letter with you that I wrote to my Chief of Police back in 1991. The crux of the letter dealt with the problem we were having with the juvenile intake system in Cape May County. The problem was that we could not get the impact offenders in our township incarcerated in any capacity. Out of frustration, I shared my thoughts with the Chief, and informed him that I had contacted the juvenile intake officers. I had contacted our Cape May County Prosecutor -- Prosecutor Corino at the time -- asking for help to incarcerate our juveniles in detention, if for no other reason than to give us the opportunity to catch up on our paperwork and deal with this in a more thorough way.

The conclusion of that request was, there was not a juvenile incarcerated in Cape May County for over three years. We had impact offenders that we had to deal with day after day after day. There was never a problem with knowing who our offenders were. There was never a problem with arresting them and processing them. The problem was getting them incarcerated in some capacity, either in detention in Jamesburg -- in any capacity. It couldn't be done.

I described six juveniles in this report. Mr. Gibson, you have a copy of this report, and if you would share it with your colleagues I would appreciate it. Six juveniles we dealt with I described in this report.

As of today, one of those juveniles is incarcerated in the State prison system for murder. He was 16 when he committed the murder. Another one is incarcerated in the State prison system for conspiracy to commit the same murder. We

have one who is in the State prison system for armed robbery. And we have three who are now in the State prison system for doing house burglaries.

These six were all individuals we were trying to deal with in Lower Township back in 1993 -- I'm sorry, 1991. It didn't happen until either they turned 18 or they committed a major crime that finally got them incarcerated.

The point I am trying to make here is, if we are going to deal with juveniles in the criminal system, we have to deal with them early. We have to deal with them very early.

You asked for recommendations. My recommendations to the Task Force would be:

Juvenile offenders, especially young juvenile offenders, have to pay some consequences early -- early. Sheriff Plousis was talking about boot camps. That is a fantastic program. He is frustrated right now, because he did not get the funding. There is no funding for that, so he is going to scrape, he is going to steal, he is going to rob to get money to make that happen. It has to happen. It is going to be a beautiful program.

Prosecutor Moore talked about the DARE program. Lower Township has four police officers in the elementary school system teaching the DARE program. The impact on those kids at that age is phenomenal; it's great. They listen to us; they respect us; they seek us out in the community. It is a great program.

Another program we are talking about is the program where we put an officer in the schools, in the junior high schools and the high schools, not as an enforcement officer, but as a liaison officer between the student, the administration, and the Police Department.

Those are the types of programs we need. We do not have the money to incarcerate every juvenile who needs to be incarcerated. So what we have to do with them is, we have to

deal with them early; give them consequences early. We have to intervene with them very early, in the elementary schools and the junior high schools. We have to identify and understand what dysfunctional families are. We do not have the traditional family anymore. We have one parent, for the most part, and that parent, for the most part, is holding down two jobs just to make ends meet. When is that parent there to give that child support? When is that parent there to listen to that child? They are not. So what do we have? We have dysfunctional families.

High school dropouts: Once they have dropped out of high school, we have lost those kids. There is nothing left. We do not have any contact with them, except for when we lock them up. So what we need to do is look at: Do we really need to let these kids out of school at age 16, when their parents just sign them out? Maybe we need a requirement that they have to have a job at age 16 to be allowed to sign out of school. Maybe we shouldn't allow them out of school at all at age 16. Maybe we should make them stay in until they are 18. If they are not accepting the traditional school, maybe we need an alternative school.

Those are the things that we should be thinking about. We cannot afford to put every juvenile in jail who might otherwise need to be there.

That concludes my presentation on the criminal justice system. However, I want to talk a little bit about identifying juveniles who have committed a crime to the public. I ask you these four questions:

To what purpose do we want to make juvenile criminals known to the public? Is it because we want to embarrass them? Maybe. Is it because we want to deter them from committing crimes -- additional crimes? Maybe. Do we want to alert the public to potential criminals in their neighborhoods? There is a very interesting question.

We read about the case -- I guess it was in Millville, maybe Vineland -- where the juvenile killed neighbors. If those juveniles were identified early on in their criminal acts, could those neighbors have been alerted to the danger of the juveniles being in their community? Could they maybe have taken some steps to maybe not open that door to what they perceived to be a friendly neighbor? Maybe if they knew that person was a dangerous person, they might not have opened that door.

So when we talk about making the names of juveniles committing crimes public, let's look at the reasons why we should be thinking about it. Is it to embarrass them? Is it to deter them from committing more crimes? Is it to alert the public about potential danger in their community? My answer to that is, if the answer to those three questions is "Yes," then absolutely we should put the names of juveniles in the newspapers for the public to see.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Michael.

Sharon Bloom.

S H A R O N B L O O M: Thank you very much for your invitation to speak.

ASSEMBLYMAN CATANIA: Ms. Bloom, I am going to ask if everyone could--

MS. BLOOM: I'll shorten it.

ASSEMBLYMAN CATANIA: --just sort of shorten their presentations, cut them back just a little bit. Thank you.

MS. BLOOM: Okay, I will be really quick. I am a mother.

ASSEMBLYMAN CATANIA: Please, don't go really quick. I am not asking you to do that.

MS. BLOOM: Okay. I am a mother; I am a businesswoman. I am not an educator; I am not an attorney.

ASSEMBLYMAN CATANIA: Well, you are the important people, and we are going to listen to you.

MS. BLOOM: Okay. I am going through it right now. I am dealing with the juvenile justice system right now. I never knew frustration until now.

In December of 1991, after moving into our home in August of '91, we became involved with two children in the neighborhood: harassment in the form of BB guns, Molotov cocktails, fires in the woods behind my home, my son dragged off a bus and physically beaten, being called horrendous names. We could not get our mail. We could not get a bag of groceries out of the car without being screamed at and tormented. My children, in December of '91, stopped playing in their front yard because they were that terrified.

I contacted the school system. I contacted my local police department. The school system and the police department were very well aware of these children. They had an extensive record from another neighborhood where they caused a great deal of trouble. The people were too intimidated by them to sign complaints.

By February of 1992, when they stood out in front of my home screaming, "You--" I am not even going to repeat it. "Come out, we are going to kill you. We are going to cut your throat from ear to ear." At that point, I called the police, for probably the sixth time, and was told the same thing: "They are juveniles. Our hands are tied." At this point, these kids were 11 and 12. I saw the frustration of the police department, and I could appreciate it, but then again, as a victim, I saw what my children were going through, what I was going through. Our home became a prison. It was no longer a home.

We signed our complaint, and the complaint sat. While the complaint sat, the harassment and the abuse continued, to the point where we could not use our deck with family members

without being screamed at and having BB guns pointed at us. What needs to be noted is that every time I called the police and they responded, they went to the home and the mother was home. In every police report it states: "Mother totally uncooperative." Yet, that is where it ended with this woman.

We finally ended up-- We had to get a private attorney to try to get this matter pushed into court. We were referred to a Juvenile Conference Committee as the first step, because these were first time offenders, at least we were the first people to push it this far. They did not bother to show up for this conference. Nothing was done to them because of this. It was all simply referred to a referee. That took another two months.

During these two months, we continually suffered with the fires and the BB gun. My child became scared to death to even attend school, because they went for him in the school system. We ended up in front of a referee, at which point these children were found guilty. The older one by this time was 13, and admitted freely to everything he had done with a very flip attitude. The younger one did break down and cry. There you would think possibly there was some hope.

They were given one year's probation. One was given 18 hours community service, because he was in possession of the Molotov cocktail. When they found him with this Molotov cocktail, too, it is important to note, he was truant from school for the umpteenth time. Later, they got out of the community service. We got the year's probation. That stuck. For that year, we did get peace and quiet, but they went after the entire neighborhood.

At the end of the year's probation, they started to slowly creep back into our lives. To make a long story short, it blew up again fully in November of 1993, where the younger of the two got a gang and went after my son in school -- in the school system. The older one made a threat that if it was the

last thing he did, he was going to get me and kill me. You name it. We have put up with the most unbelievable amount of just abuse and harassment, yet I still feel guilty standing here, because there are people who are being murdered by juveniles, or having their homes burned up, or armed robbery. There are much worse things going on. Yet, if I am feeling frustration like this with this going on, what are people feeling who are having family members murdered by juveniles?

