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New Jersey State Legislature
OFFICE OF LEGISLATIVE SERVICES
LEGISLATIVE OFFICE BUILDING, CN-068
TRENTON, NEW JERSEY 08625-0068

ALBERT PORRONI
Executive Director
(609) 292-4625

GLENN E. MOORE, III
Director of Central Staff
(609) 984-4811

JOHN J. TUMULTY
Section Chief
(609) 292-5526

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T A S K F O R C E N O T I C E

TO: MEMBERS OF THE ASSEMBLY TASK FORCE
ON JUVENILE CRIME

FROM: ASSEMBLYMAN FRANK CATANIA, CHAIRMAN

SUBJECT: TASK FORCE MEETING - April 12, 1994

The public may address comments and questions to Miriam Bavati, Task Force Aide, or make scheduling inquiries to Elaine Fennelli, secretary, at (609) 292-5526.

The Assembly Task Force on Juvenile Crime will meet on Tuesday, April 12, 1994 at 1:00 PM at Passaic County Community College, Paterson, New Jersey.

The topic will be :

Education and rehabilitation of juvenile offenders.

New Jersey State Library

Small and good work

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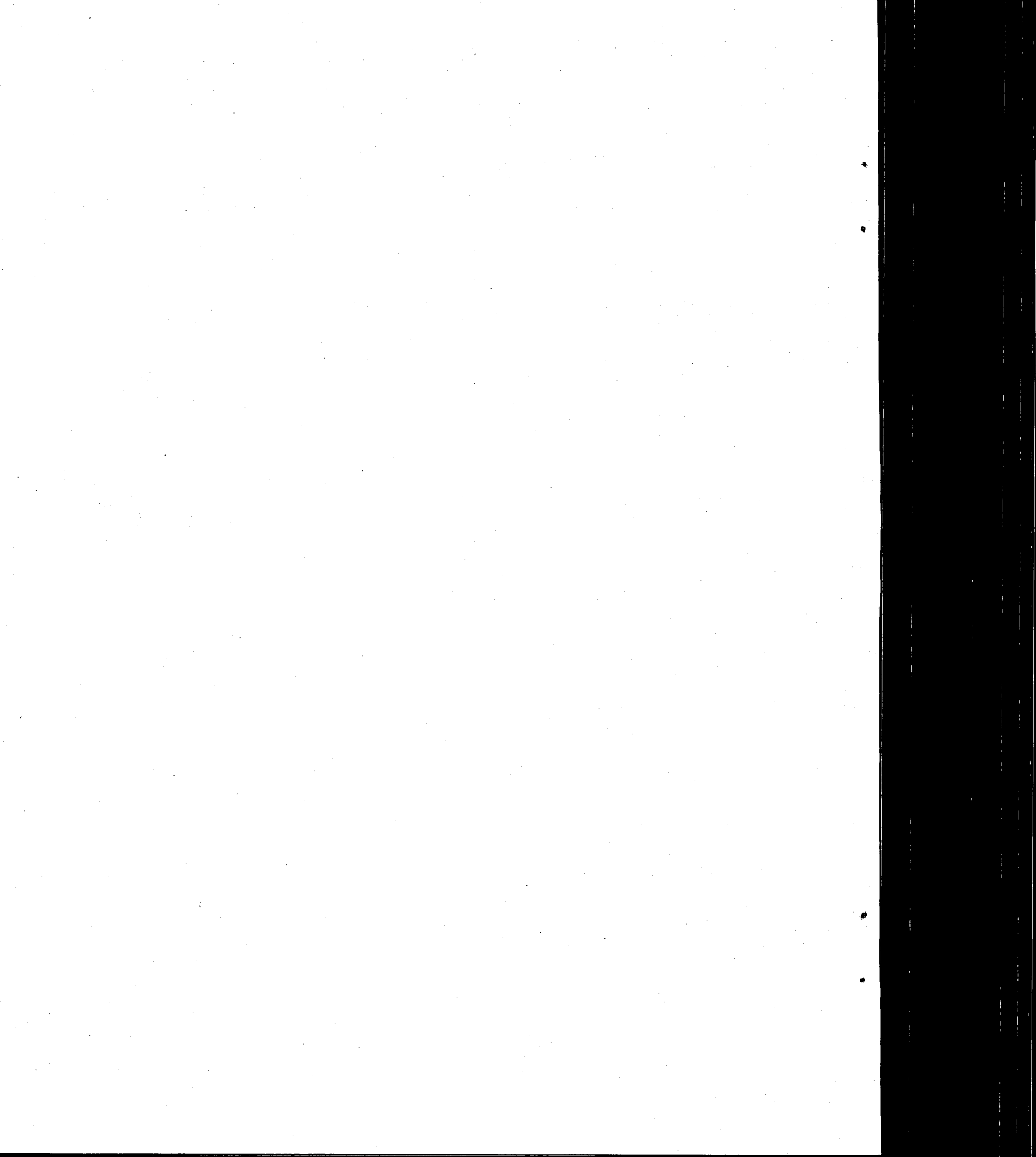


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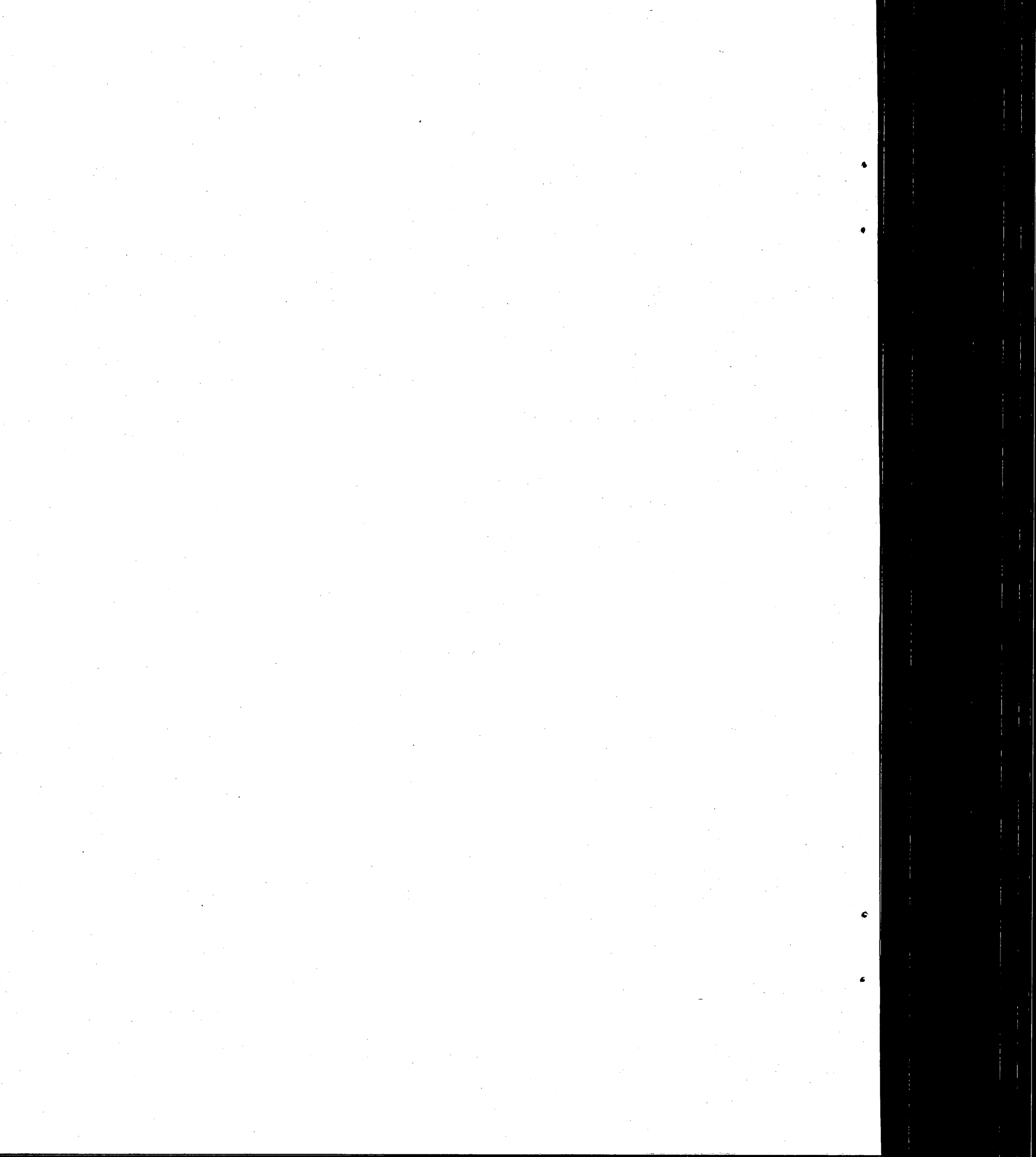


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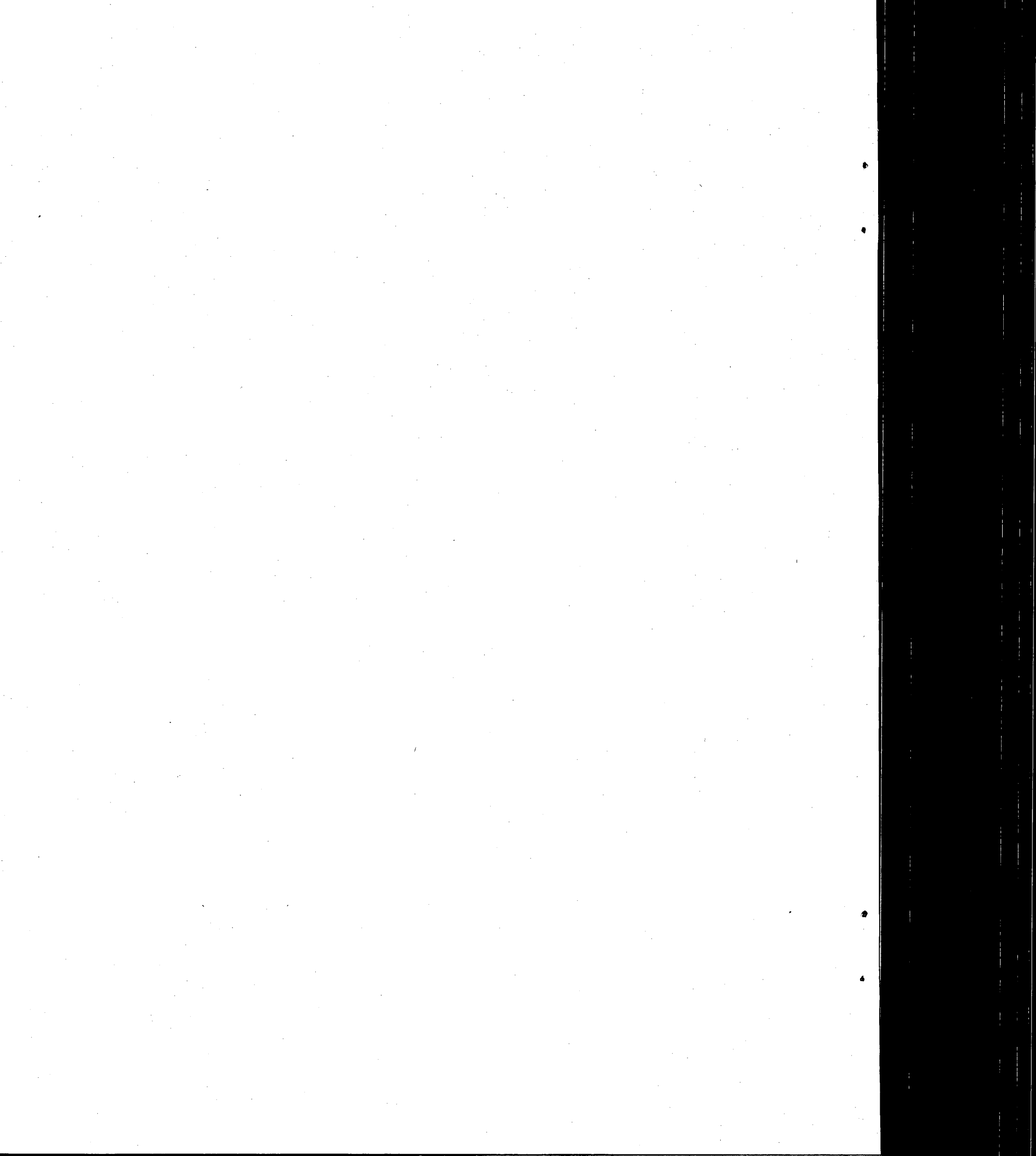
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ASSEMBLYMAN FRANK CATANIA (Chairman): Okay, I think it is time for us to start.

Anyone wishing to testify, there are slips here. If you will please fill them out and pass them to one of the aides -- the legislative aides -- we will have you testify. We will do it in the order in which they come in.

First of all, my name is Frank Catania. I am one of the Assemblymen from the 35th District. The other Assemblyman, Bill Pascrell, should be here. He indicated that he would be stopping by today.

I would like to welcome everyone, and thank you for taking the time to be here today to offer your insights into our troubled juvenile justice system. We are going to be gathering information about the juvenile justice system and juvenile crime in New Jersey. All of us must realize that we cannot solve in 90 days that which has taken decades to evolve. We can only begin to solve the problems once those problems are identified.

We must begin to find out why our boys and girls are choosing to express themselves in terms of violence against others and through the deliberate destruction of property. There is no denying the fact that our society has gone wrong, when children become predators of the old and the sick, and when kids kill kids for a jacket or a pair of sneakers.

In the past few months, we have heard and read many accounts of our failures to control violent teenagers. Like many of you, I have been shocked and saddened by the accounts I have read in The Record and elsewhere of our State's failures to deal effectively with juvenile delinquents. No account is more disturbing than that of little Amanda Wengert. Her alleged murderer was protected by the juvenile justice system, and that same system tragically failed Amanda and her family.

Juvenile crime is growing faster than the juvenile population in New Jersey. Our State ranks fifth in the nation

in the number of juvenile arrests; fourth in arrests for violent juvenile offenders. This is a disgrace. We appear to have a juvenile justice system that is too fragmented, and perhaps overworked.

Programs that are needed on the county and local levels, such as the Probationfields and the Total Life Program in Passaic County, are underfunded, and their very existence is threatened. We must question the decisions to close juvenile training facilities when we lack the facilities needed to place young offenders. Were those decisions truly beneficial to the State or merely political expedience? I am referring there to the closing of Lloyd McCorkell.

I am concerned that we may not only be failing the law-abiding citizens of our communities, but that we are also failing the juveniles themselves, many of whom need more than the fear of arrest to be dissuaded from a life of crime.

The recent publicity surrounding juvenile crime has spurred much debate and calls for action in Trenton and elsewhere. But I caution my fellow legislators and our social scientists that unless we go about the work of reforming our juvenile justice system in a deliberative and comprehensive manner, we will again wind up with a fragmented and ineffective system.

We need to move more carefully and decisively, and we must move in a coordinated effort to bring all the resources of the State, county, and local governments to focus on solutions for the crisis that faces us. I believe we must craft legislation that sends a very clear message to the community that we will not tolerate juvenile crime and repeat juvenile offenders. Serious crimes, whether they are committed by someone 15 or 50, should be dealt with seriously and harshly.

I believe we should craft laws that hold parents more accountable for the crimes of their sons and daughters. The law and the courts cannot go into every home and administer

discipline. That is the job of parents. If the parents fail in their responsibility to discipline their children, then the law should force them to face up to their duty, or face appropriate punishment.

This brings me to my third point: family and social responsibility. I would be less than candid if I said I thought the solution to juvenile crime problems rested solely with more and better government programs or harsher prison terms. The juvenile crime crisis we face was not created by government, and it will not be solved solely by government. The problem begins in each of us with parents, in our schools, in our churches, in our institutions, and again, mostly in our families. The breakdown and breaking apart of the family structure is one of the root causes of our juvenile delinquency problem.

The traditional two-parent family has failed, and has now disintegrated. Our once stable neighborhoods are increasingly riddled with drugs and prostitution, and are controlled by gangs. These problems, coupled with other social factors such as rampant materialism, media violence, racial hatred, and the general lack of respect for others and their property, are creating a world without limits for many of our youngsters. Like many of you, I grew up in a world of boundaries and limitations; a world in which there was right and a world in which there was wrong; a world in which there were moral absolutes that were taught in the home. I grew up in a world where parents taught and demanded respect for themselves from their children and others.

Sadly, and to our social detriment, that world no longer seems to exist. It has been largely replaced by a valueless culture of violence and extremism. I know that talking about values and the breakup of families is not politically correct, but I would rather be politically incorrect than to pretend that we can solve our juvenile crime

problems by spending more money on boot camps, prisons, and rehabilitation programs alone. The truth is, we can't.

As a nation, we spend too little on our children, until and unless they do something wrong. Then we are prepared to spend millions to punish them or try to rehabilitate them, but by then it is often too late. We should be investing more in the beginning, helping families, setting standards in our schools, supporting values that teach respect, and helping communities to share in America's economic dream. To me, it makes little sense to take a hopeless street criminal, incarcerate him, or send him to boot camp, only to release him back to the same drug- and crime-ridden community from which he came. This is not justice.

By the same token, it is not justice to allow juveniles to repeatedly commit crimes against communities. It is not fair to protect young offenders simply because they are young. We must begin to develop a two-pronged strategy on juvenile delinquency. In the short term, we need to immediately enact measures to protect the law-abiding by taking young criminals off the streets and out of the schools. We must send a unmistakable message that crimes against society will be punished, no matter what your age.

For the long term, we must begin to recraft our social support system so that all people who want to, are encouraged to become productive contributors to the community. We need, once again, to instill respect for others and belief in a traditional value system that has served prior generations so well.

It is my hope that all of us, those of us here today, those of us in the Legislature and in the community, have the courage to look honestly at our juvenile justice system and juvenile crime problems and accept the fact that very basic changes must be made in how we deal with not only juvenile

offenders, but how we deal with the larger social problems as well.

I would like to ask any of my fellow colleagues if they have any opening statements before we start?
Assemblywoman Gregory-Scocchi?

ASSEMBLYWOMAN GREGORY-SCOCCHI: Hi. I am Joanna Gregory-Scocchi. I am the newest member of the Assembly. I would just like to take this opportunity to thank the Chair, Assemblyman Frank Catania, for carrying forward this Task Force.

What Frank said is absolutely correct. We need to look at all of the options; we need to look at everything. We are not going to fix this system overnight, but we have to be cognizant of the fact that we have to look at everything and hear the testimony from the people who are here today, so that we can then learn about it.

Just last week, I had an opportunity to go up to New York State -- a seven-hour drive -- to take a look at a boot camp. In that boot camp -- it was very interesting -- there were people there who-- Maybe it will turn one person's life around, but on the whole the recidivism rate is not that successful, although the people I spoke to -- the inmates I spoke to personally -- were very excited and said that it had turned their lives around.

I am very interested in hearing from everyone today. We have to look at everything, all the options, and that is what this Task Force is all about.

Thank you.

ASSEMBLYMAN CATANIA: Assemblyman Zisa, Assemblywomen, would you please introduce yourselves, indicate where you are from, and who you represent. If you have a statement--

ASSEMBLYMAN ZISA: I am Assemblyman Charles Zisa, from Bergen County, District 37. For the past 15 years, I have been a juvenile officer with the Hackensack Police Department, so I

am quite interested in what takes place in the review of the Juvenile Justice Code.

I want to echo the Chairman's comments, in that whatever we decide to do as a body, we should do very carefully and very deliberately, because in the long run I think we have the potential to do as much damage as good if we fail to carefully consider any actions we decide are necessary. Of course, we can only do it with the input from citizens and from representatives of the various agencies that deal with the youth in our State, so we are looking very hard at any recommendations that come forward.

We call on everyone in the State of New Jersey to assist us in our mission. We will give careful consideration to everything that is brought forward, and hopefully in the end we will reach some sort of consensus which will move the State in a very positive direction for the benefit of the kids and for the benefit of the future of our State.

I am pleased to be a part of this. I thank all of my colleagues on the Task Force, who have put a lot of effort into this.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Assemblyman.

Assemblywoman Gill?

ASSEMBLYWOMAN GILL: My name is Nia Gill. I am an Assemblywoman from the 27th Legislative District. Also, 12 years ago, I was a public defender, both juvenile and criminal adult trials, in Passaic County, so I know intimately the problems that are faced not only in the county, but in the State.

There is an ancient African saying that the ruin of a nation starts at the threshold -- in the homes of its people. Therefore, it seems to me that we must seek to strengthen the unit of our society, that everyone maintains is the fabric of our society, and that is the family. We must deal with the

issue of juvenile crime by having programs that strengthen the family unit, that help overly stressed young mothers who are having young children to deal with the violence in the society.

When we look to the incarceration, we must look to the quality of the incarceration. Are we locking up these young people, or are we taking them out of society in order to train them in a humane condition so that they reenter society as a whole human being?

I think we have to look not only to prevention as a punitive aspect, but we have to look to the investment of our children as our future generation of leaders. So juvenile crime and juvenile violence is something we must deal with in a holistic, deliberate, and humane method in order to ensure our future.

So I join with this Task Force in order to be able to discuss these issues, so that we can come from these hearings with a comprehensive and in-depth program.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Assemblywoman.

Assemblywoman Virginia Haines?

ASSEMBLYWOMAN HAINES: Thank you, Mr. Chairman.

I am Assemblywoman Ginny Haines from the 10th Legislative District, which is Ocean/Monmouth Counties, from Toms River to Belmar, which is along the shore.

I would just like to thank the Chairman. I echo all of his comments, and those of my colleagues, in what has been said today. Our society has changed over the last 15 to 20 years, and many of the laws and programs that are on the books right now apparently are not doing what needs to be done in our juvenile justice system.

I really look forward to the testimony we are going to be hearing from the people who are in the law enforcement community, those who have possibly been offenders, and those who are in the social part of the community, to find out what

we best can do with the laws that are on the books or the programs that are there. Should we continue with the present laws? What needs to be amended or changed, or have new bills introduced?

I am just happy that we are having these hearings so that we can attack the situation Thank you.

ASSEMBLYMAN CATANIA: Thank you, Assemblywoman.

I would first like to call on Superior Court Judge Carmen Ferrante. He is the presiding Judge of the Family Court in Passaic County. Good afternoon, Judge.

J U D G E C A R M E N A. F E R R A N T E: Good afternoon, Assemblyman. Good afternoon, too, to all members of the Task Force.

I did not know I was going to be the first called. I appreciate that. I will have the opportunity to make a presentation and make some comments to you, and also answer any questions you may have by way of what is involved in the juvenile justice system as I see it as a working judge in our State; coming from a county that is involved a great deal in juvenile justice, and one of the four or five counties that has a large amount of juvenile complaints filed on a regular basis -- the numbers of which I will give you soon -- being involved on a regular basis with inner-city problems, since we have two inner cities in Passaic County that produce the majority of the complaints in our court system; and the difficulties as I see them as a judge involving police departments, agencies, and the like that have to service the county and service the court system.

The first comment I would like to make, if I may, Mr. Chairman, is that I have prepared a very brief statement of some thoughts I have had as a judge. I must present the first caveat, that I am not permitted to comment on any pending legislation or any proposed legislation. I think you are familiar with that, that as a sitting judge, I am not permitted

to do that under our code of ethics. However, I would like to say that not only do I echo the things you said in your opening statement, and the statements that were made by the other members of the Assembly who are spending their time today to address this problem we have in New Jersey and throughout our nation, but as I see it on a daily basis.

I see society producing children who are not part of the mainstream, part of what is involved in what you and I recognized years ago when we were involved as young people in our schools and our city streets here in Paterson. I, too, am a product of the City of Paterson, a graduate of School No. 10 and Paterson Eastside High School. My feelings are that these children who are produced in our society arrive in our society without hope; that their lives, from the beginning, are dysfunctional, without value, and without hope.

One of the things I learned in college as a sociology major when we talked about the family structure and we talked about the basis of our society, more particularly the family, was that-- The professor said this the first day we were in sociology class as a comment: "Without the basic unit of a family, society would crumble." What we see lacking in our society today is the family unit, or the family structure that is necessary to assist these children we are bringing into our society who have no hope, who are dysfunctional, and who are not part of our mainstream.

