

PUBLIC HEARING

before

ASSEMBLY JUDICIARY SUBCOMMITTEE ON JUVENILE JUSTICE

Held:  
August 13, 1979  
West Deptford Municipal Building  
West Deptford, New Jersey

MEMBERS OF SUBCOMMITTEE PRESENT:

Assemblyman William E. Flynn (Chairman)

ALSO:

Assemblyman Martin A. Herman  
Chairman, Assembly Judiciary Committee

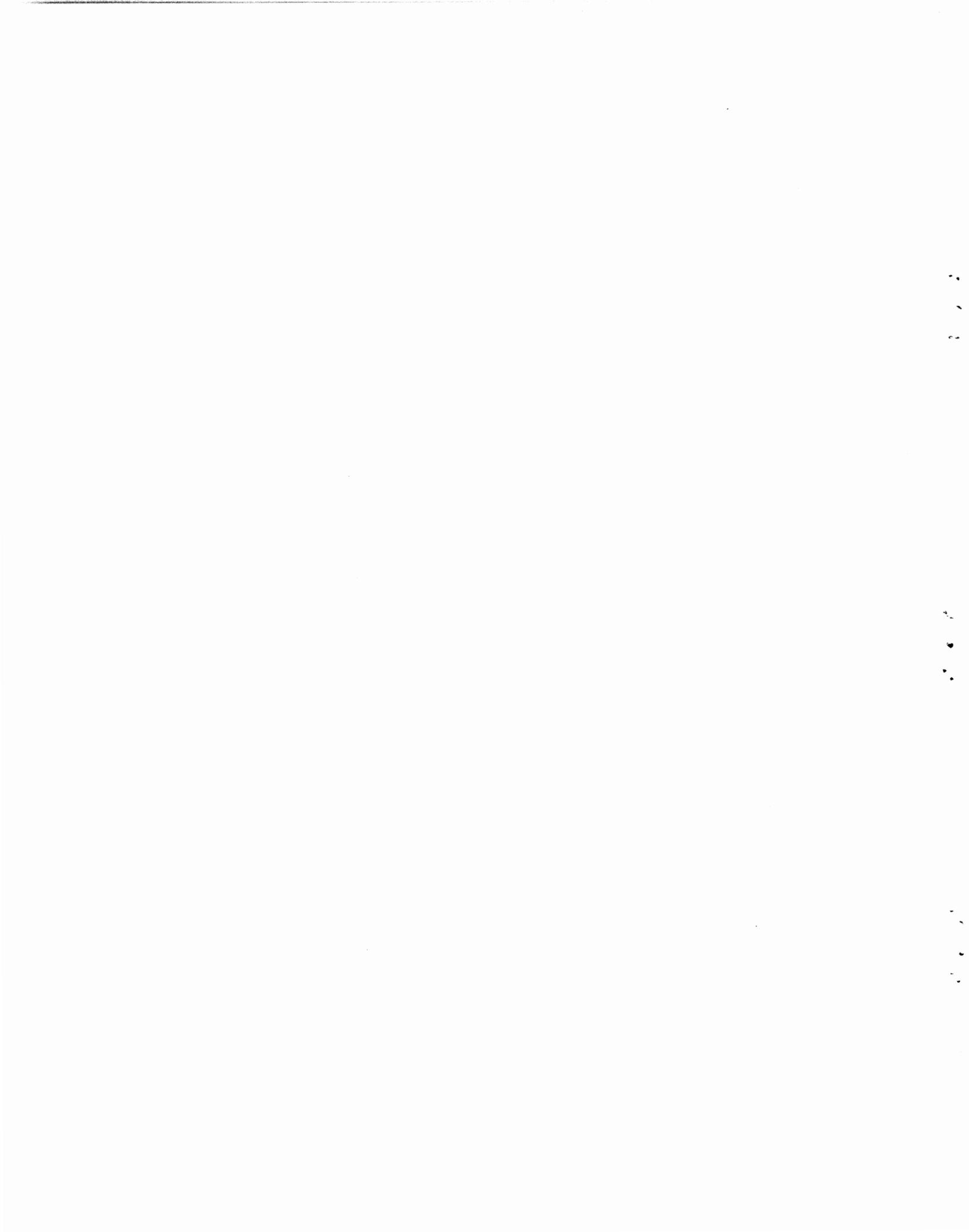
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ASSEMBLYMAN MARTIN A. HERMAN (Chairman): Ladies and gentlemen, my name is Martin Herman. I chair the Assembly Judiciary, Law, and Public Safety Committee and I sit as an ex officio member of the Subcommittee on Juvenile Administration. Assemblyman Flynn, who I have appointed as Subcommittee Chairman, is traveling from Monmouth County. I understand it is more than ten or fifteen minutes away. He will be here shortly.

I know a few people who have been listed as early speakers have other commitments, and not to hold them up we are going to commence the proceedings. As you can see, this is an official public hearing of the Assembly Judiciary Committee. The information is being taken stenographically and will be typed up for distribution to the members of the General Assembly and the State Senate for their consideration.

This is the second of three hearings. The first hearing was held in Middletown, New Jersey, on July 31st of this year. The third one is to be held in Jersey City, in the Hudson County Freeholders' Chambers on August 31st. The purpose of these hearings is to give everyone, in all sections of this State - county and local government, and citizens of the state - an opportunity to comment on how they perceive the juvenile justice system, and the administration of that system, and to have some input into that system.

I wish to tell you that your input is extremely important. This is not done for show. Your comments, as I said, are being taken stenographically and we also have present two members of our staff from the Office of Legislative Services to my right, Burt Weltman and Gerry Van Horn, who comprise part of the Judiciary legislative staff team. The suggestions and the observations that you make here this evening, along with the observations that have been made in Middletown and will be made in Jersey City, will form part of a Subcommittee report to the Legislature as a whole and, hopefully, will find themselves woven into a package of proposed legislation for remedial and corrective action so that we can improve on the juvenile justice system.

I might point out that I have appointed Assemblyman Flynn as Subcommittee Chairman for a very special reason. Assemblyman Flynn has a deep and long-standing interest in reform of the juvenile justice system. He is the sponsor of many reform pieces of legislation, and he especially will be weighing your comments very, very seriously in his review of these hearings.

So, without further ado, at this time I would like to call Anne McDonnell, listed as my first speaker. She is an attorney from Gloucester County and previously served as Gloucester County Prosecutor in charge of juvenile matters. Anne, thank you for coming here this evening.

A N N E M C D O N N E L L: Assemblyman Herman, I would like to thank you for the opportunity to testify here before you. As you are aware, from your own involvement in other conferences held in connection with the juvenile court system in Gloucester County, it is a great concern to a number of citizens, particularly business people and homeowners, people who have very often been the victims of juvenile crime. How they perceive the administration and the effectiveness of the juvenile court system is something that I was very concerned with in my position as Assistant County Prosecutor.

There are many aspects of the court system which have come to my attention as perhaps needing some reconsideration by the Legislature. I would like to indicate one of these sections, N.J.S. 2a:4-65, "Disclosure of Juvenile Records and Penalties for Disclosure." That section has, during the course of my serving

as Assistant Gloucester County Prosecutor, been amended and now provides for more expansive disclosure of information regarding juveniles to law enforcement agencies. I think that is particularly important where in a county, like Gloucester County, there is no real central investigation unit for juvenile crimes whereby the information discovered by one police department, in the efforts of its investigation - particularly breaking and entering and larceny, which are very often perpetrated by juveniles within the county - can be made available to other local law enforcement agencies and, when necessary, to the prosecutor's office, or to the appropriate investigative agency.

While I believe the statute, as amended, now covers for that, or provides for that disclosure among police departments, I would indicate that it is still specified that this disclosure is to be made when such records are necessary to assist in the protection, apprehension, or location of a particular juvenile. To understand the way that police are forced to work in a situation where they are investigating breaking and entering, larcenies, or other crimes, they very often start with a modus operandi, or with physical evidence. They do not start with a particular juvenile. And, to limit the availability of disclosure in this particular situation, I think, is toolimiting and cuts very seriously into the effectiveness of the county law enforcement people.

ASSEMBLYMAN HERMAN: What kind of amendment would you suggest?

MS. McDONNELL: I would suggest that the amendment-- Again, I may be too law enforcement oriented for some members of the Committee. I would suggest that it would be appropriate as long as there is an on-going investigation - and I would limit it to "for good cause shown." I don't like to see a court order required in all such cases where a police department is seeking information held by another police department. We have that example right here in West Deptford Township, where West Deptford and Woodbury are very close. There were juveniles involved in something of a ring of criminal involvement -- breaking and entering, larceny -- where it was difficult to have the kind of inner-communication between the police departments because particular juveniles' attorneys were constantly threatening the Penalty Section of this Disclosure Section -- In other words, "We were presuming that you are operating in bad faith. Once you name the particular juvenile you are after, he is on your 'bad list' and you are out to get him and that is bad faith." Just naming him is bad faith. It is not that the police officers are intimidated in any way by this activity, but it does have a certain amount of -- it tends to bog down an investigation, where the most important thing is to react quickly, to get fingerprints very quickly, to get as much physical evidence as you can as quickly as you can. And, to be bogged down in going before the court for court orders, for information that you know is available in another police department's files, I think is much too weighty considering the limits of law enforcement.

ASSEMBLYMAN HERMAN: Do you think there ought to be a presumption of good faith in the statute?

MS. McDONNELL: I think there should be, absolutely.

ASSEMBLYMAN HERMAN: I think you have some other observations in other areas of the juvenile law, don't you?

MS. McDONNELL: That's true.

ASSEMBLYMAN HERMAN: Would you name some of them?

MS. McDONNELL: Yes, I will. With respect to N.J.S. 2a:4-48, "Referral to Other Court Without a Juvenile's Consent." This particular statute governs the

transfer of juveniles from juvenile court to adult court for treatment, under the criminal statutes, as a criminal. That statute, again, has been amended. It formerly provided that a juvenile had to be 16 years of age to be transferred. It has now been amended to 14 years of age.

As I perceive it, there are four requirements for transfer of a juvenile. The first is that age of 14 years or older at the time of the commission of offense. The second is that there be probable cause that the juvenile committed the delinquent act which would constitute homicide, treason if committed by an adult, or committed an offense against a person in an aggressive, violent and willful manner, or committed a delinquent act, etc., etc. It goes on to describe exactly what delinquent acts give the court jurisdiction to consider transfer.

The third and the fourth requirements are where I have my problems. Paragraph C states, "The court is satisfied that adequate protection of the public requires waiver and is satisfied that there are no reasonable prospects for rehabilitation of the juvenile prior to his attaining the age of majority by use of the procedure, services, and facilities available to the court." This, as I said, I perceive to be two requirements. The court must be satisfied that the adequate protection of the public requires transfer. I would assume that proof in this direction would be the violent nature, the unpredictability of the act, and things like that -- what does a judge consider when he is looking to community protection?

The second part of that gives the most problem: "There are no reasonable prospects for rehabilitation of the juvenile prior to his attaining the age of majority by use of the procedures, services, and facilities available to the court." I have many, many problems with that phraseology. First, "No reasonable prospects of rehabilitation." What is reasonable? The state puts out one psychiatrist who says there is a reasonable prospect of rehabilitation, so the defense gets its psychiatrist who says there is not.

The age of majority can be resolved relatively easy. The procedure, services, and facilities available to the court -- I don't think that is exactly clear. There are a number of facilities that the court utilizes. Are these the facilities to which the statute is referring, or are they referring specifically to the state facilities at Yardville and at correctional institutions? What is the reference to the facilities available to the court? There are many things that might be available to the court on court order. I think what you have to consider when you are looking at this section in the statute is that the burden is on the prosecution at this point, to establish this criterion, or these criteria, for transfer. The state is the one who has to come forward and show the adequate protection of the community is somehow at stake in this particular transfer. And, a much more difficult thing is, the state has to also come forward and show there is no reasonable prospect of rehabilitation.

ASSEMBLYMAN HERMAN: Do you think these requirements are too restrictive and should be eliminated? What would be your approach to transfer?

MS. McDONNELL: I have given this a great deal of consideration and I have also reviewed some of the legislative schemes in other states. They vary. In many states, a person charged with certain serious crimes is presumed to be an adult and they can come forward with evidence to try and persuade the court that they are a juvenile.

My main concern here is that the burden of proof and persuasion be shifted to where it most appropriately belongs - on the juvenile. Is the juvenile

in a position to persuade the court that he is now amenable to rehabilitation and that there is a way to rehabilitate him? The way it works, there may not be a way but if the state can't prove it, then the juvenile can't be transferred. Now, admittedly, in the different counties, I am sure this is applied with varying degrees of flexibility by the judiciary -- by the judges. But, I don't think there should be that much judicial discretion because I think that oftentimes within the parameters of the juvenile court structure, the way the legislative framework is set up, very often the court is perceived as a social worker, a paternalistic creature, where no juvenile is ever to be threatened with the prospect of criminal prosecution, when, in fact, I don't really believe that that is what the Legislature intended. I believe that the Legislature intended a delicate balance between community protection and the rights of the juvenile, if that juvenile is, in fact, able to be rehabilitated.

ASSEMBLYMAN HERMAN: What states would you suggest we look to, if you can recollect?

MS. McDONNELL: For conservative, I would suggest Maryland. There are several southern states. Maryland is a very conservative statute. I believe there has been a revision - and I will check the states and provide them to you later - in Washington State, which is interesting. They have developed point systems and other--

ASSEMBLYMAN HERMAN: And also your observations on public disclosure of convictions and jury trial for juveniles -- public trials?

MS. McDONNELL: I think public trial is part of the transfer thing. If the transfer criteria were set up properly, those would be the juvenile public trials. That is what I would look for. In here - the transfer section - it is not clear. Does a person have to have a prior record in order to be transferred? There is no real ability to tell. How many times can a person commit a certain offense before he is able to be transferred?

ASSEMBLYMAN HERMAN: So, you are really saying that the statute is so restrictive it makes it impractical for the prosecutor to move for public trial.

MS. McDONNELL: I think what you have to look for is, because of the age group you are dealing with with juveniles, you have to look for a grading of offenses. I think the transfer statute is a very useful implement of grading. You have the minor, or the not so serious, offenses which can be screened. Station house adjustment or intake screens those out so that the more serious ones are being treated in juvenile court and then when you reach a certain level, the last level should be transfer hearing and treatment by adult court.

ASSEMBLYMAN HERMAN: Why don't you make your other observations.

MS. McDONNELL: Yes. My biggest concern is transfer. The only other thing that I would put forward for your consideration is the fact that you should consider the euphemisms that are employed, calling things offenses rather than crimes, disposition and not sentencing - just the total thing. I think if everyone spent some time and listened to the way that the people who are the subject of this process talk, they would find that they are only fooling themselves. When the prosecutor comes into court and says, "We are going to adjudicate this, or dispose this", etc., the juveniles do not know what they are saying. They say, "Does that mean I have been convicted of the crime"? They talk in criminal language and I don't see any reason to continue to play the game. These are very, very serious things and it is a serious problem and there is no reason to cloak it with euphemisms

that have no meaning at all to the juveniles. They know why they are there and they don't know the words we are saying. They know the effect but they don't know the words.

I would ask that you give some consideration to a type of - and I am going to use one of the euphemisms - determinative disposition. I think that if the dispositions were somehow related to the adult dispositions, perhaps there would be some more impact on the juveniles. As it is now, they know them; they know them by rote. They know first to get the rule, next you may or may not get the rule but you will get probation, and after that, you will get probation with suspended. After that, you will get probation with suspended but "we really mean it this time." And then, ultimately, if by some chance you are not 18 before this happens, the judge will really consider sending you to Yardville. This is not enough. They need to know, and perhaps they should be told at the time that they are sentenced, or disposed, that if you were an adult, this is what you would receive for this. Our formula is something. These children understand absolutes. They do not understand adjudication. They don't understand delinquency, but they understand crime. They don't understand disposition, but they understand Yardville. I am not trying to say we should send them away, but all they want to know is, "how far from there am I now"? You know, "Am I 6 years away; am I 6 months away"? That is why perhaps that point system is not a bad one.

The only other thing I refer to your consideration - and I appreciate the time you have allowed me - is the fact that I think the schools are terribly remiss in their obligations to instruct these young people as to what their rights and responsibilities are under our system. I don't know what kind of school system we have when people can get a drivers license without knowing where the Municipal Court is and where they can become citizens with the right to vote and still not understand what their responsibilities as citizens are. I really think that part of this obligation for education, particularly in the aspect of what happens to you when you commit a crime, or what the penalties are for transgressing against society, is the school's job, partially, and I think it is one that hasn't been done very well.

ASSEMBLYMAN HERMAN: Anne, thank you very much.

I wish to announce that the Chairman of the Subcommittee has arrived from Monmouth County and I certainly appreciate him coming down. I would like to introduce Assemblyman Bill Flynn from Monmouth County.

Anne, thank you very much for appearing.

MS. McDONNELL: Thank you.

ASSEMBLYMAN FLYNN: The next speaker on the list is Freeholder Milton Fredericks from Gloucester County, or his representative. (no response)

While we are waiting for the Freeholder or his representative, we will hear from Chief Kimmel from the Woodbury Police Department.

C H I E F F. D E A N K I M M E L: I would like to qualify my remarks here tonight by saying that I have been a police officer for over 25 years and I have been Chief of Police for 18 years.

I am here tonight not only representing the City of Woodbury and the people that I serve, but also the Gloucester County Police Chief's Association. They have asked me to speak on their behalf.

The juvenile justice system is a complete failure. It is non-existent. This is not only my opinion, but the opinion of all police officers involved in

the system, along with victims of crimes and the public in general. This may seem like a strong statement, so I will present the facts to back that statement.

The rehabilitation of the juvenile offender is a prime concern of all those involved in the system, and rightfully so. However, when do we have a juvenile criminal, instead of a juvenile offender? We have a juvenile criminal when the juvenile continuously perpetrates crime. Now, the thinking of rehabilitation has changed and thoughts of protecting society should become the main objective. It does not. It does not. The courts fail to recognize the juvenile criminal and release him time and again to continue his criminal activity.

I have with me some prime examples. In one year's time, one youth perpetrated over 40 breaking and enterings. I might say this was between our community and West Deptford Township.

I have here the court decisions -- 18 month continued probation after numerous appearances before the juvenile court. Would you believe that this youth broke into homes the same day he was released by the Court? Absolutely. He was picked up the same day and taken back before the court.

For three years this juvenile criminal received 18 months extended probation, or had the charges dismissed. This is only one of many, in not only my community but throughout Gloucester County and throughout the State - and throughout the United States.

What was the overall cost of this juvenile criminal's activities? It is estimated that it cost, in tax dollars, property lost, time lost from work, over \$150 thousand for one juvenile that the juvenile court did not recognize. Where is this juvenile today? He is 18. Now, he is a minor trouble. Trouble is on the minor side.

I think there is a quirk to this particular case. He told one of my officers in confidence that everytime he broke into a home, he banked half of the proceeds of his robbery as he knew when he became 18 years old that he no longer had the juvenile system to rely on. There are many cases, as I said, like this in my community and other communities in Gloucester County -- continuous repeat offenders, some for as long as 6 years under the protection of our so-called "juvenile justice system."

I have found it easier for me to be held in contempt of court and jailed then it is to get a juvenile off the street who endangers the very life of other people and I would like to elaborate on that. There was a case, such as this, a couple of years back, where a juvenile criminal was picked up on a criminal act by one of my officers and released by the judge after a hearing -- standard procedure, as usual. That night he went to the officer's home and did over \$1,000 worth of damage to his property. He openly threatened to burn the officer's home down. I contacted the court - a judge - and was told not to pick this youth up as the only way he could be incarcerated was if he was a danger to himself or others. My officer went to a motel that night. He took his family to a motel. However, I did pick this youth up and had minor charges placed against him. It was on July 4th and at that time he was caught in the act of shooting fireworks. Contempt proceedings were progressing when it was found that he was charged.

Here again, I bring this out as one example where the courts failed to act to protect life and property, and I think this is a big statement, "protect life and property." Here was an act of damage to a person's property and an act to do bodily harm to this man and his family and nothing was done. There are many

more instances of violence that could have been prevented if the courts would act.

I have here what I call a summary of the problem. These are basically some of the things I discussed. There is no difference in the system for minor offenses, compared to serious offenses. Juvenile criminals and those who commit violent crimes are not given special attention through this system. There is no respect for the system by the police, people, nor especially the offenders. The offenders have no respect for the system. The offenders not only have contempt for the system, but are developing contempt for society as a whole.

I think the biggest problem we are running into in the juvenile system to date, from a police viewpoint, is the police officers now tend to look the other way and many criminal acts by juveniles are not being prosecuted. This officer frustration with the system has increased. The officer may spend many hours in the investigation of a crime which leads to the apprehension of a juvenile. Now he must devote his time to the court process, detention hearing, preliminary hearing, and finally the hearing itself, only to see the juvenile criminal set free.

Charges against juveniles have increased, but offenses by juveniles have increased at a much higher percent. I would estimate that over 65% of reported crime in this county is committed by those persons under the age of 18 years of age. And, that is a very conservative estimate.

As a police chief, receiving varied requests from the public, including complaints about juveniles, I do not have the answers today. Due to the failure of the juvenile justice system, many problems in the community cannot be resolved. A lot of the public today cannot comprehend that juveniles continuously get away with criminal acts involving the larceny of or the destruction of property. Law and order cannot be maintained when it is held in contempt and anyone under 18 years of age knows that nothing is going to happen to him. And, this is something that I think every police chief and every police officer gets throughout the year, complaints about juvenile offenders, especially right after school lets out and you have a tremendous amount of vandalism and you have the narcotics problem.