At this point, we have a trial date set for the end of May. It was only at the pretrial conference that we were able to find out that the FCAT (phonetic spelling) evaluation that this family was court-ordered to comply with at the first court hearing-- They had never bothered to show up, and the court had not followed up on it. This time we have a different judge. "Absolutely, you are to go for the FCAT evaluation." We were privy only to a very small part of the information found out, which I can respect. With the first part of testing, they really did not feel that these children were prone to aggression. These were the same kids who had swung axes over their heads, running chain saws, while screaming at people walking by that they were going to kill them.

I have some very important questions as far as the FCAT evaluation is concerned. I mean, as victims, we have tried to find out what the qualifications of the people giving these are. We are not allowed to know. How old is the test material? You know, who makes up the criteria for a FCAT evaluation? The kids today are more violent than they were even 20 years ago. How old is the test, and is it updated accordingly with how violent these kids have become?

I do not want to see juveniles lose their rights; I really don't. But I think there needs to be some changes made, because, as a victim, I watched my children lose their rights for three years. All I heard was, "Our hands are tied." So at this point, I don't think you have to be a psych major to look

at, especially the older of the two children, to see that there is a real potential for danger. There is a potential for violence. When I hear a 14 year old say if it is the last thing he does, he is going to kill me, I'm sorry, I take that very seriously, especially when he is swinging an ax over his head.

So if you guys can do something to make it a little tougher-- If people are court-ordered for things and they do not comply, why can't the victim know? Why can't the victim at least find out what the dangerous part of this evaluation showed, which I should know, because next year my son, once again, is going to be in school with one of these kids? You know, I have heard from the educators, "We have stories that would curl your hair, but we can't tell you." Well, that is hard to accept when you are a parent. It is very hard to accept.

So if you guys could kind of do something--

ASSEMBLYMAN CATANIA: Ms. Bloom, let me say this to you: This story is not unusual. You know, the parent that you said was home and really didn't care, and was belligerent with the police-- Right now, we are looking at whether or not we are going to hold that parent responsible.

MS. BLOOM: See, I think they should be, absolutely.

ASSEMBLYMAN CATANIA: What's happening is, we are losing parents. Parents, as someone testified before, have no control, or they do not care about any control. We had testimony in Paterson where children four and five years old are making major decisions -- every life decision -- because there is no contact between them and their parents. You know, I don't think it is a problem only with juveniles. I think it is a problem with society. I think it is a problem with--

MS. BLOOM: Exactly. Family values are gone.

ASSEMBLYMAN CATANIA: It has all changed. I think what we have to do is-- We can't just say, "We are going to

make A-35," or whatever bills are going to happen-- We have to look at this-- As one person said, it is a multifaceted problem.

MS. BLOOM: And listen to the victim more. Just hear what the victim has to say.

ASSEMBLYMAN CATANIA: Absolutely. That is why our bill also has "before sentencing."

Yes, we are going to listen to the victim and hear what has been going on. If you are standing before a judge and you are telling him exactly what has happened, and that juvenile is there, and that judge gives him probation, then do you know what? The Governor should take that judge and get him off the bench. We should start putting judges who have some guts on the bench, so that they themselves start putting-- (applause)

Ms. Bloom, I would appreciate a copy of that.

MS. BLOOM: I made copies and I gave them out. Okay? Thank you very much for your time.

ASSEMBLYMAN CATANIA: If there is anything else you want to contact this Task Force for, just get in touch with one of our aides.

MS. BLOOM: Assemblyman Gibson has been very, very helpful, yes, he has. You know who he is, right?

ASSEMBLYMAN CATANIA: Contact Assemblyman Gibson, and he will contact me.

Thank you very much.

MS. BLOOM: Thank you very much. Thank you.

ASSEMBLYMAN CATANIA: Mr. Larry Starner.

L A R R Y S T A R N E R: Mr. Gibson and members of the panel: Thank you very much for allowing us to share some of our experiences and working with Mr. Gibson on some of the Assembly bills that we would like to see changed. I will get into some of that afterward.

My wife and I are the parents of a murdered child. That is what this group is, Parents of Murdered Children. We reside in Lower Township, Cape May County, which is experiencing a 24 percent rate of crime caused by juveniles. Oddly enough, we have two juvenile officers, but we have many more officers assigned to adult crimes. Why, I do not know.

The juvenile system must be drastically overhauled in order to meet the rising crimes committed by juveniles. Cape May County does not incarcerate the majority of the children arrested. In fact, only one child per 1000 population will be incarcerated in Cape May County, far below the statewide average.

The welfare of the social service system in Cape May County has fallen dramatically. In 1991, it ranked 12th in the State. In 1992, it ranked 13th. In 1993, we were down to number 19. We only have two more to go.

The above factors show that the agencies which deal with juveniles and their families for rehabilitation are not fully reaching the children. We went to the Police Department to ask for a social service agency to come in and maybe mediate some of the problems we have had. I suggested crisis intervention to them. The reply was, "They are a joke."

Schools must take a more aggressive role with children who are creating problems. The sharing of information is a must. Eighteen A must be changed. We approached that with Assemblyman Gibson. I heard somebody -- I don't know who it was anymore -- say about the schools, "They go through the evaluation process through a family assessment team." Well, if the parents do not give consent for this assessment, then the schools must go through the juvenile system to get the assessment done. What happens? The parents do not give the consent because they do not want their children found, so here the child is. A miscarriage of justice for the child during this. This has to be changed.

The majority of the juveniles today know they are committing such crimes. We know that. Yet, they will only get a verbal warning, or maybe probation from the court, which, in most cases, is unsupervised probation.

We have, in the United States, equal justice for all. Are we getting equal justice for all? No, because the juvenile who is under 18 years of age is treated differently, because of the "juvenile justice system." Their privacy is their barrier to justice. A plaintiff against a juvenile is not permitted to remain in the courtroom during the entire trial. The plaintiff is not permitted to attend any of the preevaluation processes. Their age is the barrier, an artificial barrier.

The State Crime Commission report on juvenile crimes states that incarceration should be reserved for serious or repetitive juvenile delinquents. We believe that repetitive offenders, after the second act, no matter what crime, should be incarcerated. For a short period of time? Quite possibly. Plus, they must undergo a counseling program, but they must complete the counseling program. It must be followed through with -- completed by the juvenile and his or her parents. The parents of a repeat offending juvenile should also be made to post bail, the same as an adult should. The parents should have the responsibility for the juvenile completing the process. If a parent fails, then the parent should be held accountable.

From 1982 to 1991, the number of arrests for murder and negligent manslaughter for adults rose 11 percent. Yet, the number of juveniles arrested for these crimes rose by an alarming rate of 93 percent -- a 93 percent rise in crime. In the last four years, there has been a 79 percent increase in the number of 10 to 17 year olds who use firearms to commit murder -- 10 years old to 17 years old.

With most of the cases, the failure of the juvenile to complete the process of counseling is basically the parents'

fault. When this occurs, what do we hear? "Oh, he fell through the system. He slipped through the crack." This is wrong.

We face -- still face -- a situation in our development, a juvenile with a five-year history, who was supposed to take counseling. The parents were supposed to take counseling. Yet, though he was given probation, there is no probation officer there to find the juvenile to make sure the juvenile and the parents are taking the counseling. They slipped through the system. Now, we are going through a chaotic event again, with not only the stress levels of our neighbors, but the stresses that my wife and I have endured for the past 10 years. It is all coming to light again, with a lot of flashbacks.

Juvenile records need to be released to all parties concerned who have signed criminal complaints -- all parties. Then the plaintiff -- meaning us -- will have fair representation and participation in court.

We heard mention about FCAT evaluations. FCAT evaluations need to be released to all interested parties in such juvenile court actions. Again, the victim, the plaintiff, does not know the background of the juvenile.

We heard Michael Brogan say up here, "Would it have made a difference?" talking about the two people who were murdered. If there was a crime watch group initiated and those people knew who those juveniles were in that area, it may have made a big difference. There may have been two lives saved. We don't know, but it would be worth it.