There are deeper problems that have to be addressed, as you have indicated, Mr. Assemblyman, with reference to resources not being the silver bullet that will solve the problems of juvenile justice. As the other members of the Assembly have said here this afternoon, no matter what type of program we may produce, recommend, or think we can put together-- You mentioned two fine programs that we are proud of here in Passaic County, namely the Total Life Program and Probationfields, which do a hell of a job with young people,

trying to rehabilitate them and keep them out of the reformatory, thus saving the State many, many dollars by way of costs to maintain someone in Jamesburg, or the like.

But this is a deeper problem that has to be discussed. We have to discuss prevention; we have to discuss preintervention, preprevention and dimension, if I can go back that far, and then arrive at what we talk about, the resources that are available, an idea we have, as trial judges -- I have as a presiding judge for the last 16 years in Passaic County in the Family Court.

There are many, many things I could say about resources, but I think your attitude and your comments earlier about the fact that this is a deeper problem, and that resources will not solve the entire problem, are 100 percent correct and should be looked upon by all of the members of the Legislature for the purpose of addressing juvenile justice.

As a national officer of a national organization, I appear on many occasions -- and we have other people appear on many occasions -- in Washington, D.C., to talk to legislators and members of Congress, just recently on the crime bill that is in existence, or that is before the Assembly now -- before the Congress, rather, for consideration by our lawmakers in Washington. We talk about the same things we hear everyone talk about in New Jersey, the concern about the violence that has occurred in juvenile justice; the concern about the lack of resources; the concern about whether it should be rehabilitation versus incarceration. The discussion can go on for hours and hours as to what philosophy or what theory will work.

I think it is a great day today in Paterson that you are here to listen to what the people in the trenches have to say about the juvenile justice system, the people who work on a daily basis connected with my court -- our court here in Passaic County. By that I mean the social workers, the program

operators, the police departments, and I hope there are some members of the Prosecutor's Office and also the Public Defender's Office here to present their views, because they are there every morning, every day, trying to put lives together and trying to straighten out situations.

That is my brief comment, Mr. Chairman. I would like to present to you certain facts also, if I may, Mr. Chairman, about Passaic County. Many of us would probably think that Passaic County has two cities that present the majority of the problems with reference to juvenile justice. By numbers, that might be correct, but by percentage it is not 100 percent correct. We deal not only with Paterson and Passaic, but I have figures here that deal with robberies, sexual assaults, aggravated assaults, arsons, and breaking and entries that go into other cities -- CDS drug violations that go into other cities and other communities throughout the County of Passaic. I think some of you would be surprised if you were to hear the towns that are involved with these types of situations, and the alleged violent crimes that people believe only occur in Paterson, Passaic, and the like.

It is true that Paterson and Passaic do have a large percentage of the involvement because of their inner-city problems and because of the intensive population that exists in those two communities. But our county is made up of a cross blend of many situations -- our county, considered by many to be a blue-collar county. The numbers were surprising to me, as I had them removed from the computer this morning before I came to make this visit with you.

I would like to say that in Passaic County last year in the juvenile justice system, just to give you an overall picture of the Family Court, we handled 21,375 cases. Of those, 5286 were juvenile. So you can see that the Juvenile Division of the Family Court makes up a large percentage of

what we do on a regular basis as far as the justice system here in Passaic County is concerned. We average, in the juvenile section of the Family Court, I would say, between 500 and 600 cases a month, of which we have disposed of, to date, 2286 over a period that started in July 1993 to December 1993.

I do not have the latest figures, and was not able to get them for you, but I would just like to say that those are figures that were submitted to the Administrative Office of the Courts taken from our computers and taken from the work sheets we do on a regular basis.

I could discuss other problems in the Family Court, but I think we are here to discuss the most important one, the salvation and help of all our juveniles and children for the purpose of making them productive citizens of our community.

I would like to ask if you have any questions, and then I would like to speak about some resource ideas I have.

ASSEMBLYMAN CATANIA: Judge, if you would, just a few questions. Again, if any of us ask any questions that because of ethics you are not supposed to answer, please excuse us, and those questions will not be answered.

JUDGE FERRANTE: Right.

ASSEMBLYMAN CATANIA: What about the number of judges right now who are able to handle Family Court? Do you have enough judges?

JUDGE FERRANTE: Well, according to the numbers, Passaic County should have eight Family Court judges. We were operating for a long period of time, as you know being a citizen of our community, with four judges. This is the first year we have had six judges assigned to the Family Division. Based on the numbers, and based on the statewide numbers as compared to other counties, we should really have about eight. This is the first year we have had six. We have been working with four judges. These figures I gave you from last year --

21,000 cases -- were handled by four judges over a period of 12 months.

ASSEMBLYMAN CATANIA: What is a normal time in the system? You know, first of all, from the time of the-- It is really not an arrest of the juvenile.

JUDGE FERRANTE: They are arrested.

ASSEMBLYMAN CATANIA: They are arrested, or their detention--

JUDGE FERRANTE: Years ago, we used to talk about a juvenile being detained, or a juvenile being involved in juvenile delinquency and being adjudicated. There was never a juvenile called a defendant in the juvenile court. That has all changed now. Juveniles are arrested; they are detained; they are defendants -- juvenile defendants; they are found guilty or not guilty, the correct word being "adjudication." We talk about disposition versus sentences, but juveniles now who are involved in the system recognize their disposition as a sentence. That is a disposition.

ASSEMBLYMAN CATANIA: How about the difference between the offenses themselves; you know, from your violent offenses to those less threatening to the community? Do you have certain things such as intake, where it is not taking the Court's time, but is taking the time of other members of the judiciary staff who would handle these types of--

JUDGE FERRANTE: Well, if I may, briefly, just a comment as to how the system works: You mentioned the word "intake," so you are familiar, to a certain extent, with the system. We have a system where if a juvenile is detained as the result of a request by a police department to an intake officer, the intake officer has a manual that is supplied by the Administrative Office of the Courts -- which is basically the Supreme Court of New Jersey -- that sets forth certain criteria and standards as to what has to be met for the purpose of detaining a juvenile.

Once that is clear, the intake officer orders that the juvenile be detained, and the juvenile will be detained. As required by our Court rules, that juvenile will appear before me the following morning for a detention hearing. If the juvenile is continually to be detained, he or she will appear before me within two days, as required by law, for a probable cause hearing. After the probable cause hearing, if there is probable cause found by the Court, then the Court makes a determination as to whether or not the juvenile should be detained again. If the juvenile is detained again during that period of time, the Court rules require that he have a trial within 30 days and disposition within 45.

We in Passaic County are very proud of the fact that we follow those rules, and the juveniles who come before the Court in Passaic County on that type of track are due to have their cases heard in 30 days and are due to have their disposition within 45 days to 50 days. So we are meeting that criteria. I know that that does not happen in some other parts of the State -- it is a little slower -- but we are doing it, even though we have six judges and not eight.

If a juvenile is not detained -- and we are talking about a less involved situation -- that complaint will be filed with the juvenile justice system in Passaic County, given a docket number, and then there will be a determination made by me, as the presiding judge, and the recommendation of an intake officer, who again follows a manual by way of criteria for the purpose of determining whether or not that complaint will be diverted. By diverted I mean to intake for consideration, to juvenile conference committees, to citizens to hear, or to other programs or committees we have in the county for the purpose of hearing those minor offenses and removing them from the Court calendar. I believe in Passaic County, over the years that I have been here, we have diverted about 25 percent to 30 percent of our cases to those types of situations.

The other types of cases we hear are those more involved cases that are not divertable, not those that are minor in nature. I hope that answers that question for you.

ASSEMBLYMAN CATANIA: What is your opinion -- if you can answer this -- with regard to the veil of secrecy that is placed around the juvenile delinquent once he is in the Court?

JUDGE FERRANTE: Well, I think the public should have a right to know what occurs in the Family Court -- in the juvenile court. I think the public has a right to know because I think the public should have an interest in what occurs in the juvenile court. We are very fortunate here in Passaic County. I think you are familiar with the fact that a newspaper called The Herald News produces on a weekly basis a report of all cases that are heard in the juvenile court, the types of cases, how many cases, how many CDS cases, how many burglary cases, how many violations of probation; how many juveniles are sent to the reformatory, how many are placed on probation, and so forth and so on, a complete weekly report of the work that is done by the juvenile judges.

It is not necessary, when they make that report in the paper, that they divulge the names of the juveniles. I think when one considers the fact that the confidentiality rule we have been dealing with for the last many years with reference to the juvenile justice system is a result of not putting a stigma on those juveniles who come before the Court. But we must keep in mind that there are two schools of thought on that: One that says it does affect rehabilitation if the names are divulged, and the other that says it has no effect on rehabilitation at all; that if they are involved and they know they will be exposed for what they are and for what they are involved in, perhaps it will deter others from being involved in the juvenile justice system.

I don't think there are enough professionals in this country, nor do I think you would be able to gather enough

information to make a bona fide decision as to whether or not juvenile names should be released to the public in each case. There are many arguments you could make about the fact that a juvenile is the same as an adult, innocent until proven guilty, or found guilty, and at that time, the disposition will take place.

My thought is that we have released, over the years, adults' names in the papers, adults involved in violent offenses, and the same adults keep getting involved. So a name in a paper does not seem to deter anyone from getting involved. I don't think it would deter juveniles from getting involved. I think it does have an effect on rehabilitation. It is my personal feeling as an officer of a national organization, not as a judge in Passaic County, that it is not appropriate or necessary to expose juveniles' names in the papers. It would not serve any purpose.

ASSEMBLYMAN CATANIA: What about the confidentiality when that same juvenile, now as an adult, may commit an adult crime?

JUDGE FERRANTE: That information is available to the adult court.

ASSEMBLYMAN CATANIA: It is available?

JUDGE FERRANTE: Yes, at this time. If an adult has a juvenile record and he is now arrested and appears before the adult system, if there is any disposition of sentence by way of an adult, they get the entire record from the juvenile's involvement. They don't just get the adult situation.

ASSEMBLYWOMAN HAINES: Excuse me. Don't they normally, a lot of times, have the records sealed?

JUDGE FERRANTE: The records being sealed is usually done at the request of an attorney at the time of the disposition -- or, I will use the word "sentence" so you don't get confused -- at the time of the sentence of the juvenile.

That is very far and in-between when the record is sealed. In the 16 years that I have been a judge, I think I have sealed about three records. There have been three applications. Very rarely do the records get sealed or the application made by the defense counsel for that purpose. So that information is available.

In fact, we have had situations where juveniles have been referred to the adult court, and the fact that they are being referred is as a result of their previous involvement in the juvenile justice system. So that is made part of the record as to why they are being referred to the adult court, because of the fact that they are not rehabilitatable in the juvenile justice system because of their extensive involvement.

ASSEMBLYMAN CATANIA: Does anyone else have any questions? Assemblyman Zisa?

ASSEMBLYMAN ZISA: I would like to thank the Judge for being here today.

I would like to point out to those present that one of the problems with the juvenile justice system has been a lack of continuity with persons who are involved in various aspects of the justice system, whether it is in the courts, whether it is in the prosecutors' offices, or even in law enforcement. Members who are assigned to those particular areas are often rotated very quickly.

I would like to take this opportunity to publicly commend and thank Judge Ferrante for his commitment over the years to the juvenile justice system. Very rarely do we see that. It is unfortunate, and has resulted in many of the problems we see today. So I am happy to have this opportunity to publicly state that, and I thank the Judge.

JUDGE FERRANTE: Thank you.

ASSEMBLYMAN ZISA: Judge Ferrante can offer us a wealth of information because of all that he has handled

through his Court, not only in terms of time, but in the numbers he handles, which are overwhelming. What I would like to ask of him today are a few things that I have seen over the years, and those of us who have been involved with juvenile justice have seen, and to get his opinion on them.

We talked about, or the Judge spoke about disclosing the identity of juveniles. Now, when the Juvenile Justice Code of 1984 came into effect, there was a provision that existed that not only allowed disclosure of identities, but presumed that that should take place for various offenses -- first, second, and third degree crimes, plus other offenses that are specifically listed in the statute. Yet, to my knowledge, certainly in Bergen County, and I don't know, statewide-- I would be curious to see in your Court if that has taken place, and if it has not, I would wonder why it has not been used?

JUDGE FERRANTE: That application is usually made by the prosecutor's office. In the years since that statute passed, I believe I have divulged, on application from the prosecutor's office, three names. Three applications were granted; all three that were made were granted. So that application can be made by the prosecutor's office, and if the Court feels it is appropriate, we will grant it. I did on those three occasions.

Getting back to the confidentiality issue, again, I seem to read -- and I attended a conference that Governor Whitman put together at the Justice Complex some months ago with the Attorney General-- There seems to be some understanding that information between a police department, a school system, and the juvenile justice system does not exist. I have difficulty understanding how people think that happens in New Jersey.

My experience has always been that the relationship between the school, the police department, and the juvenile justice system exists so that that information is shared on a

regular basis. In fact, it is my understanding that it is shared and some of the school authorities feel it should be shared even more.

Example: A juvenile is picked up in Paterson and placed in the Detention Center as a result of an incident where the intake officer felt that juvenile should be detained. We go through the detention hearing and the probable cause hearing as I described earlier, and he continues to be detained. Not only should the school know where that child is -- if the parent does not tell the school, and sometimes they don't -- but they should know why the child is there, because all they know is that the child is not coming to school. They do not know for what reason. The child may be at the Detention Center for 30 days and they have no idea for what reason. They are left in the cold, in the dark about what is happening with that child. They are supposed to be servicing that child, to a certain extent, and they do not have the wherewithal to know what is happening.

But getting back to my first comments: It is very difficult for me to understand -- and I heard it at the conference in Trenton, and I continue to see it in the paper -- that there is consideration about passing legislation for the purpose of having the police department, the school, and the Court share information. I think that happens now. I don't think there is anything to prohibit it.

Some people at the AOC and some people in Trenton indicated to me, "Read the statute, and it says that you can't do that." I do not read the statute that way, but that is my personal opinion. I think it is just common sense that it should be made available.

When we prepare a predisposition or a presentence report for a juvenile, if we do not know what the school record is, if the probation department can't call the school and find out: Has the student attended school? Has the student been

suspended? What is the history of the juvenile? What grade is the juvenile in? and so forth and so on, and make that part of a presentence report, how much is that presentence report worth, if I don't have that information to make a decision as to what happens next to that juvenile? It is worth almost nothing.

So the relationship between the probation department in the school, the police department, and the juvenile justice system exists, and should continue to exist. All that information is necessary to make the proper decision as a judge as to what happens next to that juvenile after the juvenile is adjudicated. If I do not have that wealth of information, I am not making the proper decision.

Another example: I don't know whether you are familiar with the fact that we have home detention programs in New Jersey. There is no bail in juvenile court, so you can have a juvenile picked up on a drug charge, for selling drugs with an adult. The juvenile comes to the detention center, has a detention hearing before me, has a probable cause hearing in two days, and the juvenile is detained. The adult makes bail within an hour. There is no bail for a juvenile. They do not have the bail right.

As a result of that, some -- oh, I don't know how many years ago-- Mr. Yefchek is here. He was one of the persons who worked in Passaic County at the time and put it together. I can't remember how many years ago, but we put together what was called the "Home Detention Program." We were one of the pilots in the State for that. The Home Detention Program permits the juvenile to be on house arrest, just about -- that is what home detention is -- for the purpose of having the juvenile released, since there is no bail. It was twofold, and that is why we thought it was a good idea. Number one, it gave the juvenile the same rights as an adult in terms of being released; and number two, it would alleviate the crowding of

the Detention Center we had in Passaic County, which is always overcrowded.

So one of the things we ask for when we do a home detention report as to whether a judge is going to consider the release of a juvenile on home detention, is: What is his school record? The home detention worker calls Eastside High, or Kennedy, or whatever school it may be and says, "What is the school record for this juvenile? Has he been suspended? Does he attend? and so forth. That report is made available to me to make a determination as to whether or not the juvenile should be released.

So this thought that is around the State of New Jersey that this information is not available to these interim woven agencies leaves much to be desired by me as to why the understanding takes place, because it is, by practical experience, necessary that it has to take place.

ASSEMBLYMAN ZISA: But I can explain to you why there is that perception. The reality is that, although common sense would tell us that that should not happen, the fact of the matter is that many school districts do not feel it is appropriate to share information with the local police agencies. They have always, historically, tried to separate the two, and it brought us to a situation in the '80s where model agreements were drawn up -- which I am sure you are familiar with -- between police and the schools. Many of those things-- If one were to read through those model agreements, one could very well be amazed that these things would actually have to be spelled out, signed, and agreed to by the parties involved, because they are so basic and so fundamentally a part of common sense in working together, that it is incredible to me that that actually had to take place.

But that is a historical problem that does exist, and we have to face it. However, I do want to mention one thing, and then I want to get back to my original question. The law

does also clearly provide for police agencies to, on a confidential basis, disseminate information to a principal of a school or his designee for planning appropriate programs that would serve that particular juvenile. So it is allowed already in the law, and again, like you, when I hear it talked about in terms of future legislation, I do not understand where we are going with that either, unless I see that in writing, because it is already provided for in law.

But to get to my original question, and I think your answer was that it would be up to prosecutors' offices--

JUDGE FERRANTE: The prosecutor appears before a juvenile court to make that application.

ASSEMBLYMAN ZISA: Okay. My reading of the statute does not indicate anything that says there has to be an application. In fact, the wording of the statute says: "There shall be a presumption that information as to the identity of a juvenile adjudicated delinquent, the offense, the adjudication, and the disposition shall be disclosed to the public where the offense is for any of the following listed offenses." I am wondering why this does not take place routinely through the courts themselves?

JUDGE FERRANTE: My understanding of that statute was -- and as you read it now it is not my understanding -- that there has to be an application and the juvenile has the right to be heard, or a public defender, or whomever represents that juvenile, for the purpose of whether he should be released or not. As I have said, I have had three applications since that statute came into effect, and I granted all three.

There is even some philosophy throughout the State of New Jersey, and throughout the nation, where even when a juvenile is transferred to the adult court, whether or not the juvenile's name should be released for the purpose of the public knowing that the juvenile has been transferred to the adult court. The philosophy being that the juvenile has not

been indicted yet as an adult, and therefore, it should not be released. The other philosophy says, "Well, you have made your decision," and so forth. Some of the public defenders feel that it is appealable and may be reversed, and therefore, the stigma takes place.

I don't think that there is any harm once there is an application made and transferred that that be released. I can understand and recognize the argument that that is appealable, and perhaps it may be reversed and the juvenile will be tried in a juvenile court, where his name has been released already. But that is another aspect of it that should be considered also.

ASSEMBLYMAN ZISA: Let me ask you this: Also, in that particular section of the statute, it closes by saying: "Where the court finds that disclosure would be harmful to the juvenile" -- and by the way, the burden is on the juvenile to prevent disclosure, according to statute--

JUDGE FERRANTE: That's right.

ASSEMBLYMAN ZISA: It says, "the reasons therefore shall be stated on the record." Now, my reading of the statute would indicate that in all cases where disclosure does not take place for serious offenses--

JUDGE FERRANTE: We have to make a finding.

ASSEMBLYMAN ZISA: You would have to state those reasons on the record.

JUDGE FERRANTE: We have to make a finding.

ASSEMBLYMAN ZISA: Do you find that that is done? Is that being done?

JUDGE FERRANTE: No. I think the only time we do that is if there is an application made for the release. Then we make our findings one way or the other.

ASSEMBLYMAN ZISA: And I am not even sure how it would appropriately be addressed. But before talk even develops into new legislation, being that the statute is already on the books, what do you think we could do, as a body, to make

sure-- What would be the appropriate channel to make sure that since the law already calls for public disclosure of juveniles who commit serious offenses, what can we, as a body, do to ensure that that happens?

JUDGE FERRANTE: Well, if I were a legislator and I felt that that statute was not being followed, I would bring it to the Attorney General's attention. I speak now as a legislator, not as a judge. I am going to wear a lot of hats here today, as you can see.

ASSEMBLYMAN ZISA: I wear a few myself, so I understand.

JUDGE FERRANTE: And I don't wear a hat at all, even in the dead of winter.

ASSEMBLYMAN ZISA: Let me move on to my next question. The law also provides for open hearings of juveniles, and that is on application by another party. Do you find that that happens?

JUDGE FERRANTE: Yes.

ASSEMBLYMAN ZISA: Often?

JUDGE FERRANTE: In Passaic County, we have an understanding with the newspapers that work and produce papers for Passaic County that they are permitted to come into juvenile court at any time to listen to any case, providing they do not disclose the juvenile's name or facts that will divulge the identity of that juvenile. We have had that understanding for 16 years, and it has worked. The press is happy with it; the media is happy with it. They have had enough occasions in Passaic County -- which I am sure you are familiar with -- that have been of media and public interest over the years, involving the New York TV stations, and so forth and so on. So with that understanding that I put into place many years ago-- We have had no difficulty with that. It has been made available, and we find that it works.

ASSEMBLYMAN ZISA: Well, I commend you for that.

JUDGE FERRANTE: I don't see anything wrong with it.

ASSEMBLYMAN ZISA: I commend you, and I ask you this question: Again, how do you think we, as a legislative body, can work to make sure that that is more uniformly applied throughout the State? What would your suggestions be for that?

JUDGE FERRANTE: I find that there wouldn't be any difficulty if the judicial system considered the fact that juvenile hearings would be made open to the public -- by that I mean the media, not people off the street -- for the purpose of reporting to the public, by way of the media, those cases that are heard on a regular basis in the juvenile court system, if there would be no divulging of the name or any facts that would divulge the identity of the juvenile.

Now, there are going to be cases where that can be overruled and where it would be necessary to divulge certain things, as you said with reference to that statute. I can understand that. But those should be dealt with on a case-by-case basis, based on the public interest, based on the type of case it is, and what is involved.

I do not think that if you open the Court-- My personal opinion is that if you open the Court to the public, people off the street, you would probably have a lot of people come in for the first three days, and then you wouldn't see anybody anymore. Keep in mind that those people who are involved who are alleged victims in the juvenile justice system are permitted in the Court hearings at all times, during the trial, during the sentencing stage. They have a right to be heard at the time of sentence, and that all takes place. So the actual victims and members of the victims' families are all permitted to be there. But my experience tells me that if you were to open the door to the public, it would have some novel interest to begin with, but it would lose its interest.

ASSEMBLYMAN ZISA: Let me ask you another question. It is concerning waivers, and certainly that is not your

responsibility. It is the burden of the prosecutor to make that application.

You handled 5286 cases, you said.

JUDGE FERRANTE: Not alone.

ASSEMBLYMAN ZISA: No, not you personally, through your Court. How many waivers -- off the top of your head-- If you can give us a ballpark figure, how many waiver applications do you think you had?

JUDGE FERRANTE: Passaic County?

ASSEMBLYMAN ZISA: Yes.

JUDGE FERRANTE: I am very proud of Passaic County, not because I am the presiding Judge, but because I think it is one of the finest Family Courts in New Jersey. I am very proud of it because we have a fine Prosecutor's Office and we have a fine Public Defender's Office. Keep in mind that those two agencies deal with the majority of the juveniles who appear in our Court. Very rarely do we have a private attorney come in. I would think that out of all the cases I hear on a regular basis, if I have one private attorney a month it is a lot, and that would be 12 a year. That is almost nothing. The majority of cases are heard with the assistance of the Prosecutor's Office and the Public Defender's Office.

Again, I repeat, those offices are two of the finest in the State, and I would recommend those offices to anyone, to come and look at, to see how they operate, because they do a great job. Number one, the prosecutor presenting the case, and number two, the Public Defender's Office are doing a job of representation that is outstanding, as far as juveniles are concerned. They are all dedicated people, not just working in juvenile court as a starting place, but who have stayed there year after year, as I have, for the purpose of serving juveniles. Enough said about those two agencies.