As I have stated throughout, with this utter contempt, we have no more control over juveniles. I think there is also a definite problem in not releasing information to the press or, in fact, to adjoining police departments, where a juvenile is involved continuously in criminal acts, such as burglary. We could better serve our community and alert our citizens and brother officers to the fact that there are certain juveniles committing crimes in one given area. To do this today is in violation of court rules pertaining to juveniles. Again, we are protecting the juvenile criminal and forgetting our obligations to the people. As Woodbury borders on West Deptford Township, it is not unusual to have the same juvenile working in each community and the way the court rules are set up now, it is in violation to be held in contempt of court for releasing this information to Chief Morgan in West Deptford or Chief Miller in Deptford Township.

It is ironic, but I came across a magazine article in September Magazine. I don't like the title of it. It is, "Police Write a New Law in Juvenile Crime." I am not about to attempt to read this. On July 1, 1978, a new juvenile code took effect in the State of Washington and not only did this satisfy the liberals, but also the conservative-type people. Basically, what it does is, it sets up a point system for each juvenile in trouble. All juveniles convicted of crimes are subject to an elaborate point system. Each gets a certain number of points, according to his age, prior criminal record, and the severity of his crime.

It says, "Minor offenders who accumulate less than 110 points will seldom go to institutions. Serious offenders, with more than 110 points, will almost always go."

I think the most interesting thing on the list is that they also passed a Bill of Rights for children. With this Bill of Rights is the thinking of the people in Washington as to what law is: If children have certain rights and are to be treated as thinking, lawful beings, they should also be held accountable. I picked these words out of that and I agree with them completely. If you are not aware of this Washington Law, I would like to leave this with you.

ASSEMBLYMAN HERMAN: We would be happy to have it and we will return it to you.

CHIEF KIMMEL: It is a copy you can maintain.

ASSEMBLYMAN HERMAN: Thank you.

CHIEF KIMMEL: I think that it covers a lot of the problems that will be discussed here tonight and some of the things that I am concerned with.

ASSEMBLYMAN FLYNN: There is a bill, introduced in the Legislature by Assemblywoman Totaro, that is modeled after the Washington Code. We are going to be getting into that very carefully. So, we appreciate your reference to it so that we can give it greater emphasis.

CHIEF KIMMEL: I also covered, very briefly, some of the other problems in the letter. Vandalism is at an all time high. Never, in the past years, have I seen so much senseless destruction of property. Many reasons can be given for that but, again, I have to say that contempt for the system is to blame. Frustration against parents, society as a whole, and also depression from drug use can be attributed to the vandalism problem.

ASSEMBLYMAN FLYNN: Chief, you have set forth two different categories of crime, the so-called minor crimes and the major crimes. Addressing yourself to the major crimes, what additional tool do you need as a Chief that can be given to you from the Legislature in order to better handle the major crime problem among the youth?

CHIEF KIMMEL: Well, I think it is in the system. The problem is with the system and the fact that they don't deal with serious crime or the violent type crime person. They are handled the same. I think the Legislature should assure that a person with 'x' number of crimes - burglary or armed robbery, or rape, or even murder - would be tried as adults. They should provide for this.

ASSEMBLYMAN FLYNN: All right. Well, right now we do have a provision to try the more serious bodily crime - your rape and your murder and things like that. That is on the statute books right now.. Some counties use it and some don't. Some don't use it enough.

There is a bill pending to do the same thing, treat youngsters as adults if they are guilty of two or more offenses which, if they were adults, would be considered crimes. Now, would you be in favor of that kind of a law? I am talking now about breaking and entering, vandalism -- the kinds of crimes that are not the vicious crimes against the person but, nevertheless, are repeat crimes. Would you be in favor of treating those as adult also? Say as an example, a young lad who did 40 B & E's, he certainly would have been tried as an adult under the setup I am talking about. Would you be in favor of such legislation?

CHIEF KIMMEL: Positively.

ASSEMBLYMAN FLYNN: That is one step we can take towards achieving this

goal with reference to the major crimes. What do you think of the parental responsibility laws? There are two or three that are pending before us. It is difficult to get one that will stick, constitutionally, but do you favor the concept of requiring the parents to bear some of the burden?

CHIEF KIMMEL: I have some thoughts on that. I would say that while it is true that much delinquency is as a result of the home life and the lifestyle today, I see no way the parents would be able to accept the responsibility for the acts of their children after the age of 14. I think when we talk about juveniles, too many times we are thinking of the younger juveniles. I feel, and at one time there were thoughts about dropping the age to 16 years of age, that from 16 to 18, or even 14, it would be unrealistic to ask the parents to assume this responsibility. Under the age of 14, or up to that, positively.

ASSEMBLYMAN FLYNN: Another series of bills that are pending would permit the courts to do such things as require community service, or require restitution, or even impose fines. Would you be in favor of those kinds of penalties for the lesser offenses?

CHIEF KIMMEL: I think that is the answer. I think that is the answer. In fact, years ago, we used to do this.

ASSEMBLYMAN FLYNN: In other words, make the punishment fit the crime. If the person is guilty of vandalism at the school, perhaps make him clean the school grounds for six months, or something like that?

CHIEF KIMMEL: We have that now in Gloucester County.

ASSEMBLYMAN FLYNN: How is it working?

CHIEF KIMMEL: It works but the thing I am waiting to see is what are the courts going to do to the ones who refuse to do community service - and we have run into a couple of those. Now, if the courts do not insist, or take some punitive action, or something, to see that this is carried out, the whole program is going to go down the tubes like other programs do.

ASSEMBLYMAN FLYNN: Have you been involved in any of the actual programs? You say you have them in Gloucester. Is there anything in your town where somebody has been involved in doing something by way of community service? Have you had an actual example of it yet?

CHIEF KIMMEL: Of working?

ASSEMBLYMAN FLYNN: Yes, where these youngsters have been required to do something.

CHIEF KIMMEL: I have had four of them assigned to my department.

ASSEMBLYMAN FLYNN: And what do they do? What kind of work do they do?

CHIEF KIMMEL: Well, we have had some landscaping done. We have had some police cars cleaned. The big thing that I have found with this type of service is the fact that it is a one-on-one relationship with the police officers and communications can be opened up.

Now, when you are talking about restitution, or working off something for restitution, I think this should be done, possibly, in some way to aid the victim - to earn money to pay back the victim.

ASSEMBLYMAN FLYNN: Is the thing that is best about the system that you have now the fact that this person goes one-on-one with the local policeman, or is it that he is doing some work and being made to pay some penalty? Which do you think is more effective?

CHIEF KIMMEL: Oh, I think the penalties are more effective. I just mentioned the one-on-one as one of the benefits.

ASSEMBLYMAN FLYNN: That is an extra?

CHIEF KIMMEL: That is an extra, right.

ASSEMBLYMAN FLYNN: (continuing) Where there is a communication between the police and this potential delinquent in the future.

CHIEF KIMMEL: Oh, it is effective. I know of one boy that hasn't showed up and he has probably made a brag to his friends that there is no way he is going to do it.

ASSEMBLYMAN FLYNN: And that is what you are worried about, what do we do with him?

CHIEF KIMMEL: That's what I am worried about.

ASSEMBLYMAN FLYNN: What to do about him getting around penal servitude or some other odious connotation?

All right, do you have any questions, Mr. Herman?

ASSEMBLYMAN HERMAN: Yes. Thank you, Chief. Chief, by the way, the Assemblyman has been very active over the years in this area of law enforcement and I think he speaks for all of the Gloucester County policemen I know of, who perhaps just don't want to show up in court because nothing is going to happen, right?

CHIEF KIMMEL: Right.

ASSEMBLYMAN HERMAN: Well, we will see if we can change that in the next year or so.

CHIEF KIMMEL: I also have something on the schools.

ASSEMBLYMAN HERMAN: If you have, you have another couple of minutes. It is yours.

CHIEF KIMMEL: I don't know how many communities are represented in the room tonight. But, school violence, I think, is something that, over a period of 10 or 15 years, anyone who has a high school - not only South Jersey but pretty much throughout the State - has had some problems with. I did a little research on it and looked into it. I believe that this can be controlled with proper controls. There are certain ingredients involved here to control this.

First, you must have a strong school administration, supported by the Board of Education. This support must reflect downwards to the teachers in the classroom.

I have an old newspaper on this very thing. The headlines, not too long ago, while school was open, were: Battered Teacher Hits School Leniency. "Two teachers, testifying on school violence and vandalism before the State Department of Education, declared that the problem is being aggravated by a lenient judicial system and school administrators." That is something I have listed here, having had this type of problem a few years back.

I have: A strong school administrator, supported by the Board of Education; this must reflect downward. Along with this goes suspension, support of teacher in legal involvement. Some of the things that happen in these school situations would include complaints signed against teachers. Enforcement of existing laws on persons outside the school entering school property. And, we have sufficient legislation which has been utilized when people go on school property with just the idea of disrupting the schools.

ASSEMBLYMAN HERMAN: Chief, let me ask you a question. This would not

necessarily apply to Woodbury, but very directly and to the point I have heard the criticism from some of the police departments that school administrations basically take a "your turf and my turf" attitude and they really don't consider the schools public property, where arrests and police can be effective. How do you respond to that?

CHIEF KIMMEL: This is the main point. I brought this up. I have always been annoyed that some school administrators think the schools are their own private little domain. Police have been ordered not to enter school facilities. I don't think they have the authority to do that. Much of the violence in schools could be stopped if the schools and police had better communications regarding the problem.

I have found that if you have problems in the school, you are going to have the same problem on the outside. I have also found, at one time, the school was covering up and when I became aware of it, the situation was so intense that it took a tremendous amount of manpower and a lot of work on our part to bring it under control. I do not think these school administrators have that right, to dictate to the police department where the protection of life and property is at stake, and I will never stand for it in my community.

ASSEMBLYMAN HERMAN: Just let me ask you one last question. Recently, the Legislature enacted, and the Governor signed, a bill that requires the reporting of school violence by local school districts. Do you think it would be helpful if a copy of those reports were also filed with the local police departments?

CHIEF KIMMEL: Absolutely.

ASSEMBLYMAN HERMAN: Thank you, Chief, we appreciate it.

ASSEMBLYMAN FLYNN: We will now go on to Delia Perez, from the Gloucester County Division of Criminal Justice Planning.

D E L I A P E R E Z: My tone of testimony is going to be a heck of a lot softer than what you have heard already. Basically, I am going to talk about the parental and community responsibility in the area of juvenile justice. It is a much softer approach than what has been presented and I don't have very many statistics, so it is a little easy to understand.

A number of years ago, when I was working summer jobs to help put myself through college, I was working at a school plant in Edison, New Jersey, at a school called St. Matthews, and my job was basically to be a painter and a gardener - to take care of the grounds. Every morning we would check the school to see how many windows had been broken the night before. And, every day approximately four or five windows would have to be replaced.

In addition to windows being broken and other minor acts of vandalism in the school, I also discovered, one morning, a child sleeping in a Good Will Clothing Deposit Box, by the school. And, another morning, we found two people out there behind the school, sleeping in sleeping bags. At first we were alarmed because we didn't know what condition they were in. For all we knew, they could have been dead people. Fortunately, the sleeping bags moved and we walked away, very happy that we didn't have to report anything to the police.

This school is located in a community of fairly affluent, white, middle-class families. In addition, after school hours and during the summertime, the kids in the community would come back to the school to try and have something to do. Again, it is a community that is very affluent and yet it is a community that has very little for kids to get involved in. Playgrounds close down. There is nothing around with any supervision to get the kids involved in.

I think that the kids are returning to the school more or less as a place of refuge and recreation. Also, during the school hours the kids are aware of the fact that they do get lots of support from their parents and much attention and concern from the teachers there. But, again, this is only on a day-by-day basis while the schools are open. I think this is underlying a significant problem among the families, that these kids have to rely on the schools to provide love and affection and attention that they very sorely need.

Therefore, I think it is unfortunate that it takes the economic reality of the cost incurred by juvenile vandalism and school violence that forces communities to look at these problems, rather than the primary reasons which cause the juveniles' delinquent behavior.

In addition, if you speak to a school administrator about the problem of violence or vandalism, he will tell you what it costs in dollars and cents. Very little will be said about the juveniles' problems and their inability to cope with their own poor family relationships, as well as their inability to cope with the maturation and socialization process that each child is forced to go through on their way to becoming an adult.

After school, no matter what it is that the kids are returning from each day, back and into and out of their homes, some children return to families that are very interested and very involved with their children's lives. Then there are those children who have the misfortune of coming home to the over-protective parents, who are inadvertently choking the life and spontaneity out of their children. And, finally, there are those parents who really don't care, or who are just too busy with their own lives to care about their children. Both the overly-protective families and the non-caring families are the people in the family units that are driving children out of their own homes.

The children may leave their home in the evening, perhaps riding around on an expensive 10-speed bicycles and they try to get into doing something interesting. Nobody has any time at home to give to these kids to get them out to do something. So, they return to the schools and the playgrounds, or they hang out on the corners. Wherever there is a bunch of kids, there is something to do and they get involved in something. Sometimes that something is destruction.

Parents who do not want to take the time to get involved with their kids are failing in their parenting role. At this point, they may prefer that the school take over the responsibility for them, since these parents are much too busy trying to provide the "good life" for their families to enjoy without realizing at the same time they are taking away the valuable time the kids need with these people.

In addition, these over-protective people are not providing good learning skills. They are, at the same time, inhibiting their own child's potential growth. Both of these illustrate families in crisis. The results of this crisis are children who tend to act out in the community, through acts of vandalism or violence. Eventually, when the police have to deal with these bad kids, they are facing the failures of the family and the community.

Both the community and the parents have responsibility to participate in the social maturation process for their children. They are also charged with the responsibility of improving the environment that the juvenile tries to grow up in.

At this time the State of New Jersey is beginning to recognize that juvenile problems originate in the family and it is attempting to establish

the family court in order to treat the problem as a whole and, in addition, to support the family in crisis.

In addition, it is good to see at this point in time that more and more parents are participating in parenting skill improvement courses, which are being offered by some community agencies.

It is my experience that programs designed to work with juveniles, whether it is a preventive program or a rehabilitative program, will not succeed unless that program has the support and involvement of both the community and the parents.

Rather than being part of the problem, both the parents and the community should be part of the solution to remedy anti-social behavior. Playgrounds and recreational fields do not have to close after school hours. They should not have to close during the summertime. They should remain open and activity should be scheduled. These activities can be supervised by involved parents, and also residents of the community.

The community has a very fine human resource in the area of senior citizens who have the time and the energy to cope with juveniles, and many senior citizens would like to have the opportunity to get that involved with things in their own community and get that involved with people.

Organized after school and summertime activities for juveniles would provide mutual benefits for the juveniles, parents, and the community. The juvenile would be able to learn about his or her role in the community and in the family structure. The parents would be able to get back in touch with his or her child and also do themselves the world of good by leaving the t.v. sets and become active once again in the real world. And, the community would benefit from the decrease in delinquent incidences and reap the rewards of residents involved with the community concern.

The organization of active outlets for juveniles to become involved in would then help them to express themselves and strengthen the family unit.

Finally, this activity would also help to improve the community's overall image and picture of the youthful residents not as juvenile delinquents, not as vandals, but as contributing members of the community.

Now, this might sound like a very simplistic approach to the overall problem, but it is pretty basic and it all stems out of where exactly responsibility falls and on whose shoulders it really belongs. I think, number one, it really belongs in the family and then, secondly, in the community.

To support all that I have said, I think I will finish painting my rosy picture by reading a section of a letter to the editor, which was published in the Gloucester County Times on July 31st of this year. The letter was written by Mr. William McLoughlin, Sr., who is a resident of National Park. I quote: "In 1946, our community was faced with a vandalism problem. My wife and I sponsored and organized a group, known as the "Teens", ages 13 through 18. The National Park Fire Company donated the use of their hall for our meetings and other activities, such as dances, birthday parties, Christmas parties, and whatever. Believe me, in a very short time there was no vandalism. The teens themselves acted as a sort of town watch and did an excellent job. This group of teens was together for five years, without a single dropout.

"Again, in 1955, my wife and I sponsored and organized another group of teenagers, this time known as the "Teeners." The National Park VFW donated the use of their facilities, as did the National Park Fire Company in prior years.

This group also stayed together for five years without any dropouts.

"There are many former teenagers from both groups living in this community today. I know they often think of the good times and gatherings during their teenage years. I am sure this program would be as successful today as it was in the past. After all, the youth in our community are the children of our former teens, and everyone has been a credit to our community. We know this because we never have forgotten any of the teenagers we worked with in the past."

I like what Mr. McLoughlin says there. I don't think times have changed that much to make the kids growing up today a crop of bad kids. Times are tough. I think we all could use a little help and I think the kids could use a lot more too. Thank you.

ASSEMBLYMAN FLYNN: There has been some thought given to requiring parents of those involved with the juvenile court to get counseling - compulsory counseling for parents - what do you think of that idea?

MS. PEREZ: I think it would be a very good idea.

ASSEMBLYMAN FLYNN: And, along those lines, those parents who have continued to fail in their responsibilities, even though they got the counseling, do you think they should be fined through a criminal responsibility law if their children commit, let's say, a second or third offense which these parents, possibly through proper supervision, could have prevented?

MS. PEREZ: I think at that point in time you are wasting your time and their money because it is not going to make any difference.

ASSEMBLYMAN FLYNN: Why is that?

MS. PEREZ: It has gotten to a point by that time where things would probably be beyond fixing up, repairing -- patterns of behavior have already been set.

ASSEMBLYMAN FLYNN: Do you more or less have the same feeling that the Chief who spoke before you has, that once the youngsters get beyond a certain age - I think he said 14 - the parent no longer has the kind of control that we can make the parent responsible for?

MS. PEREZ: I think it would be at an even much younger age than 14.

ASSEMBLYMAN FLYNN: Now, you have indicated that perhaps we should keep playgrounds, fields, and things like that open beyond their normal hours. I assume we would have to get lights and things like that. That would be a great expense and I don't know if the public is ready to foot that bill. In your opinion, would doing that pay a dividend in terms of curbing delinquency, or would the youngsters who are committing the acts of vandalism now not ~~be~~ likely<sup>or</sup> the ones who would take advantage of the school grounds and the fields and things?

MS. PEREZ: Even if you couldn't get the kids who are committing the acts of vandalism now, just think of all the kids you could get to before they got to the point where they would be vandals. In addition to that, can the cost of light and the cost of some playground equipment be so much more than the cost of the vandalism and all the damage and the property that is destroyed, and the feeling of wellbeing and security in a community that the residents would have knowing that the kids have a place to go to and things to do, rather than hanging around the property at night, bothering some of the neighbors?

ASSEMBLYMAN FLYNN: Do you have any examples of any community here in New Jersey, or in other states, who have done this and extended periods of open schools and open playgrounds? Do you have any statistics as to how that

worked out, in terms of decrease in crime or vandalism?

MS. PEREZ: As I mentioned, I didn't come armed with statistics tonight.

ASSEMBLYMAN FLYNN: You don't have to give me raw statistics, but are there some pilot programs like this, that you know of, that we could look into?

MS. PEREZ: Not that I know of, but I did cite the example of National Park.

ASSEMBLYMAN FLYNN: That is 30 years ago. Although we would like to think kids are the same today, I think they have changed considerably. I think they are more sophisticated today. They have less respect for authority than they did 30 years ago and I just don't know if I can validly compare that particular example with today. You don't know of any pilot programs, somewhere, where they tried this and extended the openings? I know a lot of schools have tried to have additional dances and additional evenings where youngsters come to play ball and things, even in my area, and it hasn't worked. Either they don't utilize it or the ones that do come wind up doing more damage in the open school than they would have in the closed school.

So, my firsthand experience with it is that it hasn't worked.

MS. PEREZ: I don't have anything on pilot programs. One recommendation would be that perhaps they are not organized properly, or the types of activities provided for the kids are of no interest to them.

ASSEMBLYMAN HERMAN: You are suggesting then that we have a pilot program or two throughout the state to see whether it does work?

MS. PEREZ: It might be a really good idea to try it.

ASSEMBLYMAN HERMAN: All right. Thank you.

ASSEMBLYMAN FLYNN: Thank you, Ms. Perez.

MS. PEREZ: Thank you.

ASSEMBLYMAN FLYNN: We will now hear from Harry Knoblock. Mr. Knoblock is the Chairperson of the NJEA Working Conditions Committee. I assume he will talk a little bit about the problems in the schools.

H A R R Y K N O B L O C K: Yes. I am a high school Chemistry teacher in Mays Landing, New Jersey, Atlantic County. I also served on Commissioner Burke's Task Force, this year, for Reducing Violence and Vandalism in Public Schools.

Let me just read you a few instances of violence and vandalisms that have occurred in late spring and early summer.

An Essex County high school teacher was injured when a student is suspected of having thrown an M-80 explosive - an M-80, I am told, is similar to a grenade - into a room while class was in session. The teacher kicked the device under his desk, but before he could get out of range it exploded, blew off his shoe and injured his foot. He required hospitalization. The matter is under investigation.

I point that out because in one of the Task Force recommendations that was made to the State Board of Education, we talked about searching lockers for objects similar to these grenades, and the like, in some of our schools.

Approximately 50 junior high school students in a Monmouth County district were arrested on charges of selling and using marijuana around the school -- a rather common occurrence in New Jersey public schools.

A school bus driver who stopped his bus to speak to an unruly student was kicked in the back by another middle school student. The injury required traction for four days. No action has been taken against the student at this time.

A 13-year-old student hit a substitute teacher over the head with a wooden paper cutter and the student has been charged with assault and battery and assault with a deadly weapon.

A middle school student assaulted a teacher while she was monitoring the hallways. The teacher fell against the wall and seriously injured her back. The student was suspended for 10 days and after being found guilty of assault in juvenile court, he was placed on a two-year probationary status.

Two seventh grade students brought poison cookies to school for their teachers. Fortunately, the students did not give the food to anyone. The students were referred to special counseling.

A high school student in a Bergen County district injured four persons, two students and two teachers, with a golf club. Complaints were filed by the injured teachers and the parents of the injured students.