The FCAT evaluation is another injustice in the juvenile justice system. Here again, we protect the juvenile delinquent. Most juvenile offenders know right from wrong. Most know that they are committing a criminal offense. The time has come for the juvenile offender to be treated the same

as any other person who commits a criminal offense. There is no equal justice for all. Age now prevents equal justice, which should be afforded every citizen in this United States.

Incarceration in youth-based boot camps: I know you have a bill presently in the Assembly. I think it is an appropriations bill for \$150 million for boot camps. The age on that is from 18 to 26. This misses the juvenile offender, the young juvenile offender. I think I have proposed to Mr. Gibson to lower that age to 14 -- it was either 12 or 14. This should definitely be considered by this panel -- lowering that age.

Here we go again. I hate to use age, because it is an artificial barrier in the justice system. It should be no less than 10 years of age -- no less -- because of the crimes being committed by juveniles, until the age of 18. The reason for using age 10 is what I stated earlier, 10 to 17 year olds committing crimes with handguns. We want you to listen to the public outcry concerning overall crime, but more specifically juvenile crime. Enough is not being done to punish those juveniles who commit such crimes against the public, while the victims are being punished every day by having to carry the burden of an injury or the grieving for a loved one who was murdered. Is that juvenile being punished severely enough? Not in a heartbeat.

The juvenile offender does not have to be responsible for a lifetime of grief or remorse for the crimes they commit. Changes are needed to reform the juvenile system -- the juvenile justice system -- from the police departments to the courts, and now to this panel, before it is too late. How many more victims have to come before this panel, or another panel, or another legislative body, to plead for help?

We heard from the Prosecutor of Cumberland County, who alluded to the morale impact on the police departments, the

prosecutors' offices. What about the morale impact on the victims, and what they have to undergo?

We heard some questions about reducing the age from 14 down to 12. Here we go with the artificial barrier. I think one bill is at 12 years old. I don't know exactly which one, but I have copies I am working with. We think 10 years old would suffice.

The juvenile justice system is really a system without justice.

I want to thank you for all your concerns and consideration. My wife and I want to thank Mr. Gibson and Mr. LoBiondo for their concerns towards the justice system. We look forward to working with you, or with other members of the panel in the future concerning these matters.

Thank you very much.

ASSEMBLYMAN CATANIA: Thank you, Mr. Starner.

I guarantee you that this Task Force will be taking your recommendations very seriously. I think at the end there will be legislation put forth that will make it so that the perpetrator, the criminal, the juvenile delinquent, will be the one who is punished, not the victims.

MR. STARNER: Well, we look forward to working with you on this.

ASSEMBLYMAN CATANIA: I will tell all of you here tonight also, if you have any other suggestions that we might miss tonight -- or this afternoon -- please just address them to either Assemblyman Gibson or Assemblyman LoBiondo. We will get that information from them and will definitely deliberate on it when we put together whatever package we decide on at the end of our 90 days.

Thank you, Mr. Starner.

MR. STARNER: Thank you very much.

ASSEMBLYMAN CATANIA: Margaret Bitters.

If anyone has a printed statement, I would like it if they would please deliver that to the Office of Legislative Services, our Aide right at the front table.

Thank you.

M A R G A R E T B I T T E R S: Thank you for allowing me to speak. I wasn't invited, I invited myself. My husband, Mayor Bitters, received the invitation. I was so pleased to read what you were doing, I asked to be put on the agenda.

I am very concerned with juveniles and juvenile crime, because I have been working in this area since 1975. I have been a school psychologist for the Vineland Public Schools during all these years, and have also worked as an arm of the court system on a voluntary basis with the Juvenile Conference Committee. I worked on the task force that wrote the Family Court program for Cumberland County, which has promoted much more networking among the various agencies. But I still see a lot of problems that need to be addressed.

As a school psychologist, I am concerned with two issues tonight: more swift and harsh punishment for the serious offenders, and developing strategies so that those committing lesser offenses do not reach that level.

I work on a one-to-one basis with juveniles as a school psychologist. I can't tell you how many times they have indicated to me their confidence in that nothing is going to happen to them. It is time we removed this cloak of secrecy and protection which they know they now have.

A juvenile told me one day-- It is always their friend who is dealing drugs, or they used to deal drugs. Naturally, they don't tell me that they are now dealing drugs. But they will say things like, "It is people like you who are the bosses who give these kids the drugs," and they know that nothing is going to happen to the juveniles. So I say that these names need to be put in the paper. I feel personally that juveniles 14 years of age and over, their names should be

in the paper and disclosure of records should be swift. Below the age of 14, serious offenders could have their names published by order of the court. That would need review.

I feel that not only the first and second levels of offenses should be dealt with in this more harsh way, but all four levels. That would not have allowed those juveniles who did about \$40,000 worth of damage in the bus yard in Vineland to have their names in the paper. This should have been. I think the four levels of offenses, these things should apply to that we have been talking about this afternoon. The first two levels are the levels that I deal with in the Juvenile Conference Committee. They should not be published, of course, the petty disorderly persons, the disorderly persons.

I feel that we do a very valuable service when we serve on this Juvenile Conference Committee. The recidivism rate is quite low. These juveniles do not have a record. They are not on probation. We try to work out ways that they will not come to that level.

I think we need to do certain things. I see, as the years have gone by, how things have changed. When I first became a school psychologist in 1975, and I would say throughout the '70s, there was close communication between probation officers and myself. The probation officer would call me and say, "John Jones is on probation. How is he doing in school?" By the same token, I would call the probation officer of these students and say, "He has been truant. He has been suspended." Then there would be a violation of probation, and they would be brought back before the court.

This is no longer possible. The average caseload for probation officers in New Jersey is 40 to 70 cases per officer. In Cumberland County, they have a caseload of 130. So you can see why there can't be the communication between the probation officers and the school.

I feel that by these four levels being opened up to the public, those who are selling drugs -- the school can be made aware of it immediately. Now we have no way of knowing, except for what the other kids say. I think this is a mistake.

I wholeheartedly agree with the boot camp, with the in-hospital rehabilitation centers. I would also like to promote another thing that I think is very needed, which could be done very easily and very quickly; that is, a work crew. When we give dispositions in the Juvenile Conference Committee, we often give community service, which is a good thing to give. They do not like this. When we told the student one time that he was going to have to do 30 hours of work, he wanted to know how much he would get paid for it.

Now we have been told-- We have had direction come down from headquarters, "Please limit community service to five to fifteen hours," because then when they come back for a more harsh offense, they have to be given maybe 30 hours of community service. Now, five to fifteen hours, I feel, is completely inadequate. Another reason why this is becoming ineffective, is that no longer are they supervised by someone from the Sheriff's Department, as it was when I started out in this area. Now they are supervised on site.

I had a principal tell me that he would be glad to supervise some of these kids on which he had served complaints, but, "You are putting a burden on the people who signed the complaints. You should have work crews." I see political platforms advocating more policemen on the street. I say, "Put more probation officers in the juvenile department; put more people in the Sheriff's Department to supervise these juveniles. Have work crews where they dress up in the orange suits and they go out and do hard work. They won't like that when their peers see them." Now everything is in secret. They might go to a Little League field and paint a fence with nobody

around. I think these are things that could happen, and could happen very quickly.

I would advocate "three strikes and you're in" for these that has been alluded to tonight. When they have committed three offenses, no matter if they are petty disorderly person or disorderly person offenses, three of them, there should be more involvement. Get the parents where it hurts. Get these absent fathers to help pay fines. Welfare should be involved, and DYFS. These parents should be made responsible. It should hit them.

We also need to streamline the municipal court, because now the way it stands, very often the assistant superintendents and those in charge of discipline hesitate to serve truancy complaints, because they have to sit around so long and wait for the case to be heard, if they get there, or it is months after the student has been absent 50 days before the complaint is ever registered. So we need to work in that area, too.

Thank you for hearing me.

ASSEMBLYMAN CATANIA: Thank you, Ms. Bitters.