In Passaic County we are lucky, because the Prosecutor's Office in Passaic County will only make

application for transfer areas in those cases that the Prosecutor's Office feels warrant an application. Therefore, we do not have that many applications. There are counties in our State that have 30, 40, 50, 60 applications a year to transfer, of which 10 will be granted. In Passaic County, we may have 10, but 9 may be granted.

There was some question about that years ago, about the fact: "How come most of the applications in Passaic County for transfer to the adult court get granted?" Well, because we do not get that many, and the ones that are made are basically legitimate ones, when you come to look at the facts. They are not shotgun operations where you just make tons of applications for transfer, and will take advantage of whatever ones you can get across into the adult court.

The judges of Passaic County have looked very closely-- In fact, in the last two days, one of our judges, yesterday and today -- any job the Judge is doing-- Judge Passero is hearing transfer hearings, because we have six pending at the present time -- six juveniles, not six hearings. But those are the applications made by the Prosecutor's Office.

ASSEMBLYMAN ZISA: Are you saying that you might only have 10 out of the 5000 cases?

JUDGE FERRANTE: That is about all.

ASSEMBLYMAN ZISA: Okay. Well, the reason I bring it up -- and I probably should have explained this before -- for those who--

JUDGE FERRANTE: Five thousand cases-- Don't forget, 25 percent or 30 percent are diverted.

ASSEMBLYMAN ZISA: Right. No, that's fine. You don't have to--

JUDGE FERRANTE: Okay.

ASSEMBLYMAN ZISA: --justify it to me.

JUDGE FERRANTE: I didn't want you to think we did that many cases.

ASSEMBLYMAN ZISA: No, no. I just want to point out--

JUDGE FERRANTE: We wouldn't have enough time in a day to do that many cases.

ASSEMBLYMAN ZISA: --which I probably should have done earlier -- that because of so many misunderstandings people have about the juvenile justice system itself, when a juvenile reaches the age of 14 years, that juvenile can be waived to an adult hearing, in which case that juvenile would then be subject to the same penalties as an adult. Much has been made of the problem of lenient sentences and light sentences, and the fact that juveniles are not held accountable for violent and serious offenses. Yet, the waiver statute provides for this application to be made possible in all violent and serious offenses, certain drug offenses, and certain degree crimes.

I brought this up at our last hearing, because it is a concern of mine that for all the public outcry and all that I am hearing -- really, among legislators also -- we have a statute on the books that never really seems to have been utilized over the past 10 years since the Code came into effect. Quite honestly, I am shocked that in Passaic County you would have maybe 10 cases where a prosecutor would feel it appropriate to make that application out of 5000 offenses.

But I think that serves to highlight a point that I made last time, which I would like to stress here again today. Most of the cases involving juveniles are not very serious cases and are not very violent cases, although the high profile cases are the ones that involve a heinous crime, whether it is a murder, or an outrageous sexual assault. Most of the cases, in reality, are those of teenage kids going through a difficult growing period of their lives.

As the Judge pointed out, 25 percent to 30 percent of his cases, he feels, are deferred to a noncourt setting type of

hearing, a nonadversarial hearing, either a juvenile conference committee or a prejudicial conference. Statistics indicate that over 70 percent of those offenders are never seen again. They are one-time offenders who never have another involvement with the system. Maybe some of them are sitting here today. Some of them will become lawyers, judges, police officers, legislators, and many other things in life. I do not think we should ever lose sight of that. I think it is very important to remember it. I am glad that the Judge was able to highlight that for us today.

I have one other question.

JUDGE FERRANTE: May I just interrupt you to comment about that 5000 transfer comment?

ASSEMBLYMAN ZISA: Sure, go ahead.

JUDGE FERRANTE: You know, of the 5000 offenses-- You know by statute that there is a criteria that has to be met as to which ones are applicable for transfer application. So it is a very small percentage of the 5000. First of all, 30 percent are diverted. If you take the other 70 percent, there is a very small percentage of those cases that are amenable to the criteria necessary for an application for diversion.

Then, there are two thoughts about the transferring of cases. One philosophy is that they should be transferred because they should be treated as adults, and the sentences they face as adults are three to four times greater than the sentences of juveniles.

Then, there is the reverse side of the coin that says, when you transfer a juvenile to an adult court, he cuts himself a better deal than he would in juvenile court. So it really does not produce anything positive at all -- the philosophy that a juvenile gets transferred to the adult court, then there is a plea bargain in adult court, and the juvenile cuts a better deal for himself by way of the plea bargain than he would be able to do as a juvenile in juvenile court. Because

had he been found guilty in juvenile court, because of his extensive record, he probably would receive the maximum in juvenile court versus some kind of a deal he may have made as a first offender -- being treated as a first offender as an adult. So there are two philosophies about that.

ASSEMBLYMAN ZISA: I think that makes a statement about our adult system, as well as our juvenile system.

JUDGE FERRANTE: It does, but there are those philosophies, and people who believe that a first offender in an adult system that is a juvenile transfer can get himself a better deal than he can in the juvenile system.

ASSEMBLYMAN ZISA: I also -- if I may at this point -- would like to point out that there are provisions in the Juvenile Justice Code for extended sentences for repeat offenders. Is that not correct?

JUDGE FERRANTE: No.

ASSEMBLYMAN ZISA: That is not correct?

JUDGE FERRANTE: No, we cannot give a consecutive sentence. In fact--

ASSEMBLYMAN ZISA: No, no. No, no. I am saying "extended sentences." Did I say "consecutive"?

JUDGE FERRANTE: Extended, okay, but a consecutive sentence in the juvenile system does not mean anything. You can say it and make it a part of the commitment, and all the Parole Board has to decide is whether or not the juvenile is amenable to being returned to the community so as not to be offensive to property and the rights of others, or assault, and they can be released.

We have an indeterminate system here in New Jersey. There has been some talk about the fact that there should be maximums and minimums in the juvenile justice system. I don't think that would make any difference either.

ASSEMBLYMAN ZISA: I apologize if I said "consecutive."

ASSEMBLYMAN CATANIA: We are going to have to move along a little bit faster, because we have--

ASSEMBLYMAN ZISA: Well, I do have one more question I would like to ask.

ASSEMBLYMAN CATANIA: I would appreciate it if we could, you know, try to narrow it down. There are five people up here. What I would like to do is go through this entire list of witnesses. We could come back to the Judge, and we could come back to anyone else.

ASSEMBLYMAN ZISA: Well, I apologize if I am taking a long period of time, but we are talking about revamping the Juvenile Justice Code, which will affect the future of our State.

ASSEMBLYMAN CATANIA: No, no, I know that, but what we are trying to do-- We are just trying to get it going. Everyone is going to remain here today, so--

ASSEMBLYMAN ZISA: Okay. If I may just follow up with one last question concerning where cases are heard. I am not sure exactly where this comes from, whether it is the law or it is the AOC. But juvenile cases are heard in the home county, which, as we know, presents quite a burden to victims and witnesses, who are then forced to travel to the home county of the juvenile.

I would like to know what your thoughts are on that; why that happens, and is there a way that that can be changed?

JUDGE FERRANTE: That problem does exist. It was addressed by the Conference of Presiding Judges last year, and is being addressed this year by the Conference of Presiding Judges. By the Conference of Presiding Judges, I mean there is a conference of judges made up of all the presiding judges and respective personages in New Jersey.

I chaired that Conference for two and a half years. We discussed that problem. We focused our attention, basically, on the shore counties, where juveniles go down to

the shore in the summer and get involved with juvenile delinquency problems; come back to Paterson -- or come back to Newark, or whatever the case may be, northern New Jersey -- and then the people from Ocean and Atlantic Counties have to travel all the way up to the northern part of the State for the purpose of being witnesses in those types of cases.

We found that the majority of those cases were counsel not mandatory. I am sure you are familiar with what that means. They are informal, rather than formal type cases. There is a recommendation now being considered by the Conference of Presiding Judges that those cases be heard in the county where the offense occurred. So if a juvenile gets charged with sleeping on the beach in Seaside Park, it will be heard in Seaside Park, not in Paterson, and the people from Seaside Park need not come up to Paterson to testify.

ASSEMBLYMAN ZISA: So that is in the works, in other words?

JUDGE FERRANTE: That is in the works.

The second part of your question-- I think your question was-- The other problem exists where there are multiple defendants with multiple counties. If a juvenile from Passaic County, a juvenile from Hudson County -- and I will make it drastic -- and a juvenile from Essex County go on a car-stealing spree and steal some cars in Union County, does that mean that all of the witnesses have to go first to Essex, then to Passaic, and then to Hudson County, because there are going to be three different cases going on, because the juveniles all live in different places?

Again, that is being addressed, and it will be heard, probably, in Union, because that is where the witnesses come from, and the inconvenience will be placed on the juveniles, not on the witnesses, for the purpose of hearing that type of a case.

I hope that answers your question.

ASSEMBLYMAN ZISA: Thank you, and thank you, Mr. Chairman, for your patience.

ASSEMBLYMAN CATANIA: Does anyone else have any questions?

ASSEMBLYWOMAN GILL: I have just a couple.

ASSEMBLYMAN CATANIA: Okay.

ASSEMBLYWOMAN GILL: Judge, am I correct in that a judge does, in fact, have access to a juvenile record, if that juvenile is in juvenile court or as an adult he or she commits the crime?

JUDGE FERRANTE: Yes.

ASSEMBLYWOMAN GILL: So the sentencing agency has full disclosure of the complete background of any given defendant by way of juvenile--

JUDGE FERRANTE: The sentencing agency, ma'am-- There is no agency; it is a judge. A judge does the sentencing.

ASSEMBLYWOMAN GILL: A judge.

JUDGE FERRANTE: The agency that prepares the report for the judge would be the Probation Department in the respective county. But they do have that information available, yes.

ASSEMBLYWOMAN GILL: So the notion that the juvenile confidentiality statute in some way impedes full disclosure of information to the judge and to the Probation Department, is incorrect?

JUDGE FERRANTE: To my understanding, yes.

ASSEMBLYWOMAN GILL: The question asked by the Assemblyman-- There does exist disclosure presently in the statute with the presumption, and the presumption means it is rebuttable. So since it is not shall, it means it must be some kind of hearing determination, correct?

JUDGE FERRANTE: That's right.

ASSEMBLYWOMAN GILL: Within the law we already have waivers in order to deal with those juveniles who are deemed to be violent enough to be waived up as adults, correct?

JUDGE FERRANTE: Yes.

ASSEMBLYWOMAN GILL: We do, in fact, have the sharing of information, or should, between police agencies and the school?

JUDGE FERRANTE: Yes.

ASSEMBLYWOMAN GILL: Given all of those safeguards that are in the law by statute now, are there any additional items that you think should be incorporated, in order to make the criminal justice code more effective?

JUDGE FERRANTE: If I understand your question, I would like to see the sharing of that information with all agencies that have to come up with a report for the judge to consider. The word I am using, a "report," is a predisposition or presentence report, whatever you want to call it; that all of those agencies are able to communicate with each other, so that the Probation Department, when it prepares that predisposition report, has sufficient information for the purpose of assisting the Court in making the proper adjudication and disposition for that juvenile.

Example: We have had a couple of problems in Passaic County recently with arson cases. There have not been, to my knowledge, many arson programs in the State of New Jersey for juveniles who are convicted of committing arson. In fact, I know of none where I can send a juvenile who is convicted of arson for the purpose of rehabilitation.

Just recently, one of the public defenders came up with two places, one out of Bergen County and one out of Essex County, that provide services for juveniles who have been convicted of arson, unbeknown to me, and probably unbeknown to a lot of judges in New Jersey that they exist. As a result, we are gathering information from those agencies. Those agencies are now interviewing the juveniles. Those agencies are now gathering the information that you and I just talked about, for

the purpose of preparing a recommendation as to whether or not the juvenile will be accepted into their program.

How can the program make a bona fide decision as to whether to accept Johnny Jones, if it does not know anything about Johnny Jones? It is impossible, and it is not fair to Johnny Jones. So it should exist, and it does exist for the purpose of helping the Court, and last, but not least, helping the juvenile to get the right disposition.

ASSEMBLYWOMAN GILL: One last question: Do you think there are sufficient programs for rehabilitation for the juvenile and for you to make your sentencing effective in the moment?

JUDGE FERRANTE: With all due respect, Assemblyman Catania, I will make it real fast, because I could talk about that for about four or five hours, about resources as to rehabilitation of juveniles.

Number one, I think it is time, now that the juvenile court has its foot in the door-- It has been very difficult for the juvenile court to get some attention from the legislators and from Congress -- by Congress I mean the United States Congress -- for the purpose of getting the resources that are necessary to help judges to make the appropriate decisions for the rehabilitation of juveniles.

Again I repeat, resources alone are not going to be a panacea or a silver bullet that is going to solve this problem. I think all of you said that earlier, and you all agreed to that. There is more to it. There is more prevention involved in the system and family involvement before we get to disposition.

I think what is necessary is, our Legislature -- the New Jersey Legislature -- and the Congress in Washington must look at the fact that what is necessary to assist juvenile courts in dealing with juvenile offenders for the purpose of rehabilitation-- In my philosophy, and the philosophy of some

of the colleagues I deal with on a regular basis -- not only on a statewide basis, but on a national basis -- is that there is a need for an intensive supervision system proportionate to the juveniles' involvement with the juvenile justice system. By that I mean, if a juvenile is involved with shoplifting, there should be intensive supervision that is proportionate and necessary for a shoplifter. If a juvenile's first offense is burglary, there should be intensive supervision that would deal with burglary -- sexual assault, gun cases, and so forth. We can go right up the line of all of the types of cases.

That type of intensive supervision should take place in the community. Those juveniles who get involved should be taken care of here in Passaic County by Passaic County people. The reason for that, in my thoughts, is very simple: If I deal with Passaic County people, they are at the access of the Court on a minute's notice. I am not dealing with a bureaucratic system in Trenton. I do not have to call and wait four or five days to get something done, or ask why it hasn't been done. I will give you a horror story in a minute about that.

In any event, if we could get the necessary funds distributed to the county proportionate to the county's involvement in the juvenile system -- and I say that for Passaic County because we have a large involvement, and we would get a big piece of the money-- I am being selfish about that. You know, I am not trying to be diplomatic. Let's put it where it is. We would get a big piece of that. Hudson County would get a big piece; Camden would get a big piece; Essex would get a big piece; Middlesex probably would get a big piece. Ocean, not too much. Cape May, probably nothing.

In any event, we should be able to get those resources committed to each county, based on the county's need as to the involvement in the juvenile justice system in that particular county, for the purpose of setting out community-based programs -- intensive supervision, community-based programs --

with community-based people, volunteers from the community. We are working on that in Passaic County. You will hear later from a gentleman called Al Moody, who is one of the leaders here in Passaic County as far as juvenile justice is concerned. He and I are working on putting together a system now in Passaic County for inner-city kids involving that type of a situation; getting involved with the Elks, and so forth and so on.

In any event, getting back to my philosophy of getting the money up front, you would get a better tax dollar return for your money if that money was put up front, because I believe that if we had the money up front and we had the intensive supervision when the child first got involved in the juvenile justice system, you would not see that many getting involved again and again and again. To put the money at the end of the system is a complete waste. To put the money in the system because a juvenile is now ready to go to Jamesburg, you are going to find some program to put him into to keep him out of Jamesburg because you think you are saving money by not putting him in Jamesburg, you are not getting your dollars' worth. Put it up front where it belongs. Have it run by community people. Have the community get involved.

Each county is different. Each community is different. Each community knows what they need to solve their particular problem. Each community knows what the people need, what the kids need, what recognition they need, what they have to do to help these kids. Put it up front. That is where it belongs, and that is where you will get your best tax dollar.

ASSEMBLYMAN CATANIA: Judge, thank you very much.

JUDGE FERRANTE: Thank you, Frank.

ASSEMBLYMAN CATANIA: If you have the time to stay, we would appreciate it.

JUDGE FERRANTE: I'll stay for a little while, sure.

ASSEMBLYMAN CATANIA: At this time, I would like to call upon Passaic County Community College President, Elliott Collins. I should have called you before, Mr. Collins. I'm sorry about that.

ELLIOTT COLLINS: That's quite all right.

I just want to say, on behalf of the College and the Board of Trustees, I welcome the Assembly Task Force on Juvenile Justice.

To the Chairman, the Vice-Chairman, the other members of the Task Force, and to our own Assemblyman and Mayor, William Pascrell: Passaic County Community College does its very, very best to help the youth of the Cities of Paterson and Passaic, and throughout the county. I just want to say briefly that I made the hallmark of my administration -- I have been the President here for four years -- that I intend to put the county jail out of business. I visited the county jail, and I noted the number of young people who are simply warehoused in the county jail. I feel I can do a better job for the county by putting those students into college here.

We have many single parents and students who come out of broken homes. The fact is, we have a faculty that is first-rate. We have a gym; we have classrooms; we have laboratories, places where students need to be. When I took over Passaic County Community College four years ago, we had a \$1 million deficit. Now, my surplus for this year will exceed \$1 million. Really, what I am trying to say is that with the help of our Mayor, the City Council, and with our Board of Trustees and the Freeholder Board, we are creating a very healthy and positive climate here.

I see my friend, Al Moody, in the audience, and the Judge just spoke. Hopefully, the College can work with them to bring programs here for the juveniles of this community, so that they do not have to go to jail. I think society owes them an option other than jail.

Thank you very much. Have a very nice meeting.

ASSEMBLYMAN CATANIA: Thank you, Mr. President. I am sorry for keeping you so long.

Mayor William Pascrell has another appointment, but he would like to have a few words.

A S S Y. W I L L I A M J. P A S C R E L L, JR.: Mr. Chairman, members of this Task Force, members of the juvenile justice system: I welcome you to the City of Paterson. It is always good to see Nia and Ken from our side of the aisle, and of course, it is always great to see -- because I have known her for a few years -- Ginny. Of course, Frank, I want to congratulate you for bringing this issue to the forefront. I think it is critical. I think it has been on hiatus for 20 years.

If you listened to Judge Ferrante, he is absolutely right. It has not been a sexy subject to talk about. He has done the job with very few resources. He knows the sources in the community that are trying to do the job, many times without title and accolades.

So, Mr. Chairman, if I may, I would like to read something into the record which I feel very strongly about, which I have discussed with you. I introduced legislation last session, and I prefiled again for this year.

I would like to open my remarks by thanking you for coming here to Paterson. It is appropriate. I offer these remarks as a Mayor, and as a sponsor of legislation -- A-474 -- a bill aimed at establishing boot camp programs for juvenile offenders, which is one aspect of what you are talking about today.

Juveniles account for one out of every five arrests in this State. Our county detention facilities are becoming increasingly overcrowded, as the number of juvenile offenders grows. After a three-year decline, we have seen an increase in juvenile drug arrests which is startling.

What we are doing is not working. I think we realize that, and that is why you are here. I am glad to see members of the school system here. I think it is critical that we work closely with them, particularly in the area, to begin with, of nonviolent crimes. If we think that incarceration -- as we have thought in the past -- is going to be the solution, it has simply caused a lot more problems than we have ever known existed.

The statistics tell only part of the story, Mr. Chairman, members of this Task Force. The commitment of young men and women to traditional detention facilities reduces their chances for learning to lead productive lives. I think, at this point, that that is a given. An overburdened, understaffed, underfunded system can ill afford to take the time required to instill the self-esteem and discipline which these young people need. We can ill afford to discard any of our youth. We cannot ignore the problem, since we will only nurture the hardened criminals who will turn up in our prisons for years to come.

Boot camps -- or whatever name you call them -- offer a feasible, humane, cost-effective response to juvenile crime. They combine regimentation, strict discipline, labor, and a framework for individual achievement and recognition. Boot camps impose a challenge and an obligation upon the individual offender. They demand teamwork, self-respect, and maturity. Military organizations employ boot camps to help civilians to make the transition to the structured, organizational life of a military unit. How well some of us can remember.

I propose that we use the boot camp model to help young people to make the transition from a disruptive to a functional role in our society. A short period of regimentation will, in and of itself, not be sufficient to assure that an individual will not commit another crime. I don't think anyone is foolish enough to believe that.

I have proposed that a boot camp be integrated with a program of educational and vocational guidance. The boot camp graduate will have the opportunity to acquire skills and training, so that he or she can acquire a job, or further their education. I think that this is critical, because it would provide a light at the end of the tunnel.

We have already incorporated in Paterson apprenticeship programs for people who have gone this way or that way, but who see some hope in learning from a skilled person within a specific trade, so that that individual does see some hope and performs an act upon himself called "self-identity," the lack of which probably is the result of a dysfunctional family or a dysfunctional society.

The boot camp approach, properly integrated with education and job training, offers us a real chance, I believe, to reduce the number of juvenile offenders. It means that we need not toss first-time offenders in with more experienced criminals. We can't do that anymore. First of all, not only is it not working, but it is defeating our purpose. Early intervention and aggressive follow-up give us a chance to help young people to change their lives for the better.

Boot camps also afford the courts an effective alternative to incarceration and traditional probation. Neither of those approaches has demonstrated notable success, yet both are the primary means open to the courts today in New Jersey. Their continued application is more likely to spur the growth of juvenile crime, than it is to solve the problem. It all comes down to what we are willing to demand of ourselves, and of others. Many, if not most, juvenile offenders drift into a life of crime. It is entirely possible that no one has ever demanded that they perform or given them an opportunity to do so.

Mr. Chairman, while we scale down the military strength of the nation in changing times, although remaining

strong for what may surprisingly come up, we have an opportunity to use the military bases of this State, which everybody was all excited about losing -- to use them in terms of many acres for our young people. I believe very strongly that many first-time offenders in the system should be removed from the area in which they live, because they are only coming back into those areas, and it doesn't matter that everybody in that area is a criminal. Of course, that is ridiculous. Most of the people in that area are law-abiding. But they are coming back into the environment and seeing, associating, and touching the very people who joined them in whatever criminal actions they were performing.

To bring them to a place like Fort Dix, to provide them counseling, opportunity, and restrictive maneuvers, but at the same time provide them with an education or a skill, and perhaps even substantially a GED to begin them, I think, is imperative, unless we are going to continue the revolving door of the juvenile justice system that exists. It also sends a message not only to the juveniles, but to the adults of this State, that we mean what we say. We care about this generation; that we are not simply dealing in platitudes, in generalities; that we feel strongly that there is a better way to do what we have been doing in the past.

I offer that, not only in legislation -- legislation comes and goes like titles -- but I offer it as a starting point to begin to put together what I believe is a very reasonable alternative, and something we can all work on.

I would be very happy to answer any questions you may have.

ASSEMBLYMAN CATANIA: Are there any questions? (no response)

Bill, I want to thank you for taking time out of a very, very busy schedule to stop by today. If you have time to stick around, you are more than welcome to be part of the Task

Force. But if you have other things to do, you know, I thank you for stopping by today.

ASSEMBLYMAN PASCHELL: Thank you, Mr. Chairman. I appreciate that.

ASSEMBLYMAN CATANIA: At this time I would like to call Al Moody, Total Lifestyle and Support Program.

I just want to let the press and NJN know, there may be juveniles here today. If there are, we would appreciate their faces not being used, no pictures being taken of the juveniles themselves, or their names.

Thank you.

A L O N Z O M O O D Y: Good afternoon. I have with me today one present participant from the Total Lifestyle and Support Program, and one former participant.

My interest in the Task Force's work, I think, can be boiled down to two points. I am extremely concerned about families. I think the solution, as Assemblywoman Gill talked about, lies within the families. We hear that often, but we are really not doing the kinds of things or showing the kinds of support that make families whole.

We talk about the negative activities of young people, and the violent activities of young people. Before you ask the question, "Why?" I'll tell you why. We have young people -- 8, 12, 16 years old -- who are expected by this society to make decisions that have taken the rest of us 30 years, 40 years to make. We want them to make decisions, but we are not giving them the tools necessary to make those decisions. Our society is not strong in teaching our young people what is correct, what we believe to be correct, and what is incorrect. So we have these young folks. They are here; they are making all these decisions, and oftentimes, they are poor decisions.

I can take you out of this room and into homes-- I can take you into homes where children, at five years old, and sometimes younger, are making every decision about their lives

-- every decision from the time they wake up in the morning -- whether or not they are going to go to school that day, what they are going to wear, what they are going to eat -- if they are going to eat -- and how they are going to behave, and that continues. Youngsters 12 years now are used to making all their decisions, and all of a sudden, the authorities step in. That is the beginning of our involvement with the juvenile justice system.