Has the Legislative Subcommittee been given a copy of the State Task Force?

ASSEMBLYMAN FLYNN: Yes, I have one with me.

MR. KNOBLOCK: Okay. In there you will see 47 recommendations that resulted from our investigation on the state level, of how to reduce crime in public schools. These recommendations include the suggestion that the Governor should be requested to direct that there be immediate thorough review of New Jersey's juvenile justice system in order that it function properly, it deters criminal action by juveniles, and it provides a number of possible alternatives to assist juveniles in effective behavior modification and rehabilitation.

The reason for this is, we feel we want to reestablish respect in the juvenile justice system by school staff members, students, parents, and the community, through the improvement of its promptness, effectiveness, and flexibility.

One of the things that both the NJEA and the State Task Force on Reducing Violence in New Jersey Schools became aware of very quickly is that very few people had anything positive to say about the juvenile justice system. The speakers who came to our public hearings - we held three, as you know-- Not one person spoke highly of the way the justice system was being administered in New Jersey. There were comments like "the system was too slow," "easy judges," and things like that -- "repeaters."

There were some positive things said about some of the judges, we should point out, however.

Legislation should be supported to change the statutory criteria established for judges when considering a charge of assault and battery on a school employee by a person 14 to 18 years of age, to increase the possibility of charging that juvenile as an adult and to also permit juvenile judges to fine juvenile offenders as appropriate, and permit juvenile judges to require a juvenile offender's parents to attend counseling.

The way the laws are now, in order for the judge to try a minor as an adult, that student has to almost commit treason to be charged under those statutes, I understand -- our lawyers tell us. We, both in the NJEA and the State Task Force, want to see that changed. In short, public schools have become a safe place to commit crimes in.

As an example, I think our students know that if they steal something, let's say, in a Seven Eleven or a grocery store, there is a good chance that if caught they are going to be fingerprinted and charges are going to be made against them. They will be taken down to the police station and even jailed.

However, in some of our public schools I think the attitude of many of our young people is, if they get caught stealing things from lockers and things like that, there is a good chance they will get away with it. Maybe they will have a hearing. Maybe they will get detention. Maybe they will be suspended and things like that. But, schools, generally are--

ASSEMBLYMAN HERMAN: I think Assemblyman Flynn asked you why you believe that is so.

ASSEMBLYMAN FLYNN: Why is that, that they are more likely to get charged if they rob a store than if they do something in school?

MR. KNOBLOCK: I think some of it has to do with a weak administration. In my personal experience as a teacher - I have been teaching in New Jersey's public schools for 12 years - when incidences of crime have come up in our school, for example, we would go to the administrators - the principal - and say, "Let's call the police in on this. Let's have an investigation." And, many times the response is, "Oh, no. We don't want the police in here. We will handle it ourselves."

ASSEMBLYMAN FLYNN: Is that because they don't want the adverse publicity that they are not doing a good job, or something to that effect?

MR. KNOBLOCK: Well, research tells us that only about one-third of school crime is being reported. The Task Force concluded that much of this covering up is probably due to what you just said - the embarrassment of it. I think that both administrators and teachers have to be retrained to realize that when these things happen, it is not necessarily a reflection of their abilities to teach or their abilities to administer. But, too many times there are people in the hierarchy of our schools who feel that this is a reflection on them. That has to be corrected. This covering up nonsense has to stop. If there are kids in the school who are disrupting the educational process, let's isolate them; let's find out what their needs are. But, at no time should they interrupt the educational process for the other students.

ASSEMBLYMAN HERMAN: Is there a recommendation to dismiss, or suspend, teachers or administrators who do cover up? Do you think we ought to have a good, tough attitude in that regard if we are going to make the law mean something?

MR. KNOBLOCK: As you know, that new law that requires school administrators to report acts of crime to the County Superintendent and then to the Commissioner -- we, at NJEA, have talked about making failure to comply with that a disorderly person. That is not on the books now, I understand. But, that might not be a bad idea.

ASSEMBLYMAN HERMAN: Isn't that getting to the point of it? Is it their job? We are talking about embarrassment and tenure. Whether you are an administrator or whether you are a teacher, if failure meant putting your job potentially on the line, don't you think that might encourage the reporting of what is, rather than what they think should be?

MR. KNOBLOCK: Speaking as a teacher, yes, I would like to see that. Yes.

ASSEMBLYMAN FLYNN: Let me ask you a question. There is a bill pending in the Legislature to treat as adults those youngsters who commit crime in the schools, either against the teachers, against another student, or what have you. The argument has been raised, "Why should those people stand on any better footing than the person at Seven Eleven who gets beat up, when the youngster

tries to rob Seven Eleven"? In other words, why would the youngster have different treatment because he hit somebody in school, as opposed to hitting somebody in a Seven Eleven, or on the street, or even hits a senior citizen? You know, we have people that want legislation saying a person over a certain age should be treated in a different way.

MR. KNOBLOCK: Yes, I think an equation can be drawn between what we see with policemen and firemen. When they go into a Seven Eleven store, for example, their uniform, or their presence and their authority, many times brings about action that you wouldn't find if you and I went into that same store where there were delinquents. I think that was the rationale of the State Task Force and also the rationale for the NJEA supporting that legislation.

ASSEMBLYMAN HERMAN: Respect for the system? In other words, what you are saying is, in order to maintain law and order, you have to respect those who are charged to maintain law and order? In order to have a good system of education, you can't have it disrupted, is that the policy you are putting forth?

MR. KNOBLOCK: That's right. Also, you realize that my very presence on the school grounds at a basketball game -- I am expected, if I see unruly students, to do something about that. Students know this. Students vandalize our cars. I don't think there is a week that goes by in my public school where teachers aren't told that students will get their cars, or will wait for them after school and attack them, and things like that. And, I teach in a regional high school that, as we look at some of the schools throughout New Jersey, is considered reasonably safe. But, we still have these weekly, or monthly, occurrences of fights and things like that.

I would not like to see that bill diluted. I think that upgrading the fines and the penalties for assaulting school employees, including Board of Education members, should not be diluted by opening it up to other areas - I understand nurses, and things like that.

ASSEMBLYMAN FLYNN: Assembly 3309 - A-3309 - Assemblyman Lesniak's Bill?

MR. KNOBLOCK: S-3020, but it could have been changed.

ASSEMBLYMAN FLYNN: They may be two companion bills. It is possible that 3020 is a companion to the other.

MR. KNOBLOCK: S-3020 was sponsored by Senator Greenberg.

ASSEMBLYMAN FLYNN: Now, I believe in one of the bills - possibly both - they also have school fighting - if they are fighting with someone else on the playground, for example - as a category to be treated as an adult. Do you agree with that one?

MR. KNOBLOCK: Students hitting students?

ASSEMBLYMAN FLYNN: Yes.

MR. KNOBLOCK: The State Task Force talked about that. There was no recommendation. None of the recommendations addressed themselves to that and NJEA does not have a policy on that.

ASSEMBLYMAN FLYNN: That can be carried too far, I suppose.

MR. KNOBLOCK: Well, when we started talking about how we were going to take that reporting mechanism -- what happens if a kid bumps into another kid and gets a bloody nose; does that have to be reported to the County Superintendent? -- we had some problems with that. There are degrees. But, once you start opening that up - and I think the legislators recognized this very early - you then want to leave it in the judgment of a school principal. In

other words, I understand your bill - the law - you wanted all acts of crime reported to the State. So, we run into problems with students hitting other students. You know, bumping into one another and things like that becomes very tricky if you start defining assault in that area.

ASSEMBLYMAN FLYNN: All right. Are there any other major points that you would like to highlight from the study, or is there anything else you would like to bring up?

MR. KNOBLOCK: Yes. I have heard some of the things mentioned already. Overtures should be made by the State Board of Education and the State Legislature to appropriate departments of State Government in order that all statutes and administrative codes concerning juveniles might be correlated and streamlined. The reason for this is, in order to revise New Jersey laws concerning juveniles, an interdepartmental effort is necessary and the State Board of Education should encourage wide involvement with this process.

It seems that from the testimony given to the State Task Force, there is a lot of confusion over the laws, as they affect juveniles. They are scattered, thus the recommendation from the State Task Force.

ASSEMBLYMAN HERMAN: Do you think the criminal code should be combined in a juvenile code of administration of justice?

MR. KNOBLOCK: The revision and consolidation of the Criminal Code -- is that the part that--?

ASSEMBLYMAN HERMAN: It involves the alteration of all our criminal laws, from top to bottom.-- all into a couple of easy references, a couple of books.

MR. KNOBLOCK: As long as we don't get involved in things like making sex permissive for 13 year olds.

ASSEMBLYMAN HERMAN: I hope we won't go through that again.

MR. KNOBLOCK: I don't mean that disrespectfully; I just want to caution that sometimes these streamlinings and consolidations can bring about--

ASSEMBLYMAN HERMAN: Isn't that what you are really suggesting -- consolidation of law?

MR. KNOBLOCK: Yes, a reasonable one. Yes.

ASSEMBLYMAN FLYNN: What do you think of the idea that was espoused earlier, and that is to keep the schools open later and the playgrounds open later? Do you think that would do some good, in terms of curbing the problems?

MR. KNOBLOCK: That was one of the State Task Force's recommendations. We found that those schools who did have year-around evening programs had less instances of violence and vandalism in their schools. So, that seems to be an appropriate method for reducing crime, and that is in the State Task Force.

I think Galloway Township - you asked for an example a few minutes ago - runs an evening program and their superintendent told us that their studies indicate it did play a part in reducing crime in that school district and there are other examples in New Jersey.

ASSEMBLYMAN FLYNN: The crime that was reduced, was it acts of violence against the school itself, or was it in general?

MR. KNOBLOCK: I think the superintendent was talking more to the violence against the school building itself - the vandalism.

ASSEMBLYMAN FLYNN: I suppose just by the fact that it is open and there are people there, will bring about a reduction in the vandalism at the site of the school, because it is lit.

MR. KNOBLOCK: But, again, it would have to be done in a controlled arena. You can't have people walking in off the street. You are asking for more problems that way, especially in some of the urban areas. In a place like Galloway Township, which is rather rural, I don't think you would have that problem. But, in some of our city schools, for someone to sit here and say, "yes, open up the schools in the evening", you will get some characters walking into the building and it is going to cause a lot of problems.

So, once again, you have to monitor it. You have to be careful with something like this.

Also, legislation should be supported to provide that any person who commits an assault upon a teaching staff member - board member and the like should be charged for aggravated assault, similar to the policemen and firemen we talked about before.

The State Task Force has some 47 recommendations. When we talk about the cost of implementing our recommendations from the State Task Force, we are talking about maybe under \$3 million in fiscal year 1980 - 1981. According to the research done by the New Jersey School Boards Association, the cost of broken windows, for example, in New Jersey, for New Jersey public schools, runs something like \$2.5 million.

ASSEMBLYMAN HERMAN: Not taking into consideration the increased insurance cost as a result of that?

MR. KNOBLOCK: Yes. It is just the replacement cost for the broken glass. I think that figure is for 1977, or 1978. That doesn't take into account perhaps another \$2.8 million for fire and other kinds of destruction. So, I think that when the legislators begin to weigh the upgrading of our laws to be more stringent upon the juveniles, it is very easy to think in terms of, "Well, let's see how we can meet the needs of these kids if they are having problems at home and their parents are split up," and things like that. That is all well and good but I think that type of attitude has brought us to the point we are at here in the late '70's, where the majority of our kids are beginning to go to school in a fearful environment. We know of examples where high school kids, and junior high school kids, were afraid to go to the bathroom and urinated in their pants simply because they were afraid to go to the bathroom in a public school. This type of fear in America just seems unbelievable. It is unbelievable that something like this could be happening.

ASSEMBLYMAN HERMAN: One of those recommendations, again, is segregating out the discipline problem kids into a special district school?

MR. KNOBLOCK: That is the recommendation that is very controversial. We have noticed a lot of resistance from some groups on that issue of putting them into a separate school, basically.

ASSEMBLYMAN HERMAN: Under the theory that you are marking the kid?

MR. KNOBLOCK: Not only that. They are saying that these schools are like prisons, and things like that -- these alternative schools. Pennsylvania has such a program and it works very well. The kids - the delinquents - stay in that school. I think they have guards. I don't think they are armed. But, you know, there are restrictions on the students. They have dormitories and things like that.

The point is, as Supreme Court Justice Hughes said to us at one of our meetings, we have to cut this cancer out. Those were his words. It has gotten

very bad. I started off this presentation with just giving you a few instances. We could document many more, but I know you are not interested in hearing volumes of war stories. But, the issue in New Jersey is a bad one. Let's start doing things about the increase in crime in schools and make the schools a safer place for our children.

ASSEMBLYMAN FLYNN: Do you find the root cause to be the lack of parental supervision?

MR. KNOBLOCK: Well, it would be easy to point the finger at someone. I think there has to be a strong push, yes, for parental supervision. The one bill that would make parents liable for the acts of their kids, with a ceiling of \$1500, I believe, would meet the constitutional objections to a previous bill, or law, of a couple of years ago. I don't know the number on that. Also, part of that bill includes showing that the parent should have been supervising, or had access to supervising, or something like that. In other words, there are some constitutionally firm grounds that won't get this thing knocked out by the courts.

ASSEMBLYMAN FLYNN: Well, the difficulty up to now, of course, has been that the courts say you can't hold the parents unless there is something that that they did wrong, or unless you can show that they did something wrong. Now, I have been toying with an idea. Let me just toss it out to you and see what you think of it. It would create a presumption that if a youngster under the age of 14 was out after 10 o'clock and did something, the parent was not properly supervising the youngster. And, unless the parent could rebut that with some evidence as to why their child was out beyond that time, the parent would be guilty. What do you think of something like that?

MR. KNOBLOCK: I think that is a good idea. Yes. I think that is what we need.

ASSEMBLYMAN FLYNN: I would upgrade it to 12 o'clock for, let's say, a 16 year old, in keeping with the age. But I would make it, say, 10 o'clock for 14 year olds. Because I believe that too many parents don't know where their youngsters are at night because they are either out working a second job, or they are out socializing somewhere and don't really take a firm hand.

MR. KNOBLOCK: I don't mean to be taking so much of your time, but, as I said, I am a chemistry teacher, and years ago you never had parents tell you that they couldn't control their kids, but now if you make a telephone call to tell a parent about lack of homework, lack of lab reports, and things like that, more and more I am getting, "I just don't know what to do; I can't control him", or "I can't control her. She now has the car and after dinner she goes and we don't know where she is or when she gets back." I find that almost unbelievable. You know, we are talking about 16 and 17 year old kids and parents can't control them. And, then, we start taking it on the chin for minimum skills, and things like that. It is a vicious circle.

My point to you is that you would never get that comment a couple of years ago. If you called a parent and said that the homework was not coming in and things like that, the homework would be in the next day and weeks thereafter. But, more and more we are getting this nonsense -- "Do the best you can and I will see what I can do" and things like that.

Again, it would be easy to point the finger at the parents; it would be easy to point the finger at the court, the legislators and teachers, and so on. I don't think that resolves anything. I think we all need to look at ourselves

and what we are doing and start acting on some of these recommendations from the State Task Force, and other recommendations that you will hear tonight.

ASSEMBLYMAN HERMAN: What you appear to be saying is, "Is the juvenile justice system a system of justice at all", if I can sum up your testimony.

MR. KNOBLOCK: Well, I am not an expert on the juvenile justice system. All I know is, when I read in the paper where some of these clowns are raping women and are back on the street weeks and days, or months, afterwards, that is scary. I don't know whether we can put it all at the doorstep of the juvenile justice system or not, all I know is, when you have a kid that is causing problems in a school and he is hurting other kids or teachers, or whatever, get him out -- get him out of the school. Give him some kind of alternative education. Don't lock him up in a jail. You know, I am not saying isolate the kid that way. Give him an alternative program and then if that doesn't work, put him in jail, maybe. This business of trying to meet the needs of the kids and things like that, that is all right if it is not your son or daughter coming home bloodied, or with things being stolen out of the lockers, and things like that. I think we learned our lesson from that part of our history, where we try to coddle these types of people. All right, let's find out what is wrong with them and let's help them, but in the meantime, let's not let the other kids get hurt.

ASSEMBLYMAN FLYNN: Thank you, Harry. Thank you very much.

The next listed speaker is Ester Lee, Gloucester NJEA.

E S T E R L E E: Good evening, Mr. Chairman and members of the Committee. My name is Ester Lee and I am President of the Gloucester County Education Association. We are an affiliate of the NJEA and we represent 3,000 teachers and school employees in Gloucester County.

I am a teacher in Washington Township Schools in Gloucester County and the mother of five children.

First of all, I would like to commend the Subcommittee for holding these public hearings. We teachers have become increasingly concerned about the incidence of violence and vandalism in our schools and welcome the opportunity to speak on the problem.

One of my first concerns is the protection of non-tenured teachers who report incidences of violence or vandalism. Harry previously talked about the reporting system of the New Jersey Department of Education. This is a possible step and it requires the reporting of any type of violence and vandalism within the school to the principal, to the county superintendent, and so on, up to the State Board. Now, that sounds good. Within a year the State Board of Education should have an accurate reporting of these incidents at schools throughout New Jersey.

I think Harry mentioned that as a result of the Task Force hearings many people feel that up to one-third of the incidents of violence and vandalism in the schools is not being reported.

One problem is, the determination of whether an incident should be reported is left to the discretion of the observer, or the school principal. Now, this is a problem. In May alone, as the President of the Gloucester County Education Association, two incidents were reported to me, where non-tenured teachers, in two of our finest suburban school districts in Gloucester County, observed incidents of vandalism. One of them had to do with a Molotov cocktail - and you know that can be very dangerous - and the other one had to do with physical violence on a person. Both teachers were called upon and in one instance, the one

teacher was called to the office three times and asked to reconsider about submitting the report. Now, you know as a non-tenured teacher he can be dismissed with just a statement of reasons. He is not secure and not subject to the hearing that a tenured teacher has. You know that these two teachers did not report these two very serious incidents here in our finest school districts in Gloucester County.

Now, this goes back to other things that Harry was saying. Why does this happen? Well, part of it is the problem of middle management. They don't want the public, nor their own school board, to know what is really going on in the schools. They all feel that if such incidents are reported, it is a reflection on their ability.

If I know of these two incidents in the one month in a county that does not have a population as large as many of ours in New Jersey, can you imagine what the implication of this is throughout New Jersey? What does it take to correct this problem? As Harry mentioned, training for teachers and administrators in dealing with the problem; training for school board members -- that they are not doing the public a service by hiding these incidents so that no one knows about them.

A few years back - if I can, I would like to cite an incident in another "nice, suburban school district" - a young teacher was attacked at knife point by a very young student. She got out of it and went to the faculty room in hysterics. Another faculty member called the police. An administrator was conducting a faculty meeting and do you know that that administrator made the policeman wait for 20 minutes while he finished his faculty meeting before he went to see the policeman about the incident?

Now, I don't blame it all on him. He is probably afraid for his job and afraid this would be a reflection on him. I am sure he didn't know how to handle it; he didn't know what to do with it. This is the first time something like that had ever happened in his school.

A few years ago, before T & E - Thorough and Efficient - my own school district - Washington Township - had an alternative school for those students who were unsuccessful in the regular school program. Now, we know from the students we find committing these acts of violence and vandalism in the school, that they are the children that are unsuccessful in the regular school programs. Well, T & E came along and with the budget cap, the alternative programs for these students had to go by the wayside because they couldn't be included in the budget. These students were sent back to the regular high school, to the regular school program, and again face the frustrations. Some of these students have problems at home. They come from broken homes. Some of them have been in jail. Some of them have drug problems. And, because of the overcrowded classroom, as an English teacher at the high school, I had to deal with 160 students a week. Now, I don't have the time to spend with students who have specific problems, even though I am a reading teacher and deal with children with specific skills, who show these frustrations. These children need a special program, where they attend smaller classes and there are special counselors and teachers, especially trained to deal with them.

We have to work together, both law enforcement officials, parents, teachers, and school administrators. We have to educate those parents and children not only about their rights and responsibilities, but how to deal with children. We had a boy in the eighth grade. There was a whole team teaching situation in Washington Township. We met with the parents about some of the

problems the child was experiencing in school. The father really had a hard time believing that his son would commit such acts. Of course, he wanted his child to go on and be a brain surgeon and go to the University of Pennsylvania. After the eight of us talked to the father, the father said, "Well, maybe there is something wrong." Do you know what he did to punish his child? In front of the eight of us, he told the child, "Well, instead of going to Colorado skiing for five days, you are only going to go for three." This is the truth. And, it is also the truth that this child is now in the penitentiary for armed robbery because the father kept trying to bail the child out of every single problem that happened.

As a teacher and as a member of the NJEA, I am proud of the United Teaching symbol. I have one on my car. But, when I go to a basketball game or to a football game, I either take it off my car, or borrow one of my children's cars because I know that this mark on a car in a school parking lot will make my car a target for some of these frustrated students.

There has been one national study on violence and vandalism - the U.S. Department of Health, Education, and Welfare - which estimates that secondary school teachers have one chance in eight of having something stolen from them while in school; one chance in 167 of being robbed; and one in 200 of being attacked. The report also said more than one-quarter of all schools are subject to vandalism in a given month, at an average cost of \$81 for each act of vandalism.

Another thing that wasn't discussed previously is the effect of all this tension and the problems on teachers. In the face of all this data, it is not surprising that some teachers are developing what one California psychiatrist refers to as "combat neurosis", similar to that suffered by soldiers in battle conditions. It isn't surprising that the National Education Association reports teachers leaving their profession earlier in their careers than ever before.

Again, I stress the need for police, teachers, school administrators, and parents to deal with this and work together. I know this is a problem with the budget caps because budgets are presently under severe strain, especially in a growing district like ours. There is no money for such programs at the present time.

The NJEA has called upon the Commissioner of Education to propose legislation which would alleviate the fiscal problems. No such proposal has yet been forthcoming.