Again, I have to emphasize brevity. As time goes by, it may only seem to be 5:00 to everybody here, but it is getting later and later for me. I am going to limit everybody now to just a couple of minutes. You know, come up, and I will give you two minutes to speak. We will definitely have anything you want to say-- I have spoken to Assemblyman Gibson and Assemblyman LoBiondo. They will listen to you in their offices -- we will give their numbers out -- and they will be able to report to me directly and to the Task Force. We want to make sure that we hear from everyone, but again it is a matter of the travel time that Assemblywoman Gregory-Scocchi and I have to get back to where we both live.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Or maybe for our next meeting.

ASSEMBLYMAN CATANIA: We also have to be back in Trenton tomorrow morning.

Tom McCann, Principal, Landis Intermediate School.

T H O M A S P. M c C A N N: Thank you to the panel for the invitation, specifically Mr. Gibson. I received your letter in my office.

I am Tom McCann, Principal of the Landis School in Vineland here. I work on a daily basis with Ms. Bitters, our school psychologist. Many things that she has mentioned, I echo totally.

One of my major concerns as a school administrator -- I have been a school administrator for 12 years, 5 years in the Bridgeton area, Fairfield/Gouldtown area, and the last 8 here in Vineland -- is that there are many times that the students who have committed a crime in the neighborhood-- As a school principal and assistant principal, you are not aware of these crimes. They are walking by -- when I say "they," I mean these juvenile delinquents, these criminals, as I very emphatically tell them-- They are walking by our children in the hallways in these schools, and they are in our schools. It appalls me that I am not aware of this.

I look to the legal system, the Police Department, and everything is covered up to protect them. Yet, we have young children and adults, as they did recently-- Some of the alleged people who have committed this horrendous crime were students in my building years ago. They walked about our building, and they are criminals. They should be dealt with.

I commend this Task Force for taking the time to address this important issue.

Thank you.

ASSEMBLYMAN CATANIA: Thank you very much, Mr. McCann.

Steve Plevins, Juvenile Counselor, Vineland Residential Center.

S T E V E P L E V I N S: I am going to try to make it quick. Yes, I am going to make it real quick.

I have 20 years experience working directly with juveniles. I spend approximately 60 hours a week with them directly. I just have some comments I would like to make on this.

ASSEMBLYMAN CATANIA: Mr. Plevins, may I ask a question? The Vineland Residential Center, is that a--

MR. PLEVINS: I am speaking here for myself, not for them.

ASSEMBLYMAN CATANIA: Yes, I know, but is that a detention center?

MR. PLEVINS: No, it isn't. It is run by the Department of Human Services. It is a residential treatment center.

I am speaking here for myself. I am not representing the Center or the Department of Human Services.

I just have a few comments to make, since I feel the importance of being with these kids so many hours a week, and really, I feel, getting to know these kids -- these at-risk kids.

I worked for 10 years in Washington, D.C., too, with juveniles, and 10 years in Vineland for the State of New Jersey. I back the boot camps. I feel that the kids should be broken down; not every kid should go to a boot camp. It has to be the ones who have repeated crimes.

I also feel that juvenile workers like myself are needed to work, a lot of them, directly with the kids, not from a desk. You know, they should be working with the kids. In Washington, D.C., I took part in a roving leader program, where leaders, you know, worked directly in the community. They went right to the community.

Testing--

ASSEMBLYMAN CATANIA: I think you just shut a mike off.

MR. PLEVINS: Oh, it's off, and I don't know how to get it on.

ASSEMBLYMAN CATANIA: Okay, that's fine. We can hear you.

MR. PLEVINS: In Washington, D.C., we had a roving leader program, where the leaders went into the community. They were carefully picked college graduates who were good role models. They went into the community, into projects, and worked with the kids, with a ball, bat, and gloves in their trunks. I think we should get back to that type of thing, getting good role models into the community to work with these kids. In all different types of government, there are too many desk jobs. You know, people say, "I work with juveniles," but they are at their desks most of the time. They don't even know what makes these guys tick.

Also, I think teens need to be busy. Dynamic community programs must be set up. Lastly, community volunteering is a constructive way of keeping them busy.

I have everything in writing that I want to give you. One thing I want to say just to wrap it up is, I have a formula here that I have used over the 20 years. I received a Point of Light Award from President Bush. I have been honored by Congress. I have all kinds of awards.

On a successful note here, there is a particular formula I have used with the teens I work with now in the community and at work, with rehabilitation based on volunteering in the community. I have the steps here. Many of the kids, after a particular program, have worked and are not going back to jail after the program. This has been very successful. I have used it for years. It is based on community volunteering, you know, having excellent role models, getting training for jobs, and being exposed to cultural things. There are four steps. A lot of the kids-- Community volunteering is a heavy thing. I brought kids, even gang

leaders, into the Veterans' Home in Vineland. They have worked on projects there, several guys. They found out that they would like to work in a place like that. They had jobs when they got out. They had friends in the community. They turned around.

This is needed, with leaders working directly with the kids, supervising the kids, and going with them and doing work in the community. I feel that one of the main things for rehabilitation is work in the community with leadership, with excellent supervision and leadership. I have done it. It is work. I have the program right here, you know, that I have done. It has been very successful in helping a lot of the kids. Again, I have seen gang leaders wheel people across the way with tears in their eyes, helping them, which you would not believe. They have to be brought out in the community. I have teens feeding the homeless here. I find it a great success. A lot of them have gotten jobs through that, and have not come back to the system.

ASSEMBLYMAN CATANIA: If you can make that available to the Office of Legislative Services, we will be happy to have that distributed. All of this, by the way-- The microphone that counts is the one that does not make it louder in here. The one that counts is this one (demonstrates), because this is all being recorded. What we will be doing is having this transcribed. We will be sitting in the Task Force making a decision as to what we should be doing with regard to juvenile justice in New Jersey.

Thank you.

Barry Bruner. After Barry, we have Terrence Coursey. Is he here? Terrence Coursey? (no response) John Vasser? (no response) James Rooney? (no response) Clayton Reid? (no response) Judy Manno?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Judy had to leave.

ASSEMBLYMAN CATANIA: Frances Schoenstien? (no response) Eugene Stites? (no response)

Thank you, Barry. I'm sorry.

B A R R Y B R U N E R: That's okay.

I just want to briefly introduce you to two solutions that our organization runs, for your consideration. We operate two programs, the first one being the FIRE project, which is an acronym for Fire Incident Reduction Education. Basically, in a nutshell, it is a juvenile fire setter program. It takes kids who have either been caught setting fires or who have been suspected of setting fires and runs them through a program to find out, number one, why the fire was started; number two, what the contributing factors were; and number three, to keep fires from reoccurring from those juveniles.

It not only encompasses the juveniles, but the parents of the juveniles are also required as an integral part of the program, because a lot of times the parents are the problem leading to fire setting by the kids.

The second program we operate is an Explorer Program. This is an emergency services Explorer Program geared to juveniles aged 14 to 20, which actually takes them and puts them into an emergency services type atmosphere. Presently, they are being taught basic life support and the operation of an ambulance. We are encouraging and receiving right now kids who have been sentenced to community service from Family Courts and JCCs. They come to us, and rather than having their 20 hours spent cleaning bathrooms, painting fences, mowing lawns, they are put into classes and they will be put into Ride Along Programs with ambulance squads, including our own, so they can actually see the results of violent actions.

The material I have I gave you up in Passaic County. I am available any time.

ASSEMBLYMAN CATANIA: I'll tell you, that is a great idea. You know, maybe we can do something to try to get other

counties to follow your lead in that. It is something, I think, that may well work with some of the juveniles.

MR. BRUNER: It has worked so far. We have only had one repeat in a year.

ASSEMBLYMAN CATANIA: Great.

MR. BRUNER: Thank you.

ASSEMBLYMAN CATANIA: Thank you, Mr. Bruner.

Ms. Frances Schoenstien? (no response) Not here.

What is your name again?

S T E P H A N I E P E R L S T E I N: (speaking from audience) Stephanie Perlstein.

ASSEMBLYMAN CATANIA: Okay, come right up.