But by that time it is late; it is too late. We want to come in after the fact. We say we want parents to participate and to involve themselves with the direction of their children, but at every turn, someone is sending a different message to the parents. My work with parents tells me that regardless of their particular situations, most parents want their children to achieve and to be better than they are. But when we go into these homes, telling ourselves that we are going to make things better, we are sending different messages to these parents.

My problem is that with all of the agencies established to help families -- to make families whole -- when we go into these homes sometimes, if there are three or four siblings, there might be a dozen or so, half a dozen or more, agencies. They come into the home, and every one of them is saying something different to the parents and to the child. Really, they are not getting a clear message. We are falling short of our responsibilities of trying to teach young people how to perform.

If DYFS is involved with a family, if welfare is involved with a family, the school system comes in, the Probation Department, social service agencies, and are all bringing these different messages. We are really not helping the parents. We have gotten to the point where the individual is more important than the family; the individual is more important than the whole. The child's rights are important,

but sometimes we forget about the family's rights; the rights of the parents to raise their children according to their values and beliefs.

What I would like to see is where we begin at the top, with you. We begin to say that the parents have a right to raise their children according to the values and beliefs they have. They are not getting that message. So subsequently, I mean, with so many contradictory messages, they are not passing on any messages to their children. Then we deal with it in the juvenile justice system, the social services system.

If, in some way, these agencies can be mandated-- I don't know if mandated is the right term, but in some way we have to wake up. What welfare does in a home has to be coordinated with what probation is doing, what the schools are doing, what the juvenile justice system is doing. We need to make the message clear.

Now, I have with me a couple of youngsters who have been involved in the system. They have been involved in the Total Lifestyle and Support Program. This program is for young people who have found themselves in a situation where, if we do not take them in this program, they will be sent to Jamesburg for a minimum of two years. The only criteria for this program is that the kid -- the youngster fits this situation. So it is a last, last chance program. It is a no nonsense program. They involve themselves with us for six months, five days a week, eleven hours per day. They must observe a curfew at 8:30 p.m. They are not allowed to be late to the program. They are not allowed to violate the curfew at night.

Once they complete this program-- Let me get to the second point. I'm sorry, I am rambling here, but when we get to the second point my concern is, I have to care for the youngsters. We need to be able to begin to establish programs that will pick youngsters up two to three months before they terminate from a program, and begin to work on an individual

after-care program, so that we can work with a youngster for an additional six months or so, into the next step of his discharge plan.

What happens is, when youngsters finish programs-- In my experience, places such as, believe it or not, Corrections, DYFS placements, day programs-- Oftentimes they are successful in their mission, convincing a youngster that he should change, getting the youngster to the point where he really wants to make a change, and then they are discharged. They come back home to a situation where-- The kids I deal with average four years behind in school. We put them back into school, and then all of a sudden they cannot function, or they are too embarrassed, or something happens. It is very difficult for them to remain in school, and before you know it, they are either causing problems or they are disinterested. They are just out of it.

We find jobs, and it becomes very difficult because they have no skills. We cannot get them a job because there are no skills; there are no skills because they are not in school, so it is a catch-22. A youngster finds himself not in school, not having a job, and 46 months later he is reinvolved in the system, because there is nothing to do. We need an after-care program that will work with a youngster in a more detailed individual fashion.

What I want to share with you today, besides any questions you might wish to ask, are two young people who have been in the program. We talk often about the juvenile justice system and the impact it had on them, the reasons they are involved, and the reasons there is so much antisocial, antiauthority behavior. I just want to give a couple of minutes to each of them to express to you how they feel about our situation.

U N I D E N T I F I E D J U V E N I L E #1: How are you doing, everybody? I am an alumni of the Total Lifestyle and

Support Program. I stand behind Mr. Moody and his program. I was one of the first ones to graduate out of the program successfully. You know, at the time I was in there, I did community service 11 hours a day. They had educational programs to help people who did not graduate from school. I did have my high school diploma, but other people-- It was part of the program that you had education, and things of that nature.

The one thing I did not like about it was, as he said, the follow-up. After I was released from the program, you know, I did good and everything; I went to probation and everything was okay. You know, they helped me to find a little part-time job and got me into the community college. They tried to give me the incentive to do right. The only thing was, it was a chore for me to just stay in touch with them. After my six months was over, it was, like, "I am free now. The stress is off me."

So the hardest part for a young juvenile, or a young adult coming up, is having something to do. We need cultural programs or something. We need job training, because as he said, without job training, you go to apply for a job and they say, "Do you have any skills? Do you have any experience?" You can't get experience when you have been on the street all your life. You have not had a job. The only thing you know is, do you want to go to McDonald's to work, or do you want to go on the block and sell drugs? A lot of people don't have the father figure in the household to really put his foot down and try to steer you in the right direction. Juveniles are easily led in the wrong direction.

What we need is help from outside people who really care about the young juvenile. That is why there is so much violence, because they get together-- There are masses of them; there are a lot of them, just in the projects or wherever. They don't have anything to do. I mean, they can go down to the basketball court, but the bigger guys are going to

come along and move them out of the way. For the younger people, you need some type of -- like a role model or something, someone who has come out of the ghetto, who is doing something productive and giving back to the community. That is what the Total Lifestyle and Support Program is doing. With them, they took me--

I went into the Army shortly after I graduated from the program, you know. I was one of the ones who was determined to make my life better. But if weren't for Total Lifestyle and Support, maybe I would have been another statistic; another repeat offender. They gave me the chance to really want to do something to make me feel that I was important, a little self-esteem. I never had that coming up. I am quite sure that other young adults, juveniles, feel the same way. It is like they are lost. They do not know what they want to do with their lives. They can't get a good job. You know, they really have no type of -- no kind of skills. If you are not a good basketball player or a sports person, you have no money for college, you don't do good in school so you can have the grades to get into college -- financial aid and things like that--

We just need some type of a program to help out, to really care, not to just, you know-- We just need somebody who is caring, somebody who cares about our future. One day I could be up there, sitting in the Assembly. But without the training, without somebody to guide me, there is no hope for that.

All I am trying to say is, the Total Lifestyle and Support Program-- I stand behind that 100 percent. But about the juveniles and the crime and stuff, you really have to live there to understand the situation at hand. You know, you can read about the statistics and stuff; a little 12-year-old guy walking around with a gun shooting people, but that is all he sees coming up in this community. He sees nothing else. He

doesn't see doctors, going to the office, or anything like that. The ghetto is a community within a community. You can get trapped in a ghetto. You don't ever have to leave the project. Everything you need or want is right there.

Me, I grew up in the projects. I come from a family of five. Overall, everything worked out because the Total Lifestyle and Support Program helped me out. If it weren't for them, I would be in Jamesburg doing three years, or something. I used to sell drugs as a juvenile, only for the simple fact that my mother was on welfare. I had four brothers and a sister, and no money coming in. I felt like the only thing I could do was go out there and sell drugs. When I got caught, that was when the reality stepped in, you know, and things started to get really serious.

Most people today -- most young people -- do not think about that. Once that happens, it is too late for them, because now they are caught up in the system. I hate to say it, but it seems like the system really doesn't care about that individual. Once they get caught up in it, it is hard to get out. If I go back to 1987, '88, when I was caught up in this stuff, I figured there was no way out of it. I felt like I was stuck. When I turned 18, when I turned 19, I would be doing the same thing over and over, because there were no more programs. I did good for six months. Everything was lovely. You know, even when I got out of the program, I wanted to change, because they brought it to my awareness.

What I am trying to say is, we need people who care about the youth of today in order for us to be productive tomorrow. Don't stereotype everybody. We all deserve a chance. People come from different backgrounds. That is why I say we need some type of cultural programs, so that-- If I don't know who I am, how can I teach my other brother? If you don't know who you are, how do you know where you're going? So we need some type of program like that to help out.

U N I D E N T I F I E D J U V E N I L E #2: My name is--

ASSEMBLYMAN CATANIA: No, just hold your name.

UNIDENTIFIED JUVENILE #2: I am presently in the Total Lifestyle and Support Program. I am here to tell you the reason why I am in this program. I never had, like, an after-school program, or a basketball team, or stuff like that in school to go to.

I have been in this program, and I think we need more programs like this in New Jersey, like, all around the State, because the program helps you out; helps to find you a job after the program and stuff. Mr. Moody, right here, doesn't have enough money to do this for every kid in the program. He can do but so much for the kids. He needs more help.

ASSEMBLYMAN CATANIA: What do you think is a good thing about the program? You're in the program. What do you think is a good thing? How is Mr. Moody's program helping?

UNIDENTIFIED JUVENILE #2: I think that when I complete this program, I can go back to school, and I can do good in school. Before, I never liked school, but now I am in this program 11 hours a day. What's five or six hours in school? I think I could be a straight "A" student now, because -- do you know what I'm saying -- I have to be in Total Lifestyle from 8:30 to 7:30 at night. I can go there at 8:30 in the morning -- to school -- and come out at 2:30. I think we have to do hard work in the program, like, cleanup projects, walk on the street, and stuff. People laughing at me, "Ha, ha, you're in the program." I think I could be a straight "A" student right now.

ASSEMBLYWOMAN GREGORY-SCOCCHI: What would prevent you from getting wrapped up in your life on the street again? Once you complete this program, what are you going to look for that is going to help to support you in your new life?

UNIDENTIFIED JUVENILE #2: I want to go back to school. I really want to go back to school, but I think I am going to have to find me a job, or come back to college

(indiscernible). I can't go back to high school, because I am already 17, and I am only in ninth grade.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Right. You will need something else, is what you're saying.

UNIDENTIFIED JUVENILE #2: Yes, yes.

ASSEMBLYWOMAN GREGORY-SCOCCHI: You need some support -- the after-care support you talked about.

UNIDENTIFIED JUVENILE #2: Yes.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Do you have anything right now, Mr. Moody, that helps the children who come out of your program to go forward?

MR. MOODY: Nothing but what we have, no. Individually, there are a couple of other programs. I am the Director of the Paterson Youth Services Bureau, and I have a couple of programs under that umbrella. Our counselors, our secretaries, whoever is available, you know, maybe someone will come in and try to help out in making contacts, doing legwork. It is just the weak side of it.

ASSEMBLYWOMAN GREGORY-SCOCCHI: How many of these kids are at risk once they complete your program? I mean, I do not know that much about the program.

MR. MOODY: Every one of them is at risk.

ASSEMBLYWOMAN GREGORY-SCOCCHI: But I mean afterwards. How many kids have you seen come back because there is no after care?

MR. MOODY: Are you saying "recidivists"?

ASSEMBLYWOMAN GREGORY-SCOCCHI: Right, right.

MR. MOODY: First of all, I want you to understand which juvenile we are talking about. Before a juvenile gets into a situation where he or she faces two years of incarceration, there must be a long history of involvement. I would say that these youngsters get to a point where all this living-- There is a new complaint, and they find themselves in

court every three or four weeks, maybe six weeks or so. That is continuous for awhile. They build this pack pretty thick.

By the time they get into a situation where they are being sentenced to this program, after their last arrest -- it may be, say, from one to three months, sometimes four months. They complete the program in six months, so that is about a year. It is usually about six months after a successful completion before they start to reinvolve. So that's 18 months of noninvolvement, as opposed to every six, eight weeks maybe.

Once they get to that point, though, the recidivist rate is maybe-- I do not have hard statistics, but just from going over our roster and knowing where the folks are, I would say it is about -- between 45 percent and 60 percent at that point, which I seem to think is still pretty good. But these are very difficult. Because of the facts I mentioned before, there is going to be reinvolvement. There is nothing else to do.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Thank you.

ASSEMBLYWOMAN HAINES: Do you have any idea what type programs, once they are out, or training-- Are there any proposals for education, for job training? I guess that is more or less what I really want to get to. It seems that education-wise--

The young man was just saying that he didn't think he would go back to school because he is 17 already, but he really needs to have some type of training in order to get a job.

Do you have any idea of what would be an area-- In order for us to try to do something, as legislators, to set up programs, we just can't go out there and say we want to spend "X" amount of dollars for something, unless we have an idea where it is going to go; something that might be a proposal that you already have an idea about what might be good in this particular area -- for a pilot program, say.

MR. MOODY: It has been a weakness. I mean, a lot of times there are programs; there is training, there are skill development programs. When they go through these programs and come out, there are no jobs out there. Whatever training there is, there has to be employment. Somehow we have to correlate the training programs with the available jobs. A lot of times the kids go through some training, they finish that training, and there are no jobs. We get them into another training program, they finish that training, and there are no jobs. That's the end of that.

So it is the employment. We have to find a way to, you know-- The kids are very, very talented, really. I mean, with just some resources they can do all kinds of things and they can learn. So the educational piece, I know we can build on that. But even after you get them trained and educated, where do we go from there?

ASSEMBLYWOMAN HAINES: Like working possibly with businesses, unions, construction, those types of areas.

MR. MOODY: Yes.

ASSEMBLYWOMAN HAINES: That is more or less something that will probably need to be done; working with people on all aspects of jobs to try to have some type of a program. Then follow up with it and possibly they would be able to go on the job for on-the-job training, and then possibly work, you know, to get a job. Do you think that is something that might be successful, or maybe a start toward where we could go?

MR. MOODY: I think that is really where we should be going.

ASSEMBLYWOMAN GREGORY-SCOCCHI: Mr. Moody, has your Total Lifestyle and Support Program attempted to do that -- work with any of the local employment agencies, that type of thing, to get these kids a job once they graduate?

MR. MOODY: Not systematically, as I would like. Again, it is piecemeal. Whenever I am anywhere with someone

who has any type of business, I always try to do that, but it is not systematic enough. You know, we need somebody to just do that. It's hit and miss. You end up calling people. There are not enough hours in the day, you know, to try to find work. It is hurtful when a young person you know changes his life around and begins to believe what you are telling him, and then the fruits do not come afterward.

ASSEMBLYWOMAN GILL: First of all, I would like to thank Mr. Moody and the young brothers who are here. It shows that the philosophy of simply locking them up and throwing away the key is not the philosophy that ultimately would bring you to this table. So it would be very nice if this were the image that the media would for once project; that there are young men and men of color out there who are striving to do and striving to become.

It would appear -- and correct me if I am wrong -- from the discussion that the two young brothers seated before me would probably be statistics that one would say you should give up on. In order to save them, it seems that we need an infusion of money into the communities for jobs and education in community-based programs, like the ones before me. Correct?

MR. MOODY: Yes.

ASSEMBLYWOMAN GILL: So anything short of an infusion of money and programs in the community ultimately leads you, in trying to rehabilitate, into a dead end.

MR. MOODY: Yes.

ASSEMBLYWOMAN GILL: I would hope that in discussing the juvenile system, that we also discuss it from an economic development perspective for the communities. If we can use small businesses, incubator businesses in order to employ and develop the talent that is in the community, then it becomes a continuum of development to where ultimately they won't need your program.

MR. MOODY: Yes.

ASSEMBLYWOMAN GILL: Although they will always need you, they may not need your program. I would hope that in any discussion, we would talk about juvenile justice and economic development of the communities where they live. If there are any suggestions, please feel free to always contact us.

MR. MOODY: Yes. Every juvenile that I have in this program, if we did not take them, they would be in the Department -- Juvenile Services, now -- but they would be committed, at whatever cost. I get figures from \$35,000 to \$55,000 per year. I service at least 60 youngsters per year. That is a substantial savings to whomever these kids would be incarcerated to.

At one point, I figured this program saved the taxpayers of this State \$3.7 million, or something of that nature. If you give me the .7-- But these kids, if not here, would certainly be in Corrections. That is a substantial savings. So, yes, the money needs to be in the community.

I would like to also say that the citizens of the town-- The kids are committing the crimes. I mean, there are all kinds of stuff going on. One of the premises of the Total Life Program is, you committed a crime. You committed a crime, so you have to pay something back to this community. Now, we say with labor, with some community service, and we are also going to say to the person, "We are going to make a productive individual out of you."

We are not saying that all these crimes that are going on-- These are serious crimes. We don't say, "Oh, it's really not a crime." Yes, it is a crime. You know, "You violated this community; you did wrong." We tell them that and, "You have to pay back." So 11 hours, or 7 hours of hard labor, yes, you earn that, but it does not mean that I love you any less. So we have to make them pay. They have to admit -- acknowledge their mistakes, and look toward paying the community back, and then to go on with their lives.

I think if we had anything else, I don't think we would get the support from the citizens of this town, who, a lot of times, are the victims, or the Prosecutor's Office, or the Judge, even the Public Defender. I want to say, yes, we want to acknowledge that juvenile crime is being committed. The youngsters in the Total Lifestyle and Support Program are directly responsible for that, but when you pay back, you are entitled to start over again. When they do pay, we need to have systems set up so that the youngster will not have to repeat; he can go on with his life.

UNIDENTIFIED JUVENILE #1: Just to reiterate what Mr. Moody said, as far as if we can keep it in a cycle, or something like that-- The best training, the hands-on training, like me being in the program, the kids can relate to me more. If there was some type of program where they could train me to be a junior type of counselor, maybe with some courses I would have to take, I could come back into the program to help the people who are being affected now.

When I moved on, there were people who were under me, and the program is still going on. Many brothers and sisters came through there. There are some people like me. I come back every chance I get to talk to the kids, to let them know, "I have been here before. Just keep your head up. There's hope." Back in '87, '88, I felt like, "What am I going to do after this?" So what I am saying is, people are living proof of it. Someone who has been there before. If we had some type of a program where we could train these guys, you know, get them a little education, the GED, or whatever, maybe you could get them a little job when they were finished, maybe a year down the road, or something, when they finish the program, to come back and work with the kids as junior counselors, or something like that.

We need programs like that. We need some type of an incentive for people to do well. Do you know what I'm saying?

We need to pat people on the back sometimes for being good. The only time people get headlines is when they do something wrong. I don't think that is right. You know, we need to start giving the kids some type of motivation to want to do good, to want to be productive in society.

ASSEMBLYMAN CATANIA: Anyone else? (no response)

Mr. Moody, I just want to go back now. In the beginning, you indicated that society was not strong in teaching what's right or wrong. You mentioned about children making decisions at four or five, and that they were continually making those decisions.

How do we address that problem? How do we address the problem where you said that parents have the right to raise their children according to the values they have? I agree with you. I am concerned about families, too. I am just grappling for something to be able to do. If we were to put more emphasis on making parents responsible for the actions of their children, would that have anything to do with it?

MR. MOODY: You know the 1984 Juvenile Reform Act did a lot of that. I thought it was a good law. But what it failed to do was appropriate funds to facilitate that. You know, who is going to do it in an already overcrowded police department?

I know there should be a separation of church and State. At one point, churches were very, very clear in their responsibilities, I guess. They were pretty much the makers -- I mean, the advocates of morality. We don't hear that anymore. You know, the church did one thing during my time. It was very clear on what it thought was right or wrong. Subsequently, most of our society learned right from wrong, as we believed it. That is not here anymore, so they are not doing their job.

You say you want a parent to be more responsible, but if a parent is teaching a youngster that this is the left hand,

and someone comes in and tells the parent, "No, this is the left hand," there is confusion. You must come into the home and support the parent's right to raise this child according to their values and beliefs. We have to support the parent. We are not. We come in and we are looking for the child. If there are several kids in the house and there are several workers, each worker comes in and looks for their child, and they support their child, not the family. They are actually separating the family. Then, when you have multiple agencies involved, there is total confusion.

So parents, they don't bug out, they just cut out. They don't do nothing with nobody. If they are not being strong, if they are not setting examples and directions at home, where is it going to come from? I think in our zest to help these, say, little children-- We have these images when we go into homes of kids being abused in many kinds of ways and forms and not being serviced -- these poor children. We should be coming into the home and saying, "This poor family. This parent. Let's take this parent up and give this parent the things they need to make the situation better."

If a parent is teaching a youngster, "This is your left hand," then we must support this parent, with this child understanding that the parent is the most important authority in his life. We do not do that, Assemblypeople. We do not do that. It is over and over and over again. If you really talk to parents, they do not feel that they are being supported like that. That is the reason why nearly every agency in this town, I mean, agencies with authority -- in many instances, the Probation Department, the Police Department -- they will call me and say, "Look, you know, we need to go to this lady's house. Can you help us to get in there?" They won't even allow them in the house. Why is that? Because they have to feel that when we come to their home, we are there to support and help them to correct the situation, and we don't give that out.

ASSEMBLYMAN CATANIA: Thank you, Mr. Moody.

JUDGE FERRANTE: I would like to say something before I leave. May I?

ASSEMBLYMAN CATANIA: Sure.

JUDGE FERRANTE: Al is a very modest person. I was waiting for him to say something about how much money the Total Lifestyle and Support Program saved the State of New Jersey over the last couple of years, with the number of juveniles he handles on a yearly basis, at a total of \$30,000 apiece if they were sent to Jamesburg. Any juvenile he helps, is a juvenile that, according to the record we have, should have been sent to Jamesburg. We take a chance and send them to Al Moody and his program to try to help them not to get to Jamesburg.

I think what Al is trying to say, if I may, when he talks about lack of support for the parent -- and we have discussed this in the past-- He is talking about the fact that the agencies are becoming the parents for the children, rather than the agencies helping the parents to become parents for the children. I think that is what he is trying to say, and that is not the way he feels it should work.

When we talk about children at risk, we talk about children at risk the first time they are involved, not after they are involved 10 or 15 times, at the time they are sent to the reformatory. They should be treated at risk when they first come to the Court system. That goes back to my first comments about community-based programs. If we had community-based programs run by community members, working with those juveniles when they first got involved, we would not have to have any after-care programs, because they would be working in the community from the very beginning. So they would not be going somewhere else and coming back to the community, having to face the same things they faced before they left.

That is another philosophy about the fact that the community-based program is better for the juveniles and would help them from the very beginning.

I just wanted to say that, because a year or so ago we had a task force in New Jersey where there were comments made about closing Skillman and McCorkle. There were commitments made at that time, and there were representations made to the juvenile justice system that there would be community-based programs to take over for those juveniles who were not being sent to McCorkle and to Skillman.

Ladies and gentlemen, we never got the funds for the community-based programs. They never started. So that commitment was not met at the time, when it was made to the public and to the juvenile justice system. As I said before, we feel like we have our foot in the door for the first time in a long time as far as the juvenile justice system is concerned. We beg you, and ask you, let's not let another generation be wasted. Give us the money to do the job here, where it belongs from the very beginning.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Judge, and thank you, Mr. Moody. Thank you--

MR. MOODY: Thank you.

ASSEMBLYMAN CATANIA: --really, for coming in today. We appreciate it.

I would like to call Chief Assistant Prosecutor Michael O'Shea at this time.

M I C H A E L J. O' S H E A: Good afternoon.

ASSEMBLYMAN CATANIA: Thank you for coming on such short notice.

Mike, I don't know if you have a prepared text, or would you like to comment on what was presented today by the Court? We were looking at his balance between rehabilitation and punishment. As a prosecutor, through a prosecutor's eyes, what do you think of what you have heard? Can you give us any information as to what you think should be done to change the juvenile justice system in New Jersey to make it better?

MR. O'SHEA: I have spent 17 years in the Family Court. The Family Court is premised on "parens patriae," which, as you all know, means the parent/the state. If you look around the auditorium today, including yourselves, we have many, many surrogate parents here. We have to ask ourselves why. The reason is because we have many parents who are not doing their jobs. It is that simple.

The teachers become the parents; the police officers become the parents; the public defenders, the prosecutors, the judges, the probation officers, and people like Mr. Moody, for whom I have the utmost respect.

I do not know, Assemblypersons, how you require parents to be parents or if government should invade the home in that manner, or could even take that responsibility upon itself, any more than it has, as I have just stated, with all these surrogate parents. However, it seems to me that education will always be the key. We have seen some programs in which education has worked, and we have broken some traditional feelings. We started teaching mandatory -- from kindergarten to the 12th grade -- drug and alcohol awareness. I think we have seen not only changes in usage of these drugs, but changes in attitudes, which is most important.

