

APPENDIX



Making It Better, Together.

Testimony of Camden County regarding Juvenile Detention Facilities

Thank you, Chairperson Greenstein, and the entire Law and Public Safety Committee for hosting this public hearing, giving counties the opportunity to provide you with testimony regarding placement of juvenile offenders in County detention facilities. As one of the few remaining juvenile detention facilities in the State of New Jersey, we are sensitive to the needs of our neighboring counties, but we are particularly concerned that we might lose our ability to protect Camden County juvenile defendants *and* our taxpayers should a reasonable solution not be found.

Forgive me if I repeat what others have shared more eloquently, but most of it bears repeating due to the gravity of the situation.

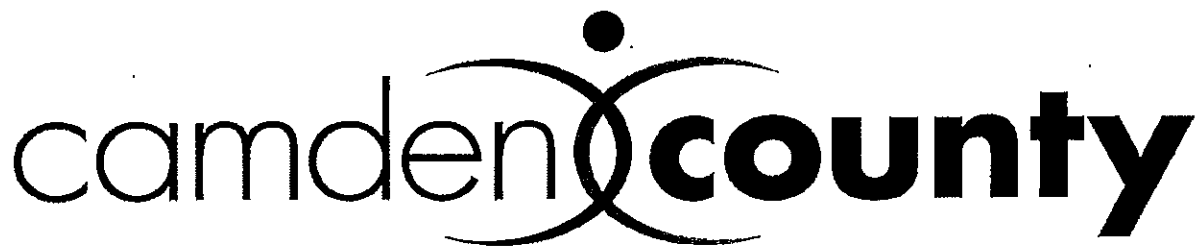
Camden County, being one of the remaining seven (7) counties in New Jersey to operate a juvenile detention facility, is hopeful that a reasonable solution to the crisis of juvenile justice placements can be achieved. However, we emphatically state that Camden County's juvenile detention facility cannot be the *only* viable solution to juvenile placement needs for all of the southern New Jersey counties.

It is critical to understand the many challenges that County juvenile detention centers in New Jersey are facing, including chronic short-staffing and the increasing seriousness of juvenile offenses.

Staffing is a critical issue for all juvenile detention centers, and Camden continues to experience vacancies of more than 20% of budgeted staff. We have dedicated recruitment teams and we conduct broad outreach, but hiring and retaining JDOs remains exceptionally difficult. Young people no longer aspire to careers in law enforcement, especially in corrections and juvenile justice. And juvenile detention officers have the disadvantage of being classified outside of law enforcement, making their positions even less desirable.

It is also important to recognize that the youthful offender is no longer the teenager committing low level offenses that we detained prior to the implementation of JDAI. The juveniles being detained in our facilities today have serious offenses and complex medical and mental health diagnoses. They are both high risk and high need, requiring a level of treatment and supervision that strains our staff and resources.

Additionally, Juvenile Detention Facilities in New Jersey are required to accept placements of offenders up to the age of 26, the presumed "age of rehabilitation", when charges stem from an offense which occurred when they were less than 18 years old. This places an extraordinary strain on both staffing and programs as we endeavor to separate the offenders according to age and offense. We have had juveniles as young as 13 and as old as 21 being placed in our Youth Detention Center.



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For example, in 2021 and 2022 Camden County Youth Detention Center was required to detain adults of 20 and 21 years of age, who were charged with murder, and who were in our detention center for between two and three years. Not only are these types of cases difficult for our officers, but they create inappropriate environments for other juveniles in our custody and a strain on housing options within our facility.

Choosing to look only at our population count does not in any way tell the story of our available space or the ability of our staff and administrators to safely and appropriately supervise the youth in our care. The population count is simply a point-in-time count that doesn't consider the needs of the juvenile, the severity of their charges, nor the emotional dynamics of young people placed in custody. It is critical to understand that classification, individual needs, etc., drives our ability to house juveniles from another county, not the daily count nor the rated capacity established by the JJC. The number of juveniles that we can house varies from day to day, and possibly even hour to hour.

Finally, and critically, we feel strongly that investments made by Camden County taxpayers in our facility should not be overlooked by a somewhat arbitrary establishment of a universal per diem rate. Labor agreements, debt service from construction and repairs, as well as programs implemented locally all effect the actual cost to our taxpayers to operate our facility. We reject the establishment of a statewide per diem rate.

Thank you for your attention this morning, and for your willingness to consider solutions to this intractable problem.