MS. PERLSTEIN: My name is Stephanie Perlstein. For 18 years, I worked for the Division of Youth and Family Services. For a number of those years, I was a supervisor of Adolescent and Residential Services. Many of these problems we have heard today, and many of the youngsters, some of those who have committed very serious crimes, are personally known to me.

I want to mention two things, not to be repetitious, because much of it has already been said. One of the things I have seen is that some youngsters are mentally ill. The young lady who recently confessed to murder in our county was diagnosed as a mentally ill person. We were asked to put her into a facility for the mentally ill.

The State of New Jersey does not have any facilities for mentally ill youngsters. They don't seem to--

ASSEMBLYMAN CATANIA: What about Arthur Brisbane?

MS. PERLSTEIN: We have Arthur Brisbane, that is absolutely correct. However, Arthur Brisbane is a short-term facility. We have to appear every month, and take the kid out. Take the kid out-- Where to? We are not told. We do not have any longer term facilities.

ASSEMBLYMAN CATANIA: I don't mean to interrupt you, but I happen to know that Arthur Brisbane is a long-term

facility. The requirement that you have to appear every month is because of the court's civil commitment. The patient has the right to be able to know whether or not they-- The court has to know whether or not that patient is still being kept there.

MS. PERLSTEIN: That happens to be-- When we appeared, we were always pressured to take the youngster out. But we had no ongoing facilities. At one time, we had a ward at Ancora, and at one time we had a ward at Trenton State where we could put mentally ill youngsters. But these were closed. Brisbane, as far as I know, has 48 beds, and is usually overcrowded.

The point is, "Yes, take the kids out. We're overcrowded," but we do not really have ongoing longer term facilities for the mentally ill. That is one thing I wanted to mention.

The other point I wanted to mention is, we have the Skillman School for Juvenile Offenders. I believe it was 10 to 14. In our infinite wisdom, we closed Skillman.

ASSEMBLYMAN CATANIA: No, let me correct you there, also.

MS. PERLSTEIN: Okay.

ASSEMBLYMAN CATANIA: Skillman was 212. That was closed, yes, it was. It was closed two years ago. I have been fighting-- Since that time, I have fought against the previous administration -- the Florio administration -- and I am trying now to fight against the Whitman administration. This should definitely be reopened. It was the only place in the State of New Jersey where we had 10 secure young ladies' facilities. Once that was closed, we no longer had them. We are going to sell this property, and it is going to be gone. I agree with you.

MS. PERLSTEIN: I felt that when as a supervisor I got a call at 3:00 in the afternoon and they said, "Willie was

released to the care and custody of the Division," where am I going to put Willie? We do not have the facilities. We try to convince foster parents, who really should not have a juvenile criminal in their home, but often do.

So what I am asking you is, give us the facilities. I do think a boot camp is a good idea, but it should be differentiated between different types of offenses and between different age groups.

We have, in Cumberland County, a day treatment program which takes youngsters who are juvenile offenders who have to be adjudicated into a daily treatment facility, where they have their schooling, some job training, and some counseling. I think any facility that we would open would need to have a good dose of discipline; it would have to include schooling, counseling, and job skills.

Thank you.

ASSEMBLYMAN CATANIA: Thank you very much, Ms. Perlstein.

Sonny Alexenberg. Is there anyone else who will be speaking after Mr. Alexenberg, or who wishes to speak? Okay, we have one, we have two. (counting hands from audience) Have you signed up with the Aide? (affirmative response from audience)

Go ahead, Sonny.

S O N N Y A L E X E N B E R G: Hi. Thank you for allowing me to come up here. I am going to make it as brief as possible.

My name is Sonny Alexenberg. I know what incarceration is. I was a prisoner of war in Germany for almost two years. I was a police officer for approximately 30 years, where I ended up Chief of the Woodbine Police Department before it was disbanded. I was a fireman for 45 years, from which I just retired. I was in the Ambulance Corps for 30 years. I had a Little League team years ago. I had it for about 18 years. I went up to the Babe Ruth and so forth and so

on, and a big majority of the kids I took an interest in are college graduates. One is a Superior Court judge now. Many of them are teachers. One of them is in naval intelligence. So if you work with kids personally, there is-- A kid is not born bad. This is what I believe.

Now, all the suggestions I heard about, boot camps and kids' names being in the paper, I agree with them wholeheartedly. I have also been on the Board of Education in Woodbine for almost 10 years, where for the last 6 years I was President.

Now, I have heard parents come to me who said, "How am I going to punish my kid? If I hit him, they are going to sign a complaint of assault on me." So, where do we go? The common thing said, "If you do the crime, you do the time," whether you are a juvenile, whether you are an adult. The fact of the matter is, all the talk now is, "What are we going to do with these major crimes?"

The Juvenile Division is one of the most important aspects of law enforcement I believe we have. More time should be put into the juvenile system to allow them to work with children before they graduate -- so-called "graduate" into the major crimes.

Now, I have a couple of ideas here that are not going to cost money. You are liable to be able to do them for nothing. One of the major things is that in the juvenile courts today, they get a slap on the wrist and they send them home. But where are they sending them? They are sending them back to the same environment that I feel caused their problems. The way to alleviate that is, send them home to the same environment, but have the judge penalize them by giving them home arrest. Take away privileges. Make their parents responsible for them being home. Now, if the parents have to go to work--

If a parent has a young child, get a baby-sitter to take care of that child to protect him against himself. If they have a child who is a juvenile delinquent, let them get a baby-sitter to take care of that juvenile to protect the victim, because it is all repetitious.

Another thing is, community service should be a mandatory thing. That would save a municipality money. According to the crime, so much time in community service. They could help in the firehouses, the Ambulance Corps buildings, the State facilities, the local facilities, the county facilities in their area.

So these things could be done. The rights of victims should not be overlooked because a person is a juvenile. A crime has been committed and should be handled. Therefore, I think these things could be--

Another thing that is considered a nothing, a curfew. Now, I live in the center of Woodbine. What happens? These kids, when they get older, repeat crime after crime after crime. They become a leader of a peer group. "Nobody can touch me. I can do what I want." They look like the Pied Piper, all these little kids following him all over town. I see it every night. I live right in the middle of Woodbine. We have a very small community. We only have about 2800 people. Everybody knows each other. But that doesn't do any good. We have to have somebody in the Juvenile Division to take hold of the kids when they are small and bring them up the proper way.

We do not have police in Woodbine now. We have State Police. They do not have time to do anything with the juvenile kids. The fact of the matter is, when I was a police officer years ago -- I am an old man now -- police officers did not want to bother with juveniles. It took time. They had to go to court. It cost the boroughs money, because they would have

to pay them overtime to go to court. And then they came home. One time, two times, five times, ten-- There was one juvenile I had who was in court 17 times, until he finally got sent away up here to Bridgeton. He was released real quick because his father was ill. Within 10 days, he killed a woman, a woman who could not talk.

I mean, something has to be done.

ASSEMBLYMAN CATANIA: That is what we are here for.

MR. ALEXENBERG: Yes, I know.

Another thing that is liable to save time, in my opinion: The courts are jammed. The county courts are jammed. In Cape May County, the population isn't like it is up in North Jersey, but naturally it has less judges. Isn't it possible-- Municipal judges are lawyers. They are officers of the court. Can't they possibly handle the same crimes of juveniles as they do with adults? That way, it would alleviate the county courts from doing that. They can handle the same thing. It is not that they are laymen. They could do that. Whether it is legal or not, I don't know. Naturally, now it is not legal, because they have to go-- But if there could be a change to separate these things. Not only that, your municipal courts can talk directly to the parents that their peer group knows, and maybe get more out of them.

I wish these things could be done.

Thank you very much. Jack, thank you very much for having me here.

ASSEMBLYMAN CATANIA: Thank you, Sonny.

Sonny, what is that you have on your lapel?

MR. ALEXENBERG: This lapel? It's bob wire. It is a POW thing.

ASSEMBLYMAN CATANIA: Sonny, did you say you were in Germany?

MR. ALEXENBERG: Yes. It was kind of rough. I was Jewish in Germany, and it was not that easy.

ASSEMBLYMAN CATANIA: That's interesting.

We have two other people, just for a couple of seconds. I don't have the names up here.

ASSEMBLYMAN GIBSON: Margaret Davis is one of them.