I think we have seen in the past, maybe only a year, maybe two years, that there has been a little slippage, because this education has to keep being provided, and maybe even pounded into these youngsters, because for all the words that are spoken, they are not nearly as important as examples to these kids -- to all of us, to adults, as well. If a child goes home -- and, as a prosecutor, I deal with this quite a bit-- I read the presentence reports of the young men and young ladies I am an adversary to, but I also feel compassion. Many of these young men and young ladies say that in their homes, there may only be one caretaker. It may be a parent, it may be a grandparent. A parent or both parents may have died,

or may be dying from AIDS, or may be using drugs at the present time, so these are the examples for these children.

I think that if in the schools we were able to give them examples in education, such as the dangers of drugs, they could see it for themselves and make their own choices, despite whatever dangers and problems they are having in their own homes. I am so much in favor of having a program such as Project 2000, in which minority males go into our inner-city schools, people such as Senior County Investigator Charles Taylor, who works with me. He can tell the kids the kinds of careers they can build for themselves; the kind of money they can make for themselves in legal professions, not selling drugs, not making \$600 a night and running the risk of being shot by a competitor -- you read in the paper every day about street corner shootings in our county -- or being arrested and having the money seized. I think these role models are extremely important.

I also agree with the comments of the one young man who sat next to Mr. Moody who said he would like to go into the schools and tell the younger kids about the dangers of not learning. You cannot decide to learn when you are 17 and you are four years behind. As that young man indicated, he has a problem now that he will have to deal with. Go into the kindergarten, go into the first grade and tell them you are there for a reason.

I come into contact with teachers and vice principals very, very frequently. The law, frankly, hamstring us with regard to the exchange of information. We work closely together despite the law. The law says that we can provide information to principals, and the principal or his designee can use it for appropriate programs. All right. But if I want to waive a youth who is charged with shooting another individual to adult court, I have to first go to Judge Ferrante and get a court order to get those school records. I can't

simply subpoena them. I think the youth's school records say a lot about whether or not we can take a chance on keeping him in the Family Court, or whether he should, indeed, be sent to the adult court. There should be a greater and a freer exchange of information despite, as I stated before, the fact that I have had the utmost cooperation from the people in the schools.

I just think we need role models appearing in the schools, just as the DARE officers in the DARE program have. We have to give the children models. We have to help them to form their own attitudes because, in many cases, the parents are not doing it.

We have a situation where it wasn't until very recently that we decided to condemn tobacco. I use that word "condemn," because it is killing people, not only the people using it, but the people exposed to it -- secondhand smoke. Well, let's recognize the video arcades, movies, music, and television shows that are on at noontime. I used to belong to the Paterson "Y." I would go in there at noontime, and while I would be dressing the range of topics that were on at 12 noon would amaze you. I am not going to get into them, but sex is a big seller, obviously.

Government should not be in the business of censorship. I agree with that. But if we made a finding, it would probably require studies by people such as yourselves. If we made a final determination -- a scientific determination -- that these types of television shows and representations are dangerous to our health, I think we would have to control who is exposed to them, and I think they would have to be heavily taxed, because they are exacting a tremendous toll on our society.

I was watching the television the other day. I saw a video where a robotlike machine wrapped a loop around a woman's neck, and I turned it off. I found out that the FCC, I think, banned it because of what occurred after that. But my children

were sitting on the couch next to me while I was watching this. You can see, Assemblymen and Assemblywomen, that I am not prepared, but I am excited because this is my professional career.

Mr. Moody -- I am glad he is still here -- is too modest to tell you about his accomplishments, and he certainly is not one to complain, but I have been watching him. As I come into work some mornings -- I come in early; it is his typical morning, 7:00 in the morning -- he is driving around town picking up kids in an old beat-up van. I remember years ago trying to get him some money so he could get a new van.

All right, you say that is not all that important. Well, it is important, because Mr. Moody is trying to run a program and he is scrounging for every cent he can get his hands on. Now, his program is an intensive program. It is what we want from 7:30 -- or 8:30 in the morning until 7:30 at night. It involves the family. It involves the entire facet of the youth's life. That is an intensive supervision program.

The youth who go into this program are interviewed by Mr. Moody. He tells them, "It is going to be tough." Do you know what some of these kids tell him? Again, Mr. Moody would not complain to you. "I would rather go to Jamesburg where I can build a body and don't have to worry about somebody like you on my back." So the only kids who are going to get into this program are multiple offenders, kids who have broken the law, but kids who want to try to help themselves. Now, I think it is important to try to help that kind of a kid.

What have we seen? We have seen the implementation of a program at the State level called the Juvenile Intensive Supervision Program, and \$2.5 million was appropriated to that program. For that purpose? To take kids out of the reformatories. What is their motivation for going into JISP? To get out of the reformatory. Frankly, I think it is a slap in the face to the public defender who represents the kid, the

prosecutor who works on the case, the judge who sentenced him, and people like Mr. Moody. What it does is, it takes all of Mr. Moody's clout away from him. If the youth does not like the rules that Mr. Moody exacts, they can go to Jamesburg, because it is just a round trip home through JISP.

That money should go up front, as Judge Ferrante said. It should go to programs such as Mr. Moody's.

My final feelings, again, are that we need examples, and we need education. I think education is the key. Give the kids a chance. I think we have wonderful people in our schools. Maybe they are a little bit hamstrung by rules, by layers of bureaucracy. I think the kids who are in the schools to learn should not be burdened by the troublemakers. We have seen that from 1989 to 1992, there was a 95 percent increase -- in only three years -- in violent incidents in our schools. I am hoping we can have alterenative schools for the kids who are having problems in the traditional schools, and for the kids who are disruptive and are not making any attempt-- I think for those children we have to stop carrying them, because what we are doing is hurting the kids in the schools who are trying to learn. We are making things very difficult or impossible for that set of surrogate parents I was talking about, the teachers.

The only other thing I would like to say is, the threat of imprisonment or the promise of government programs is not going to convince children to avoid injurious lifestyles. It's values, values, values, as all of you stated earlier. I am hoping that education, role models, and a family type of teaching, again from kindergarten on up-- I had occasion years ago to prosecute a case in which a 17-year-old father had burned his child with cigarettes and had whipped the child with a belt. The child was an infant, I forget, but approximately six months, nine months old. When I went to the Henry Street Hotel in Passaic, a welfare hotel, I saw the conditons that

those people lived in, and the mothers trying to raise their children -- many well-meaning, loving mothers -- but it was impossible.

I just think that maybe a field trip to these hotels, maybe bringing some of the young adults in -- the young men and women-- Those who have to live in these types of places, in very difficult situations, might be able to give these children, our younger children, instructions so that they can avoid the same sorts of problems in their lives.

Thank you very much.

ASSEMBLYMAN CATANIA: Thank you, Chief Assistant Prosecutor O'Shea.

Does anyone have any questions? (no response)

Mike, one question for you: JISP, where does the money come from? That is not coming out of the Legislature, is it? It is coming from the courts, isn't it?

MR. O'SHEA: It is my understanding that it is appropriated and it is utilized by the Administrative Office of the Courts, because that is the agency that administers the program.

ASSEMBLYMAN CATANIA: Yes, I did not think that was a legislative funding.

No other questions? (no response)

Thank you.

MR. O'SHEA: Thank you very much.

ASSEMBLYMAN CATANIA: From the Paterson Police Department, Detective Donald Reading.

D O N A L D R E A D I N G: Mr. Chairman, I know we are in the ninth inning, so I will try to get through just as quickly as I can.

ASSEMBLYMAN CATANIA: No, we are really not. We are still in about the third or fourth here.

MR. READING: Not to echo what Mr. O'Shea said, but nobody does a better job than Al Moody does with our kids. We

could probably talk for a couple of weeks on what a great job he does.

My name is Detective Reading. I am with the Paterson Police Department. I have been a detective with the Juvenile Division for about two years. I have worked in patrol; I have worked with the tactical units; and I worked in Narotics for four years. Nothing is more challenging than working with the Juvenile Division.

I was asked to prepare a report and make suggestions on the needs we have as detectives in the Juvenile Division. What I will do is read my report, and I have copies available for the members, if they would like them.

First, we would like some special grants for the purpose of vehicles for exclusive use by the Juvenile Division. This is not meant to be critical of the Police Department. It is an established fact that due to severe budget restrictions, we make due with what we have.

While it is true that we have seven vehicles in our Division, they are quite old and well-used by the time we receive them. Historically, there has been a hand-me-down system on cars. New, up-do-date cars would serve many advantages. In the course of our work, juvenile detectives transport victims, family members, parents, witnesses, as well as the offenders. When these citizens have contacts with the juvenile detectives, it is usually their first-step encounter for the entire juvenile justice system. The first impression they get at this point will certainly have an effect on how they perceive the rest of the juvenile system.

New, well-maintained vehicles would convey a professional, businesslike impression, while fostering a degree of respect that could result in an increase in the public's cooperation with the juvenile system. It would also have a positive impact on young offenders' sense of self-worth. Think of it in terms of the youngest juvenile offender getting picked

up in a jalopy with a falling-apart interior. Their thought would be, "They've got to be kidding."

This initial negative impression could have an adverse effect on their attitude concerning the rest of the system that they must deal with. One of the most detrimental attitudes we encounter on a daily basis is that, "This is all a joke, and nothing to be taken seriously." Most juveniles we deal with have this attitude today.

A second point is, we need well-structured work programs designed to reach and shape the attitudes of the juveniles starting out as new offenders; that is offenders with minor offenses. Programs should be well-supervised and should involve tasks such as park and playground cleanups, the repainting of graffiti-damaged buildings and other structures, cleaning up school properties, etc. The tasks could be expanded to include a variety of community services. Not only would it be a visible service to the community, but it would give them a chance to see that they can have a positive impact on the community.

A juvenile may pay close attention if he or she knows that they will be required to give up some Saturdays or vacation time, etc. and this may act as a deterrent against the majority of nuisance type offenses.

Thirdly, I would like to see a special grant to allow for an increase in personnel power in the Juvenile Division in order to combat the graffiti problem. Our detectives must be utilized to handle the full spectrum of jobs that we encounter on a daily basis. As a result of this, graffiti must be handled when time is available, and often gets neglected due to the investigations of priorities such as robberies and burglaries.

If it would be possible to be granted funding so we would have a Juvenile Division with an increase of two or three detectives whose main purpose would be to aggressively pursue

the graffiti problem without distractions or being drawn away from them for more serious crimes, it is felt that many positive results could be achieved. As we stand now, we do not have personnel power to spare detectives exclusively for the highly visible problem of graffiti.

More attention should be focused on truancy. Solutions should be worked out. Truancy is treated by most as "no big deal." The more unstructured and unsupervised time the juvenile has, the more opportunity exists to get into trouble. A further problem for this cause is that it appears to be perceived by their peers as a sort of badge of honor. There is little fear of truancy law by many, or even all of the juveniles.

All juveniles should be held strictly accountable for their actions. There are too many excuses made. It is always someone else's or something else's fault. Parents or guardians should be made to become more involved. Wherever possible, the juvenile justice system must get the parents or guardians involved once individual offenders are identified. To a reasonable degree, they must be held more accountable.

Something should be acted upon to help the parents who have children who are uncontrollable, but don't permit criminal acts that can be acted upon by police departments. Many are the complaints we hear from parents and guardians that they cannot control the child. The juvenile stays out until 3:00 or 4:00 in the morning on a daily basis. Meanwhile, it is suspected that the child is involved in gang-related activities, drugs, etc. Most times, the system does not get plugged in until a child is in trouble. Meanwhile, the child is coming and going as he or she pleases, and the parent is told that the child is doing nothing wrong, or doing nothing against the law. In many instances, by the time it is acted upon, it is too late.

That is all I have.

ASSEMBLYMAN CATANIA: Thank you Detective Reading.

Are there any questions? (no response)

Thank you, Donald.

ASSEMBLYMAN CATANIA: Derrick Laury, New Jersey Department of Corrections. (no response)

UNIDENTIFIED SPEAKER FROM AUDIENCE: He just left.

ASSEMBLYMAN CATANIA: He just left? Okay.

George Yefchek.

G E O R G E Y E F C H E K: Good afternoon. Thank you for the opportunity to speak here today.

I come here today as a practitioner. I spent a long time working in Paterson. I worked on a community program here in Paterson. I ran the Detention Center. I operated the Green Residential Group Center in Ringwood here in Passaic County. Then, for eight years, I was the Superintendent at the Lloyd McCorkle Training School. So I am a practitioner, and some of the things I have to talk about are some of the things I have learned over the last many years -- I guess it is -- dealing with juveniles.

I think that after they have committed some juvenile offenses and they go through the community resources, a lot of times the community wants the juvenile removed. At that point, it is time for the juvenile facilities, whether they are residential programs or a training school. Once they get to the training school, I think what we really need there, along with them being removed, we really have to have treatment. There has to be some kind of services offered.

When I was at Skillman, what I tried to do was set up those kinds of programs. I think for different kids it may be appropriate that they are in a residential center, but some kids need to be in the training school. But when they get there, you have to have programs. Again, echoing many of the speakers today, the first thing is education. When we were there, we would test all our incoming juveniles. When you

realize that you can have 14 and 15 year olds testing out with the reading level between zero and fourth grade, I think you can see that there is a serious problem. Without some type of education, what can we actually hope that this juvenile is ever going to be able to do when he gets out into the community? Where is he going to work? What can we expect? Is his career ladder going to be McDonald's? I mean, we have to look beyond that. We really need to look at educational programs, not only teaching basic skills, but somehow linking them into their home districts.

At first when I was working in one of the residential programs, I thought it was appropriate. If the kids came in and their reading skill advanced from 2.0 to 5.0 when they left, that was fine. But the next step was that you would find out, after you had a kid for awhile and his reading scores improved and you wanted to send him back to the home district, if he had been gone for a year, or six months, if he does not have any credit that the school can recognize, what happens is, that is a wasted year academically and educationally. So you have a 15 year old who comes back -- or a 16 year old -- who is now a year behind in class. What does that do? I mean, he is back a year, and that starts on to possibly-- He doesn't want to go to school because his friends are all ahead of him, which gives him another excuse not to go, and then he ends up dropping out, and we are starting the whole cycle again, where in a very short time he is coming back to the criminal justice system again because he lost that year.

So you really have to gear that educational program into something that is transferable back, because at 15 and 16 years old, we need the kids to go to school and learn. We cannot send them back to the streets and expect that if they can get a job at Roy Rogers or McDonald's, or something like that, that this is enough for them, because it is really not.

I think, also, that when you are at a training school-- What we tried to do was to get a variety of different programs available to people -- vocational training. Again, I think some of the young men who testified here today talked about that. Again, with the vocational training, it is giving them a glimpse of what they can do for the future. I think we do a disservice to kids who have been in a training school, or anywhere else, to allow them to work as a carpenter, or give them an opportunity as a mason, or in construction, and when they leave they think that now they are a carpenter or a mason. I mean, that is only the first step. They have to go back. There is more training involved. They have to try to get into vocational school. But too often, we look at giving that short-term solution of, "Okay, he found out that he likes being a carpenter." You know, at 16 or 17 you are not going to be a carpenter. You are not going to get into a union. I mean, again, there are so many other things involved.

I also worked on a lot of different types of counseling programs, working on the problems that brought the kids into institutions. The Mayor mentioned, when he was talking about the boot camps, individual attention and recognition. I like that, because one of the things we tried to do with an outdoor education program was to give that type of individual attention and recognition. By outdoor ed, I mean Outward Bound types of programs, where they go out and do various activities outdoors through ropes courses, different physical obstacles, challenges which they work together and do as a team and overcome.

By processing through that, again, it gives them the accomplishment of something, something out of the ordinary. That is really important. It is really a vital thing for kids to see that they can do something positive and that something really extraordinary can happen, whether it be climbing a mountain, canoeing, going through some of the obstacle courses.

The Governor mentioned -- I think it was Thursday night on the NJN network -- about how she liked that idea, too. I had that at Skillman. We put our kids through it there. Back, I guess it was in the early '80s, when I was at Greenfields, I built a course there for kids to go through. I think that kind of wholesome type of activity outdoors, doing something out of the ordinary, working together as a team, is very important for them. I think we need some of those types of activities for kids, too, because they have to learn something about themselves -- counseling, how to work with one another.

Also, in treatment-- Again, we all know that drug and alcohol -- the problem they are. You have to have treatment for the kids while they are there as well. Again, taking a kid who is using drugs and putting him in an institution for a period of time and then just releasing him-- We are only asking the cycle to be committed again. We worked very hard at setting up drug cottages, drug treatment, and that was available.

I think when you look at individual kids, they come to you with all kinds of problems. It's drugs, it's personal problems, and you really need a good, caring staff to work on those kinds of problems, because without the proper counseling to treatment to get them through, it is only a short stop-- You know, they are with us for awhile, or they are within the system for awhile, and then they come back without the problems being corrected, and they are back into the system again.

I did a few other things when I was at Skillman. What we tried to do was to show some of the kids we had the other side of life and have them experience some things that they normally would not do. One thing we did was, we had a football team. We did not win any games, but the experience of the kids who-- Normally these are the kids who would never be in an organized activity; would never go to some other team's

homecoming; go out in the field and work together as a team, and gather that kind of experience. Those are the types of things that I think the kids need to see. They need to experience them.

Also, with the kids, there were some other things that came up that were not just-- They were out of the ordinary. We went to the type of things where they could learn. We went through a private school. At halftime they had oranges. If anybody has been involved with athletics, they know that at halftime, out come the oranges. They had all of these prepared for us. We came in at halftime, and one of our kids picked them up and he was taking them away. I asked him, "Where are you going with them? You can't eat them all." He said, No, man, there's got to be something wrong with this. If they put this stuff out for us, they must have put, like, pins and razor blades and stuff in them, so I am going to throw them out." You know, he could not comprehend the simple act of generosity that, you know, we all would just take as normal. It would be no big deal. They had never experienced that, and he could not understand it.

I think those are the kinds of little things that we can teach kids. Through a good, structured program, we can do that.

Just one other thing I would like to bring up that we did. We called it a cross cultural program. Many of our kids never see some of the better high schools. We were lucky enough, at that time, to be located in a pretty affluent community which had a good high school. These were the kids who got their 800s on each of their college boards, and could go on to the finest colleges, about 95 percent of them. We started an exchange between our kids and their kids. We did it through the Outdoor Education Program, because it was something where they could all meet on an equal footing.

What we did was give them the opportunity to see what the other side was like, as well as giving the kids in their high school an opportunity to see what the other side was like for our kids; also, to see that our kids, beyond the headlines, aside from the evening news, after a car chase or something else -- to see that there is something else with these kids, and that they could learn about them just as well as they could get to see the other side.

ASSEMBLYWOMAN HAINES: I just have one question.

ASSEMBLYMAN CATANIA: Okay.

ASSEMBLYWOMAN HAINES: Just one thing: One of the things you said was that they are being taught in school -- while they are incarcerated they are getting subjects, but yet when they go back into the school system, they are not credited with those?

MR. YEFCHER: Unless you follow an approved curriculum with the required number of hours, and you have been monitored and that has all been accepted, a school system does not have to accept any work that a juvenile has done. So it is conceivable for a kid to be away for a year and come back without any educational credit.

ASSEMBLYWOMAN HAINES: What are the basic courses that you provide to a student?

MR. YEFCHER: What we provided at McCorkle-- We stressed reading, language arts, math, and then we had other subjects -- science, health, phys ed, so that we could meet the basic curriculum. That has to be done, and it has to be accepted by the various school systems.

ASSEMBLYMAN CATANIA: George -- and I hope you don't mind my calling you George, just call me Frank. I use everybody's first name. Let me go back to Lloyd McCorkle. I happen to know a lot about Lloyd McCorkle, because I was involved in it when it was closed, and I am still upset about it being closed.

Is there anything in the system, either in the Department of Human Services or in the Department of Corrections, where a juvenile delinquent who is being detained is receiving an accredited education?

MR. YEFCHER: I can't answer that for certain. I am not aware of that now.

ASSEMBLYMAN CATANIA: Was Lloyd McCorkle accredited?

MR. YEFCHER: Yes, we were.

ASSEMBLYMAN CATANIA: What were the ages you were able to take? You know, from what age to what age, what grades? Maybe I can put it that way.

MR. YEFCHER: We took up to the age of 16. By law, the youngest kids were usually 12, but we saw very few of those. It was primarily 14 and 15 year olds.

ASSEMBLYMAN CATANIA: Mostly high school students?

MR. YEFCHER: Yes.

ASSEMBLYMAN CATANIA: Do you think -- and, you know, this question is going to be a little pointed -- that anything -- that any of the reasons for closing Lloyd McCorkle may have had to do with the community where it was located; that they did not want this facility there?

MR. YEFCHER: You know, there was always controversy with the community. You have to remember, when the Training School was built, we were surrounded by farms. Then we had a country club; we had different subdivisions go in. So the character of the community changed. But over the years, I built a pretty good relationship with the people in the community. I had an Institutions Committee. I got along with those people.

You know, if there was an escape or a problem, sure, we had concerns and that, but I worked with those people the best I could. I think we had a good understanding. I think that was a positive. We worked with the school system. I mean, the school exchanged students.

ASSEMBLYMAN CATANIA: What was your budget?

MR. YEFCHER: At the time, we were probably running about \$7.5 million, plus--

ASSEMBLYMAN CATANIA: Was that \$7.5 million?

MR. YEFCHER: Yes, plus a SFEA allocation of probably another \$1.5 million to \$2 million.

ASSEMBLYMAN CATANIA: How many juveniles did you have there?

MR. YEFCHER: Two hundred.

ASSEMBLYMAN CATANIA: Two hundred? That was an average all year?

MR. YEFCHER: Yes.

ASSEMBLYMAN CATANIA: Okay. Thank you.
Derrick?

D E R R I C K L A U R Y: Mr. Catania, other distinguished members of the Task Force: I am going to make it brief and just offer my recommendations, because of the time. Mr. Yefcher has shed light on most of the things that I would have, and it would be redundant, what I had to say.

Currently, I am Program Director at New Lisbon Wagner Unit, Albert C. Wagner Youth Correctional Facility. Because of the Lloyd McCorkle closing, I was transferred over, courtesy of the Commissioner, to the Albert C. Wagner Youth Complex. Now I am the Program Director there, supervising 91 inmates, five correctional staff, one professional staff, and five volunteers.

It is a little bit selfish and personal that I am here, at times, and for what I am thinking. I heard the Prosecutor mention -- and I am a little bit offended by it-- I have to say this, because I have been in the trenches of hell, just as Mr. Moody has. It falls short of the mission to say that we just lift weights at training schools. I have a serious problem with that.

You would have to go out there to know what goes on in the training schools, whether it is Jamesburg, Juvenile Medium

Security, or the Lloyd McCorkle Training School. We did a fantastic job with what little we had to work with.

Well, let me get past the personal part of it. Mr. Chairman, my recommendations to this Task Force would be:

Reopen the Lloyd McCorkle Training School and restore the former Superintendent and his staff.

Ease overcrowding.

Apply treatment on demand, a program whereby those young children convicted of drug offenses could be diverted immediately into treatment programs, instead of waiting as long as six months in the Detention Center to be sentenced. As a result, this would make space available for violent offenders.

Declare work on recidivism. Apply an intensive after-care program that works in conjunction with communities, with the help of the private, nonprofit sector and civic organizations.

Reward community organizations with incentive programs to encourage them to supervise juveniles through education, counseling, and other preventive measures to avoid recidivism. Why? Because the parents are too caught up in earning a living to keep up with their children.

The sentence of the juvenile offender: Based on a presentence report which would indicate the level of education, the extent of the drug abuse, and occupational interests, the Judge would give the juvenile offender a dual sentence. For example: A two- to four-year sentence. A juvenile would have to serve at least two years. By doing this, he would have to complete a drug program at the Lloyd McCorkle Training School, increase his reading level, or receive a high school equivalency diploma. Failure to do this would mean that he would continue to serve up to four years, until such time as he complied with the Judge's sentence, whichever comes first. The noticeable benefit would be that the juvenile delinquent would serve every day of the punishment handed out to him, plus extra

time if he does complete the second part of his sentence. Programs like this would get to the core of the problem, would at least get the attention of the juvenile. The victim and the public would finally know the exact sentence given the defendant for the crime he committed and the length of time he served.