Specifically, what can we do, schools and teachers, to prevent such behavior and to mitigate it when it does occur? We must train the teachers to make them better able to handle discipline problems and make them more adept at being managers of classes. It used to be if the child was disciplined in school, he was in double trouble when he got home.

I was standing at the door of the office one day when the middle school principal in our district, a few years back, called a parent because a very well developed 8th grade girl had come into school with sort of a transparent tee shirt and it was causing a disruption in the classroom. I was there when the principal was holding the phone maybe three feet from his ear because the parent was screaming and yelling about her daughter's rights and how dare we, as a school, call her to tell her about that because she has rights and her daughter has rights, and she had the right to wear that.

Adequate counseling has to be provided for students and their parents,

to help them deal with their children. Not only that, we must have adequate programs to classify students and get them into these special programs as quickly as possible. We have to find new ways to challenge students who are bored. We have some students who are talented and gifted and who are functioning at a remedial level only because the classrooms are crowded and there are no adequate programs for them. Again, we are talking about additional money for innovative approaches and programs so that these children will not become statistics of juvenile delinquency. We almost must look for ways to make our own school atmosphere more manageable. Many studies have shown that violence is more likely to appear in crowded schools and classrooms. These conditions must be alleviated.

It is really difficult sometimes when you talk about overcrowded classrooms to legislators. I had one tell me, "Well, there is nothing wrong with that." When he went to school there were 40 kids in his class and he managed to become a legislator, so he didn't really see any problem. You are laughing, but this is the truth. You cannot compare the schools from when I was young--

ASSEMBLYMAN HERMAN: We won't pursue that.

MRS. LEE: Thank you. (continuing) --to the reaction we get from the community and from the parents now. In the meantime, we must deal with the violent students. A student must not have a second chance to commit a violent act. S-1455 would provide for immediate suspension of a pupil who commits a violent act against any school employee. This bill has just passed both the Senate and the Assembly and will go a long way towards alleviating the problem. We certainly support it.

Parental responsibility is also another area where we feel the legislators should enact law. We feel that the constitutional issue involved can be appropriately handled. Parents must be held responsible.

Now, you talked about what time children should be at home. I am a mother of five children and if my 17 year old isn't home at 10:00, I am alarmed. My children tell me where they are going to go and where they can be reached. I have a son who is 22 - I was an early bride - who calls me up to tell me, for example, if I am expecting him, if he is going to be out past midnight. He is allowed to stay out until midnight. He calls me to tell me if he can't make it on time. I don't think that is unusual. It seems to me, from what you were saying earlier, that maybe it is unusual. I don't know. Maybe parents do need help to deal with that.

The NJEA supports the idea that an assault upon a school employee should have a penalty commensurate with an assault against police officers. Hopefully, this will curtail some of the school violence, because, let's face it, the kids don't really take it seriously -- "Oh, it is the school. It is my property. My parents are taxpayers and I can do what I want."

I think last year, or the year before, we had a student deflate all the tires on the buses in our school district.

Obviously, Mr. Chairman, you are aware of the need for communication between the different sectors. I really appreciate your having these hearings. We applaud this. We hope your efforts, statewide in a factfinding mission, will be fruitful. Violence is a complex problem. The teachers of Gloucester County hope you will find some of the answers. Thank you for allowing me to testify.

ASSEMBLYMAN FLYNN: I have a question. You have been teaching for a few years, can you trace when things started to deteriorate? Is there some

watershed that you can look back on and say, "That is when it started"?

MRS. LEE: Well, I started teaching in 1971 - I am a late bloomer; I was out of high school 15 years before I started college - and since I started teaching in '71, I see a problem. It is true, we find that now both parents work. Our district has the most split sessions, since 1971, and it is very difficult for children to come in early - as they do. Our first class starts at 6:30. Final classes in the middle school finish at 5:30. In order to keep up with the standard of living, many parents in our district work. I do think this is a problem.

I also think that when you talk to parents about what their responsibilities are and about problems with their children, they throw their hands up and say, "Oh, I can't do anything about it; what can you do"? So, really the onus is on the school to provide the discipline and then it goes back to the parents, because they don't support us in what we do.

ASSEMBLYMAN FLYNN: What kind of a curriculum did you have in that alternative system?

MRS. LEE: It was entirely different from the regular school program. We did spend a lot of time on Civics and the law. We took them to different places to try to get them oriented toward careers and we did spend a lot of time on basic skills.

For example, the history program was not oriented to colonial history, etc.; it was more oriented toward a civics program. We had more leeway to do things like that.

ASSEMBLYMAN FLYNN: Upon graduation, say, from such a curriculum, what would they be suited for?

MRS. LEE: As far as basic skills are concerned, the basic skills were certainly stressed. When you are talking about what children are suited for when they leave high school, you know I, as a secondary teacher, have found that now the junior colleges and colleges are, as far as job hunting is concerned, more of what the high schools used to be when I graduated from high school. We find college students servicing people in stores and serving as clerks. So, the standards are much higher than they were when I graduated from high school.

Another problem is, when I was in school if you were unsuccessful, you dropped out of school. But, now we find that more students are staying and as more students stay who would have quit before, this is creating a problem when you talk about the lowering of standards. The students are staying who used to quit when I was in school. And when I was in school - many years ago - again, if you had a problem with a student, he was just forced to go into the Marines, or the service, or to quit school. He just didn't stay in school. I really strongly feel that we need alternative programs for some of these students, where the class size is smaller, and the curriculum is different than that given to the other students.

I think, again, it would be more stress on sensitivity that is required in the job market. For example, it would stress getting along with others and things like that, and the respect for property.

ASSEMBLYMAN FLYNN: The bill you refer to, where a disruptive student is suspended, what happens to that youngster when you put him out of the school? Now, he is in the streets. Isn't he likely to get into more crime -- more serious crime?

MRS. LEE: When you are talking about suspension, there are various alternatives to suspension. One alternative to suspension is in-school suspension, where the child would not go back into the classroom with all the other students, but would be segregated from them into a separate program.

ASSEMBLYMAN FLYNN: Your alternative program?

MRS. LEE: Right. I think Mr. Bartleson was supposed to speak here earlier. His school had a Saturday school, where if the children were suspended from school, they had to attend school on Saturday. I read in the paper that they seemed to be very highly motivated because they did have to attend school on Saturday.

In our district, some of the students who are suspended must attend school in the evening. We have teachers who teach class in the evening.

ASSEMBLYMAN FLYNN: All right. Thank you very much.

MRS. LEE: Thank you for allowing me to speak.

ASSEMBLYMAN HERMAN: You did very well.

ASSEMBLYMAN FLYNN: Is Roy Mahoney here? (affirmative response) Mr. Mahoney is from the Educational Improvement Center.

ROY MAHONEY: For those of you who don't know what an Educational Improvement Center is, there are four regional resource centers throughout the State of New Jersey.

ASSEMBLYMAN HERMAN: You make this pitch every time it is budget time, don't you, Roy?

MR. MAHONEY: We are talking about geographically. Our particular region handles the southern six counties of Jersey and we offer a variety of services, primarily to school district administrators, teachers, consulting services, and other kinds of services. We do not necessarily deal directly with children. As a matter of fact, we generally do not deal directly with children.

My function at the Educational Improvement Center, up until August 1st of this year, was as a community education consultant, which is the term for things that were talked about quite a bit here -- after school programs for kids, for adults, sometimes adult basic education, high school equivalency programs. My job was to work with school district community groups, on occasion municipal governments, on occasion the Task Force on Community Education, and some legislators, in terms of studying community education as a possible solution to a variety of problems, most of which were educational. But, particularly, my concern was with the violence and vandalism aspect in schools.

We have found that in many school districts, some urban, some suburban, some rural, that the implementation of community ed type programs for kids, after school, in the evenings and on Saturdays, have substantially reduced vandalism problems.

For example, in Atlantic City, there are two systems, really -- two structures. One is called the Westside Complex and one is called the Uptown Complex. I am more familiar with the Westside Complex, which was opened about four years ago. It was funded partially by the Federal Government, partially by the City, the School Board, and Atlantic Community Resources. The incidents of vandalism on that building, and violence within the building, has been substantially less than other schools within the school system of Atlantic City, as well as in other urban types throughout the State of New Jersey. In fact, the amount of vandalisms to the structure and to property within it has been



almost negligible by comparison.

ASSEMBLYMAN HERMAN: Why?

MR. MAHONEY: That is something we are trying to pinpoint. It is very difficult because there are so many factors involved.

ASSEMBLYMAN HERMAN: What are some of the suppositions that have come up?

MR. MAHONEY: Some of the major conclusions are the fact that the community was very heavily involved in the initial planning and in some of the architectural design of the building, and dealing with not so much curriculum but at least in being introduced to and involved in selection of some staff, especially the staff involved with community services. And, through this entire process, which started four or five years before the building was actually built or opened, the community felt as though, "This is our community center. This is not necessarily a school." As a matter of fact, it is not even called a school. It represents, to various segments of the community, various things. It houses a K-8 educational school. It also houses a variety of social services - dental and health clinics; services for senior citizens - and it is also open usually six days a week, but sometimes seven days a week, especially in the summertime, roughly 14 to 16 hours a day.

ASSEMBLYMAN HERMAN: So, what you are really saying is that maybe there has to be a rethinking about what we call our schools and how we use our schools?

MR. MAHONEY: I think that we have to have a rethinking of education, per se, as being something more than schooling. I think you can think of schooling in terms of a building where we send kids from 8 in the morning until 3 in the afternoon, where you can think in terms of education which encompasses an effort on the part of the total community, not just educators, not just kids, not just parents each doing their own thing in their own particular sphere of influence. I think there has to be a lot more cooperation and I think that-- For example, my present position now with the EIC is under a State Law Enforcement Planning grant. What I am trying to do, and I am hopeful that it will be successful over the next couple of years, is to come up with models of cooperative efforts on the part of educators - and I have to agree with you concerning your earlier comment on the "turf" problem because we, like just about everybody else, have that problem on the part of educators, police departments on the local level, social service agencies on local, county, and state level, and the community in general, formal and informal leadership. They really have to be able to sit down and come up with a change of attitude about these things.

ASSEMBLYMAN HERMAN: Let me ask you a direct question. If I were to put you in that seat next to Assemblyman Flynn and say, "You are now the aide to the Judiciary Committee, based on your expertise, what would be your recommendations to us as legislators"? How can we have a legislative response to this that would have an impact? What would you say to us? What recommendations would you make?

MR. MAHONEY: Well, I think there are a variety of them. I think as far as planning and deterrence of this kind of problem is concerned, you would have to have more planning and more input from community and local based groups, whether they be police departments, etc. You would have to come up with a vehicle which would allow for that.

Any form of community education - now, if you want to forget the education part of it, that is o.k., but the process that is involved right now

in community education in New Jersey in bringing together various groups' various resources within a community to deal with those types of problems - probably should be fostered by legislation, maybe even by some bucks. I don't know what the priorities are there.

On the other hand, you have a current, imminent problem where we are having \$5 or \$6 million a year worth of damage. We are presently spending, I think, an extra \$12 million on security personnel and devices, etc. I think we have to look at those things kind of fitting into the plan, but with an idea that we may eventually be able to phase some of those things not out completely - because I don't think we will ever completely do it - but with a view towards reducing those types of numbers.

I think the added difficulty is the kinds of things we just heard from the teacher, where in addition to easily sitting here and talking about violence to buildings and replacement property costs, etc., it is a lot more difficult to say, "Well, we are going to work with these kids in the system and hopefully it will work and the teachers will be safe, as well as other students."

ASSEMBLYMAN HERMAN: Do you suggest we take those kids out of the system - out of the main stream of the system?

MR. MAHONEY: I wish I had a simple answer to that. I think there is going to have to be some kind of alternative school. I don't think as a matter of course kids who are disruptive, or pre-delinquent, or whatever the term is these days, ought to be, as a matter of course, taken out.

ASSEMBLYMAN FLYNN: Where does the money come from to maintain, for example, that Westside Complex?

MR. MAHONEY: Very little directly from state funds. As a matter of fact, they could use some money, if you have a little left. They are funded by the Board of Education, the City of Atlantic City, and Atlantic Human Resources, as well as any other State, Federal, and private grant that they can tap into.

ASSEMBLYMAN FLYNN: Is the lion's share coming from the Board of Ed?

MR. MAHONEY: Yes.

ASSEMBLYMAN FLYNN: And, the other monies coming for various programs contained within the Complex, is that how they do it?

MR. MAHONEY: Yes.

ASSEMBLYMAN FLYNN: Now, you said that the alternative to school procedure would be sort of a last resort, from what I gather, in your mind. If you had to go that route, do you think it would be better done on a regional basis, or within the local community?

MR. MAHONEY: Well, I would rather see, if we had all the money in the world, it done on a local basis, within the confines of fiscal restraints, etc. I would say something regional, but not nearly as large as the EIC, for example - maybe county-wide. Because, again, you would have to maintain the local flavor, or combination, however you want to put it, as much as possible.

You might have, for example, in some cities, just city-wide alternatives. There are such programs, for example, in Michigan and some other places.

ASSEMBLYMAN FLYNN: Does New York City have something like that? Do they have a number designated - 400 schools or 800 schools? Do they have some type of a grouping of schools where they do send disruptive students? Are you familiar with that?

MR. MAHONEY: I believe they do, but I am not that familiar with them.

There are a couple of other items that I wanted to mention, namely in terms of things that have already been said, since everybody has been talking about education -- or at least it seems they always came down to that, one way or the other.

I think the parental community involvement idea is something that not only the Legislature but unfortunately also school administrators and school boards are going to have to accept in order to solve any of these problems. The fact of the matter is, there is a certain amount of turfdom within education. There is a certain amount of the idea that "this is my building" or "this is my classroom" and "this is my eraser and my chalk" and every other thing involved, and communities of people do not feel that this is their school. They feel this is somebody else's school. It belongs to the system, or the establishment, or whatever. I think that is something that is going to have to be changed. Frankly, that is one of the first areas where I started because I deal particularly with superintendents, administrators, and school boards, and I try to bring in other kinds of groups.

I think another thing that has to be thought of is, down the road, after we reach the point where we have some cooperation between people, it is also nice to ask the kids what they think about things and what they would like to do. Because, again, we can offer them the most wonderful things in the world, and if the kids are not going to show up, it is kind of a wasted effort. So, they have to be brought into the picture too.

You asked earlier, "How are these things paid for in Westside Complex?" For example, I mentioned that in other areas there is either strictly all school board, or in some cases school board-municipal government contribution and some aspects of recreation are thrown into the community effort. But, I think we do need some type of legislation which would either provide funds, or if not provide funds at least allow local governments and school boards to commit some funds to these types of services.

ASSEMBLYMAN FLYNN: Do you have any idea of what it costs per pupil to have a complex situation, as opposed to the present situation?

MR. MAHONEY: Well, that is going to vary from district to district, but let's take Galloway Township, for example, which was mentioned earlier. I think they started into community education with a budget of approximately \$30 thousand.

ASSEMBLYMAN FLYNN: I am trying to get some meaningful statistic in terms of pupils - number of pupils serviced by the program. We all know what it costs per pupil to educate a student going through public schools. We have T & E set figures.

MR. MAHONEY: Right.

ASSEMBLYMAN FLYNN: How much more does it cost to do it this way? It sounds like a better way.

MR. MAHONEY: To be very honest with you, I have never broken it down on a per pupil basis because we generally look at it in terms of the entire community, because these are programs that are not just for kids. One of the main ideas is, by bringing mom and dad into school either for an enrichment program, which might ultimately lead to adult basic education, or a high school equivalency, that child, hopefully, will want to be at school and want to take part in some of these other kinds of activities and think of school as something other than a drudgery place from 8 to 3, because there are other fun things that also go on there. So, we do look at it in terms of the whole community.

Galloway, I think, has about 10,000 people. I don't know what their school enrollment is, to be honest with you.

ASSEMBLYMAN HERMAN: Roy, thank you very much. Perhaps you would do us one courtesy. Assemblyman Flynn will be continuing with this Subcommittee, as Chairman. I assume that you have some studies and data and we would ask you, as well as any other witness who has testified, or people who are just here and who may not testify, to perhaps send that material and any other written comments they may have to the Judiciary Subcommittee on Juvenile Problems.

MR. MAHONEY: I will gladly do that. Of course, as a state employee I am at your disposal any time also.

ASSEMBLYMAN HERMAN: Thank you.

ASSEMBLYMAN FLYNN: I would like to call David Armor, Superintendent of the Gloucester County Children's Shelter.

D A V I D A R M O R: For the record, I would like to state that the Children's Shelter is in reality a detention center. We do have serious offenders there who are in the midst of the juvenile court process. It is not a shelter for homeless, abandoned children.

The opinions that I have and the statements that I make are my own. This is a disclaimer. They don't reflect any opinions of the Freeholders. I don't really have all the answers for the problems, but I do have a sense of some of the common approaches that do show some sense of success. I don't have a formal presentation, so I am going to speak very conversationally.

As a background, I would like to mention two things which I think are important when discussing juvenile problems. First of all, I would like to make a few brief comments about criminal justice statistics. We all hear that crime is increasing at a very rapid rate, especially juvenile crime, nationally. The National Association of Juvenile and Family Court Judges has discussed this extensively at their national seminars and there is a very strong school of thought which says that only a very small percentage of the offenses that are committed result in violators being apprehended and prosecuted. If, in fact, we apprehended and prosecuted every one and put them away, there would still be a great deal of crime that is going on unchecked.

To counter a very simplistic approach, if we incarcerated everyone that we caught, we still would have a crime problem, so that in itself may not be a very reasonable approach.

Secondly, I would like to talk about cost of detaining. The cost of detention for a juvenile in our detention is approximately \$20 thousand a year, or somewhat in excess of that.

ASSEMBLYMAN HERMAN: Five thousand dollars more than it costs to detain someone in the State Prison, right? It is about \$15 thousand in State Prison.

MR. ARMOR: Right. It varies.

ASSEMBLYMAN HERMAN: I hate to interrupt you, but why does it cost more to detain a juvenile than to maintain someone at the State Prison?

MR. ARMOR: Well, because there are less juveniles for the number of people that are detained in the State Prison. There are big wings. If you divide by the number of people in the institution, you will get a smaller figure.

Incidentally, when I say it costs \$20 thousand, if we operate within the mandates of the State, which say we are only supposed to incarcerate 10

juveniles -- in fact, in the past we have had as many as 27 in the facility -- if you divide by 27, you come to a lesser figure.

ASSEMBLYMAN FLYNN: Is that your operating cost, or does it include your capital cost as well?

MR. ARMOR: It includes a portion of capital cost, not the entire capital cost of the program. I use an administrative cost figure, which includes maintenance cost and things of that nature - capital improvements - but not the original cost of the facility.

ASSEMBLYMAN FLYNN: Not the original cost?

MR. ARMOR: Right.

ASSEMBLYMAN FLYNN: Okay.

MR. ARMOR: Community programs can provide a successful intervention at a significantly lower cost. However, I don't want to say that it can be done very cheaply because good community based programs do cost money and I think it is a mistake of many people to say that we should have community based programs because they cost a lot less or we are getting our money's worth. A lot of the community programs fail because they aren't funded well enough. In fact, they are cut too close and are not effective.

I think that the juvenile justice system takes a bum rap in itself because it is a framework that has never really been completed. The juvenile justice system provides for individualized approach to juvenile problems when, in fact, if programs are not available within that system to meet the individual needs, they cannot carry through and be successful.

As an example, the frustration of needs -- for many years now, Gloucester County has identified the need for a group home and due to a complex set of problems which includes community resistance, difficulty in gaining initial funding, the bureaucratic problems of setting up a home which meets the building codes and the regulations under Department of Youth and Family Services, it has been an almost impossible task to get a needed facility, which is a part of the juvenile justice system. Granted, a group home can be part of the diversion process, but that is the heartbeat of the juvenile system. It is preventing delinquency from going on once it is discovered and if, in fact, we don't have these wide range of community based programs - and I will get to the bum raps that the judges take later on - we can't really be successful. So, we are operating with, essentially, half a framework. I state that as a background.

Specifically, I would like to address Assembly Bill 1532, which is the bill that states an adjudicated delinquent, two or more times, for the commission of acts committed by an adult, will be processed as an adult offender. I have a basic problem with this and it is from a facility standpoint. I have had the opportunity to visit many juvenile facilities, including Yardville, Jamesburg, and some of the community based programs, as well as Bordentown for adult, 18 to 25, offenders, and Rahway. There are definitely different kinds of offenders in the juvenile system and the adult system. If you make a decision to prosecute a juvenile in the adult system, you take away many of the positive and good programs that are operating currently at Yardville and Jamesburg, which have successfully rehabilitated many juveniles. I am not saying that they rehabilitate all, but many of the programs are successful.

ASSEMBLYMAN HERMAN: Not to interrupt, but I might add that the statistics we have, and in reviewing the Parole Bill, show us that the recidivism rate at Yardville and Jamesburg, and institutions of that ilk, are higher than

at State Prison. How would you respond to that if these programs are working so successfully?

MR. ARMOR: Well, the way I would respond to that, Marty, is that there are many ways to judge recidivism. The types of offenses at Jamesburg and Yardville are with younger offenders and some of the statistics say that if they get involved in the court in any other way, they become recidivists. It doesn't necessarily break down by type of offense. And, you will find that there is a variation in the statistics if you approach it statistically differently.

ASSEMBLYMAN HERMAN: We are talking about people going back.

MR. ARMOR: Right.

ASSEMBLYMAN HERMAN: The rate of recidivism, according to the statistics that were handed to us by the parole people, show that in Yardville and Jamesburg there are more returning to the institutions once released on parole than there are with people out of Trenton.

MR. ARMOR: I don't really think that is a measure of the success of the program. I think it is more a measure of the type of offenders that are there. In fact, a lot of the long term offenders spend a lot of time and do have access to change through their education programs and decide not to go back. It is a difficult problem.