ASSEMBLYMAN CATANIA: All right. Margaret Davis? And, your name?

D I N A M U R R A Y: (speaking from audience) Dina Murray.

ASSEMBLYMAN CATANIA: All right. Margaret, would you please come up?

Okay, we have a few more. Just one minute, if you will. (speaking to unidentified person in audience)

M A R G A R E T D A V I S: Mr. Chairman and members of the Task Force: I feel the judicial system has to be changed concerning juveniles. I feel juveniles who commit adult crimes should stand trial as adults. They should also receive harsher sentences for the crimes they take part in.

I think there should be boot camps for first offenders. I think the parents should take a bigger responsibility than they do. If they are subpoenaed to court and they do not come, they should be arrested. That is how I feel.

I worked at the courthouse for a good many years in Bridgeton. I know the court system has been very lenient with these juveniles over the years.

About a month ago-- My son works at the gas station here in Vineland. He was held up by four juveniles. They held a gun to his head, and a knife to his throat. They got \$400. They left the station. They shot at him three times. Thank God, they did not hit him. They went up the street and murdered a couple. There were four of them; three of them were under 18. There was only one who was 18. The rest of them were under 18 years of age.

I commend you for your Task Force, and hope that something can be done with juveniles of this type before they kill other people.

ASSEMBLYMAN CATANIA: I can tell you that the Legislature, your Assemblypeople here, the Task Force, and the Governor are all committed to making sure that we do something to stop what is going on. You know, it is not a matter of being only in the urban areas -- like where I come from, the City of Paterson -- but it is also in the suburban areas and the rural areas. We are looking into it. That is why I am happy to be here in Vineland, because it is no different. We hear the same stories here. We heard the same testimony here that we heard in Paterson and that we heard in Manalapan. There is no difference. It is all the same.

We will have to make some very, very tough decisions. I think it is going to be that small minority of the juvenile delinquents who cause the major portion of the violent crimes who are going to suffer under our legislation. It is no longer going to be the people who are prisoners. It is going to be the juveniles, the perpetrators of the adult crimes, who are going to be the prisoners.

MS. DAVIS: Right. The outrage was that they were going to turn them over to their parents. Well, in the first place, the parents did not know what they were doing anyway. So I think that has been taken care of.

Thank you.

ASSEMBLYMAN CATANIA: Thank you.

MS. MURRAY: Good afternoon. My name is Dina Murray. I am just a resident and a taxpayer. I am also new to Vineland. I have only lived here for about a year. I love my little neighborhood. I came from the Cherry Hill area with the anticipation of settling in an area of Vineland that looked relatively peaceful and quiet.

As our neighborhood has developed, we have had several incidents that have caused us all concern, to a point where we have all gotten together, formed a Town Watch Committee, and have also devised a sort of telephone network to sort of help

each other at times when we know that in one end of the neighborhood we see them coming and, you know, the people at the other end-- We have a little chain whereby we tell each other what is going on.

We have some parents who work. Fortunately, we have some fathers who are home during the day for the mothers who are by themselves, who are actually living in fear. We have one young mother with two small babies who, on an early evening one night, was forced to lock her doors and close her curtains, because there were some youths who were shining lights in her windows, harassing her, calling her names, running around her property, throwing stones at her brand-new home, and almost breaking her windows for the second time. They did eventually cause damage.

Unfortunately, by the time the police come, they have scattered, so it is very difficult to get these young people to be accountable for their actions. I just feel that we, as adults, have to set an example. We have to become accountable for not only our own actions, but our children's. I understand in a time when everyone feels that their rights are being violated that we need to be concerned about people and their rights. However, along with rights come responsibilities.

I really do not feel in today's youthful generation that there is any sense of fear, or any sense of responsibility or accountability for what they do. If they know they can get away with something, why bother punishing them? The parents, a lot of times, aren't even home. I know in the development where I live, a lot of the things that have happened are caused by people who do not even live in our neighborhood. They are just sort of cutting through. We know where they live, but short of following them and, you know, getting their addresses, or running out to the street to get their license plate numbers -- sometimes some of them are driving -- we really don't know what else to do, except to follow them home.

We are afraid of reprisals, and it has already happened. One evening, I had someone drive by my home and throw a whole set of firecrackers at my car in the driveway. Now, I go to work, fortunately, 10 minutes away from where I live. It is literally only a mile. My parents are home by themselves all day long. I have an alarm system. I feel that we have done all we possibly can at this point to protect ourselves. But what do you do in the process of everyday living to protect yourself? My dad is out in the garden. My son is riding his bike. He is afraid to ride his bike in the neighborhood, because these older kids are going to come along and push him off.

I just feel that we really need to address parents being responsible for their children. I think if we can hit parents, you know, where it hurts, sometimes to them, then they will make their children responsible.

I wrote a statement, which I guess all of you probably have. One of the things I mentioned is that we need to discipline our children at home, so that they have manners and respect for authority and property. We need to back each other up as community members. If my son is doing something wrong down the street, my neighbor needs to correct him. I have given them permission to do that. As a community, we need to do that for each other.

I have heard, in the short time I have been here this afternoon, some ideas that I would certainly back up. I wish I could have been here from the beginning. I certainly wish there was an opportunity for you to come back another time, so more of the public would be able to come and hear more of what is going on.

ASSEMBLYMAN CATANIA: That could happen without my being here. You have Assemblyman LoBiondo and Assemblyman Gibson who, again, would be happy, at the end of this meeting, to tell you their phone numbers. You can go to their offices,

express your concerns, and they could then just submit your statements to my Task Force, and my Task Force would then decide about any consideration that would be given.

MS. MURRAY: Well, I think we may just do that. As a unit, in the area where I live, I think we have considered that. We have already had a meeting about that, so Frank will probably be hearing from us.

ASSEMBLYMAN CATANIA: In fact, that is something we invite you to do. We ask you if you will do it. We would appreciate it, because that is the purpose of these meetings, to hear from people.

MS. MURRAY: I would very much like to ask that you let us know what happens. You know, I--

ASSEMBLYMAN CATANIA: I can tell you this much: You will know when this Task Force meets and the final decision comes out. You will hear about it, and I am sure you will be reading about it.

MS. MURRAY: Okay. Thanks a lot.

ASSEMBLYMAN CATANIA: Thank you.

This is the last person, George Williams.

G E O R G E W I L L I A M S: Yes, sir, thank you.

I did not apply to speak, because a couple of our people did. However, what I would like to do is to commend you people on the work you are doing on this project. I would also like to commend Assemblyman Gibson, because we have had ongoing dialogue with him. We meet with him as the Coalition of Civic Associations of Cape May County. We boast about 20,000 members. I am President of that, and also President of the Civic Betterment Association of Lower Township. When we meet with Assemblyman Gibson, he is speaking for a lot of people when he speaks to you.

A couple of other very short things I would like to bring up: Almost everything I could bring up has been brought up, but there is one thing I think we should go a little

further with, with regard to your Task Force; that is, parental consent -- parental consent. Most of the time, you have to have parental consent to have a child evaluated in school. When we are talking about juveniles, chances are they are school children. If you have to get parental consent, how can you get that from parents who are probably no better than the kids?

We would like to see, maybe, oh, you know, when a kid gets pink slips, or three detentions, or whatever, and the kid is very destructive-- I am not talking about chewing gum in school; I am talking about disruptive kids who are a small minority, who are interfering with the learning of the majority of kids who go to school. I still think that most of the kids are good kids. There is a small faction that are not too good. Why couldn't they be evaluated without parental consent, not to put them in jail, but to see what kind of help can be given to these kids before they become incarcerated. It would be cheaper to do a little work with them pre-jail, than it would be to keep them in jail.

Most of the time, you have a ringleader, and you have four, five, six kids who are following him. The ringleader we may not be able to do anything about, but those four, five, or six kids who follow that ringleader -- maybe they can be saved through a little counseling. I would like to see that in the bill if at all possible.

ASSEMBLYMAN CATANIA: There is a possibility of our looking into that.