Submitted by,

Marianne Holly Cass
Deputy County Administrator
County of Camden



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MEMORANDUM

To: Senate Law & Public Safety Committee
From: County of Bergen
Date: March 19, 2025
RE: **Juvenile Detention Facilities**

On behalf of the County of Bergen and the Bergen County Juvenile Detention Center, we want to thank Chairwoman Linda Greenstein and the Senate Law and Public Safety Committee for inviting us to Trenton to address the challenges counties operating Juvenile Detention Centers are facing with housing juvenile offenders, the fluidity of the rated capacity set by the Juvenile Justice Commission, and to hear our recommendations for potential solutions. Additionally, we want to reaffirm the County of Bergen's commitment to keeping Bergen County juveniles in Bergen County, investing in rehabilitative services, and assisting surrounding counties when we have the staffing and bed availability to do so.

Unfortunately, the issue of overcrowding in Juvenile Detention Centers has been going on for decades. On several occasions, counties have tried to resolve the issues through judicial intervention, but these issues can only truly be addressed by the legislature and key stakeholders.

As to housing juveniles, the Juvenile Justice Commission (JJC) is well aware that the maximum population capacity of a Juvenile Detention Center is determined not only by the number of rooms, beds, or other facilities within a Center. The rated capacity of a Juvenile Detention Center depends on whether or not the Juvenile Detention Center is adequately staffed to meet the specific regulatory defined staff-to-juvenile ratios established by the Manual Standards for Juvenile Detention Facilities. Specifically, N.J.A.C. 13:92-10.6 dictates the staffing requirements of juvenile detention facilities. The ratio of childcare workers (otherwise known as Juvenile Detention Officers) on duty to juveniles during waking hours shall be at least one worker to eight juveniles and during sleep hours at least one worker to 16 juveniles. N.J.A.C. 13:92-10.6(g).

While the JJC determines the rated capacity for all of the county-operated Juvenile Detention Centers, this calculation does not account for the fluidity of actually operating a Juvenile Detention Center. The rated capacity calculation does not account for staffing shortages or certain clinical needs of juveniles. Therefore, the forced admissions of juveniles, as proposed by the JJC, is not simply a matter of having enough beds and staff; it also involves assessing the needs of the existing

youth in care and those being proposed for admission.

Bergen County's Juvenile Detention Center is unique in comparison to other counties because our operation falls under our Division of Family Guidance. Through the Division, we have case managers, clinical social workers, a consulting psychiatrist, a forensic psychology unit that will provide court-ordered evaluations (for Bergen residents only), Substance Abuse Counselors who hold master's degrees and Certified Alcohol and Drug Counselors who provide court-ordered substance abuse evaluations (for Bergen Residents only). These same Substance Abuse Counselors provide psychoeducational groups on substance use. We have had other psychoeducational groups such as healthy relationships, financial literacy, and a book reading circle. We also provide other educational, recreation, and pro-social activities including music, art, tai chi, etc. In addition, Bergen County spent nearly \$30 million to build a new facility in 2012.

Further, Bergen County offers its services to most counties across the State through Shared Services Agreements where there is available bed space and adequate staffing. In some instances, Bergen County contracts with other counties to guarantee beds for their juveniles in our facility. Unfortunately, due to the staffing shortages, we cannot always meet our contractual obligations.

For the aforementioned reasons, we join in the proposed recommendations set forth by the New Jersey Association of Counties in the following order:

1. Amending legislation to prohibit juvenile detention facilities from housing adults over the age of eighteen. In most detention centers, there are a mix of minors and adults occupying the same facility. In Bergen County, nearly 60% of our juveniles are eighteen or older. In fact, we currently have a 21-year-old adult who has been housed in our facility for four years and three months. It is our belief that housing juveniles with adults is detrimental to the rehabilitative goals of the juveniles as well as the safety of our juvenile detention officers who are trained in the handling of youths only.
2. Establishing additional resources and venues for the recruitment, retention, and training of juvenile detention officers to help address critical staffing needs. The issue is that most juvenile detention officers do not wish to stay as juvenile detention officers due to the pay and their desire to advance their careers. Financial assistance from the State can assist in retaining our staff, improving our services, and potentially expanding our facilities.
3. As to the issue of whether the State should build regional facilities and take full control and responsibility of juveniles, this is essentially what is currently in place. The counties who continue to operate the Juvenile Detention Centers are akin to de-facto regional facilities as each facility serves multiple counties through the form of Shared Services Agreements.

The County of Bergen submits this written testimony to help the Committee understand the issues through our perspective while also attempting to assist in a resolution that is beneficial to the juveniles, to the counties and to the residents. Thank you for your time and consideration, and please do not hesitate to contact me at

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

SHANEL Y. ROBINSON
NJAC President
Somerset County Commissioner

JOHN G. DONNADIO, ESQ.
Executive Director

MEMORANDUM

To: Senate Law & Public Safety Committee
FROM: New Jersey Association of Counties
DATE: March 20, 2025
RE: JUVENILE DETENTION FACILITIES

On behalf of the Board of Directors of the New Jersey Association of Counties (NJAC) and its Juvenile Detention Facility Working Group, thank you to Chairwoman Linda Greenstein and the Senate Law and Public Safety Committee for holding a public hearing to address the substantial challenges county governments are facing with housing juvenile offenders.