ASSEMBLYMAN HERMAN: I am sorry to interrupt, but I just wanted to make an observation.

ASSEMBLYMAN FLYNN: Since you have been interrupted, I want to ask a question. Following through on A-1532, is there anything in A-1532 which would preclude them going to Yardville or Jamesburg and receiving these programs, even if they are treated as an adult for purposes of sentencing and trial procedure? Wouldn't the incarceration place still be a youth correctional facility?

MR. ARMOR: No. If a juvenile is waived to the adult court, he doesn't go through classification at Yardville now. Or, he goes through the adult classification system and doesn't have access to the juvenile facilities.

ASSEMBLYMAN FLYNN: Well, where do they put him? Say you have a 14 year old right now -- if a 14 year old commits murder, he can be tried as an adult?

MR. ARMOR: Right. He can be waived to the adult system. If he is tried and found guilty as an adult in the adult system, he will go to an adult facility.

ASSEMBLYMAN HERMAN: I am not sure I agree with that conclusion.

MR. ARMOR: That is what Yardville told me this morning when I was up there, Marty.

ASSEMBLYMAN FLYNN: I think the bill itself says that is not what will happen.

MR. ARMOR: All right. Well--

ASSEMBLYMAN HERMAN: Tell the people at Yardville to check the criminal code on indeterminate sentencing when you speak to them again.

MR. ARMOR: Okay. The point I wanted to make is, I have been to Bordentown and seen the dormitories up there, and they have dormitories with 75 or 80 offenders in one room. I am worried about the impact if we start loading the adult facilities, and I hope you take that into consideration in the bill.

Even if the adult system is used, I think the facilities of the juvenile court should be used. It should be clearly established that there still should be a classification process and the juvenile facilities--

ASSEMBLYMAN HERMAN: Let me ask you this, David, if I may. Perhaps this is a pet observation of mine and I just want to know how you feel about it. We have, for adult offenders, what appears to be, in our State, a very successful work-release program, done on a county basis. Yet, we have no such facilities for juvenile offenders. I have often heard judges say, and I am sure all of us have heard the judges say this - notwithstanding the wonderful facilities at Bordentown and Jamesburg, et al., and having once visited those facilities - that given the choice, they would never send anybody there, no matter how serious an offender, because they are afraid they are going to make them a worse criminal, or a worse offender, than they were when they went in. What about the potential benefit, if any in your opinion, of intermediate facilities, such as work-release programs for juveniles, on a county basis?

MR. ARMOR: I agree with you 100% on that. I think there is a need for a certain number of juveniles and it can be used effectively. As a matter of fact, we run an informal program out of the Detention Center - a work release program. We instituted it on our own because the judge felt it would be effective for this particular juvenile.

ASSEMBLYMAN HERMAN: School release -- or call it anything you want, right?

MR. ARMOR: Right. There is provision for that.

ASSEMBLYMAN FLYNN: The youngsters that you see in your Shelter, they are pre-adjudication, is that correct?

MR. ARMOR: Yes, or pre-disposition, or waiting placement.

ASSEMBLYMAN FLYNN: Now, there are several bills pending which would permit the judge, as an alternative to Yardville or Jamesburg, or one of the more secure places, to permit a 30 or 90 day sentence at a detention center. What is your view of this kind of legislation?

MR. ARMOR: Well, we agree - and I will speak for the New Jersey Juvenile Detention Association now - and we discussed this extensively. We agree in spirit with the idea, but it would cause many problems because the sentenced offender would have to be isolated from the other offenders. It would virtually cost millions of dollars to renovate the facilities to handle that. Many of the detention centers are overcrowded now and if the juveniles are sentenced there, it would increase the overcrowding too. So, we have reservations about that.

ASSEMBLYMAN FLYNN: Your physical plant wouldn't right now adjust to such a setup where you would have the pre-adjudicated youngsters in with those who were found guilty, is that the basic problem?

MR. ARMOR: Yes, it is a physical problem. Also, we don't feel that a 30 day sentence, in itself, will change an offender.

ASSEMBLYMAN FLYNN: You see, the problem is - and the legislators feel this way and a lot of people in this room probably feel this way - that the judges don't have too many alternatives. A youngster comes in and maybe he is a second offender. He has already has his one bite. Now the judge can either send him to Jamesburg, where he doesn't want to send him because he would probably come out worse, or he can send him home, after slapping his wrist hard. They want that intermediate location. Send them somewhere, as one policeman said, for even 10 days. If he spent some time away from home and had nothing to do but think about what he did, that might have a result. In other words, have an intermediary facility. We don't really know where to send them, other than the

existing shelters, but even there you have a physical problem.

MR. ARMOR: I think it is a programatic problem. In our dealing with offenders, and many are recidivists, that would be easy time. That would almost be off too easy.

ASSEMBLYMAN FLYNN: It would be easy, there is no question, but at least it is time. It is better than the hard slap on the wrist and go home and be a nice boy.

MR. ARMOR: We don't feel that would change their behavior in itself.

ASSEMBLYMAN HERMAN: How would you respond then?

MR. ARMOR: I would much rather see a restitution program, or something of that nature, where they would have to pay back for damage, or have that as part of a program, or a work release program along with restitution.

ASSEMBLYMAN HERMAN: Or a combination of all three?

MR. ARMOR: Right, not just sentencing to a juvenile jail, as such. I think - and I am jumping ahead here - it should be something like that, in combination with forced family counseling, through a family court system, which looks at the family holistically. You know, perhaps removing the juvenile from the family for a short term is an alternative, but that juvenile has to return to the family - return back - and if there is not an effort to reintegrate back into the community with some change, then the behavior is not going to change. That is why we have so many juveniles committing so many B & E's and going in and out of detention centers, because there is no successful intervention to bring about change in behavior.

ASSEMBLYMAN HERMAN: There is really an inadequate court structure that can call on the ancillary services to really deal with that problem presently, right?

MR. ARMOR: The ancillary services are either non-existent or non-effective because they are not complete enough currently.

I did want to highlight the question about juvenile court becoming family court. Time after time - and this is statewide - we see offenders who themselves are not only abusing the public but are abused themselves through inadequate family structures, and enforced family therapy is not possible through the system, and not effective. There has to be some other lever that the judge can pull to involve the family and, hopefully, bring about some change.

Talking about the local level, there are some common causes that we see in the complex problem of delinquency. This is over-simplified, but I did want to mention some of the factors that I see which must be treated in order to bring about some change. These things should be looked at holistically. You can't just treat one.

The first one was the family and parenting. I did want to mention--

ASSEMBLYMAN HERMAN: I'm sorry, family and what?

MR. ARMOR: Family and parenting skills. A great number of the families we deal with are single parent families and some of the traditional nuclear family approaches may not be successful due to the single parent family. There should be ways of developing parenting skills and assisting families with in-home programs, increased social work programs, enforced therapy for the family, and individual counseling.

The second area, which everybody has spoken to tonight, is education. There needs to be alternative education systems for those juveniles who can't function in the traditional classroom. And, along with all the alternatives to

suspensions and the other programs that are available for kids, one of the big problems we see in detention is that we get juveniles in who are functioning three, four, or five grade levels behind their chronological age. It is almost impossible for them to function in the traditional method. If these youngsters receive individual education plans, similar to special education students, or have access to specialized schools - and there are many models that have been successful for under-achieving or over-achieving students who do not function well in the traditional method-- The Parkway Program in Philadelphia is a very excellent model that has been adapted many places, nationally.

In Montgomery County, Pennsylvania, where I came from, they had three alternative school programs for delinquent offenders who were referred by the courts, by the schools, by themselves, who benefitted from a specialized, non-traditional learning program that was, in many cases, very effective. I think we have to take a long, hard look at alternative education programs for kids in the county and in the state.

ASSEMBLYMAN FLYNN: Are these youngsters who have gone through your facility lower than average in ability and just haven't achieved, or are they not achieving for other reasons?

MR. ARMOR: It is difficult to say. It is a combination of social, educational and cultural reasons. Each case is an individual case and what we try to do is to discover what factors need to be worked on. Our education program in education is a matter of working with the individual. We can't see a pattern that fits the group. Every one is an individual and every one has different needs. With some it is just a behavioral problem that interferes with the educational process. Some of the kids are highly intelligent and can get equivalency diplomas in very short time, yet they can't function within the schools. And, some of them have dyslexic problems or other learning disabilities that either have or have not been diagnosed and they have not gotten into the needed programs. So, it is a very complex problem and you can't isolate it and say, yes, it is one cause.

Under the area of vocational skills, kids need jobs and they need to be educated in job skills, job obtaining and job keeping skills, and they need to have a sense that they can go beyond a menial job skill that they are taught. A lot of vocational programs just provide basic job skills without a hope for a future, without a hope of expanding to a supervisory role. I think, nationally, the vocational programs that have succeeded are the ones that taught survival skills in the job market and also provided job skills that gave some hope for future growth. They are not just basic jobs, and these are the ones that have been successful.

There are studies that back up what I am saying. I just had the opportunity to read an excellent book: "Justice for Our Children", by Romig, which I think is an excellent study of what works and what hasn't worked, nationally, in a very capsulized form, and it is worthwhile to take a look at that. I have a copy in my briefcase. I will show it to you after.

The last thing is, what the kids need to succeed and stay out of a delinquent pattern, or good mental health habits. The Mental Health Services are inadequate, not because they are not there, but most of them are available on a totally voluntary basis. There are kids that need help through the Mental Health system, either in group counseling, or peer counseling, or individual psychotherapy in some cases, and they are not getting it. We have to take a look at that. Again, that comes under the area enforced therapy and it is a very

difficult area, but maybe valuable in changing some patterns of delinquency.

I wanted to get back to the bum rap the judges get. I have been in many court proceedings where the juvenile judge almost does not have a choice on what to do. Marty, you mentioned the fact that if he goes up and takes a look at Rahway or Bordentown, he would never send anybody there. When I saw the dormitory setup in Rahway, I myself would be frightened. I took a different view, even though I had a couple of kids in my detention facility that I felt should be sent up, and I really felt strongly that they had all the breaks in the world.

ASSEMBLYMAN HERMAN: If you think that is bad, take a look at Trenton State.

MR. ARMOR: Right. The public, I think, in viewing that, should really have the opportunity to see, firsthand, what goes on in the institutions. It may change their feelings and their readiness to send juveniles off to adult facilities. It is really a scary thing.

The judges have the alternative of placing a kid on probation with very few real services available - the parenting skills, or whatever. There are pieces there but it is difficult matching the very few available services for the kids that are in the courtroom. Day after day the judge sits there saying to himself, "I don't have available what this kid really needs to make a change," so he continues him on probation, or whatever, and the kid recidivates and he is just hoping that there will be a good probation officer there - and there are many in the county and around the state - who will connect with this kid, or there will be some magic that occurs. But, there are very few good, community-based programs that the judge has available for an alternative. And, this is going around in a big circle, talking about the juvenile justice system.

Until we get good programs that meet the individualized needs of the kids, we are not going to serve those kids that come to the attention of the court system. These are vocational programs, educational programs, family counseling, and the other factors which I mentioned. We have to develop those resources and support good programs that will meet the individualized needs of the juveniles or we are going to end up adopting the other alternative, which is warehousing kids and providing even less services. That may get the kids out of sight of the community and may provide a temporary deterrent, but in the long run, we are going to find that is not a successful intervention.

ASSEMBLYMAN HERMAN: Very nicely done. Thank you.

ASSEMBLYMAN FLYNN: Thank you for your time.

Is David Long here? (affirmative response) David Long is a Youth Counselor from a program called "Together" in Glassboro.

D A V I D L O N G: I have sat here and listened to what has been said about the educational system and I want to express that I, as a youth counselor, have had experience in the services that are available. I can only speak and address this to Gloucester County.

Primarily, I am a youth counselor. I am an employee of the State at Together, which is supported by Glassboro State College. I have had that rare occasion to enjoy, as a youth counselor, many resources available through the college and the community.

I heard that the resources are not available in the county. I heard that the schools are limited, etc. I haven't heard what we are going to do, locally, to address that and use the services that are presently available.

I have worked with youth that have, in fact, been limited as to the

services delivered to that youth by the fact that the youth didn't fit a certain criteria, and the fact that the youth did not commit a crime, or not one that demanded deliverance of a service.

I have heard youth have to be labeled. In fact, they have to be labeled disabled, or they have to be given any particular label to get them services. I have worked closely with the juvenile judges in Gloucester County and they are frustrated as to what services are available.

I don't really believe that we are, in fact, using the services that are available, due to, I think, the criteria that is necessary to label the youth, the label itself, the frustration that the youth experiences in being isolated by the educational system. I believe these are the problems that are presented to youth today in Gloucester County.

I have seen Together used - the run-away shelter - by just about every aspect of the juvenile system in Gloucester County in quite a few capacities as an alternative to probation, as an alternative to being placed in a detention center, as an alternative source of counseling. The lack of support is the only thing I haven't seen the Youth Services program use. I haven't seen them receive that financial support that is necessary to maintain the service.

The juvenile justice system has, without exception, supported the expansion of services, but in fact these services have not been expanded due to the lack of financial support.

One other point. I got involved with the youth in Gloucester County because I called a counselor in a high school. My brother-in-law committed suicide and I became concerned over my nephew as a result of that. This is a nephew that I was very close to. I called the counselor in high school and listened to a person describe someone that I did not know. I didn't know the youth that he was describing to me. I questioned whether that counselor had ever had contact with the youth, but I had to remember that I asked my nephew who to contact - who would know him best - and he gave me this person's name.

So, when the situation is such that the school is unaware of what is going on in a youth's life, how can they really be effective in the deliverance of services? These are the questions that I ask.

The detention center - Gloucester County has a reluctance, there is a reluctance in the juvenile justice system to incarcerate youth and that is probably the greatest thing going for youth today. What I am proposing is to further the services to pull them together, to have some kind of communication between the agencies. That is what I am proposing and that is what I would like to see enacted. I don't know how that can be done. I don't know how a caseworker, or a probation officer who deals with 90 to 100 youths, can be expected to be aware of all the services that are available throughout the county. That is a problem of another type.

ASSEMBLYMAN FLYNN: That is a matter of education then - proper education, where those caseworkers and DYFS and people like that are indoctrinated into what is available by someone. Apparently you have involved yourself to the point where you have an awareness of what is involved, so someone like you has to take a group and give indoctrination courses as to what is available. That can be done. That is really not a legislative problem; that is a problem of communication within the county.

MR. LONG: I have seen it reach a point where it would almost take a law to create that, to bring that communication about.

ASSEMBLYMAN HERMAN: That almost infers that - I hate to use the term turf - everyone has their way of doing things and they think their way is doing it best. Is there that type of competition amongst services, or am I reading too much into what you are saying?

MR. LONG: No, I don't think it is a sense of ownership, or a sense of entitlement, on the part of a caseworker; I think it is a sense of responsibility to deliver the service. But, due to overload, due to a lack of awareness, these things are not being delivered and the approach is limited - the approach to the youth.

I have worked with I don't know how many youths, where they were receiving counseling from another source that was totally antagonistic to what was being discussed between myself and the youth, and in cooperating with the other social service agency, the lack of awareness of the youth was startling to me. How can a person deal individually with a kid for 'x' amount of sessions and not be aware of what is going on? But, yet, the kid is kept adhered to a certain criteria - "This you will do; this you have to do; that sort of thing.

For instance, detention. Keeping a kid in detention may be the one antagonistic action towards any kind of betterment of that youth's behavior.

ASSEMBLYMAN HERMAN: Or, it may be the one thing that you need as a catalyst to get him on the road. In summing up where we are, who is to make that judgment? How is that judgment to be made as to whether that would be the appropriate kick in the pants or the kick down the road to being a recidivist? Who and how is that judgment to be made?

MR. LONG: To me, that lies with the court. That responsibility belongs to the court.

ASSEMBLYMAN HERMAN: Doesn't it really follow then that we really need better ancillary services and better integration of court services to provide the product?

MR. LONG: Surely.

ASSEMBLYMAN HERMAN: Thank you very much, David. Give my regards to everyone back in Glassboro.

ASSEMBLYMAN FLYNN: Next, we have Harry Stanley from Woodbury Heights.

ASSEMBLYMAN HERMAN: Before Mr. Stanley testifies, I would like to publicly express our mutual gratitude to Mayor Brown and to the Township Committee for the use of the facility and providing the wherewithal to make this evening the informative evening that it appears to be.

Mr. Stanley, thank you for coming.

H A R R Y S T A N L E Y: I am going to keep this very informal, I hope, and I will keep it as brief as I can.

ASSEMBLYMAN HERMAN: Can you tell us where you live, Mr. Stanley.

MR. STANLEY: My name is Harry Stanley. I live in Woodbury Heights. I did spend 12 years of my time as a City Counselman. I have since retired from that, quite some time ago. But, I have always been interested in the youth of not only my own community but of Gloucester County, and all over. I have spent quite a bit of time with youth in athletics - baseball teams, and so on and so forth. I still, to this day, follow the youth of our local regional high school, quite avidly.

You know, I listened to an awful lot tonight and I had thoughts before I came here and, of course, some people have elaborated quite a bit on them. If you were listening to teachers, or educational people, I think you can draw

the conclusion that they feel that the responsibility - or part of the responsibility - for the upheaval of our juveniles lies in the home, and that is true to a certain extent. If you talk to the parents in your community, and what not, they talk the other way and say, "I wish I didn't have to send my child to that school." Now, this argument gets nothing done, nothing accomplished, when one particular segment of our society is pointing their finger at another segment of our society. I think we have to teach the school and the parents to work together.

A regional school district was mentioned here tonight, where it was said an incendiary bomb was put into the superintendent's car, and it wasn't one, it was two. Teachers are being threatened with bodily harm. There is a reluctance - and I do know this; I heard that testimony here tonight - because of adverse publicity in the county that a particular school is having difficulty. I think that should be changed. I did hear a recommendation made up here that that possibly would be changed, where principals and superintendents would report these serious incidents.

It was interesting to hear Mr. Flynn relate to a Seven Eleven Store, I believe, in one part of the conversation tonight, about whether it was a crime at a Seven Eleven store or some other type of store. It was very interesting because we have had quite a bit of that type of crime in this area - Heritage Dairy stores, and so forth - and some of them were quite violent.

It was very interesting to me, about a week and one-half ago I was in North Carolina and I saw large posters in the doors of those stores stating that the minimum sentence for a robbery of this store is seven years, with no probation. These are the signs they carry in another state, okay? They are rather rigid in their laws.

Speaking of another state, I was quite surprised to hear that the cost to maintain a juvenile runs as high as \$20 thousand. A few weeks ago, on television, I was watching a program where the state institutions in Texas cost \$7 thousand a year. Of course, that is a horse of another color. They make them go out and work, etc., to help support themselves. But, the figure from \$7 thousand to \$20 thousand is quite a jump.

ASSEMBLYMAN HERMAN: Based on your experience as a Councilman and a person that I know has been concerned over the years with youth in the community, if you were sitting up here in our chairs, what would you do, or what recommendations would you make, to improve the system and how would you go about it?

MR. STANLEY: Well, I have heard a lot of people, from various walks of life, here tonight, and various professions, say that we should have this program, or that program. I am not so sure all of them are right and I am not so sure all of them are wrong, but I would say this: I believe firmly that the rise in juvenile crime in our county and in our communities is caused by two things. We can say the home and the school, but that isn't what I am talking about. It is caused by our alcohol beverage control laws and it is caused by the laxity of other laws that permit - and I know I have seen Mr. Herman in the Deptford Mall - places to operate that have a great influence on our children. This is why they end up in your facility.

If you go into the Deptford Mall, you will find, in the record shops, glass enclosed counters with all drug paraphernalia in them.

ASSEMBLYMAN HERMAN: You might be happy to know that this is the sponsor of the bill to prohibit that.

MR. STANLEY: Well, I am very pleased to meet someone who is acting on something like that because I took it upon myself, and I stood and observed young girls, 8, 9, 10 years old, point to those things and say, "That's what my brother has."

You see, we can have all types of programs, all kinds of things, but why don't we eliminate the seeds that are causing a lot of these problems? I think something like you are doing is the right direction.

ASSEMBLYMAN FLYNN: We passed it in both houses, Senate and Assembly, and it is sitting on the Governor's desk, but unfortunately I don't think he is going to sign it. He has been in touch with me and he has some constitutional problems with it. We are going to try and iron them out. Hopefully, we can iron them out in a way that can still accomplish our goals. I do agree with you, we have to prevent it at that lower level, when they are 8, 9, and 10 years old, because when they are 14 and 15 it is too late.

MR. STANLEY: We had a very nice woman here tonight who gave us a very soft and idealistic speech and I liked it very much, but you talk to athletic directors in your schools and there are less and less children coming out for the baseball team. There are less and less children coming out for the football teams. Open up the facilities -- the facilities in our regional school district are open, providing there is a request and they are a bonafide organization, and what not. So, that portion is pretty well take care of, at least in our local area.

The school teachers and their difficulties -- I am home every day. I have been retired for five years. I am on a direct path from one area of our community to the regional high school and my heart bleeds for some of these teachers because I see some of these young girls, 9, 10, 11 and 12 years old, walking to school when school is in session, every day, passing these marijuana cigarettes around. What chance does a teacher, or upgrading educational programs, or talking about putting more money into other programs have? What chance do these teachers have of having a good day with their students in school, whether there are 40 in a classroom or 10?

We have to get a lot tougher. I think we have to go back. Years ago - I will go back and I think that it pays to learn from history - we did have what was known as the Juvenile Conference Committees established in each community in the county. They functioned for quite a few years and they functioned quite effectively. I am told how many repeaters there are here tonight by several gentlemen. I can tell you in my experience, in about 15 years, there was 1. They worked very effectively and I think they did because of this reason: I hear younger people today say they don't care if they have to go to the county. They don't know anybody up at the county. They are not embarrassed by going up to the county. When they go either before a minister, or a priest, or a school principal, the coach of their Little League team, or several other citizens, they are quite embarrassed. I think it worked quite well. I think when we did away with it, we just created a bureaucracy up here at the county and I think we did away with something that was really functioning fine.