Lastly, upgrade the requirements of the State employees and others who work directly with juvenile delinquents. It helps when the staff is in tune with what is going on with the kids, and are not just putting in their time collecting a paycheck.

I believe these recommendations will offer solutions to some of the problems we face in dealing with juvenile delinquents.

Thank you for the opportunity to testify before you. I am open to any questions you may have.

ASSEMBLYMAN CATANIA: Derrick -- and George -- I would like a copy of your statements, if possible. If you have extra copies, please see one of the aides.

Does anyone have any questions?

ASSEMBLYMAN ZISA: Mr. Chairman, just one note, and I apologize if it was covered. I had to miss part of the testimony.

The Lloyd McCorkle facility housed approximately 26 percent of the rated capacity of juveniles in this State. I just want to stress the significance of that closing. We lost 26 percent. The entire State is only rated at 729 beds, and we lost 193 in one shot. I would just like that note to be made to the audience and to the Task Force.

Thank you, Mr. Chairman.

ASSEMBLYMAN CATANIA: Thank you, Assemblyman. Thank you very, very much, Derrick, for coming up today.

MR. LAURY: Thank you.

ASSEMBLYMAN CATANIA: Again, I would like copies of your statements.

MR. LAURY: Sure.

ASSEMBLYMAN CATANIA: George Sullivan, Probationfields Program, and is that Wendi Cabell?

W E N D I C A B E L L: Yes, Wendi Cabell.

G E O R G E W. S U L L I V A N: I have a prepared statement, a brief one--

ASSEMBLYMAN CATANIA: That's fine.

MR. SULLIVAN: --and then Ms. Cabell will follow up with her statement.

I wish to thank Chairman Catania and the Task Force on Juvenile Crime for the opportunity to address what I consider to be the most serious problem facing New Jersey's judicial system; namely, juvenile justice.

As everyone is aware, the number of offenses committed by juveniles is increasing, especially in our urban centers. Correspondingly, there has been a decrease in the number of available slots in rehabilitation programs throughout the State. This shortage is most evident right here in Passaic County. There are currently 1570 juveniles under probation supervision in Passaic County. They are being supervised by 12 probation officers. That is an average caseload per officer of 130. Amongst these 1570 juveniles, there are many who could benefit from treatment programs, both day and residential. Unfortunately, there are not enough program spaces available within Passaic County to accommodate this need.

One such program that I have been involved with for several years is the Probationfields Day Treatment Program. Probationfields has been in operation since 1984. It serves both boys and girls between the ages of 12 and 18.

Probationfields is a contracted program run under the auspices of the Passaic County Probation Division. It has traditionally been funded through various agencies at all

levels of government. In the past three years, this network of funding has deteriorated to the point where the program is in real danger of closing. If this were to happen, it would have repercussions throughout the juvenile justice system, and would be a serious blow to the rehabilitation of juvenile offenders in Passaic County.

As I am sure you are aware, it costs at least \$30,000 annually to detain a juvenile in a county shelter. The cost of supervising a juvenile at Probationfields is only a fraction of that figure. When you consider the cost reduction and then factor in the rehabilitation afforded through the program, the choice is quite obvious.

It is my sincere hope that community-based rehabilitation programs such as Probationfields are not only continued, but expanded to help deal with the crisis we are now facing in the juvenile justice system. It is a more cost-effective way to meet the problem and maximize value for each taxpayer dollar spent.

At this time, I would like to introduce Senior Probation Officer Wendi Cabell, who is the On-Site Supervisor at Probationfields. She will address the objectives and the program activities on a day-to-day basis.

MS. CABELL: Good afternoon. As stated by Mr. Sullivan, the Probationfields Program, a day facility, opened its doors in June of 1984. Over the past nine-plus years, the program has changed due to forces beyond its control. However, the main objectives have remained intact:

- 1) To provide a meaningful alternative to the Passaic County Family Court for placement of juveniles in a nonresidential setting, thus aiding to alleviate overcrowding in both the county and State detention facilities.

- 2) To implement a model of supervised compensatory education, life skills instruction, prevocational training, and counseling.

3) To return the participants who have successfully completed the program to their respective families prepared to reenter school and/or the workplace, with behavior and attitudes which will enable them to be successful in the community, thus reducing the likelihood of recidivism.

The targeted population are Passaic County youth, ages 12 to 18, both female and male, involved in the criminal justice system. All of the participants have been referred for placement by either the Court of the Probation Division. An interview is conducted where each participant and family are screened according to entry requirements, which are:

- 1) Each participant to be a resident of Passaic County.
- 2) Each participant to be on probation.
- 3) Successful completion of the T.A.B.E. testing which evaluates the youth's educational level.

If found acceptable, each juvenile is returned to Court where they are ordered to enter and successfully complete the Probationfields Program, as well as comply with any additional Court directives. Each participant attends the program on a daily basis for seven hours each day, for approximately six months.

The following is a brief synopsis of the daily schedule:

The day commences at 7:30 a.m., when the participants are picked up and transported to the program. Upon arriving at the program, the participants eat breakfast and socialize with each other and the staff.

At 8:45 a.m., all classes begin: one group participating in basic skills and the other in culinary arts.

At 11:30 a.m., lunch, which has been prepared by the participants, is served.

The afternoon session begins at 12:30 p.m. with the two groups rotating with regards to each class.

At 2:30 p.m., each individual group participates in group counseling guided by their community youth workers and/or probation officers.

The day ends at approximately 3:45 p.m., when the participants are returned to their respective residences.

The daily educational program provides basic skills development, remedial work, life skills, prevocational training, and preparation for GED testing. Each youth is given approximately 10 hours of education per week. An individualized educational curriculum is constructed to enable each client to work at their own level of performance. The prevocational element addresses appropriate work behavior, dress, ethics, preparation of applications, and presentation of self during the interview process.

The daily vocational program provides hands-on training with visual results which contribute to the participants' confidence and self-esteem. The participants are tested to assess their individual abilities and acquisition of work maturity skills.

Group counseling serves as a means for identifying problems in each participant's life. Through the use of positive peer pressure, each individual matures and learns to come to grips with their problems.

The participants learn to relate to one another in significant, positive ways by proceeding through stages of development, from one of total strangers to a closely knit group.

I joined the Probationfields Program in October 1985, and over the next eight years observed the program weather many storms. It is both a pleasure and education to provide the support and structure requested of each and every participant. Even though the staff has changed over the years, they should be commended for eagerly giving of themselves in a professional, caring manner.

The Probationfields Program has touched the lives of many Passaic County youth, who have returned for visits over the years with stories of success and happiness.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Wendi.

The various fields programs are throughout the State.
Am I correct?

MR. SULLIVAN: Yes, but those programs are State-run programs. We are quite unique. We are a county-run program. We contract with the State for part of our funding. It puts us in a unique situation. Judge Ferrante alluded to it when he said it is important to have programs that have immediate access to the courts. We enjoy that. It gives us an advantage over other programs that may be located in the southern part of New Jersey. For them to have to come back before the Judge to get a modification of the disposition to benefit the kid is difficult to do if you are down in the southern part of the State.

We are probation officers. We are part of the system, and we work very well within it. It gives us a distinct advantage.

ASSEMBLYMAN CATANIA: How many juveniles are in the program right now?

MR. SULLIVAN: Right now, I think there are about 23.

ASSEMBLYMAN CATANIA: Is that about the average?

MR. SULLIVAN: Twenty-four would be the maximum number we could handle right now. The program was cut in half about two years ago when we lost, at that time, Department of Corrections funding in the amount of \$184,000. Also, we lost-- As a result of the directive that was given out by the Department of Corrections, the State Treasury ceased paying the lease for our building as of June 30, 1993. That was an additional \$38,400 which had to be absorbed through direct funding.

ASSEMBLYMAN CATANIA: Your program is one of the programs that is in jeopardy right now with regard to funding. Is that correct?

MR. SULLIVAN: That is correct, yes.

ASSEMBLYMAN CATANIA: If you don't get the funding you're out of business, and that would mean there would be 23 or 24 other juveniles who are going to be out on the street which we cannot handle .

MR. SULLIVAN: Correct.

ASSEMBLYMAN CATANIA: I think it is about time that we start to really look at the value of spending money, comparing it to where the tax dollars should be spent; you know, whether or not we are looking for a future for our children.

MR. SULLIVAN: There is a direct correlation between the number of kids in the shelter and our program, because almost all of our kids come directly from the shelter. We pick them up there and bring them to the program, and then from there, they go home in the evenings. If it were not for the program, these kids would be -- the majority of them would be in a shelter.

ASSEMBLYMAN CATANIA: Thank you both for coming today. If I could have copies of your statements, I would appreciate it.

MR. SULLIVAN: We have provided them.

ASSEMBLYMAN CATANIA: At this time, the Department of Corrections, I guess. There will be four people testifying: Therese Matthews, Jack Cuttre, Sheila Thomas, and Kathy Tumolo. What order are we going to go in? (no response)

T H E R E S E M A T T H E W S: Good afternoon, Mr. Chairman. My name is Therese Matthews. I am with the Department of Corrections. Frank Gripp could not be here this afternoon. However, he has prepared a statement he would like me to read on his behalf.

"Good afternoon, Mr. Chairman and members of the Task Force. My name is Frank Gripp, and I am Deputy Director with the Division of Operations in the Department of Corrections, responsible for secure care of all committed juveniles in New Jersey.

"Although I am unable to attend because of a prior commitment of hosting the Prosecutors Association's monthly meeting at Jamesburg, I have asked four of my top level staff to make a presentation before your Task Force regarding the education and rehabilitation programs that are offered at our facility. These staff are:

"Mr. Jack Cuttre, Superintendent of the Juvenile Medium Security Facility, whose responsibilities also include oversight of the Female Secure Care and Intake Unit and the Somerset County Detention Center.

"Ms. Sheila Thomas, Assistant Superintendent at the Jamesburg Training School.

"Ms. Kathy Tumolo, Executive Program Area Administrator, Jamesburg Training School.

"Ms. Therese Matthews, Program Development Specialist with the Department of Corrections.

"Each of these four staff have varying degrees of experience working with juveniles in the Department ranging from 11 to over 20 years. Each has dedicated their excellent careers to working with adjudicated delinquents in secure care environments. They are quite accomplished in their understanding of committed youth, as well as their understanding of this particular group.

"As you are aware, the Division of Juvenile Services in the Department of Corrections was reorganized under the Executive Reorganization Act effective July 1, 1993. As such, all the community and residential programs, as well as the contracted programs and necessary support services were

transferred to the Department of Human Services in the now new Division of Juvenile Services.

"The Training School at Jamesburg, the Juvenile Medium Security Facility in Bordentown, and the Lloyd McCorkle Training School, which encompasses both the Female Secure Care and Intake and the Somerset Detention Center, remain with the Department of Corrections in the Division of Operations under my supervision as Deputy Director. The overall supervision of the Division of Operations falls with Assistant Commissioner Gary Hilton, who is responsible for all adult facilities within the Department as well.

"In essence, the Department receives responsibilities for the secure aspect of the juvenile justice system, both male and female. Additionally, the Department still retains responsibility for the intake, reception, and classification process for both systems -- the Division of Juvenile Services and the Department of Corrections. Also, Corrections provides emergency backup transportation to the Division of Juvenile Services for youth returning back from residential placements to secure care, and is also responsible for the adjudication and detention of youth returning from these facilities.

"The youth under our care, many of whom lack parental support and guidance and live in communities with limited resources, nonetheless, have caused serious problems in their communities through engaging in criminal behavior. From our perspective, our facilities handle the most difficult adolescents in the system, both from a delinquent point of view -- for example, chronic offense histories and serious drug trafficking -- as well as from a treatment point of view -- severely emotionally disturbed, very aggressive, borderline personalities.

"The Department has always strongly believed in a continuum of care for committed youth, ranging from residential placement to secure care, based on the needs of the youth

presented at the initial reception classification at Jamesburg. Through the Reorganization Act of 1993, this Department is only responsible for the secure part of this continuum of care. As such, our staff speakers today will present to you the education and treatment activities that occur at each of our facilities. Copies of these program descriptions are available to you today as well."

What I would like to do is to hand over the presentation to Sheila Thomas, Assistant Superintendent at the Jamesburg Training School.

S H E I L A E. T H O M A S: Good afternoon.

ASSEMBLYMAN CATANIA: Good afternoon.

MS. THOMAS: I will try to keep this as brief as possible, and then will try to answer any questions you may have.

The New Jersey Training School for Boys at Jamesburg first serves as a reception site for all juvenile offenders, providing them admission and assessment and initial preparation for their classification to appropriate facilities and programs within the Department of Corrections or the Department of Human Services.

The next responsibility of the Training School is to administer to those juveniles classified for Jamesburg programs for their personal and social growth and development. The programs stress an individualized approach to the treatment of residents, emphasizing the learning of the basic social, educational, and vocational skills necessary to prepare juveniles to be able to successfully reenter society and live law-abiding, productive lives.

Aside from the general population, the Training School also manages a Segregation Unit to which residents adjudicated by an independent hearing process are confined following a major disciplinary code violation. This is also provided for the various juvenile programs within the Department of Human

Services, so that all juveniles classified to the community programs that violate rules be returned to this disciplinary process in a secure facility.

The Training School also provides a central medical facility with both outpatient and inpatient care for the entire range of committed juveniles. Individuals requiring extensive treatment are routinely admitted to this facility from the institution proper in the Department of Human Services.

The average daily population for Fiscal Year 1991-1993 was 427. The budget-rated capacity is 404. The population is currently 478. The average range of residents at the Training School is 17.1, with the current age range from 12 years to approximately 22 years of age.

Once a young man-- Once it is determined that he will remain in Jamesburg, he participates in an academic and vocational program. Our academic program operates-- It is a half a day school and a half a day vocational program, with psychological and individual counseling for him. It is a basic skills academic program that we run for math, reading, and life skills. We attempt -- if a young man has achieved that much prior to him coming to Jamesburg -- to gain a GED or a high school diploma. Otherwise, we attempt at least to raise a young man's grade point average by one year, hopefully by two, prior to his release from Jamesburg.

We have a number of vocational programs that we offer at the institution. Hopefully -- well, not hopefully, they are designed with an emphasis on development and the upgrading of trainee potential for employment. As many people have said today, even though we may offer mini-vocational training for these young men, employment is key to whatever skills they may gain while at Jamesburg.

Our programs are individualized and open-ended, and can possibly be used as prerequisites for more advanced programs.

Would you like me to go further into, like, the reception process? That is it in a nutshell. I don't want to labor over--

ASSEMBLYMAN CATANIA: I don't think anybody is looking for the reception process itself, no.

MS. MATTHEWS: Jack Cuttre can give you an overview of the Juvenile Medium Security Facility and Female Secure Care.

J O S E P H D. C U T T R E: Good afternoon. I have been the Superintendent of the Juvenile Medium Security Facility since its inception in 1983. The institution was created to house and treat those adolescents who were extremely disruptive and very aggressive in terms of behavior, and who had failed in various community programs and/or at Jamesburg, and at the time that Skillman was open -- the Lloyd McCorkle Training Center.

In addition to that, we were also a facility that housed and dealt with kids who were chronic runaways. Our program consists of a full academic, as well as vocational training program. We operate from K through 12, as well as providing a cable college program for those individuals who qualify for that. In addition, we supplement our regular mainstream academic program with a Resource Center and a full Child Study Team. Psychological and psychiatric services are provided for those juvenile offenders who so need them.

Our vocational program is pretty well diversified. We go from things that are very sophisticated, such as cabinet making and computer board repair, to a silk screening program and a construction trades program, as well as various functions within the institution that have to be maintained, such as working in the kitchen.

That is basically the Juvenile Medium Security Facility's approach. Late in January of this year, I was reassigned to oversee the Female Secure Facility at Lloyd McCorkle, as well as the Detention Center -- the Somerset Detention Center.

The attempt, thus far, has been to provide a full academic program, as well as recreation, health and physical education, support services, such as Alcoholics Anonymous, Narcotics Anonymous, and various volunteers from the community. That is basically what we try to do.

The Secure Care Facility at McCorkle is a temporary assignment. We are hoping that in the near future a permanent site will be picked.

ASSEMBLYMAN CATANIA: A permanent site for what, Jack?

MR. CUTTRE: For the Female Secure Care and intake.

ASSEMBLYMAN CATANIA: Wouldn't it be nice to keep it there? Where is the Juvenile Medium Security Facility right now?

MR. CUTTRE: I'm sorry?

ASSEMBLYMAN CATANIA: The Juvenile Medium Security Facility.

MR. CUTTRE: Where is it?

ASSEMBLYMAN CATANIA: Yes.

MR. CUTTRE: It is in Bordentown -- Bordentown Township.

ASSEMBLYMAN CATANIA: It is an accredited program there?

MR. CUTTRE: I don't believe we are accredited in terms of-- Do you mean the ACA?

ASSEMBLYMAN CATANIA: Yes.

MR. CUTTRE: No, we are not accredited.

ASSEMBLYMAN CATANIA: You are not accredited. Is there any group--

MS. MATTHEWS: With regard to accreditation, several months ago Jamesburg applied for accreditation. The application is at the ACA. They are undergoing the initial stages of the accreditation process. So the New Jersey Training School is going after ACA accreditation -- American Corrections Association.

ASSEMBLYMAN CATANIA: Lloyd McCorkle was accredited, weren't they?

MR. CUTTRE: Yes, they were.

MS. MATTHEWS: Yes.

ASSEMBLYMAN CATANIA: I don't have to talk anymore. Everybody knows my opinion.

Is someone next?

MR. CUTTRE: If you have any questions-- We will be happy to answer any questions you may have.

ASSEMBLYMAN CATANIA: Well, my questions, basically, are always going to center around the same thing when it comes to Lloyd McCorkle. Why did we close it? Why is it still closed? Why is the Department of Corrections not doing anything to reopen it? In fact, why is the Department of Corrections working hard to sell it before, you know, there is any chance for this current Legislature to put some funding back into the budget to keep that program open; when there is definitely a shortage of space needed; and this is a facility that could provide 200 spaces? Most of the staff is still around somewhere in State government. It would not cost us that much.

In fact, we had testimony, before, that the total cost of the project -- of Lloyd McCorkle -- was \$7.5 million. I am concerned. Is one of the reasons that we intend on getting Lloyd McCorkle out of the public-- Is it being placed for sale because of its location? That is a question that I throw out to any of you. Can any one of you answer it?

MS. THOMAS: We are not here to answer or to object to your opinion, sir.

ASSEMBLYMAN CATANIA: No, no, I am not asking that. Believe me, this is not a confrontation. This Task Force is here specifically to take information and, you know, to decide from there. The only thing I am asking right now is -- since the Department of Corrections is here -- is it the intent of

the Department of Corrections to try to dispose of this property, to close it down entirely, before we have a chance of reopening it?

MR. CUTTRE: I don't think that was the intent because of where it was located. I think it is plainly stated for the record, and it has been previously stated, that it was budgetary constraints that forced Skillman's closing. I mean, that is the only information we have been provided with.

ASSEMBLYMAN CATANIA: Okay, fine.

Does anyone else have any questions?

ASSEMBLYMAN ZISA: Well, in keeping with the Chairman's theme, I might note -- if I heard correctly the statistical data you gave us -- the facility is rated for 407, did you say?

MS. THOMAS: We said 404.

ASSEMBLYMAN ZISA: Oh, 404. Do you have a daily population for Fiscal Year '92-'93? It was 427, yet now you are saying it was over 470?

MS. THOMAS: Yes.

ASSEMBLYMAN ZISA: I would believe that there must be a correlation there with the closing of Lloyd McCorkle, or would I be incorrect in assuming that?

MS. MATTHEWS: There were a number of factors for the reasons of the overcrowding at Jamesburg. The commitment rate overall in the State went up 18.3 percent. Again, that is holding at that same rate, if not even a little bit higher this year.

We are also trying, as best as possible, to work with other systems on trying to get kids out of our corrections system. Again, the system, as everyone has seen, is a fragmented system, so trying to work through those avenues makes it difficult. Again, that is a result of the overcrowding, because we are not able to work collectively on

making sure the juvenile is out and into appropriate community-based placements.

ASSEMBLYMAN CATANIA: If I may, if Lloyd McCorkle were to be reopened, wouldn't that alleviate, or help to alleviate the overcrowding at some of the other placement centers?

MR. CUTTRE: By the sheer numbers, it may initially, but I don't know if you can really say that that would alleviate the overcrowding and it would be a finished issue.

ASSEMBLYMAN CATANIA: Oh, I don't know if we would ever look at it as a finished issue. I don't think ever we could look at this problem as finished. I think we have to look at it as a continuing problem. I think it is important that we have sufficient funding. I don't think it is a place where State government should look at, you know, making cuts, because of the fact that what it is going to do-- It is going to affect our citizens of tomorrow. In my opinion, we are just turning our backs on them. I think that no matter what, funding should always be there.

MR. CUTTRE: If I may just say one thing in closing: There has been an awful lot of talk this afternoon about what are the remedies, what are the resolves, where do we go. I think for those of us who have toiled in the system for a lot of years-- I think we find that there is no one solution, and a cooperative effort by all agencies throughout the counties of the State, I mean, really has to work in order to make any headway. The problem working in a people's business is that it is a continuum that never ends.

I have been real fortunate in the last year to have participated in a multiagency after-care program that is going beyond conceptualization. We are moving into a practical approach. The site will be Essex County, and the base for it will be at Jamesburg.

A number of us who have been working on this project for over a year are anxious to see by pooling community

resources in the City of Newark, working along with the State Parole Board, the Parole Office, and various agencies in the State-- I think this may be one of our first cooperative efforts that may come off the ground and may have some positive results that can be filtered to other counties in the State.

Again, for those of us who have toiled, no matter what we do on any level, it seems that we do send adolescents back to the same communities and the same environments that continue to produce, if nothing else, stress.

ASSEMBLYMAN CATANIA: Jack, let me say that I agree with you that this has to be a cooperative effort, and that cooperative effort should include the Department of Corrections; it should include the administration; and it should include the Legislature. I think the Legislature, the Assembly in particular, has indicated it is intent on attempting to keep Lloyd McCorkle open.

I think we should be working together, and not fighting each other by saying, "Well, we are going to try to dispense with the correction officers at the training facility at Lloyd McCorkle and we are going to sell the property." I think we should be working together, because that property can't be sold until we agree to sell it, and that is the Legislature. I don't think there is going to be agreement to sell that property. I think we should, again -- I said this in my opening remarks, and I will repeat it -- we should work in conjunction with everybody. It should be deliberative. We should have one goal, and that should be for the juveniles and the young people of this State, that we can help them.

I think if someone could show that Lloyd McCorkle being closed would help the juveniles of this State, I would be in agreement, and I think everybody else would be in agreement. If it is going to help the juveniles, let's do it that way. But it has not been shown. I think what we are all looking for is cooperation. The Department of Corrections

ould not be rushing to sell this property by June 30, to try to get it out of the State inventory of properties, in order to lock anything that is happening by us trying to reopen it.

I think we should work together, and I think the Department of Corrections should talk to the Assemblypeople who are set on reopening it and discuss the various alternatives.

Thank you very much.

MS. MATTHEWS: Thank you.

ASSEMBLYMAN CATANIA: Julie Turner, New Jersey Association of Children's Residential Facilities.

Then we have one more witness after this, Dr. Anna DeMolli. Is there anyone else? (no response)

JULIE TURNER: I thought it was ladies first, but--

ASSEMBLYMAN CATANIA: No, it's not. It is a matter of the way they come in and a matter of urgency of people having to leave. It always happens that way. I apologize for the late hour.

MS. TURNER: I will summarize my testimony. I am Julie Turner, Executive Director of the New Jersey Association of Children's Residential Facilities. We represent about 80 programs serving troubled children and youth needing treatment in an out-of-home setting, either a residential treatment center, a group home, a specialized foster home, or shelters, with three within, probably, 10 minutes of here. Many of the kids in the programs are either involved already in the juvenile justice system or are very much at risk of involvement.