With only one-third of the State's twenty-one counties currently operating juvenile detention facilities, county governments across the State have been struggling to secure and maintain adequate housing and provide vital support services for juveniles taken into custody. County law enforcement officials, juvenile detention officers, social service professionals, and management attribute these struggles to a variety of factors that include an increase in serious crimes committed by juveniles, the housing of certain adults in juvenile detention facilities, inadequate staffing and training opportunities, lengthy case processing times, and a fragmented system for housing juveniles between counties that operate juvenile detention facilities and those that do not.

These long brewing challenges came to an unfortunate head late last year, when on multiple occasions, Atlantic, Cumberland, and Gloucester counties could not secure placement for juvenile offenders because "no beds were available" in any State or county facility. The matter in Atlantic County is now working its way through the courts as the County filed a lawsuit demanding that the Juvenile Justice Commission (JJC) is ultimately responsible for the placement of detained juveniles under the law. To further complicate the situation, and notwithstanding existing contractual agreements among county governments, the JJC subsequently issued an Administrative Order to cease all juvenile admissions in Atlantic County at the Harborfields Juvenile Detention Center as the facility is at maximum capacity. Moreover, the Administrative Order forced juvenile detention facilities in the six counties that operate such facilities to accept Atlantic County youth within five days. Although the Appellate Division must still consider several matters concerning civil rights violations, contractual obligations, and more, the Superior Court ultimately granted Atlantic County Declaratory Relief and held that the "JJC is responsible for placing detained juveniles ... pursuant to N.J.S.A. 2A:4A-37." County of Atlantic v. State of New Jersey No. ATL-L-1947-24 December 23, 2024.

Importantly note that as a result of the Juvenile Detention Alternatives Initiative (JDAI) and work of the JJC to provide effective alternatives for housing youthful offenders in secure detention facilities, the JDAI framework forced most counties to close their facilities within the past twenty years as approved by the JJC. As noted above, only six counties currently operate juvenile detention facilities in Bergen, Camden, Essex, Middlesex, Morris, and Ocean with the JJC responsible for managing Harborfields in collaboration with the Atlantic County Department of Law and Public Safety. Each of the remaining fourteen counties must enter into a shared services agreement to house juveniles taken into custody in their counties with counties that operate a facility for either a guaranteed number of beds or on a per-diem basis. *For example, Cumberland County may enter into a shared services agreement with Ocean County for five guaranteed beds to house Cumberland juveniles when necessary. Cumberland and Ocean counties may also enter into a per diem agreement if Ocean County is currently housing the five guaranteed juveniles from Cumberland, but Cumberland needs an additional bed for a sixth juvenile.* However, if the Ocean County facility is at maximum capacity or cannot house additional juveniles for safety, staffing, or other reasons, Cumberland County must locate a separate facility to house the sixth juvenile through a per diem agreement. Herein lies an additional significant challenge that county governments are struggling to navigate and the basis for NJAC's Working Group recommendations of which include:

1. Prohibiting juvenile detention facilities from housing adults over the age of 18, where for example, approximately 25% of Hudson County's juvenile detention population is over the age of 18. NJAC recommends implementing an in the "Interest of Justice Hearing" process to determine if it's in the interest of justice to detain a juvenile in an adult jail or lockup when a juvenile reaches the age of 18; when a juvenile violates the conditions of probation after reaching the age of 18; and when an individual over the age of 18 incurs a legal charge while in custody in a juvenile detention facility.
2. Streamlining the intake, remand, and placement process as the average statewide length of stay for youth in a secure detention facility is nearly 6 months and well over 1-2 years in many cases. The process should model the adult Criminal Justice Reform timelines with the final disposition or trial to take place within 2 years following the initial intake and screening of a juvenile.
3. Having the State Legislature establish a Task Force to review the current juvenile detention facility structure and make recommendations on whether the JJC or existing county facilities should be selected to house juvenile detainees in three to four regional locations.

NJAC submits that these recommendations present fair and equitable solutions for housing adults in juvenile detention facilities by creating a process to protect juveniles in custody from those over the age of 18 and by further guaranteeing that all juveniles have the right to a speedy intake, remand, and placement process. Thank you again for your time and consideration, and please do not hesitate to contact John Donnadio at any questions or concerns.