I am sorry, for health reasons, if something like that were to come, I couldn't participate in it. But, there are plenty of good people in the community that would participate in it and do the same fine job. Why it was ever disbanded, I don't know. I know it was started by Judge Kramer years ago.

I mentioned alcohol. First of all, you will say, "Well, here is a fellow up here who, for religious purposes, is against alcohol," or "He has never had a drink himself" or something like that, and that is far from the truth. Proms, graduation, class trips - an utter nightmare, not only for the teachers and the chaperons, but for the parents at home. These should be happy times. These should be wonderful times for our children and they are really nightmares, and they are really nightmares because - it isn't the greatest percentage that does it - of the alcohol, again, and the marijuana. We must do something. If we can do something with those two problems, we are going to have less people at your facility. We are going to have less people going to county. We are going to have less police chiefs in here.

One of the things I thought Chief Kimmel was going to say was, on the violations, just how many of them were under the influence of either alcohol or marijuana, or some other form of drugs? I am sure the percentage would have been very high. We are talking about trying to normalize, educate, rehabilitate, and so on. I think we have to wipe these things out, gentlemen, or this is going to be a round-robin, where we are going to come back, year after year, and say we need to this, we need to do more, we need to do that. But, I think if we wipe these two things out--

I know legitimate liquor store owners. Believe it or not, there are some legitimate liquor store owners. They have people come in and they look young. They question them. They do have an identification card. They are 18. But, as he looks out of his window to the outside, he sees a carload of children, where he would estimate their age as 13 or 14 or 15, or 16. Hey, this is an easy source of money for this 18 year old kid. He gets a couple of dollars extra from each one of them.

ASSEMBLYMAN FLYNN: Do you think making it 19 would help any?

MR. STANLEY: No. No, indeed. It was easy for us to push it from 21 to 18. But, it was very difficult for us, when we knew we made a mistake and when other states knew they made a mistake. They went back from 18 to 21. But, we did not do it when we had our opportunity. I don't know why.

Now, I listened to some of the reasons - and Mr. Herman is right here. I disagree bitterly with some of the reasons. Maybe some of the reasons I read are misquotes. I think Mr. Herman will correct me if I am wrong.

ASSEMBLYMAN HERMAN: You can be sure about that.

MR. STANLEY: Well, for example, we went to 18 years old.

ASSEMBLYMAN HERMAN: What would you say my present position is, by the way?

MR. STANLEY: I really don't know.

ASSEMBLYMAN HERMAN: Well, how can you quote me?

MR. STANLEY: I am quoting you on when it went to 18.

ASSEMBLYMAN HERMAN: I wasn't even in the Legislature then.

MR. STANLEY: These aren't your quotes?

ASSEMBLYMAN HERMAN: That law was introduced and sponsored by Senator Turner during the Cahill Administration and reduced from 21 to 18 in 1973.

MR. STANLEY: Right. Was it brought up again after that?

ASSEMBLYMAN HERMAN: It was brought up this year and we held three hearings. If you have been reading the papers correctly, you would know that there is an entire package of bills to deal with the problem of alcohol abuse and

education. That bill was introduced by Assemblyman Flynn. There is a bill with identification pictures on licenses. There is a bill to increase enforcement penalties. There is a bill to raise it to 21, because there are not 10 votes in the entire legislature to raise it to 19. There are not 10 votes to raise it back to 21 because of some of the other rights Senator Turner and the others who sponsored that bill, back in 1973, gave the kids.

I might add, if you knew what my position is - and I am telling you so you don't misquote me - that Assemblyman Flynn and I were two of the four votes needed to get that bill out of Committee, as an entire package of bills. By the way, that entire package of bills has now received statewide support of the P.T.A.'s because the P.T.A. also knows that it is a good first step, and there is no support for raising it to 21.

So, I assume that you are not saying that raising it to 19 -- in other words, if we don't raise it to 21, don't raise it at all.

MR. STANLEY: Oh, no. I'm not saying that. It is going to be a tiny bit of help.

ASSEMBLYMAN HERMAN: Well, you are not saying that doing all of these things won't have some kind of an impact?

MR. STANLEY: It will have some impact.

ASSEMBLYMAN HERMAN: So, now knowing my position, I assume you somewhat agree with it?

MR. STANLEY: I agree with that, but some of the reasoning, Marty-- I would like to say this: Unless these are misquotes in the Woodbury Times, I thought that I read in there that one of the reasons it should have been 18 was that people could own their own taprooms and not be able to drink in their own establishments, is that correct?

ASSEMBLYMAN HERMAN: I think what you did is to take that out of context because you haven't been following the stories. We held a series of public hearings in the counties that I represent, namely Gloucester and Salem, and we talked to a lot of people. We had one in Salem County and we talked to a number of people in Gloucester County. Perhaps hearings was the wrong term. But, we have talked to a lot of people between the time that bill was passed.

My initial position on it - and then we have to get on to other witnesses - is that I didn't think it ought to be raised. The reason I changed my mind is because it is inconsistent. We give people the right to vote, we give them the right to own stores, we let them gamble, we let them get married, we let them do all of these things as majority rights. And, as I said, I didn't vote to reduce it to 18. That was done by another administration through another local Senator.

But, the point that I think struck home to a lot of us who were sitting at that Judiciary Committee meeting was the fact that raising it to 19 would go a long way toward getting the alcohol out of the schools.

MR. STANLEY: Right.

ASSEMBLYMAN HERMAN: That convinced a lot of us because any common sense thinking person knows it is inconsistent to say - to some degree - this group of rights you can have at 18, but this one you don't have. Even the Attorney General of our State, who believed in raising it, wasn't in favor of raising it, not because he didn't think most 18 year olds were not responsible people but because 85% of our kids who are 18 are still in school and affect their peer groups.

So, a lot of us changed our minds. Hopefully, you are now up with our current position and you understand why. We spent days - literally days - taking testimony from people all over this state, and out of the state, as part of the Judiciary Committee process, in order to come up with a series of bills that would address the problem of alcohol abuse, not only by the kids, not only the 18 and 19 year olds, but of the 10 and 11 year olds who have nothing to do with the 18 and 19 year olds. There are five or six thousand alcoholics who are 10 and 11 years old in this state, as well as people in this state who are 40, 50, 60, 70, and 80 who are alcoholics and who have drinking problems. We must further address the problem of one out of every five divorces which are related to alcohol. We are trying to make serious inroads in that direction.

Just let me leave you with one observation. Both those people who testified in favor of raising the age, whether it was 19, 20, or 21, and those who were in favor of retaining the current age, agreed on one thing, that raising the age alone would have little impact, if any, on the problem of alcohol abuse unless we did all the things that the Judiciary Committee worked so very long and hard to do. So, I just hope that helps straighten the record as far as you are concerned. I am sorry to take the time to do that.

MR. STANLEY: I would like to say one more thing, Marty, and that is, one of the things that was printed in our local newspaper was that one of the reasons was that if you were 18 you would go and fight for our country - all right? Now, anyone who is connected with the military, or knows anything about the military, knows that on our military bases, whether you are 24 or 28 or 29, it is 3.2 beer. So, I would like to close with that.

ASSEMBLYMAN HERMAN: We thank you very much.

Mr. Chairman, may we announce that we have two more scheduled speakers? We know there are a lot of people who came here and who would like to testify. Would it be permissible to take a five minute break in order to get the names of those people who are not on the schedule? There are two more scheduled speakers. Could we circulate a list of those other people please?

ASSEMBLYMAN FLYNN: Yes.

(Five Minute Recess)

#### AFTER RECESS

ASSEMBLYMAN FLYNN: At this point, we have at least four more witnesses, and possibly a few more. Now, I will ask you to try to keep your remarks to positive ideas that we as legislators may implement, rather than categorize the problems. I think we all know the problems at this point. We have heard enough examples of the problems. What we are looking for is some possible solutions.

With that, I would like to call William Brown, Salem County Probation Officer. You are part of the juvenile justice system?

W I L L I A M B R O W N: I am Chief Probation Officer.

ASSEMBLYMAN FLYNN: Right. It has been given some strong indictments.

MR. BROWN: And, rightly; it should.

ASSEMBLYMAN FLYNN: What we want to know is, what can we do to right these problems?

ASSEMBLYMAN HERMAN: Would you state your official position?

MR. BROWN: I am Bill Brown. I am Chief Probation Officer of Salem

County.

ASSEMBLYMAN HERMAN: I believe you also represent the Board of Freeholders here this evening?

MR. BROWN: Yes. I am Director of the Board of Freeholders. Doctorate thesis have been written on smaller subjects.

Most of what I thought I would say has been said. A few other thoughts have occurred to me, so I am going to briefly run through the things I found myself in agreement with and I had planned to say myself, but others have beaten me to it.

I am very much in favor of community based sentencing techniques and we have been implementing them in Salem. I am very much in favor of restitution programs and we have been implementing them. I am very much in favor of expanded utilization of volunteers in the court system. I am very much in favor of parental responsibility laws.

I believe that much has been said here this evening concerning the problems that lie with the parents. The problems are not just those of the parents but those of the society as a whole. We have indicted the parents for the failure of us as a nation, and that is, we say the parents have failed to pay attention to the children's needs, to assume the responsibilities of their roles. I am afraid our society today is one that is more materialistic than it has ever been and the families have been urged by every conceivable means, television and otherwise, to strive for more and more, and in doing that, they have less and less to give. They strive for more and more material goods and give less and less of their heart and their soul to their families. They expect by giving their children clothes and toys and sending them off to school that all will be well. They teach them no sense of responsibility, no sense of purpose, and no sense of destiny. They teach them no sense of responsibility to their family or to the community. They shirk their responsibilities. They hope the church will do it - those who attend church. That is declining.

They inflict on the schools the responsibility of teaching their children sex education and moral responsibilities in general. And, when the schools fail, the parents don't say, "We have failed; they say, "The schools have failed." They then inflict on society as a whole their responsibilities. That is, in choosing to put their children into special programs, or to put them before the courts.

The growth in juvenile delinquency may not, in reality, be growth in juvenile delinquency; it may be more inclined to be the idea that parents, police, and all are recording more what takes place and ordering and requesting that the courts respond to the needs and the problems. These problems may well have always been with us.

Drinking was spoken of a few moments ago. Drinking has always been with us. One of the problems in that regard is not necessarily that it is more readily available to kids, although it is; it is that we don't teach kids how to handle drinking. We set bad examples for them. In our society we say, "Children, grow up like daddy." Daddy is a big man because he can drink more, or he drinks his drinks very strong. It is wrong, but we don't assume that. We don't realize that. We refuse to face the facts. Then when our kids start to do it, we say, "look, you don't do that." But, we do it.

It is not, as I feel personally, fully the responsibility of the children, but more the responsibility of the entire community and on that basis

I feel it is the responsibility of the entire community to assume the results of what we have done. We have raised children in a vacuum. We tell them, "You have no responsibilities. You have no purpose. Get your education." For what purpose? All their needs are being supplied in many cases. Those that aren't supplied by the family may be supplied by ancillary agencies, such as welfare or DYFS, or whatever. I feel the time is here. We must find some basis on which children serve a purpose in the American society. We should be able to afford them employment opportunities. We should give them a sense of purpose for their families, a sense of purpose for their own future, and a sense of purpose for their community as a whole.

ASSEMBLYMAN HERMAN: Pragmatically, from your position - I know you are one who really takes your job seriously and very sincerely - if you were to give us advice as legislators as to what we can do to address some of the ills of which you speak, what would you tell us to do?

MR. BROWN: I think the child labor laws should be changed. I think monies should be found, somehow, somewhere, if not through government - I prefer to see it through industries and businesses - to provide employment opportunities for kids - training skills as well as means of earning money - in order for them to learn that if you work for something, you make out better than stealing.

ASSEMBLYMAN FLYNN: In what way do you want to change the child labor laws?

MR. BROWN: I think there are too many limitations on the employment opportunities for children. I think this needs to be reviewed in some way. We have to find openings for children in order to give them some sense of gaining their own needs on a legitimate basis. When the families don't supply them, they go out and steal. Part of it may be that their families supply too many of their needs and give them no sense of responsibility and no sense of - to use the old expression - "a dollar's worth", not that it is worth that much now, but still, I think we have to give them some opportunity to function within society. I think we should be making more use of juveniles as volunteers in society. The courts in Salem County and other counties are now sentencing juveniles to voluntary services. This is inflicted. But, we have old folks homes. We have shut-ins. We have people like this, and I think the schools or the churches, or other organizations, should solicit juveniles to work with them.

In some areas of this country there are programs - the name escapes me just now - where juveniles are donating time to help old people out. They function on the basis of "What if this were my grandmother"? It is good for the old people and it is good for the kids, because we are all, one day, going to be old. I think there are a lot of avenues where we can make better use of juveniles and give them a better sense of purpose, and also some sense of where they will be one day.

I think the community is where the problems originate and I think that is where they should be solved. The unfortunate thing is, just as we think in our foreign affairs, we think everything is settled by money. It is not, and you can't put a price tag on a child. I think what it takes is the involvement of the community, the interest of the community in helping its own children. I think we have to find directions and means of doing that, such as the employment thing, such as voluntary services.

I think all the other things have been said. I am sort of limited here. But, the truth of the matter is, too many times the faults of the society

are dropped on the court system. As was said to me recently in my office by a city councilman when I was trying to get his town to assume some sort of community activity for juveniles, "Well, isn't that the responsibility of your office"?

ASSEMBLYMAN FLYNN: Let me ask you a question along that line. One of the previous speakers said that he found that there was a lack of awareness of the various community based services that were available among those who should know. I would think your department probably has to have the most knowledge because you are taking those youngsters when they are on probation and trying to find the right program for them. Now, is there any accuracy or validity to that comment, that there is a lack of awareness?

MR. BROWN: A lack of awareness in what sense? A lack of awareness as to what to do, yes.

ASSEMBLYMAN FLYNN: No, as to what services were available. In other words, this particular speaker said there are a lot of services available, but people don't seem to know they exist. He was talking about Gloucester County, not Salem County.

MR. BROWN: Yes. Gloucester County does have more services available than Salem County does. Salem County, although it has urban, rural, and suburban types of problems, at the same time hasn't developed the facilities that exist in many of the more urbanized counties.

ASSEMBLYMAN FLYNN: I see. So, the problem in your county is not so much not knowing what is available, it is not having it available?

MR. BROWN: Right. We don't have community centers. We don't have many of the juvenile programs we could have.

ASSEMBLYMAN FLYNN: Now, in line with the restitution idea, a question was asked; What do you do with the youngster who is told to make restitution and refuses, or when told to do community services, refuses?

MR. BROWN: When it is part of a sentence, I think you need a little bit of the sword of Damocles swinging over their head, "If you don't do it, you are going to have worse." That is an unfortunate and perhaps too simplistic answer, but that is my immediate reaction to that.

Even when ordered by a court, if they refuse to do something, you have to draw a line somewhere. We are, I think, at a point in time now - and I think this is an example of it - where we are responding to a revolution in attitudes and thoughts that are taking place in our society. The Civil Rights movement, the Viet Nam War, all of this, I think, helped compound a sense in people, and juveniles as well, that government is wrong, that agencies and authority figures are all wrong, "don't trust them; don't do what they want; don't do this, don't do that." I think that now the pendulum is starting to swing back. I think at some point we started to liberalize too much in our attitudes and now we are starting to come back down to earth.

One of the things - in response to what you are saying - I think is that the line has to be drawn. I think you now have to establish the laws at perhaps a different level than before. And, in doing that, you have to say: "This is the line; you don't step over it." This is the way it existed before. When you and I were kids - a while back now - I know in my case at least, I watched my behavior pretty well because I was scared to death of what would happen, not with the police, not with the courts, but with my father. Kids don't have that fear today. Somewhere the parents have to draw a line. Somewhere society has to draw lines.

ASSEMBLYMAN FLYNN: Of course, nowadays, if the parent takes the rod to the youngster, the parent may wind up going to jail.

MR. BROWN: That statement is over-exaggerated. I think parents can spank their child just as much as they ever did, with the exception of brutalizing. Sometimes a voice can be stronger than a beating. Intimidation is-- The parents have to realize that it is not just giving love and affection and it is not just giving material things, it is also giving them notice as to what are the limits of this society and what are the limits of your home. What you do in their childhood, in raising children, in drawing lines, will help them more satisfactorily adjust to the limitations of the society they are in. And, frankly, our society has fewer limitations than most and they shouldn't feel that restricted. But, often they do, and often they will.

I think there are a lot of things that need to be done. These are things that I just picked out here that I had intended to talk about - the original things I stated - that have been fairly well covered. Juvenile Conference Committees as well -- I think that is taking it back to the community. We have to somehow establish a situation by law and social attitudes that it is wrong to emulate people, the bad guys.

I can remember a situation not too awfully long ago - a couple of years ago, maybe four - where we had seven kids in Salem - all boys from middle class families - whose big hero in this world was the fellow who played in "It Takes a Thief" because he snuck around and stole things, but did it on a legitimate basis. So, they started going into people's homes and stealing. We have to start making our heros a little more realistic and a little more appropriate. The time for the anti-hero I think is coming to an end.

ASSEMBLYMAN HERMAN: Bill, thank you.

ASSEMBLYMAN FLYNN: Thank you very much.

Our next speaker is Ed Stetser, Supervisor of Juvenile Probation Unit, Gloucester County.

E D S T E T S E R: Mr. Chairman, members of the Committee, most of the parameters of the problem have been dealt with by previous speakers.

There is an area of real concern that I have. I think it has been rightly said that the function of any society is to prepare its youth to assume positions of trust and responsibility and the achievement toward it. This is done by teaching, verbally. It is done by modeling, or exempling that kind of teaching. It is done by discipline. And, the extent to which a society fails to prepare its youth to assume these positions of trust and responsibility may be said the extent to which that society has failed.

The basic unit of our cultural society is the family. It has been mentioned here before - and this is the thing I am concerned about - that our approach in the juvenile system is fragmented. The holistic approach would call for a family type court. As a simple illustration, at the present time we are conducting a parenting group, in which a large number of parents were referred and directed through the juvenile justice system to attend. They are not attending.

If we had a family court, where the problem was addressed in its wholeness, in its entirety, with the court having the clout - the mandate, the authority - to assure that the parents who are part of the problem - and many times the biggest part of the problem - would also receive counseling.

I would also like to reinforce the need for a group home. Someone

also mentioned this. This is a crying need. It has been a need for a long while. Together does yeoman's service, but they can only put up youngsters for 72 hours. Sometimes the situation is so exacerbated that it cannot be resolved in 72 hours and requires a longer cooling period.

Alternative education is another item. I think many of our school people - administrative people - are knowledgeable and realize that they are negatively reinforcing the very kinds of conduct and behavior they do not want in the schools. They are giving on-the-street suspension to kids for certain types of violations, so a youngster knows all he has to do to hit the bricks is to commit a certain kind of violation and he is out on the street.

We need some alternative programs - in-school suspension that is monitored, with the learning process going on.

I would like to say, in closing, that over the past three or four years, in this county, the Gloucester County Juvenile Probation Department has developed seven or eight innovative - distinctively innovative - programs which are available as viable programs for the juvenile court, which were non-existent before. These are programs that the court can now use and resort to. They are not the total answer and they are not the complete answer, but they are eight answers they did not have before.

ASSEMBLYMAN HERMAN: Would you be so kind as perhaps to wrap them up in a ribbon for us and send them on to us so that we can see if they can provide some state models?

MR. STETSER: Sure. Number one is the countywide volunteers in probation. Number two is a behavior modification course for parents. The third one is a different course for parents, a systematic training for effective parenting. It is a second parenting course. There is guided group interaction and rap groups for juveniles in need of supervision type of conduct and behavior. There are three distinct seminars, one in the area of drug, alcohol, shoplifting, and the other is motor vehicle violation.

We have also utilized the Save Our Children Program at Bordentown - the lifers at Rahway. These programs have drawn attention from other counties in the state and from outside the state and an acknowledgement by Atlantic County that Gloucester County is a world ahead of them in anything they have to offer.

ASSEMBLYMAN HERMAN: I just wanted to give you an opportunity to brag a little. You deserve it.

MR. STETSER: Thank you.

ASSEMBLYMAN HERMAN: You are welcome.

ASSEMBLYMAN FLYNN: Before you go, you have a viable restitution program now - a pilot program - is that correct?

MR. STETSER: Yes.

ASSEMBLYMAN FLYNN: Tell us a little bit how it works.

MR. STETSER: Well, it is under a grant - it is a regional grant - secured by Camden. It is shared between Camden County and Gloucester County. I think we have 32 youngsters. We have a very small percentage; they have the lion's share. But, nevertheless, we do have 32 kids.

The matter is addressed either by monetary - making monetary restitution - working during pay, or just simply finding them jobs, or just simply working.

ASSEMBLYMAN FLYNN: How do you handle the insurance aspect of it if they get hurt?

MR. STETSER: The insurance is covered. It is under the grant.

ASSEMBLYMAN FLYNN: I see.

MR. STETSER: Washington Township began a program about four years ago of restitution and their township insurance covered it.

ASSEMBLYMAN HERMAN: Some of the municipalities are picking it up by making them township employees.

ASSEMBLYMAN FLYNN: And, in your opinion is it working?

MR. STETSER: Yes. Emphatically, yes.

ASSEMBLYMAN FLYNN: How long has it been in effect?

MR. STETSER: We have had one form or another in existence, I think, for at least three, possibly four, years.

ASSEMBLYMAN FLYNN: Do you notice what the recidivism rate is among those who go through that program, as opposed to those who do not?

MR. STETSER: No, because for the major part of this time I was involved in another aspect of juvenile work, where I was not monitoring that.