I would very much like to invite and urge you to come visit one of the programs, see what they are like. I have one that actually has an Outward Bound course, and they would love to have you, and you would have a chance to meet some of the kids.

I would like to briefly highlight some recent reports which the Task Force may find useful, and make some suggestions for consideration. I would like to focus primarily on the

group of youngsters where there is a known connection between abuse and neglect, and delinquency. That has not been focused on, at least this afternoon.

I have given you all a copy of an article, "The Cycle of Justice" -- of "Violence," sorry, a publication of the National Institute of Justice. They did a longitudinal study which followed 1575 cases. It clearly documented that being abused or neglected as a child increases the likelihood of arrest as a juvenile by 53 percent, as an adult by 38 percent, and for violent crime.

The other significant finding they had was that placement in out-of-home -- in a foster home, is not a predictor for further delinquency. However, multiple placements is. It increases the risk almost by double.

Those are two important things, particularly in terms of other things that are happening in New Jersey.

The second article -- and I have provided it to keep -- is foster care as a two-tiered system. David Fanshel, who is probably the national expert on the foster care system, is at Columbia University, but actually he lives in Teaneck. He talks about the value of the treatment of traumatized and damaged children in foster care as the most strategic investment in crime prevention. You might, at some future point -- this Task Force might want to see about having David Fanshel come. He is really outstanding.

The third -- I have one copy of the article, but can get more if you would like, you may have seen it already -- "Whose Children," was published in the New Jersey Reporter in September of 1993. It talks about, really, the failure of what is happening in our child welfare system, which accounts for the "deeply entrenched emotional problems" seen in the older children entering foster care. It notes that there are not enough facilities or services to care for severely disturbed children in the State.

The fourth is "Stolen Futures." I think, or hope that you will be getting that in the mail through the Association for Children of New Jersey. It is a statewide advocacy organization. I would say that if there is one thing to read -- one thing for every legislator and every leader in the State to read -- it is this. I am on the Board of ACNJ. I do not always agree with them. I was on the committee. It was the most shocking report I have ever read, and I have been doing this -- I have earned all these gray hairs-- I have been in the child welfare and juvenile justice area for over a third of a century. Actually, when I chaired the Service Commission, was when I first got to know Kenny.

Among their findings-- Let me just quote a couple of things: "No one could read about what happened to these children and not be enraged by their stories or mourn for their lost potential. Some are already on their way to involvement in the juvenile justice system. Some have already suffered abuse or neglect or the consequences of parental substance abuse that may damage them for life."

"By the time placement was considered for the older kids" -- and these were kids who had been known to DYFS, had been known to DYFS repeatedly-- Half of them had had six case openings, and had undergone substantiated and serious abuse and neglect for years and years and years. Placement was considered because it was demanded by the parents. Many of the children needed treatment for severe emotional problems.

The study also had focus groups with DYFS workers. Contrary to what seems to be said on the administrative level, DYFS said, "There are too few services, either day treatment or residential, for acting out adolescents. The lack of services for males, in particular, makes involvement in the juvenile justice system almost inevitable."

"The workers viewed the CART/CIACC process" -- if you do not know all those initials, I have mastered those, too --

"as not helpful in developing new services for older children. In many cases, it was seen as delaying needed placement until it became even more difficult to treat the child." Let me add that very recently DYFS has now developed a third layer of preventing kids getting treatment.

The way it works now is, first the parent will come, or someone will come to the district office. The caseworker will finally, ultimately say, "Okay, maybe this kid actually needs treatment." It goes through the Residential Review Committee in the district office. It then goes to CART, which is Child Assessment Resource Team. Its mission is to basically prevent kids from going into residential treatment. If they decide that, "Yes, this kid really does need treatment," now there is a new layer, which is that it must be reviewed by the regional administrator. DYFS feels it is doing well if they can arrange for treatment in six months. Many of these are kids who are coming into the juvenile justice system.

Let me add a couple of facts, and I have them here (in written statement) documented, as well: Of the abuse/neglect referrals to DYFS -- the new allegations -- over 60 percent of those are on cases already known to DYFS. Kids are being left in perilous situations for much too long.

The second is, New Jersey is an anomaly. Across the country, the number of kids going into foster care between 1987 and 1991, increased by 50 percent. New Jersey went down. If you compare us with the other industrialized states on the East Coast, we are the only one where there has been a major decline. If we were doing something right, I would be a lot more optimistic. "Stolen Futures" clearly documents that we absolutely are not.

The fifth report is a not-yet-released study conducted by our Association. It does not have a name yet, but I felt it was important to give you some of the information. I have

provided the factual basis part of it to keep. Among the key findings are:

One, the majority of the children in our program are male, minority, and adolescent. While almost half of the girls are 16 or older when entering residential care, less than one-quarter of the boys are that. My guess is that many of them have entered the juvenile justice system, or have been so out of control from what has happened that they can no longer be contained in an open setting. That is a guess; I cannot document it.

Second, most of the kids have been abused and neglected. Most of them have been in the out-of-home system for at least a year. Most of the kids have had multiple placements. By multiple placements, I am not even including the kids who have bounced among family members, which is very, very typical. I am talking about kids who come in and are bounced from foster home to foster home.

I recently heard of a young man who had been in 17 foster homes, 4 treatment homes, several psychiatric hospitalizations, including Brisbane, multiple shelter placements, and is now in detention. At this point, they said, "Gee, golly, whiz, this 15 year old maybe needs some form of residential treatment. This "Too little, too late," and "If you do not succeed, fail, fail again," has been the kind of dominant approach.

Even between 1990 and 1993, the increase in the number of placements before a kid gets treatment has gone up significantly. I have provided charts and information on that. Of the kids -- they are known to multiple systems, certainly the delinquency system as well -- roughly half of the kids have had a prior psychiatric hospitalization. About 40 percent are juvenile family crisis; 22 percent delinquent, but if you look at adolescent boys, it is 40 percent. So we are serving a significant number of the kids. Substance abuse --

and at that point, I was talking active -- many have other substance abuse problems. Most of them are educationally classified.

There has been much discussion, I think, about preserving the family, reunifying the family, working with the family. Many of our children were orphans in fact, or orphans of the living. Three-quarters of the kids did not have a parent who visited on a regular basis. That is pretty striking. Not unexpectedly, the children have multiple problems. I have provided information on all of the kids.

In terms of the adolescent boys, particularly those in residential treatment centers which are-- You know, they are not the group homes in the community. Almost all have school problems. I am not talking about passing or failing. I am talking about truancy or behaviors that would get them suspended, that kind of thing. Almost all have social problems. Two-thirds have a diagnosis of conduct disorder, which, for those who are not into the SM-3 and all that sort of stuff, is defined as a "repetitive and persistent pattern of antisocial conduct." They are your current delinquents, future criminals.

Over half are explosive. By "explosive," the word can mean that five windows get broken in two seconds flat; assaultive, destructive to property. Forty percent are sex offenders or are sexually acting out. Many of the kids in the program have not been found guilty of being sex offenders. They are, in fact, and it is known. Many of them may reveal this after they have been there for awhile. Many of them have been sexually abused. So we are probably providing more treatment for sex offenders than any part of the Corrections program.

Let me say that the 19 year old accused of the Amanda Wengert tragedy was referred to Pinelands. It was full. He

never got the kind of treatment he needed. Maybe that young girl and that family would not have had that horror.

Next, delinquent justice. I am sure you know about the outstanding series in The Record. If you have not seen it, and if the other Task Force members have not, I would really recommend reading it. Those reporters did one job. They looked for a year, and really, I think, did just an-- You know, usually I am a little nervous about reporters. They really, I think, did a balanced and in-depth report, and they should be commended.

While it is not a report, or study per se, I think you may have seen the Judges' resolution that was prepared by the New Jersey Council of Juvenile and Family Court Judges, citing the crisis in the juvenile justice system resulting from the absence of dispositional and placement alternatives. They also state that they have found the CART yet another bureaucratic layer denying or delaying treatment. As I think you may know, The Record published yesterday an article saying, "The primary need of the State's ailing juvenile justice system is more rehabilitation programs."

As I have said, I have been doing this. I have earned all these gray hairs. These reports document an increasingly bleak picture. What is the State's reaction in terms of both policy and practices? The lack of congruence between the facts and the reality portrayed in the various reports-- These are no deep, dark secrets, they really aren't. State policies and practices are striking.

Kids are left in highly abusive families. They are forced to bounce. Policy makers brag of saving children from receiving treatment. Although giving lip service to prevention and rehabilitation of troubled children, money continues to be drained from programs serving children, both in Corrections and in the Department of Human Services.

In the past three years between '92 and '95, \$10 million was diverted from the DYFS budget to fund residential treatment -- that is over a fifth of the budget -- to fund adult DDD programs and other programs. We are not taking care of the kids. I think your concern about Skillman-- I don't know where that money went. Certainly, The Record raised some questions about money that should have been used for kids being used for adults. I keep wondering whether I am going to get killed on that one.

Between '87 and '93, the number of kids in corrections -- which means detention or corrections-- I don't think it matters a heck of a lot whether a kid is sitting in the Essex Youth House or the Passaic Detention Center, which is overcrowded and locked up, or whether they are down at Jamesburg, they are in corrections and they are locked up. That has increased, while the number of kids getting residential treatment has decreased, and it is always like this. The charts are here.

Let me talk very briefly about the recommendations:

1) There are no simple solutions. There is no magic bullet. I think everyone has said that, and I would reiterate it. But if we are committed to significant improvements in the treatment of troubled children and youth, it is going to require fundamental change.

2) The State must recognize and acknowledge the extent of the problems. We cannot continue to deny or minimize the severity of the many problems.

3) The failure of the juvenile justice "system" -- and I put system in quotes because to use the word "system" with juvenile justice and child welfare is a total oxymoron-- Failure of the juvenile justice "system" is a symptom of failure of the many child-serving systems. Its problems cannot be addressed in isolation from those of the other systems.

4) I think we must reorganize the various State divisions and departments that deal with children and families to form a Department of Children's Services.

At this point we have: DYFS, DMHH, DDD, DJS, DOC, and DOH with parallel residential systems for children with their own bureaucratic supporting structures. I have provided -- it is a one-pager -- a rather wonderful thing done by one of my members. That was before DJS and all these little parallel things that have nothing to do with each other.

The second reason connected with that is that everyone and no one is responsible or accountable, and I am rather big on accountability.

The demands of the adult system drain attention and resources from children, as their needs become secondary in divisions and departments serving primarily adults. Lacking powerful advocacy groups, children's needs often take second place.

Children's problems cut across the various systems.

5) We must develop, maintain, and value a coordinated spectrum of services. You need the kinds of services that Al Moody provides; you need the kind that we provide; you need a whole range.

6) This is another thing I am sort of a nut on. A cross-system information system should be developed. We need to have some facts from which to develop plans.

7) The whole issue of parental rights versus protection of children: Again, we have seen it in our programs, because we get kids who have gone through things that I don't think any of us can imagine or believe. You couldn't put them on TV, because no one would believe it. This documents-- ACNJ has always been into placement prevention. This one is a shocker.

The Department of Human Services, in particular, has stressed parental rights. It has placed less emphasis on

parental responsibility. It has measured success by preserving the family, rather than on policies which value, protect, and promote the health, safety, and welfare of children. We should be looking at the laws and policies to ensure a more equitable balance.

8) Many of us have talked about having a fairly fast screening instrument. Regardless of whether a kid comes through the Court, through mental health, or through DYFS, until we get some pieces of advice, it really calls a kind of warning that says, "Look, we've got a kid that we had better act on fast, or we are going to lose."

9) Last, the issue of early intervention. We cannot allow kids to experience multiple failed placements and to remain unprotected in highly abusive and destructive situations.

I said to Bill Waldman, I would say to you, and actually I did say it to Governor Whitman at the Human Services meeting, we cannot continue to deny the undeniable or tolerate the intolerable.

ASSEMBLYMAN CATANIA: Thank you, Julie. Your report was well-prepared, and it will definitely be taken into consideration.

Nia, Ginny, do you have any questions? (no response)

Thank you.

Dr. Anna DeMolli? She's not here? (jokingly) Take your time, I saw you leave. Well, since she is not here, the meeting is over. (laughter)

MS. TURNER: I have a couple of other articles you may find interesting.

ASSEMBLYMAN CATANIA: We would like a copy of that--

MS. TURNER: Stolen Futures." If you do not get it--

ASSEMBLYWOMAN HAINES: Are we supposed to get it?

MS. TURNER: Yes. They had a few problems with the printing, but my understanding is that every legislator will--

If you all haven't received them, if you let me know, I will let them know.

ASSEMBLYMAN CATANIA: My office will call you, because I would like a copy, and I would like a copy for all--

UNIDENTIFIED SPEAKER FROM AUDIENCE: We have no problem with that.

MS. TURNER: I will give you this one, okay?

ASSEMBLYMAN CATANIA: Then I will make copies for the members of the Task Force, to make sure we get it.

MS. TURNER: Okay.

ASSEMBLYMAN CATANIA: Okay?

MS. TURNER: Yes.

ASSEMBLYMAN CATANIA: Doctor?

A N N A D e M O L L I, Ed.D.: Good afternoon. I really did not come to speak here today, but after hearing the testimony and listening to some of the people, I have come here as a private citizen to speak for a few moments.

I would like to basically begin with a statement which is written here -- page 4, Mr. Catania. It says: We should be investing more in the beginning, helping families, setting standards in our schools, supporting the values that teach respect and helping communities, and sharing America's economic dream. I think we already have in place--

I have been following very carefully the juvenile justice series in The Record, having been a person who grew up basically in Paterson. I went through the public schools, and now I work for the public school system. So we are very much involved with our young people, and also young people who have displayed some violent behaviors, which many people are concerned about. We really haven't identified the biggest system for prevention right now, and that is the school system. I truly believe that. I think we could really be the preventive system, the basic intervention system that you could have right now in the State.

We could also be a rehabilitative type of institution, because we can identify the children very early on. I think research shows that. You spoke about statistics where the illiteracy rate was so high amongst children in detention, etc. Well, believe it or not, we can begin to identify those children at high risk, those who are not attaining the literacy, and that has a great deal to do with the anger that children begin to display as they get a little bit older, where school is not a significant part of their life, and they begin to get away from it.

To me, we do have a system. What you could do for us is to help us in our system. We know the schools are in crisis. We know that the financial resources are drying up. But I will tell you one thing: We are a good preventive system, and we are here. We have tremendous professionals; we have social workers; we have teachers.

You talk about parents and their responsibility. We need parenting programs for our young parents, particularly our teenage parents. We need those programs also -- after-school programs to keep our children off the streets. Someone mentioned that it is a connector in terms of idle time -- how much idle time children have. We need after-school programs for our youth here in the urban cities, so that we can connect them to mentors and to adults who really care about them for a few more hours a day than just in the school system.

We need, also, support in terms of our counseling and drug awareness. One of the assistant prosecutors mentioned the Drug Awareness Program, where the police officers come into the schools and service our fifth graders. Those are tremendous programs. We need more like that, and that is connecting agencies with the schools.

When you talk about prevention for the future, early on, I think the schools are a tremendous system for that. We are dying to provide such programs as peer mediation, conflict

resolution, multicultural education for our children, because we see those as needed; peace education, which is new now. We cannot provide those within the boundary of a six- or seven-hour day. So I ask for help in that area.

Judge Ferrante talked about intensive supervision and community involvement. In the school system, we connect with a lot of the Youth Haven, Probationfields Programs, etc. We do have a conversation going on with the juvenile justice system. I cannot believe that these programs, at one point at the beginning of the year, Probationfields, their rent money was taken away, that they are struggling just to survive. They are a tremendous program, and they interface with the public school system.

You talk about having programs to keep violent children in line. We have programs out there in the community. The problem is that they are starved and they are deprived of funds. That is the problem, so we have to look at what we are doing with those programs. We do not need to recreate programs. We have good programs going on. They need to be supported.

We talk about what you can change in the Legislature. I received a copy of some notices about grants that are being given by the Juvenile Justice Division at the State level. I read over the piece. It is a Request for Proposal, so that we can write proposals -- the school systems can write proposals, or any agencies, to get money, interesting money, \$100,000, \$150,000. I am just giving this as an example. It is, of course, to deal with our young people; to set up mentoring programs.

I said, "Oh, this is interesting," you know, because we are looking for things like this. As I read it, it said you can pay the salary of a coordinator, you can pay the salary of a staff support person. Okay? In other words, to me, you could pay for the bureaucracy to set this up. They would not

allow you to stipend or pay the mentors. Who does all the work with the kids? Okay? Who is the person you want to mentor our children? They are probably busy people, very involved in their lives and their communities, good role models for the kids, but I notice that the grant would allow you to develop the bureaucracy, but not allow you to stipend the mentor, or pay a little salary for them.

To me, if you are going to be sending money out, and you want Requests for Proposals, look at how you are setting up that system. What are you setting it up for? Okay?

I totally lost interest in writing a grant, to tell you the truth, the minute I saw that. I totally lost interest in writing a grant, because bureaucracy and coordinators, etc.-- We needed the money for the mentors.

Let me tell you, like I said, the school system-- We have tremendous mentors, but like anybody else, teachers can only work for so long. You want to spend that \$100,000, let's put in a system -- a program within the schools.

I heard a lot about education here in terms of what the Department of Corrections does and diverts money. Also, the need for children to get accredited service, so that when they return to the high school, they have not skipped a whole year, or six months because they have been in detention. Please, we need to dialogue, maybe with the Department of Education and the Department of Corrections, so that this does not happen to the children. When a child is detained, as Judge Ferrante said, many times a school doesn't even know for months at a time. We think the child is absent. We think he took off. Then we find out they are in detention. The child loses four, five, six months of school. He is already overage, because he has probably been retained once or twice in the lower grades because he is at risk. Now he comes back to us more frustrated, sometimes further behind in his education. What kind of services can we give? We give them the regular

elementary school services that we give to other children. Schools are not set up to meet the needs of these special children. We need support to do that, if you want us to provide children with those kinds of services in the schools.

I just wanted to mention that you really have to look at that.

Someone mentioned, I think, alternative schools. The public says we need alternative schools to get violent children out. What we did are alternative programs, because when you say "schools," you need a facility. We know how tight we are in educational facilities, but I think if you support us in terms of alternative programs, we can move in the right direction. To me, that is very important.

I heard some of the numbers, serving 200 children for \$7.5 million. I said, "Wow, I could set up a whole summer program--

ASSEMBLYMAN CATANIA: No, no, no, no. I have to stop you there.

DR. DeMOLLI: Okay.

ASSEMBLYMAN CATANIA: That is a lockup facility.

DR. DeMOLLI: Excuse me?

ASSEMBLYMAN CATANIA: That is a lockup facility.

DR. DeMOLLI: Okay.

ASSEMBLYMAN CATANIA: All right? That is a big difference between a school and--

DR. DeMOLLI: Oh, no, no, I understand that. But what I am saying is--

ASSEMBLYMAN CATANIA: We would need guards, and you would have people traveling between rooms with them, and everything is locked up. So there is a big difference. Don't compare the two.

DR. DeMOLLI: But, you know, we are educators. When we hear that one child is costing you 30-some thousand dollars, or 40-some thousand dollars, where he is getting possibly

minimal education and maybe minimal skills, and yet is going to return, sometimes, to us-- We hear that, and we say, "Gee, I could have set up a small summer school program for about 50 kids for about \$38,000, for about, you know, four weeks, six weeks, depending on how we set it up." That would keep kids off the streets all summer. It would keep them from gang activities. That is what we need to connect with.

I think the public schools have been ready to do that for awhile. We just have not had the opportunity, and maybe not the resources. So I like the whole idea of prevention. I think we have a tremendous intervention system already in place. I think it is the public schools, and I think we can identify those children who are high risk very, very early on. We don't have to wait until they are 13, 14, or 15. We can identify them early on. But we have little recourse in public schools, because we don't lock children up, and we can't punish them in schools. What we need to do is positive discipline, and that begins with the families -- with the parents. We want to involve the families, but we just do not have the resources many times.

Thank you.

ASSEMBLYMAN CATANIA: Thank you, Doctor.

I want to thank everyone who came today and testified. It was a long afternoon.

I also want to say thank you to the staff of OLS. Miriam, thank you, and thank you, Hearing Reporters, for being here. Thank you, partisan staff; also our office staff.

I want to thank you, Assemblyman Zisa, for being here, and also for being down in Manalapan. I really want to thank Assemblywoman Ginny Haines, because she drove up from Ocean County to be here. It is an hour and a half for her to get back. I really want to thank her for being here. It is something that we will be doing-- Maybe we will be down in South Jersey soon.

UNIDENTIFIED SPEAKER FROM AUDIENCE: The third of May
in my book.

ASSEMBLYMAN CATANIA: The third of May in Vineland.
We will have a carpool leaving from Paterson.
Thank you, everyone.

(MEETING CONCLUDED)

APPENDIX





New Jersey Association of Children's Residential Facilities
590 Highland Avenue, Ridgewood, N.J. 07450,

Julie Turner
Executive Director

(201) 652-5539
Fax (201) 652-3851

I am Julie Turner, Executive Director of the New Jersey Association of Children's Residential Facilities; NJACRF represents over 80 programs serving troubled children and youth requiring treatment in an out-of-home setting. The programs include residential treatment centers, group homes, specialized (treatment) foster homes, shelters, and independent living. Many of the youth in our programs are either at risk of entering or are already in the juvenile justice system. I appreciate being invited to participate in this discussion on juvenile justice, and would like to commend this committee and Governor Whitman for their concern on this issue.

I would like to briefly discuss some recent reports which the committee may find useful and to make some suggestions for consideration. I would like to focus particularly on the connection between abuse/neglect and delinquency, and inadequate state policies and practices in these areas.

A. **The Cycle of Violence**, a publication of the National Institute of Justice, did a longitudinal study which followed 1,575 cases from childhood through young adulthood. It found that **being abused or neglected as a child increased the likelihood of arrest as a juvenile by 53%, as an adult by 38%, and for a violent crime by 38%.** "Previously abused or neglected persons were at higher risk of beginning a life of crime, at a younger age, with more significant and repeated criminal involvement." The study also found that "stability may be an important factor in out-of-home" placements. **Children who moved three or more times had significantly higher arrest rates (almost twice as high) for all types of criminal behaviors--juvenile, adult, and violent--that children who moved less than three times...children with numerous placements obviously need special services.** The study offers three recommendations:

- a. Intervene early: Recognize abuse/neglect and make serious efforts to intervene as early as possible. Specialized attention needs to be paid to abused and neglected children with early behavior problems.
- b. Develop policies that recognize the high risk of neglect as well as abuse.
- c. Reexamine out-of-home placement policies: "The assumption that removal from the home offers additional risks could not be confirmed by this study. Any policy founded on this assumption ought to be tested..."

B. **Foster care as a Two-Tiered System**, written by Columbia University professor David Fanshel, the national expert on foster care. The foster care system is "inappropriately undervalued in that there is research evidence that it rescues many children from a life of failure. He recommends foster care as a two tiered system with one focusing on permanency planning and the other on the treatment of youth who are at risk of becoming criminals. **"The treatment of traumatized and damaged children in foster care has to be seen as a most strategic investment in crime prevention."**

C. **Whose Children**, an article published in the September 1993 New Jersey Reporter found that "more [New Jersey] children remain in less stable and nurturing environments much longer before a crisis erupts. Experts say this accounts greatly for the **deeply entrenched emotional problems** seen in older children entering foster care for the first time." New Jersey's foster care is "a system grown obsolete, failing to meet the needs of foster children already in its care, wholly unsuited and unprepared for those of a new and more deeply troubled generation headed its way." **"There are not enough facilities or services to care for severely disturbed children [in state]...by DYFS' own admission."**

D. **Stolen Futures**, a research study was released recently by the Association for Children of New Jersey. To quote from the Executive Summary: "Children were placed because of serious risk to their safety and well being. Placement was considered only when children were severely abused, when parental neglect became life threatening, when children were abandoned, or when parent child conflict escalated to violence or total rejection of the child by the parent." "The parents had serious, longstanding problems which caused serious risk to the children and necessitated placement. Whether or not there was really a family to preserve was a realistic question in many of the cases." "No one could read about what happened to these children and not be enraged by their stories or mourn for their lost potential. Some are already on their way to involvement in the juvenile justice system...Some have already suffered abuse or neglect or the consequences of parental substance abuse that may damage them for life." Of the older (11 years+) children entering foster placement (the study did not look at children entering residential placements), almost all had "extensive histories with DYFS". 97% had prior case openings with DYFS; 50% had 6 or more prior case openings. 66% had prior allegations of abuse or neglect; 40% had prior allegations of sexual abuse. "By the time placement was considered, usually because it was demanded by the parents [as a result of behavior problems], many of the children needed treatment for severe emotional problems." The study included focus groups with DYFS staff; they said that there "are too few services, either day treatment or residential, for acting out adolescents; the lack of services for males, in particular, makes involvement in the juvenile justice system almost inevitable." "Workers viewed the CART/CIACC process as not helpful in developing new services for older children; in many cases, it was seen as delaying needed placement until it became even more difficult to treat the child."