MR. WILLIAMS: The other thing is, I see very little reason why a juvenile, even in the case that Mr. Starner and Ms. Bloom spoke of-- These are pretty severe kids. But perhaps a couple or three years ago when these kids started to act up, maybe if we had the old magistrate system of 40 or 50 years ago, when they would be brought up before the magistrate,

the magistrate would haul their parents in, and say, "Let's get this thing settled--" Fine the parents, and give the kids something to do.

For a kid to wait until he has to go to Superior Court -- juvenile court -- the kid has forgotten what he has done.

ASSEMBLYMAN CATANIA: That is one thing we are looking at right now. We are looking at it very seriously with regard to parental responsibility.

MR. WILLIAMS: So this parental responsibility should come in. I think we need to get these kids at a much earlier time. We can't wait nine or ten months for them to appear in Superior Court. The old magistrate system seemed to work pretty good. I think maybe we should invoke that again. I know the attorneys and the prosecutors do not like to hear that, because--

ASSEMBLYMAN CATANIA: That is not the case.

MR. WILLIAMS: No?

ASSEMBLYMAN CATANIA: The attorneys and the prosecutors, I'm sure, don't even care. I'm sure if you asked your prosecutor, he would be willing to prosecute anybody. It is probably simpler than the magistrate court, which is basically the municipal court right now.

MR. WILLIAMS: It would alleviate their load, so that they could go on to more important business.

ASSEMBLYMAN CATANIA: Absolutely.

MR. WILLIAMS: I mean, if a kid throws a rock through a window--

ASSEMBLYMAN CATANIA: Usually, the municipality has a municipal prosecutor, and it probably would lighten his load. That is why--

MR. WILLIAMS: Again, what I really want to do is commend your Task Force.

ASSEMBLYMAN CATANIA: I thank you for that.

MR. WILLIAMS: I also give a lot of thanks to Jack Gibson and Frank LoBiondo, and actually Jim Cafiero. The three of them work together, the Senate and the Assembly. It is nice to have ongoing dialogue with a member of the Legislature.

ASSEMBLYMAN CATANIA: You can all thank them for us being here today. I will blame them for my getting home late tonight and missing supper. Paybacks are tough, let me tell you. (laughter)

MR. WILLIAMS: Don't feel bad. We are on our way to another meeting at 7:00.

Thank you.

ASSEMBLYMAN CATANIA: We have one other speaker, Terrence Coursey.

T E R R E N C E C O U R S E Y: To the Chair, and the Honorable Assemblymen LoBiondo and Gibson: Thank you, and I promise not to take very much of your time. In fact, I can be real brief.

Why don't you gentlemen just introduce -- be pioneers and introduce legislation that would bring back caning. Remember what they-- I think that might solve the problem.

ASSEMBLYMAN CATANIA: Do you think this type of Task Force would be going on right now in Singapore?

MR. COURSEY: Well, I don't know. Caning is around in Japan, and they still break the law.

Truthfully, I come from the Martin Luther King Academy, where juvenile prevention is one of the key things we do. In fact, I wear three hats today. My second hat is, I Chair the Cumberland County Youth Service Commission. I would like to say that we have one of the better judges as relates to Family Courts in the State in the Honorable Judge Stanger. I believe he is going to be a "pioneer" in terms of helping to reform juvenile justice.

Also, I am a father of four males and one boy, African-American males. I would like to say to you, I read a

lot of statistics. What the statistics say is that my children's life expectancy is shorter than mine. They are more likely to die at the hand of a gun before they reach 24, than I am to die of old age. So I have a lot of genuine concerns in being here, believe me.

I had a minor crisis back at the office and they called me out of here, so I won't take your time and go over the whole speech. However, I will reiterate something that the Prosecutor said. The problem in Cumberland County could have probably been avoided -- some of the problems we have had, not all of them, because people are still going to be bad. Six juvenile probation officers do not make for a good system. In comparison, Gloucester County has a ratio of 40 kids on probation to 1 juvenile probation officer. In Cumberland County, from what I am told, the numbers are more like 140 kids to 1 juvenile probation officer. They only have time to shuffle papers, not to really work with the kids.

Having sat in a courtroom and witnessed a few cases recently, I think that some of these problems could have been avoided by intensive supervision programs. I didn't hear anyone mention intensive supervision prior to leaving, but we have the adult/juvenile Intensive Supervision Program that meets in our offices on Thursdays, and sometimes on Mondays. I can tell you from witnessing that program firsthand, it works. I believe it would work for juveniles. When you don't know what time the officer is going to come to see you, or what time he is going to come to collect your urine, or whatever, I think that has an impact.

The kid I witnessed being sentenced, the judge more or less threw his hands up, because the kid got "As" in school, but when he was out on the street he got into mischief. Once we sent him away to Jamesburg-- For instance, when he comes back, he is going to be headed to bigger and better things. He is going to be a hardened criminal after that point. Had we

put him on juvenile intensive supervision, we believe this kid may have turned out to be a productive kid in our society. He probably would have become a taxpayer.

Those are the kinds of things we are concerned about. You know, not to take any more of your time, but I think programs like that can have a positive impact. I think the Youth Service Commissions throughout the State could have a positive impact and positive feedback to your Task Force. They all have plans. On the 13th of this month, we will be meeting with several other Youth Service Commissions in southern New Jersey to discuss the similarities between our plans, to see how we can implement them. Again, funding is an issue.

With that said--

ASSEMBLYMAN CATANIA: We are aware of the funding problem. Many of the things that you have just testified to, you know, the intensive supervision, we have heard before. We heard about intensive supervision in Paterson from the Total Life Concept there. We also heard from some of the juveniles in that program about how it has worked.

Your testimony basically confirms what we have heard in other areas, and we appreciate that.

MR. COURSEY: Okay. Thank you.

ASSEMBLYMAN CATANIA: I would like to thank everybody today for being here. I would like to thank Assemblyman Gibson and Assemblyman LoBiondo for inviting us here. It was a very fruitful meeting. We will have this transcribed for us when we deliberate and decide what type of laws we are going to be putting in.

In the meantime, your representatives are here. They are the people who can bring anything they want to us, and we will listen to them -- even though they do owe me.

(HEARING CONCLUDED)

APPENDIX

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PRESIDENT
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EXECUTIVE DIRECTOR
 MARIANNE KORNBLUH-LODS

MEMBER:
 Chamber of Commerce of the United States
 N.J. State Chamber of Commerce
 U.S. Department of Commerce Associate Office
 Small Business Administration Resource Center
Over a Century of Service to Vineland

TO: ASSEMBLY JOHN C. GIBSON
 ASSEMBLY TASK FORCE ON JUVENILE CRIME
 FR: MARIANNE KORNBLUH-LODS, EXECUTIVE DIRECTOR
 RE: JUVENILE JUSTICE
 DT: MAY 4, 1994

On behalf of the Board of Directors and members (650) of the Greater Vineland Chamber of Commerce, I'd like to thank you and your colleagues for taking the initiative of conducting public hearings on the issues regarding the problem of juvenile crime and the justice system which deals with it.

We have recently written to you and to Governor Whitman about the concerns that face all of us as business owners and as citizens of our communities in having to deal with repeated juvenile offenders. A very heinous crime which occurred in Vineland recently has caused most people to take notice of the shortcomings of our justice system.

Whatever the reasons may be which have led us to a point in our history that causes us as a society to be extremely lenient and forgiving to lawbreakers of all ages, but particularly to those of a minority age, we must change that tide and rewrite legislation which gives the law enforcement agencies and the court system more authority to stricter sentencing and corrective measures. We would also agree that the names of the juveniles be made available to the public as a potential deterrent of a criminal action. However, we can not stop at that and must have serious consequences enforced if a juvenile is convicted of a serious crime.

Wherever one goes these days, the subject of juvenile and crime and justice being implemented is a topic being discussed very passionately. It is our obligation as citizens to make a commitment to teach our children and grandchildren a high standard of ethics. It is the obligation of the business community and the leaders of the community to encourage and mentor youthful employees and raise their level of self-esteem. It is the obligation of you, our Legislators, to create the necessary changes in order to make the punishment for juvenile crime a deterrent to youths that want to test the water.