ASSEMBLYMAN FLYNN: Could we possibly get those figures from someone in your department?

MR. STETSER: Yes.

ASSEMBLYMAN FLYNN: Thank you.

ASSEMBLYMAN HERMAN: Ed, could you perhaps reduce those eight programs to us in a written letter?

MR. STETSER: I will provide you with a brochure.

ASSEMBLYMAN HERMAN: Thank you very much.

ASSEMBLYMAN FLYNN: Mr. John Shandorf, Director of North Gloucester County Youth Services Bureau.

J O H N S H A N D O R F: Many of the things I was going to talk about have been touched on in many different respects. I run a diversion, prevention program in Gloucester County. I am also a YMCA professional director, a person that deals with people in general but specifically with kids.- kids that are in trouble.

Really, I would like to preface what I have to say by saying that a lot of reference has been made to the changing family structure. At our training session recently - at our national, regional level of the YMCA - a statistic was thrown out. A lot of statistics are thrown out, but the statistic was thrown out showing that at the present time we are getting close to the 50% mark - where 50% of the households in the country are going to be manned - or womaned - by a single parent. I don't know if that is good or if that is bad. But, that can create a serious amount of problems with the economic situation in this country right now, where two parents have problems keeping the family going, never mind one parenting a child.

As legislators, you propose laws; you enact laws; and I would just like to remind you - and you have heard it before - of some of the statistics. My background is in criminal justice. I graduated in criminal justice and I like to throw out a statistic every once in a while. Incarceration doesn't work 100%. In fact, recidivism rates are very high with incarceration.

Another statistic I like to throw out is that people are getting deeply involved in the system. The majority of them come from lower economic classes and from minorities. So, if you are going to enact laws, especially mandatory laws, it is going to affect these people. It is going to affect them seriously.

At this point, I think I would like to refer to the *Parens Patriae*

and my interpretation of why that particular philosophy came out of the juvenile court in the late 1800's, to direct each individual case to look at the child - the individual child - and to do what was best for that particular child. I feel that if we are getting into mandatory laws, punitive laws for a child, we may be jeopardizing the judge's ability to look at each and individual case and try to decide. We attempt to do that in our office, in dealing with the kids. We attempt to find and be the bridge to services that are out there and to supply the services that we can. We attempt to assist the child. At times we are a surrogate parent. When you have 50% of the population that only have one parent and many of them are trying to support that family, you sometimes need a surrogate parent.

I think that is basically what I wanted to say. I am trying just to bring some of the reminders and the cautions to the Committee on the laws that are going to affect the juvenile.

ASSEMBLYMAN HERMAN: Let me ask you just one or two questions, if I may, noting your observations about the need to protect the interest of the child and to treat each child as an individual. Balancing those acknowledged, very important considerations, where do we put them on the social scales of balance when it comes to balancing the rights of the people who repeatedly have their homes broken into, or raped, or mugged, or murdered, or who suffer serious physical and property damage harm by people who by definition are juvenile, but in their actions commit very heinous offenses? What do we do to balance those social scales if justice is going to be justice for the victim as well as justice for the individual juvenile? What would be your response? How do we, as legislators, respond to that?

MR. SHANDORE: It is a very difficult situation. I think if you look at the statistics on the amount of money that goes into prevention - direct juvenile delinquent prevention - you will see it is very small in proportion to enforcement and incarceration. I think people are also hesitant in the area of early intervention. Our program supposedly deals with first offenders. Apparently, to the State of New Jersey, a first offender is one that comes to trial. There are a lot of steps in between there. We are supposed to be dealing with prevention, but we see a lot of kids that are serious problems by that time. We are having serious problems then. People don't want to admit there is a problem.

ASSEMBLYMAN HERMAN: What do I, as a legislator do? I think you sidestepped me a little bit. Although the hour is late, I don't think I am going to let you get away with it. We are going to have an interchange of ideas. What do we as legislators tell the family of a victim who has been brutally raped, or someone that has been atrociously beaten, or who has been substantially ripped off by someone who is part of the juvenile justice system as a repeat, and a repeat, and a repeat offender -- that individual that perhaps Chief Kimmel referred to, who committed all those burglaries on the day he was let out? What do we tell the victims? What are their rights in the balance of the system? How do I respond to them?

MR. SHANDORE: I think you are looking at an individual that is a repeat offender. I think he would have to be handled justly as a repeat offender.

ASSEMBLYMAN HERMAN: And, within the system, what do you suggest we do? Based on your observations, what should be do, with those people? What are your suggestions as to what we do with those people who do not fall into the

"GINS Offenders", but really fall into the hard-core, serious, recidivist, involved in the commission of violent property and physical crimes? What do we do with them?

MR. SHANDORF: I can't give you any new answers. There are a lot of answers.

ASSEMBLYMAN HERMAN: What are some of the old ones that you think would be effective but haven't been implemented?

MR. SHANDORF: You have the training schools. You have the youth development centers in Pennsylvania. You have group homes. You have half-way houses, work release programs. You have incarceration and jails. You have probation. None of them are working effectively.

ASSEMBLYMAN HERMAN: How do we get them to work effectively, or should we just eliminate them? Maybe it is a rhetorical question, I don't know. But, it is a question I thought I would ask you.

MR. SHANDORF: The research shows there is always a certain percentage of crime anyway. I will end with that.

ASSEMBLYMAN HERMAN: John, thank you.

ASSEMBLYMAN FLYNN: Next we have Lynn Jeffrey.

L Y N N J E F F R E Y: I have one request before I begin, and that is that my name not be put in the paper, please.

ASSEMBLYMAN HERMAN: I think perhaps the reporters--

MS. JEFFREY: Well, I spoke to someone, but I thought that I would--

ASSEMBLYMAN HERMAN: We don't control the press.

MS. JEFFREY: I will tell you why.

ASSEMBLYMAN FLYNN: Most of the time, when you ask them not to put it in, they put it in.

ASSEMBLYMAN HERMAN: That is going to have to be decided by the press. We can't control the press.

MS. JEFFREY: Okay, because I have been involved, on several different occasions, with the juvenile system. I don't really care who hears what I have to say, but I would rather protect certain people.

ASSEMBLYMAN HERMAN: Speak as generally as you can, okay?

MS. JEFFREY: Everybody here, that I see, has touched on almost every problem.

ASSEMBLYMAN HERMAN: Would you tell us where you reside, please?

MS. JEFFREY: In West Deptford.

ASSEMBLYMAN HERMAN: Okay.

MS. JEFFREY: All children and all people need love and attention and if they are not given it, sooner or later somebody does something stupid -- you know, pay attention to me; here I am -- and they are going to do something for somebody to pay attention to. But, the more serious crimes, I believe, nobody has really hit on completely. Mr. Stanley, I believe his name was, mentioned about alcohol and marijuana, but there is a more serious problem of the harder drugs. I believe that more of the children - the older juveniles - that have committed any serious crime have been involved with one or more of the very hard drugs and you are not going to wipe out anything until you do something to help these children get off these drugs. If not, you are going to have the same thing over and over and over again.

It is my belief that the more laws that are made to do away with these drugs - the more drug control - the more it seems to attract kids into it because

they feel as through, "I'm not going to get hooked on it. Nothing is going to happen to me and I can get off with some type of drug program." But, that is not always true in the case of hard drugs and all these other things happen in the meantime.

I feel as though you can help the children that are on it with some type of drug rehabilitation places, which there are not too many of. They say a lot of places don't want to take the kids because if they are not ready to get off these things willingly, they are going to disturb the places they are put into. But, that is not the answer either because they have to be forced into it since they don't know their own mind. When they get into these drugs, these kids minds are so clouded, they couldn't tell you what happened two days ago. So, they have to be forced into it in order to save themselves. And, sooner or later, after a certain length of time - I don't know how long it takes for some people because everybody is different - if they are forced into it, they are going to come around to see what they have done with their lives.

Most children, like in a school situation - if I can stop shaking long enough, I will tell you the rest - where the police have gone in because somebody has notified them that someone is either selling drugs, or someone is high on drugs, or somebody is punching the teacher - or something - and they want to search the lockers -- well, somebody else tips somebody off and the kids all hide the stuff, or throw it away. Nobody knows what happened to it, and they want to pull a drug search. Nobody holds the locker search. The American Civil Liberties Union comes in and all of a sudden they want to protect these kids who are killing themselves. They will die. Sooner or later they are going to die in one way or the other, if not from the drugs, they are going to be killed; they are going to accidentally kill themselves. You know what is happening to the youth of today is a catastrophe.

Hopefully, some of them, if they get straightened out, will be sitting in your seat, or your seat. But, if nobody helps them, they are never going to make it to that age. They are never going to get past 25. They are either going to be nuts or they are going to be dead.

My feeling is that if more parents don't stop being afraid, or don't care to recognize the fact that their kids are into this stuff, it is going to be a hard situation because how can they go before the judge and ask this judge to do something to help this child if nobody wants to do anything? They all stick their heads in the sand. And, unless they are willing to open their mouths -- if they don't care about their kids, that is one thing, but if they care, they have to stop being afraid that something is going to happen.

ASSEMBLYMAN HERMAN: Maybe the point you are making here today is the point a lot of us have made while we are out processing 24,000 marijuana users, by using the program where they--

ASSEMBLYMAN FLYNN: Additional discharges?

ASSEMBLYMAN HERMAN: Yes, by using Additional Discharges and letting them walk through the process. In wasting \$10 or \$11 million of state money in doing that, we haven't invested one hard dime in one long term drug rehabilitation in-house program.

MS. JEFFREY: That's right, and there is nothing in Gloucester County.

ASSEMBLYMAN HERMAN: There is nothing anywhere in this state, where you can take someone off the street and keep them there who has a hard-core drug

problem.

MS. JEFFREY: There are a couple of places, to my knowledge, but it is very difficult. You have to practically prostrate yourself to have somebody listen to you

ASSEMBLYMAN HERMAN: Not a state institution.

MS. JEFFREY: They are run by the state and the county, it is my understanding.

ASSEMBLYMAN HERMAN: Long term state institutions.

MS. JEFFREY: A year to 18 months.

ASSEMBLYMAN HERMAN: Which institution is that? Educate me.

MS. JEFFREY: Its right out there at Lakewood - Turning Point. I didn't know about that until just a few months ago. There are several people involved with that place that are excellent. The medical director is a Dr. Richard Corbin, who is a fantastic man, and who cares for them.

ASSEMBLYMAN HERMAN: I am glad you brought that information to us. But, to the best of my knowledge, there is no state institution.

MS. JEFFREY: I didn't know there was one. Nobody knew it. Through a long, hard process, I found out. But, I feel as though these kids are wasting away. And, all these crimes are going to keep on being committed until something is done about the drug problem.

That is all I have to say.

ASSEMBLYMAN HERMAN: You said it very well. We appreciate your coming.

ASSEMBLYMAN FLYNN: Interestingly enough, there was an Assemblyman a few years ago who had been a drug addict and was rehabilitated and became an Assemblyman. He is now very active in the program to try and help others.

MS. JEFFREY: Yes. Can I say one other thing? Many of these children go into probation - and Mr. Stetser has been a fantastic man; he really has. He is very concerned. I don't know what I would have done without him, and I mean that sincerely.

I am going to try and make it short. Many of these kids get into these problems for many reasons. A lot of it is because they feel they have to be a big person and somebody at home isn't listening to them. This is one very important factor.

Another thing is, when they go into probation, or they go before the courts - someone mentioned this before - the way it is written, the juveniles can't really understand it. Many of these children can't associate with a lot of people because when they are into drugs they have a whole, completely different attitude about everything. Because their minds are so messed up, they can't relate to somebody who is afraid to say a bad word of any type. They figure, "what am I doing talking to this person? They don't understand me; they don't understand my problem." If there could be more people that could relate, such as ex-drug addicts and people like that, to work with the kids, I really believe it would do a world of good. Because these kids have to feel as though they are worth something and they are never going to feel as though they are worth something unless they have somebody who will listen to their problems. In other words, they can't like themselves, so nobody can like somebody who doesn't like himself. And, unless they learn to know and feel self-worth, you are never going to help them, and they need lots of love and understanding.

ASSEMBLYMAN HERMAN: Thank you very kindly.

ASSEMBLYMAN FLYNN: Thank you for sharing your experiences with us.

All right, we have another five minutes or so, so is there anyone here who has not had an opportunity to address us and wishes to do so?

I think we have somebody who hasn't had a first chance yet. I guess she will be the last speaker.

A N I T A C O R R I V E A U: My name is Anita Corriveau. I am the Assistant Coordinator of Crisis Services at Together. I am also a youth counselor at Together, Incorporated. I hear a lot of today's youth are not like 40 years ago, and today's youth has less respect for authority. Mr. Stanley stated that to eliminate the access of paraphernalia, alcohol, and marijuana to youth would solve a lot of problems. I have a problem with that myself. I am 22. I graduated high school in 1975, so I don't think I am that far away from what is happening now with youth and I feel distant. So, I question how many people in this room can really understand what is, in fact, happening with today's youth.

I hear a lot of talking about -- you know, let's take away this and let's take away that, and what are we going to do with a youth who commits a heinous offense? Where are you going to put him and how are you going to treat him? Does anyone wonder why this youth is in that position? Does anyone ask him what is happening to cause him to take hard drugs in order to cope with his problem? Is he coping? You know, why is he committing vandalism? Why are middle class youth committing violent crime and why are they destroying property? Does anyone ask the youth this? That is about all I have to say.

ASSEMBLYMAN HERMAN: Thank you.

ASSEMBLYMAN FLYNN: Mr. Long.

MR. LONG: My primary purpose for returning is because I got wrapped up in what was going on.

ASSEMBLYMAN HERMAN: That's good.

MR. LONG: I would like to state what I do propose to help deal with this situation, and that is, the Young Adult Resource Center. The Young Adult Resource Center for Gloucester that Together is proposing will serve 204 youths, costing \$199,134.00 -- approximately \$975 per youth. This is an extremely efficient amount for the services rendered.

The Young Adult Resource Center offers a unique feature, in that it is well suited for serving the local population and at the same time, it can be used as a model for youth programs across the country. It is, in fact, a mirror reflection of a program that has been in existence in Camden County for the past two years.

Further, throughout the years of Together's affiliation with Glassboro State College, we have operated as a store-front alternative service for the community. Within Together a consensus decision-making process has been used in all organizational functions and decisions. This has given us an identity within the community, and many people have sought our services for this reason -- trusting a grassroots, community-based organization, staffed by people oftentimes from within the community.

At the same time, our affiliation with the College has offered far-reaching and very strong linkage with the social service agencies in the county. Many professional and government agencies have repeatedly referred people to our organization for services. We have established many cooperative inter-agency relationships with these agencies as a support. Being in this position, we have experienced a dual image and our existence exemplifies a bridging of the gaps between society and the individual - a model for all youth.

I won't go into the problems in Gloucester County, statistically, because I believe you are aware of them.

The program goals and objectives of the Resource Center-- I will refer to the Young Adult Resource Center from now on as YARC, as it is more popularly known. The efforts of YARC will be directed toward enabling the youth referred to to acquire the positive values and attitudes, as well as the appropriate skills needed to obtain meaningful employment in the community.

As a result of the significant needs of the target population of Gloucester County, YARC's objectives are to serve a minimum of 150 youths during the first year; to provide 54 youths with a stabilized living environment in a community group home for a period not to exceed 45 days; to employ 10 youths upon YARC's completion, as peer counselors, work shop facilitators, resource counselors during the first year; to place 94 of the YARC participants in unsubsidized employment during this first year to serve as an alternative to probation; to assist 35 youths in obtaining their General Equivalency Diploma; to demonstrate a recidivism rate among YARC's participants not to exceed 25%; and to demonstrate a positive termination rate of 70%.

The specific community services that will expand or improve the delivery of their services are: the Learning Center, the Adult Continuing Education Department of Glassboro State College, the Employment and Training Center of Gloucester County, and the juvenile justice system of the community and county. The Young Adult Research Center will primarily serve those youths between 14 and 21 years of age from various points of the juvenile justice system and/or dropouts from school who have been declared emancipated minors, or placed on independent living, or homeless demonstrating familiar or social adjustment problems--

ASSEMBLYMAN HERMAN: David, would you do us a favor? Because of the lateness of the hour, I would appreciate it if you would make available a copy of that booklet to the staff in order that they can look into it to see whether it has any legislative potential for alternative proposals.

MR. LONG: Fine.

ASSEMBLYMAN HERMAN: That would be sincerely much appreciated.

Before we wrap up and allow our Chairman, Bill Flynn, a last say, I would like to have read into the record a letter that Assemblyman Flynn has received from Mayor Paul Krane of Willingboro, who thinks that this Subcommittee hearing is a pretty good idea and asks us to hold one in Burlington County. He will supply the facilities. (page 26x)

We have a letter from the Harrison Township Police, from the Chief of Police, Clarence Wingate, who makes recommendations for parental responsibility laws, as well as mandatory restitution, especially in malicious damage cases. (page 27x)

We also have a letter which we typed up. It was received in handwriting from Anna Lou Ennis of Washington Township, who very eloquently, in her own way says what she thinks of the juvenile justice system. (page 28x)

I would like to announce jointly, on behalf of Assemblyman Flynn and I, that some people here this evening stole our thunder because we had both intended, in our own respective counties, in the Fall, to go into the high schools and have a high school day, to allow students to have their own say as to how they perceive the problems and what they see as solutions, or the directions we should be taking. We will be doing that, respectfully and individually, in our own counties. We will perhaps encourage the other members of our Judiciary Committee

to do likewise. I am hopeful that the output and the input will be as successful as it was here this evening.

I would like to thank everyone who came here this evening and who took so much time to prepare to express their views in such a cogent way. I would also like to give a special thanks to Assemblyman Flynn, who has been chairing this Committee and who has been going all over the state with reference to this problem, and who will be holding his next hearing - as I mentioned earlier - on August 28th in Jersey City. I wish him the success and the input that I think he got here this evening.

Expressing my thanks, I would now like to turn the mike over to him for a few last words.

ASSEMBLYMAN FLYNN: I would like to thank the people who participated tonight. I think we got a lot of worthwhile ideas. These transcripts will go to all of the members of the Assembly, so it wasn't that you were just speaking to a few of us. They will all have an opportunity to read these transcripts and digest them. Anybody who has additional input, by way of supplemental material, we would like to have it as soon as possible so that we can add it to the record. Hopefully, this Fall we will come out with some meaningful legislation that may start us off on the road to either correct the juvenile justice system, or at least strengthen it. Thank you again.

ASSEMBLYMAN HERMAN: Thank you everyone. Thank you, staff, for coming down.

ASSEMBLYMAN FLYNN: This hearing is now concluded.

(Hearing Concluded)

August 13, 1979

This proposal has not been acted on by H.E.W. as of yet, but we have received 5 postponements. Please take the opportunity to visit the existing Program in Camden County.

Also, if any further information is needed please feel free to contact me. Thank you for your consideration.

David Long

609-881-4040

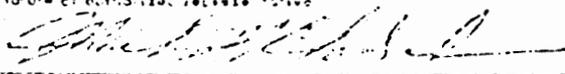
PREAPPLICATION FOR FEDERAL ASSISTANCE <b>PART I</b>		1. State Use Only - Use this line for:					
2. Federal Granting Agency Office of Human Development <small>Organizational Unit</small> Administration for Children, Youth <small>Administrative Office</small> and Families 330 Independence Avenue, S.W. <small>Street Address - P.O. Box</small> Washington, D.C. 20201 <small>City State Zip Code</small>		4. Applicant Name Glassboro State College <small>Department Division</small> Together, Inc. <small>Street Address - P.O. Box</small> Glassboro Gloucester <small>City County</small> New Jersey 08028 <small>State Zip Code</small>					
5. Descriptive Name of the Project Dual Component Program Model							
6. Federal Catalog No. 17.240		7. Federal Funding Number \$ 199,384					
8. Grantee Type State, County, City, <input checked="" type="checkbox"/> Other (Specify) Higher Education Institute							
9. Type of Assistance <input checked="" type="checkbox"/> Grant, <input type="checkbox"/> Loan, <input type="checkbox"/> Other (Specify)							
10. Population Over 15 Years of Age Benefiting from the Project 204		12. Length of Project 12 months					
11. Congressional District a. 1 <sup>st</sup> (First)		13. Beginning Date September 1, 1979					
b. 1 <sup>st</sup> (First)		14. Date of Application June 8, 1979 <del>August 1, 1979</del>					
15. The applicant certifies that to the best of his knowledge and belief, the data furnished herein are true and correct, and the final report preapplication has been duly authorized by the governing body of the applicant.							
Typed name Mark M. Chamberlain <small>Signature of authorized representative</small>		Title President					
		Telephone Number <table border="1"> <tr> <th>AREA CODE</th> <th>NUMBER</th> </tr> <tr> <td>609</td> <td>445-5201</td> </tr> </table>		AREA CODE	NUMBER	609	445-5201
AREA CODE	NUMBER						
609	445-5201						
For Federal Use Only							

Exhibit M-1. Preapplication for Federal Assistance

PREAPPLICATION FOR FEDERAL ASSISTANCE

PART II

1. Does this assistance request require State, local, regional or other priority rating? \_\_\_\_\_ Yes  No
2. Does this assistance request require State or local advisory, educational or health clearance? \_\_\_\_\_ Yes  No  
\*\* See Below
3. Does this assistance request require Clearinghouse review?  Yes \_\_\_\_\_ No
4. Does this assistance request require State, local, regional or other planning approval? \_\_\_\_\_ Yes  No
5. Is the proposed project covered by an approved comprehensive plan? \_\_\_\_\_ Yes  No
6. Will the assistance requested serve a Federal installation? \_\_\_\_\_ Yes  No
7. Will the assistance requested be on Federal land or installation? \_\_\_\_\_ Yes  No
8. Will the assistance requested have an effect on the environment? \_\_\_\_\_ Yes  No
9. Will the assistance requested cause the displacement of individuals, families, businesses, or farms? \_\_\_\_\_ Yes  No
10. Is there other related assistance for this project previous, pending, or anticipated? \_\_\_\_\_ Yes  No

PART III - PROJECT BUDGET

FEDERAL CATALOG NUMBER (a)	TYPE OF ASSISTANCE LOAN, GRANT, ETC. (b)	FIRST BUDGET PERIOD (c)	BALANCE OF PROJECT (d)	TOTAL (e)
1. 17.240	Grant	199,384		199,384
2.				
3.				
4.				
5.				
6. Total Federal Contribution		\$ 199,384	\$	\$ 199,384
7. State Contribution		9500		9500
8. Applicant Contribution				
9. Other Contributions		9360		9360
10. Totals		\$ 218,244	\$	\$ 218,244

PART IV - PROGRAM NARRATIVE STATEMENT

(Attach per instruction)

\*\* Clearinghouse A-95 forms are being sent simultaneously with the pre-application.