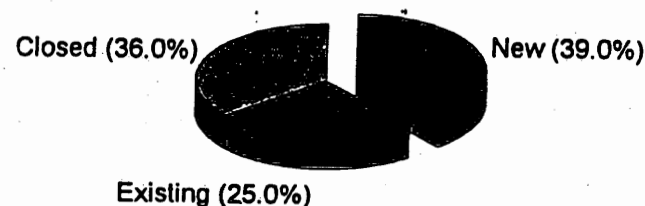
While this study will engender considerable discussion, it raises very serious concerns about the state's responsibility to protect children in the face of its mandate to preserve families. While Department of Human Services has stressed **parental rights**, family preservation and family reunification, it has placed less emphasis on **parental responsibility** or on the **rights of children** to a safe, healthy, nurturing and stable environment. It also raises serious concerns about the Department's lack of early and appropriate intervention.

Two sets of facts concerning DYFS give credence to the concerns raised by **Whose Children** and **Stolen Futures**: 1) Over 60% of the abuse/neglect allegations were on cases already known to DYFS; children enter and re-enter the "system" remaining in abusive situations.

Abuse/Neglect Allegations

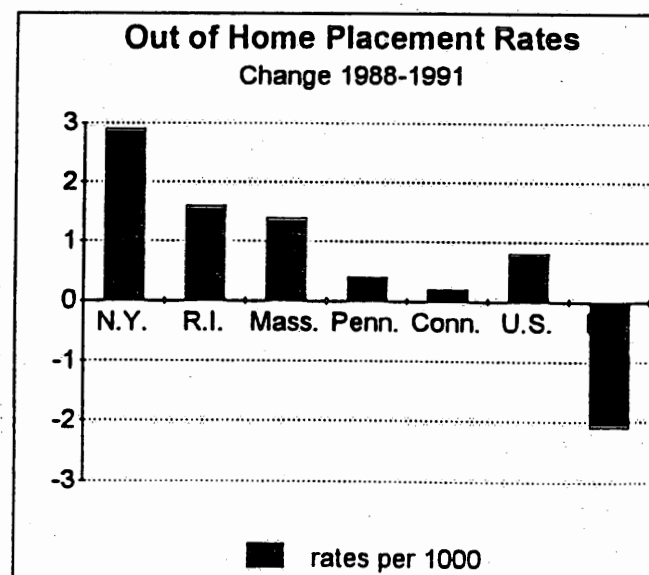
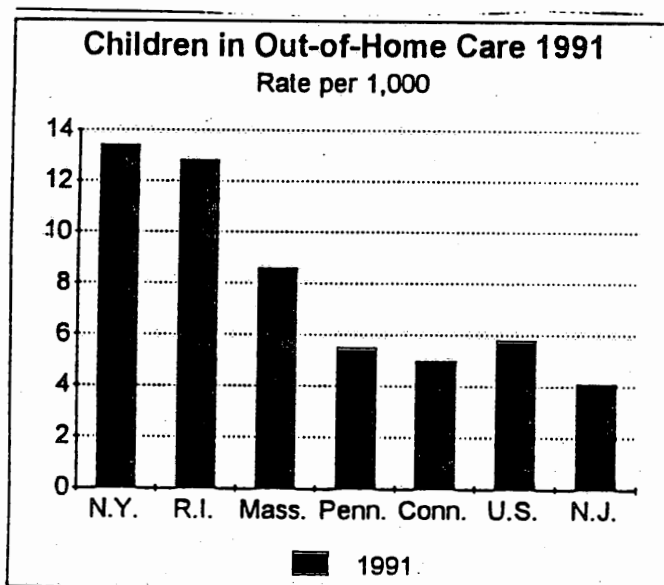
ABUSE/NEGLECT REFERRALS January-October, 1993

Cases	Number	Percent
New	6,826	39.1%
Open	4,386	25.1%
Closed	6,239	35.8%
Total	17,451	100%

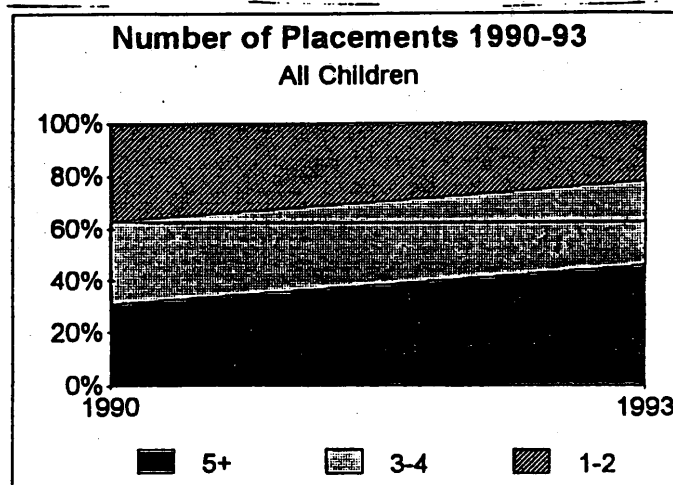
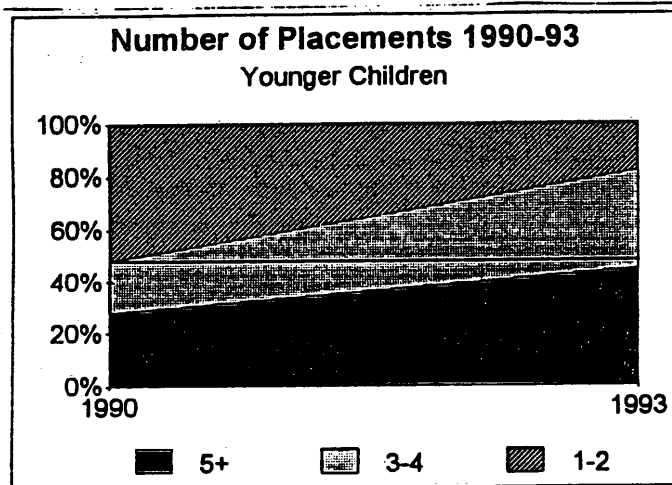


2) A recently released Child Welfare League of America Stat Book provided information on rates and changes in rates of out-of-home placements. New Jersey's placement rate is well below that of similar states; in contrast to escalating placement rates nationally, New Jersey's rate of placement declined significantly between 1988 and 1991.

State	1991	1988	Change
New York	13.4	10.5	+2.9
Rhode Island	12.8	11.2	+1.6
Massachusetts	8.6	7.2	+1.4
Pennsylvania	5.5	5.1	+0.4
Connecticut	5.0	4.8	+0.2
New Jersey	4.1	6.2	-2.1
United States	5.8	5.0	+0.8



	Pre-Adolescent		Adolescent	
# Prior placements	1990	1993	1990	1993
one-two	52%	18%	28%	18%
five or more	28%	45%	37%	48%



5. Most of the children were known to other children's systems.

a). Most of the children were educationally classified; the majority were classified emotionally disturbed.

b). Almost half the child had at least one psychiatric hospitalization.

c) Almost a third of pre-adolescent boys were known to the court through juvenile/family crisis; 9% as delinquents. Of the adolescent boys, 42% were known through juvenile/family crisis; 40% were delinquents.

	All children	Pre-adolescent	Adolescent	Adolescent boys
Prior psych hosp.	48%	59%	48%	43%
Juv. Family Crisis	38%	28%	43%	42%
Delinquent	22%	7%	22%	40%
Substance abuse	12%	-	17%	17%
Dev. Disability	11%	13%	11%	11%
Educ. Classified	81%	88%	89%	89%

6. The families: Many of the children were orphans--orphans in fact, or orphans of the living. Almost 3/4 of the children did not have a parent who visited on a regular basis. Over half basically had no family visits. While some families are committed to their seriously emotionally disturbed child, the majority of the families have multiple problems.

7. Not unexpectedly, the children have multiple problems. While I have provided information on all the children, it may be useful to focus on the behaviors of the adolescent boys, particularly those in residential treatment centers. Almost all have school problems--truancy, non-acceptable behavior; almost two thirds have a diagnosis of "Conduct Disorder" (repetitive and persistent pattern of anti-social conduct). Over half are explosive (57%), assaultive (52%), destructive to property (53%). 40% are sex offenders or are sexually acting out. They are clearly at risk of criminal careers without intensive treatment. Comparing the pre-adolescent and adolescent boys, we see increasing percentages of acting out behaviors.

F. **Delinquent Justice**, the outstanding series in The Record, clearly describes the failure of the juvenile justice "system"; I will not attempt to summarize the many findings in the series; I hope that committee members will have an opportunity to review it.

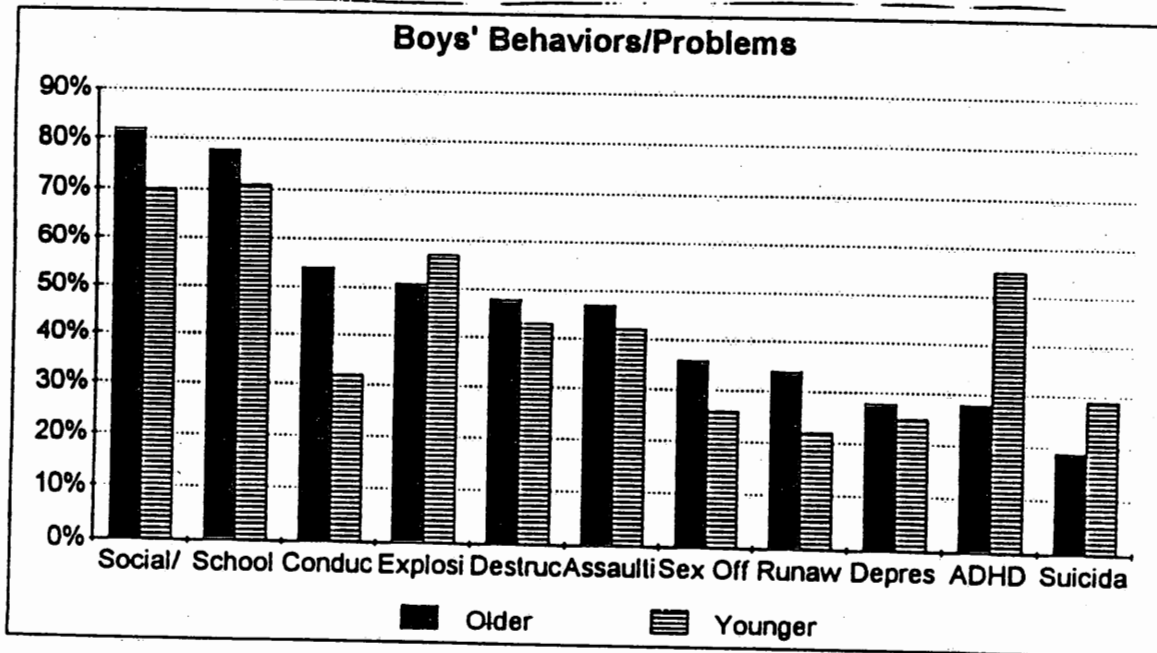
G. **Judges' Resolution**: While not a report or study, the NJ Council of Juvenile and Family Court Judges issued a resolution citing the crisis in the juvenile justice system "**resulting from an absence of dispositional and placement alternatives.**" "Whereas, in the past there have been community based and residential programs available to the court and the juveniles and families through the Division of Youth and Family Services and Department of Corrections placement programs, and while the prompt availability of appropriate services has always been difficult, these alternatives and divisionary programs are now severely limited and virtually non-existent for children who have special needs or are mentally ill, emotionally disturbed or developmentally delayed..." Many judges have stated that they find the CARTs yet another bureaucratic layer denying or delaying treatment.

H. **Prosecutors**: The April 10th Record reported that "**New Jersey prosecutors say the primary need of the state's ailing juvenile justice system is more rehabilitation programs.**"

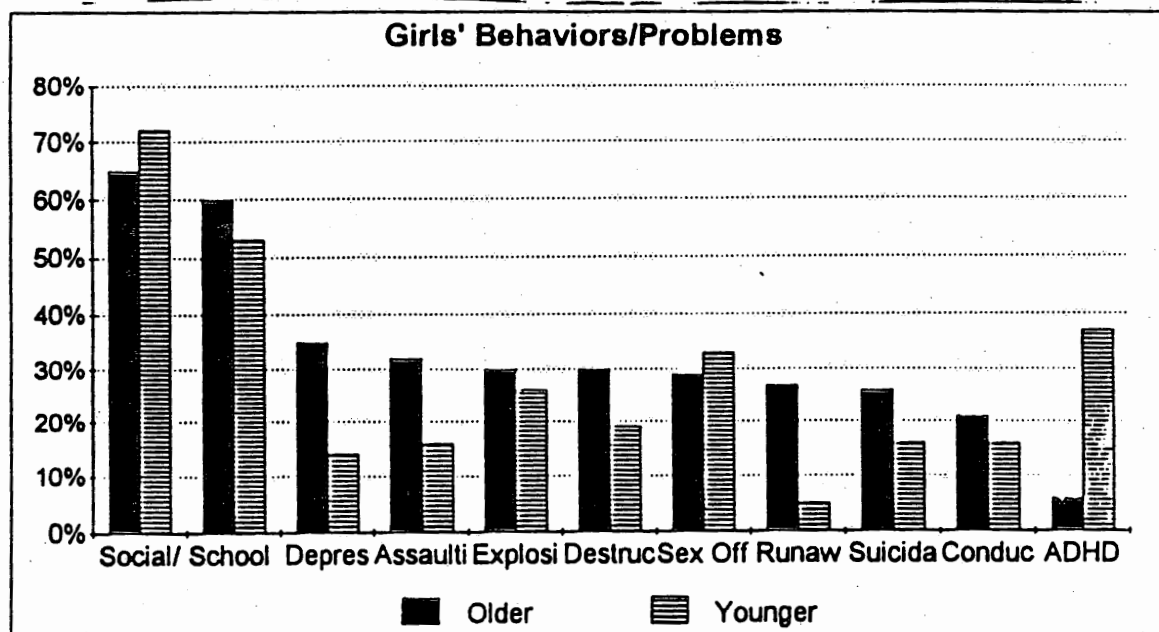
While these reports document an increasingly bleak picture, it has never been a secret that, without early appropriate treatment, abused and neglected children are at high risk of delinquency. How has New Jersey responded? The lack of congruence between the facts documented in the various reports and state policies and practices is striking.

As earlier documented, children are left in highly abusive and neglectful families; older children are often seriously emotionally disturbed when they enter the formal out-of-home placement system. They are forced to bounce from foster home to foster home and/or return to abusive situations as policy makers brag of "saving" children from receiving residential treatment. Although giving lip service to prevention and rehabilitation of troubled children, money continues to be drained from programs serving troubled children. The Record series raises serious concerns alleging that funds which were intended for juveniles were diverted to fund adult corrections. Between 1992 and (recommended budget) 1995, over \$10 million was cut from the DYFS budget to fund residential treatment; over half of this was diverted from

Boys' Behaviors and Problems				
	All	All	Older boys	
	Older	Younger	in rtc	not in rtc
Social/Personal	82%	70%	87%	71%
School	78%	71%	87%	59%
Conduct Disorder	54%	32%	63%	35%
Explosive	51%	57%	57%	39%
Destruc. Property	48%	43%	53%	37%
Assaultive	47%	42%	52%	35%
Sex Offender/Acting Out	36%	26%	40%	26%
Runaway	34%	22%	39%	24%
Depression	28%	25%	31%	22%
Att Def Hyper Disorder	28%	55%	34%	15%
Suicidal	19%	29%	22%	13%
Substance Abuse	17%	0%	14%	23%
Dev. Disability	11%	12%	11%	12%
Arson	11%	14%	14%	4%
Medical	7%	6%	9%	4%
Thought Disorder	7%	11%	9%	3%
Organic Mental Disorder	7%	3%	8%	4%
Homicidal	5%	5%	6%	4%
On Psychotropic Med.	29%	47%	37%	12%
Prior Psychiatric Hosp.	43%	62%	51%	26%
Juvenile/Family Crisis	42%	31%	38%	50%
Delinquent	40%	9%	42%	36%



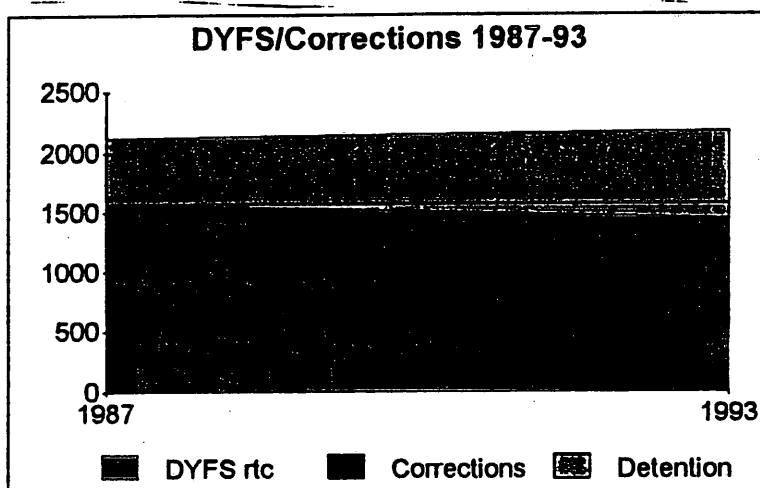
Girls' Behavior and Problems		
	Older	Younger
Social/Personal	65%	72%
School Problems	60%	53%
Depression/Mood	35%	14%
Assaultive	32%	16%
Explosive	30%	26%
Destructive to Property	30%	19%
Sex Offender/Acting Out	29%	33%
Runaway	27%	5%
Suicidal	26%	16%
Conduct Disorder	21%	16%
Substance Abuse	18%	0%
Developmental Disability	12%	19%
Thought Disorder	8%	2%
Medical	7%	9%
Att Def. Hyper Disorder	6%	37%
Organic Mental Disorder	6%	14%
Homicidal	3%	0%
Pregnant/Mothering	11%	0%
Psychotropic Medication	25%	40%
Prior Psychiatric Hosp.	38%	37%
Juvenile/Family Crisis	33%	16%
Delinquent	12%	0%



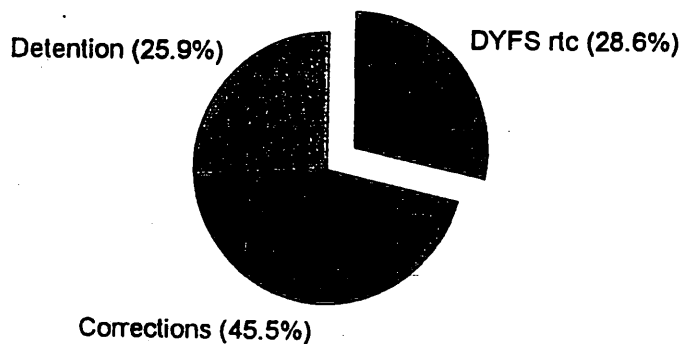
treating abused and neglected children to funding adult DDD services. The impact of cutting residential treatment services on the juvenile justice system is clear:

Type of Placement	1987	1993	increase/ decrease	percent change
DYFS adol. boy rtc	606	410	-196	-32%
Corrections	964	1036	+72	+7%
Detention	550	727	+177	+32%
Total Corr. placements	1514	1763	+249	+16%

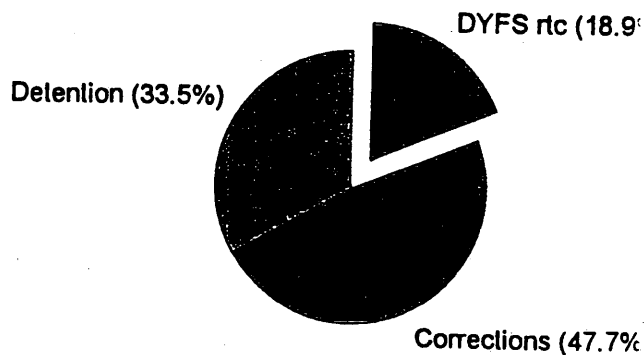
Correction figures are from early 1993 before DJS moved to DHS. The DYFS figures are from September, 1993. The total children in residential treatment centers was 773 (a decline from 1143); DYFS estimates that boys are 70% of those in residential treatment centers and 76% are thirteen or older. Based on that, 53% of the total are adolescent males.



**DYFS/Corrections
1987**



**DYFS/Corrections
1993**



RECOMMENDATIONS

1. **No simple solutions:** There are no magic bullets or quick fix panaceas to complex and long-standing problems. If we are committed to significant improvement in the treatment of troubled children and youth, fundamental change is necessary.

2. **The state must recognize and acknowledge the extent of the problems;** denying and minimizing the severity of the many problems does a grave disservice to children and families and prevent realistic planning.

3. **We must recognize that the "failure" of the juvenile justice "system" is a symptom of failures of the many child serving systems.** Its problems can not be addressed in isolation from those of the other systems.

4. **Department of Children Services:** We must reorganize the various state Divisions/Departments that deal with children and families to form a Department of Children's Services in order to eliminate duplication and fragmentation, to build a well-managed system, and to improve accountability.

a. DYFS, DMHH, DDD, DJS, DOC, and DOH have established parallel residential systems for children with their own bureaucratic supporting structures. Responsibility for the planning, provision and monitoring of children's services is scattered between an alphabet soup of YIP, CART, CIACC, YSC, HSAC, CCC (the New Jersey Multi-Service Coordinating Council for Children and Youth with Special Emotional Needs), several Divisions and Departments, and state, regions and counties. As a result, everyone and no one is responsible and accountable.

b. The demands of the adult systems drain attention and resources from children as their needs become secondary in Divisions and Departments serving primarily adults. Lacking powerful advocacy groups, children's needs often take second place.

c. Children's problems cut across the various systems. The DJS director noted that about 45% of the youth entering Jamesberg were known to DYFS, and that most could have been characterized as "DYFS children".

5. **Spectrum of Services:** We must develop, maintain, and value a coordinated spectrum of services.

6. **A cross-system information system** should be developed to provide reliable data on which to base planning and to help insure accountability. The public--advocates, providers, media, and the legislature--must have access to this information.

7. **Parental rights vs. protection of children:** Recent studies and anecdotal reports from professionals "in the trenches" raise serious concerns about the state's ability protect children in the face of its mandate to preserve families. While Department of Human Services has stressed **parental rights**, it has placed less emphasis on **parental responsibility**; it has measured success by "preserving the family" rather than on policies which value, protect, and promote the health, safety and welfare of children. We should look at the laws and policies to insure a more equitable balance.

8. Screening instrument: Regardless of the entry point, we must be able to identify, as early as possible, those children most in need of treatment.

9. Early intervention: The "too little, too late" and the "if you don't succeed, fail, fail again" philosophies are expensive and destructive. **We can not allow children to experience multiple failed placements! We can not allow children to remain, unprotected, in highly abusive and destructive situations.**

If I could leave one message it would be: *We can not continue to deny the undeniable or tolerate the intolerable.* **We can not continue with policies which have failed--failed to protect children, failed to rehabilitate children, and failed to protect the public.**

Julie Turner
Executive Director