The situations we are faced with today did not come about overnight, they were probably two or three generations in the making; however, solutions to deal with this crisis need to be well planned and implemented very quickly.

THE N.J. ASSEMBLY TASK FORCE ON JUVENILE CRIME

FROM: JUDITH A. MANNO
JOSEPH S. MANNO
1323 N. EAST AVENUE
VINELAND, NJ 08360
(609) 794-1679

MAY 4, 1994

I HAVE BEEN A HOMEOWNING TAXPAYING CITIZEN OF THIS COMMUNITY FOR CLOSE TO THREE YEARS NOW. I LIVE IN A DEVELOPMENT OFF OF N. EAST AVENUE HERE IN VINELAND. I HAVE BEEN DEALING WITH JUVENILE CRIME ON A DAILY BASIS FOR AS LONG AS I HAVE LIVED HERE. WE HAVE JUVENILES WALKING IN GROUPS ACROSS OUR PROPERTIES THEY THROW ROCKS AND SPIT ON MY DOG WHILE I STAND OUTSIDE AND PLEAD WITH THEM NOT TO. THIS HURTS AND MAKES ME VERY ANGRY. I AM INTIMIDATED BY THEIR IGNORANCE AND THE ONLY THING THE LAW CAN TELL ME IS THAT THERE IS NOT MUCH THEY CAN DO FOR US.

WE NEED TO DO SOMETHING AS A COMMUNITY. WE NEED TO HELP ENCOURAGE AND EDUCATE PARENTS TO TAKE RESPONSIBILITY FOR THEIR CHILDREN. WE NEED TO ENFORCE THE LAWS THAT ARE SUPPOSED TO PROTECT THE TAX PAYING CITIZENS.

THE NEIGHBORS AND I TRY TO WARN AND PROTECT EACH OTHER FROM THESE JUVENILES. BUT IT IS NOT ENOUGH. OUR HOUSES ARE BEING DAMAGED AND OUR CHILDREN CAN NOT EVEN PLAY IN THEIR YARDS WITHOUT BEING EXPOSED TO DANGER AND FOUL LANGUAGE. WE NEED TO ENFORCE BETTER LAWS NOW TO CORRECT THESE PROBLEMS.

I KNOW IN OUR SMALL DEVELOPMENT ALONE ALOT OF US ARE NOW RAISING JUVENILES OF OUR OWN AND WE KNOW THAT THIS IS THE FIRST PLACE TO START CORRECTING THIS PROBLEM BY RAISING OUR CHILDREN TO BE RESPECTFUL CITIZENS. BUT OUR SMALL DEVELOPMENT IS NOT ENOUGH FAMILYS TO CORRECT THIS PROBLEM. MAKE PARENTS RESPONSIBLE FOR THESE CHILDREN THEY MAY OR MAY NOT CHOOSE TO BRING INTO THIS WORLD. THIS MAY ONLY BE A SMALL PERCENTAGE OF THE VIOLENCE IN THIS COUNTRY BUT THE REMAINING PERCENTAGE OF VIOLATORS OF THE LAW WERE ONCE JUVENILES. SO IT IS VERY IMPORTANT FOR ALL OF US INCLUDING STATE REPRESENTATIVES THAT WE STOP AND LEARN HOW WE CAN STOP THIS VIOLENCE NOW.

LETS GIVE OUR CHILDREN THE RIGHT TO HAVE A NORMAL CHILDHOOD AND NOT BE DESTRUCTED BY THIS VIOLENCE.

WE NEED TO ENFORCE THIS AND MAKE THE LAWS TOUGHER ON THE PARENTS AND THE JUVENILES RESPONSIBLE FOR THIS TORTURE.

IN CONCLUSION, AS A TAXPAYING HOMEOWNER OF THIS COMMUNITY AND AS A MOTHER OF A FOUR YEAR OLD. PLEASE HELP US NOW!

THANK-YOU!

2X

How busy are the recruits? From the wake-up call at 5:00 AM until lights out at 9:00 PM their day is filled. Mornings find them busy on the obstacle course, learning flag ceremonies, close order drill, and on work details. From 1:00 until 7:00 are regular school hours, and from 7:00 until 9:00 they clean their rooms, polish shoes, iron their uniforms, and shower before turning in. We don't want them sitting around talking about how they break into homes and steal cars.

Finally, what is the incentive to succeed? Simply stated, it might just be fear. Each recruit knows that failure could well result in placement in a much tougher program, possibly even state prison. They know that the Boot Camp is their last chance, the final alternative to a life of crime.



SHERIFF
CHARLES B. WELLS



MANATEE COUNTY SHERIFF'S OFFICE



**BOOT CAMP
BREAKING THE CHAIN**

**FOR MORE INFORMATION
PLEASE CONTACT THE
MANATEE COUNTY
SHERIFF'S OFFICE**

**(813) 747-3011
Ext. 2311**

JIM HUFFSTUTTER

3X



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Welcome to the Manatee County Juvenile Boot Camp facility. We have high hopes for the success of our venture here, and are most pleased to make information available to all who are interested. I realize the program we have begun is in its infancy, and unproven. Yet, I feel strong action is necessary to reverse the frightening trend we see in the involvement of our young people with the law. The juvenile boot camp is clearly not a panacea. There are many lessons to be learned before it operates at its optimum to turn around some of these youths. The one lesson we must all take from it, is any action is better than no action. Many approaches have been tried in the past, and some continue to work with youthful offenders. We have targeted those persons who have involved themselves most seriously and committed the most serious offenses. We give them one final chance to make something of their lives. We offer one last chance at education, and an opportunity to learn to say no to the criminal way of life.



Since this program is new, and in some regards highly experimental, we solicit your comments and suggestions. For those who are interested in learning more details of our approach, we welcome your questions, and will endeavor to provide straightforward honest answers.

Thank you for your interest,

CHARLES B. WELLS, Sheriff

Long an advocate of direct action to attack problems, Sheriff Charles B. Wells looked for a solution to a fast growing quandary. The jails were full, and the same offenders travelled through the revolving door of justice time after time. Young people were introduced early to a life of crime, and it seemed many of the programs designed to treat the malady were not working. Then, in about 1989, he visited the State of Florida Adult Boot Camp at Sumter. It was a new approach to handling offenders between the ages of 18 and 25, or so.

After scrutinizing the Florida Prison System, Sheriff Wells thought a county level young adult boot camp might be feasible. With that in mind, Sheriff Wells began to plan for building the facility, and budgeting for its operation. Using inmate labor, and with the support of the county, construction began on a thirty bed facility.

During the planning phase, it was learned there were a limited number of young adult inmates in the county jail that would meet the criteria for admission to the boot camp. Circuit Judge Durand Adams, who was sitting on the juvenile bench, proposed a program like this might be very beneficial in dealing with juveniles who were involved in serious law violations, and had failed to respond to other juvenile programs.

Discussions with the State Department of Health and Rehabilitative Services (HRS) followed, and decisions were made to initiate the Boot Camp as a juvenile program, limited to those young people who had numerous serious violations in their record.

To accommodate this approach, legislation had to be prepared and enacted, to enable the counties and municipalities to conduct boot camp programs.

The program is designed primarily around a paramilitary setting, instilling discipline, self-control, and strengthening the determination of "Recruits," to say NO to the "Homeboy" with whom they previously associated, and with whom they got into trouble. The goal is to change the criminal beliefs and values of the recruit, and provide him the opportunity to learn by attending classes in the disciplined setting of the boot camp where distractions to the learning process are kept to a minimum.

HRS contracted with the Sheriff's Office to pay a daily fee for all thirty beds of the facility, screen and process recruits, and enter them into the program which is run by the Manatee County Sheriff's Office. All of the corrections officers on staff are veterans who volunteered for positions as "DI's". They each received over 200 hours of specialized training in preparation for this assignment, both from HRS and our agency.

Although the program is new, and relatively untried, significant lessons are being learned at this early stage. The first recruits entered their four month training period in March, 1993 and were transitioned in July to enter an eight month phase with the Associated Marine Institutes, where they will continue their education, and work under the close guidance of the Marine Institute nearest their home, while living at home. It is expected that a group of recruits will transition each two months, and a new group will enter the training.