Exhibit M-1. Preapplication for Federal Assistance

## YOUNG ADULT RESOURCE CENTER

The Young Adult Resource Center (YARC) proposed by Together, Inc. will necessitate funding under both models of the Youth Employment Demonstration Grants Program. Specifically, the Youth Participation Program Model and the Community Services Job Development Model. The YARC will serve 204 youth costing \$199,134.00 at approximately \$975.00 per youth. This is an extremely efficient cost for the services delivered. The YARC offers a unique feature: it is well suited for serving the local population and at the same time can be used as a model for youth programs across the country.

### I. Introduction

Together, Inc. was opened in November 1970 through a cooperative effort of the Student-Faculty Co-op Board of Glassboro State College, and the community. In July 1971, we added a community drop-in and referral center to our 24-hour hotline. As pioneers in women's prescription drug abuse treatment, we were funded additionally for a pilot program in 1974. After the compiled data was presented to the National Institute for Drug Abuse in 1976, continual funding was guaranteed and we included a Women's Drug Program which served as a national model for programs funded through the US Alcohol, Drug Abuse, and Mental Health Administration. In September 1976, we continued to expand by adding a Youth Services Program that works with youth, ages 9-17, in runaway, crisis, and related situations. The Youth Services Program offers short-term shelter (72 hours), individual and family counseling, referral services, various workshops, rap groups, emergency medical treatment, food, clothing, and alternatives when available. Supportive youth advocacy, in public schools, with social service agencies, Juvenile Court, and within the family are also offered. In June 1976, we also secured funding from the New Jersey Department of Community Affairs, Division on Women, to provide a statewide, 24-hour, toll-free WATS line. This has become known as Women's Referral Central (800-322-8092) or WRC, and provides the only statewide information/referral source for women. Through our computer tabulation of the calls received, the WRC line provides the Division on Women with an accurate and up-to-date assessment of the needs of women statewide.

Together has continued to be closely affiliated with Glassboro State College which administers our funding, provides match monies for projects, and numerous supportive services. Our organizational structure is represented by two flow charts. Structural Flow Chart #1 is the structure of Together, Inc. which is recorded with the state as a private, non-profit organization. However, since our funding is administered by the College, we are a division of the College as well. Structural Flow Chart #2 shows our structure as a "Department" of the College.

Throughout the years of Together's affiliation with Glassboro State College we have operated as a store front, alternative service to the community. Within Together the consensus decision-making process has been used in all organizational functions and decisions. This has given us an identity within the community and many people have sought our services for this reason; trusting a grass-roots, community-based organization staffed by people often times from within the community. At the same time our affiliation with the College has offered far-reaching and very strong linkages with the Social Service Agencies in the county. Many professional and government agencies have repeatedly referred people to our organization for services. We have established many cooperative inter-relationships with these agencies as the support letters attest. Being in this position we have experienced a "dual image" and our existence exemplifies a bridging the gap between society and the individual, a model for all youth.

### II. The Problem

The population projected for Gloucester County for the fiscal year 1980 will be 202,000. Youth between 14 and 21 years of age will comprise 15.5% of the county's population.

totaling 31,447. Of this figure, an alarming number are not attending school (11.9%) nor do they have their high school diploma. Simultaneously, the unemployment rate for the same age group in Gloucester County is presently 20.9%. In 1978, the Gloucester County Juvenile Court docketed 3,019 juvenile complaints, of which this age group accounted for 33.1%. Whether the youth encountered difficulty in school, or through the court, at each level, an attempt was made to identify resources within the community which would insure the positive adjustment of the youth, thereby reducing the likelihood of continuing deeper penetration into the juvenile Justice System.

Statistics show that throughout Gloucester County, approximately 722 youth dropped out of academic discipline in 1978, many without attaining math and/or reading levels equivalent to that of a seventh grade student. This is an area of great concern to the county because of the correlation between crime and education. The threefold problem demonstrated by these youth has generated considerable confusion in the realm of social service delivery. Consensus regarding who should assume responsibility for servicing this population has, to date, been lacking. As a result, programs have not been developed that address the interrelated needs of the target group. Consequently, service delivery has been characterized by inconsistency and fragmentation.

Youth who have poor academic skills, possible learning disabilities, or who have repeatedly experienced failure and frustration are not likely to succeed in a program whose pace is geared for the average or above-average student. Furthermore, a youth who seeks peer acceptance by opposing authority or presents a behavior problem when s/he feels incompetent or insecure is not likely to receive individual teacher support or specialized instruction when the other youths in the program are highly motivated, competitive achievers. It is understandable that such attempts to subject this target population to traditional program models that amplify, rather than remediate their problems, have met with failure and produced little more than confusion.

In light of the present dilemma surrounding the provision of services needed by the target population, juvenile justice representatives, youth counselors in the Runaway Program, Division of Youth and Family caseworkers and school counselors are too often incapable of securing the necessary services. Consequently, this produces a considerable degree of frustration on the part of the worker and youth alike. The staff of Together's Youth Service's Program believes Gloucester County would minimize the confusion, inadequacy, frustration, and fragmentation that currently surrounds the delivery of services to this target population by establishing a Young Adult Resource Center (YARC).

### III. Program Goals and Objectives

The efforts of the Young Adult Resource Center will be directed toward enabling the youth referred to acquire the positive values and attitudes as well as the appropriate skills needed to obtain meaningful employment in the community. As a result of the significant needs of the target population, the Young Adult Resource Center's objectives are:

- to serve a minimum of 150 youth from the target population during the first year of operation.
- to provide (54) youth with a stabilized living environment in a community group home for a period not to exceed 45 days during the first year of operation.
- to employ 10 youth upon YARC graduation as peer counselors, workshop facilitators, or resource counselors during the first year of operation.
- to place (94) of the YARC participants in unsubsidized employment during the first year of operation.
- to serve as an alternative to probation for (30) youth during the first year of operation.
- to assist (35) youth in obtaining their General Equivalency Diploma through the Higher Learning Center in the first year of operation.
- to demonstrate a recidivism rate among YARC participants not to exceed 25%.
- to demonstrate a positive termination rate of 70% during the first year of operation.

The specific community services that will expand or improve the delivery of their services are: the Higher Learning Center of the Adult and Continuing Education Department

of Marlboro State College, the Employment and Training Center of Gloucester County, the Sheriff, and the Juvenile Justice System of the Community and County.

#### 17. Program Activities

The Young Adult Resource Center will primarily serve those youth (M/F) between 14 and 21 years old from various points in the Juvenile Justice System and/or have dropped out of school, have been declared emancipated minors or placed on independent living, and in addition, demonstrate familial or social adjustment problems, particularly those youth who have not demonstrated constructive involvement in the school, labor market or community and are characterized by a disadvantaged financial and/or social position.

From within the community the target population will be referred by:

- Juvenile Justice System
- Community Service Worker at the Gloucester County Detention Center
- NJ Division of Youth and Family Services
- school
- Social Service organizations, i.e. Youth Services Bureau, etc.

To address the Youth Participation Program Model, the Young Adult Resource Center will offer either within the project, or within the community through our cooperative inter-relationships with community agencies (see appendix):

- living skills education
- career counseling
- on-the-job training
- participation in consensus decision-making processes
- vocational interest assignments
- basic literacy testing
- General Equivalency Diploma (GED) preparation
- remedial education
- aptitude testing
- vocational orientation
- positive identification with peer group in healthy environment
- peer counseling case work
- individual counseling
- family counseling

To address the Community Services Job Development Model the Young Adult Resource Center will offer either within the project or within the community through our cooperative inter-relationships with community agencies (see appendix):

- employment readiness seminars
- issues of the work world
- career decision making
- career experience
- employer support programs
- work orientation
- interest and aptitude testing
- obtaining private employment
- work experience
- vocational training
- individualized vocational training
- supportive housing within the community
- individual counseling
- family counseling
- participation in consensus decision making processes

- living skills training
- basic literacy testing
- remedial education
- General Equivalency Diploma
- on-the-job training
- money management and budgeting

## V. Staff and Management

Personnel will consist of:

- one YARC coordinator
- two social service counselors
- two vocational counselors
- three community service workers
- two instructors

The coordination and scheduling of youth activities in the Young Adult Resource Center will be the responsibility of the coordinator, and regular staffings to monitor youth progress and program effectiveness will be arranged by the coordinator.

As shown in Flow Chart #2 (see appendix), the Glassboro State College will administer the Grant and further assure to control and report fiscal accounting; personnel supervision and recruitment is within the Personnel office of the College; the Glassboro State College also assures to report to the Youth Development Board for monitoring and evaluation purposes and cooperate with the independent evaluators contracted to the Youth Development Board. It is further assured by Glassboro State College to;

(a) The applicant agency will cooperate fully with the independent evaluators contracted by YDB to provide training and technical assistance, and to conduct the program evaluation assessing project operations, methods, strategies, and impact. This assurance will include cooperation with the evaluation contractor in the compilation of individual client data and other information, as required, for the conduct of the evaluation. The YDB contractor will adhere to Federal policies regarding the protection of individual rights to privacy. The applicant agency will also comply with YDB requirements for project staff and youth representatives to participate in training and technical assistance activities including pre- and post-award program development, planning, and evaluation workshops.

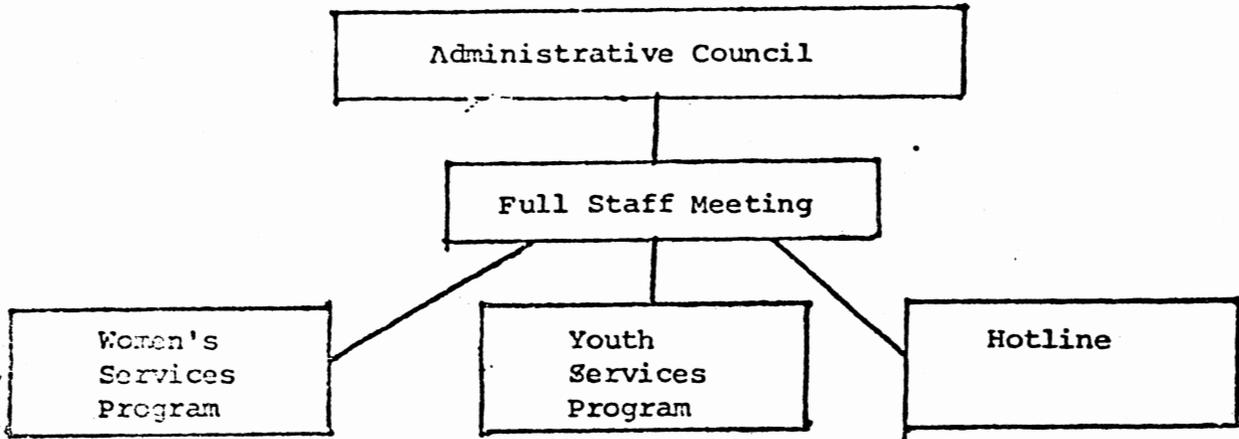
(b) The applicant agency will cooperate with the YDB quarterly reporting requirements, to be submitted on a schedule to be established following the grant award. These reports will provide the descriptive and quantitative information required for grant monitoring, project evaluation and accountability to YDB.

(c) The applicant agency will provide a one page synopsis and descriptive overview reflecting key elements of the project design, and significant or special features which characterize the demonstration project. Additionally, the Department requires submission of a final report within 90 days of the end of the project period.

(d) The applicant agency will comply with YDB requirements regarding project start-up time and schedules, and will comply with the fiscal reports required by the Department's accounting division.

(e) The applicant agency accepts the responsibilities inherent in serving as a demonstration project, and will provide information and assistance to other agencies and communities with similar capabilities interested in improving employment-related services for youth.

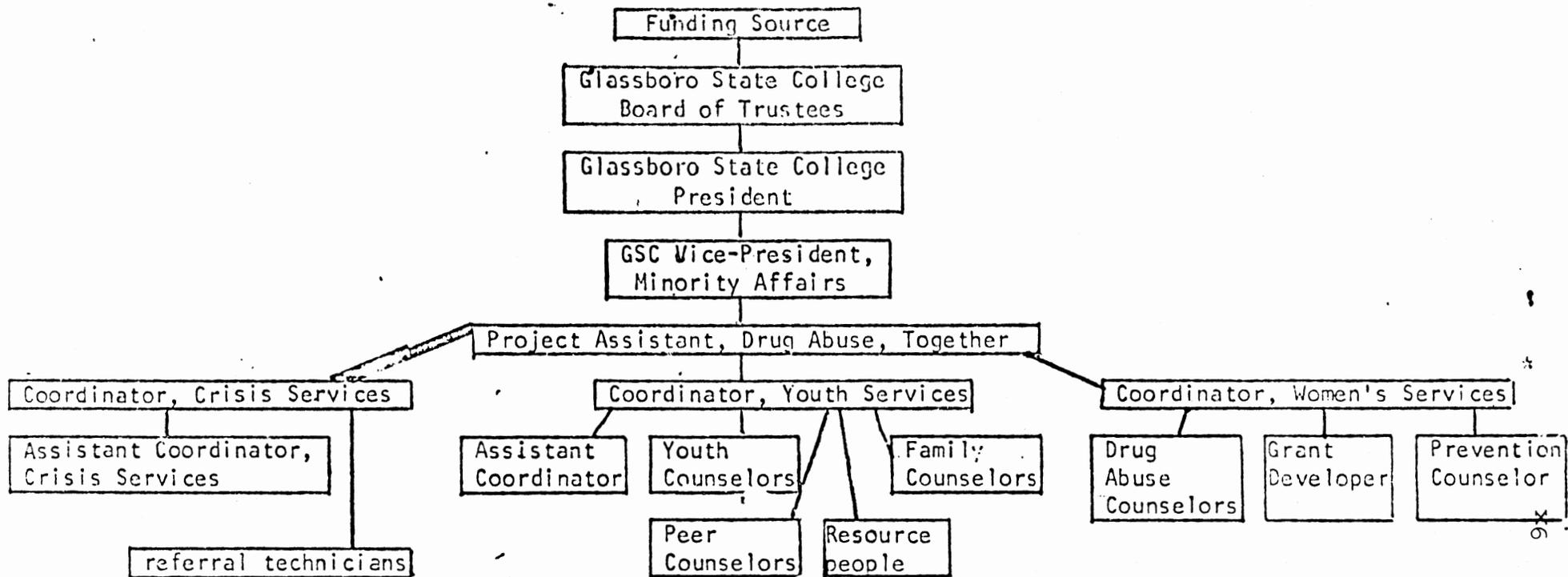
FLOW CHART # 1



Day to day decisions are often made by the coordinators of the three programs. Major decisions concerning policy, or funding directions, or any decision which affects more than one program at Together are made at full staff meetings. Any decision that affects the program is brought by the coordinator of that program for consensus at the program meeting.

Often the coordinator of a program seems to have more power than other staff members. This is because s/he has more information than other staff members and because this person sometimes must make on-the-spot decisions without consulting anyone else. However, decisions can be changed by consensus at a staff meeting.

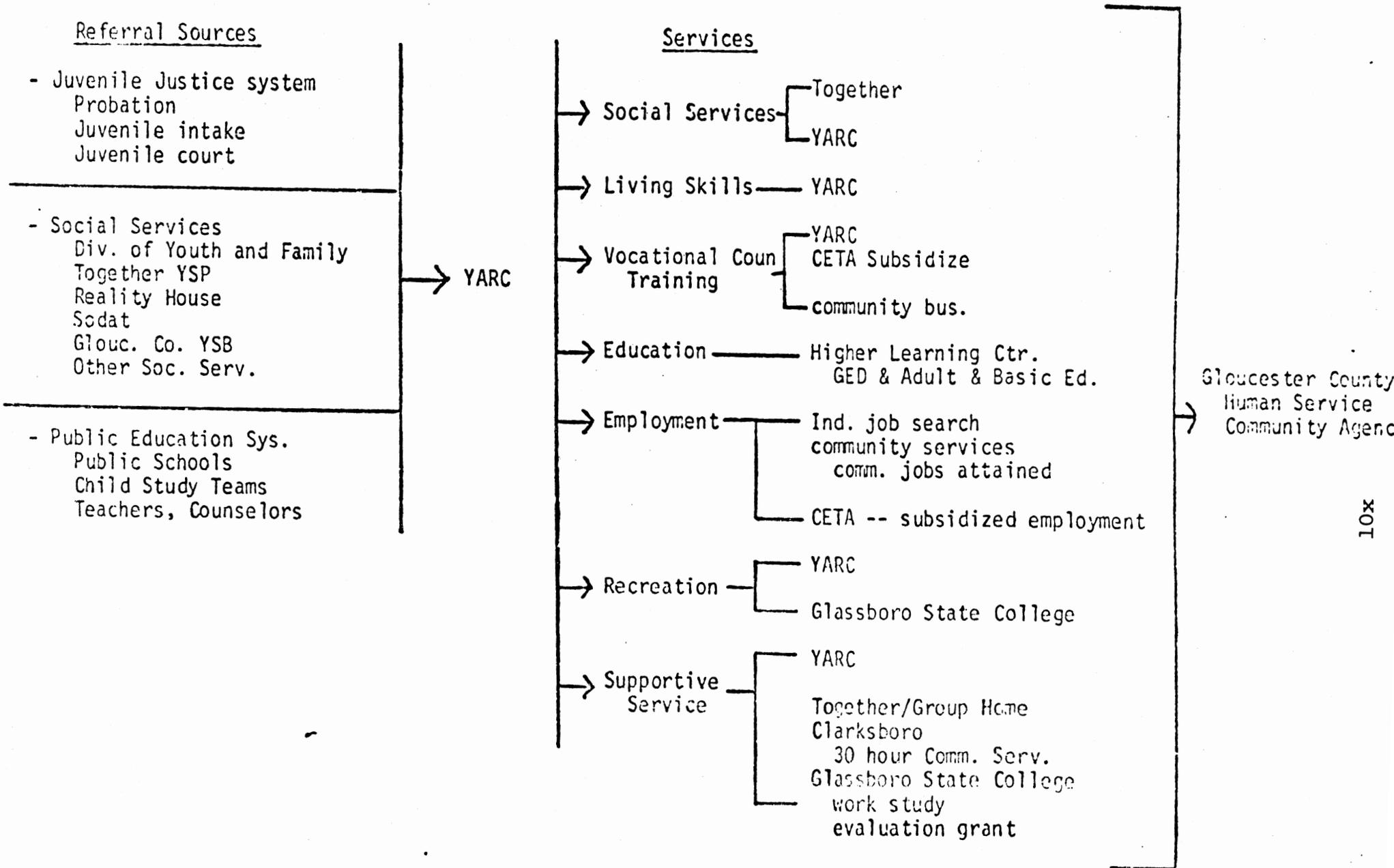
FLOW CHART # 2



\* This position is currently filled by the Project Assistant, Drug Abuse

\*\* This flow chart is effective as of September, 1978

FLOW CHART -- YOUNG ADULT RESOURCE CENTER





State of New Jersey

GLASSBORO STATE COLLEGE  
GLASSBORO, NEW JERSEY 08028

June 5, 1979

DEPARTMENT OF SOCIOLOGY

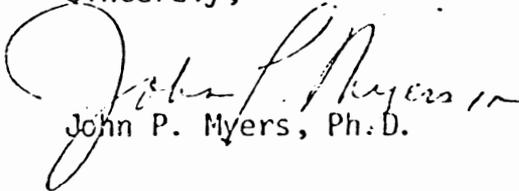
Bob Maloney  
Together, Inc.  
Glassboro, NJ 08028

Dear Mr. Maloney:

I would like to express my support for the Young Adult Resource Center proposed by David Long. As a sociologist at Glassboro State College and a person who works with Gloucester County agencies dealing with youth I strongly agree with David Long's conclusion: the proposed youth center is urgently needed in this area of South Jersey.

In addition, I am in the process of applying for a Glassboro State College Summer Research Fellowship which would allow me to design an evaluation of the Young Adult Resource Center this summer and carry out the evaluation during the 1979-80 year.

Sincerely,

  
John P. Myers, Ph.D.

JPM/mm



State of New Jersey  
GLASSBORO STATE COLLEGE  
GLASSBORO, NEW JERSEY 08028

OFFICE OF ADULT CONTINUING EDUCATION

June 6, 1979

Mr. Robert Maloney  
Together, Inc.  
7 State Street  
Glassboro, NJ 08028

Dear Mr. Maloney:

Mr. David Long has advised us that Together, Inc. is in the process of establishing a Young Adult Resource Center program designed to meet needs of youth at risk residing in Gloucester County and the surrounding areas. We take this opportunity to wish Together, Inc. every success in that endeavor.

We have indicated to Mr. Long that the Glassboro State College Office of Adult Continuing Education, in an effort to provide supportive services to the Young Adult Resource Center project, is willing to provide GED instruction at the Gloucester County Learning Center for a maximum of 35 YARC participants. It is understood that the 35 YARC participants will be referred to GCLC on a staggered enrollment basis over a period of 1 year.

Again, we extend to you best wishes for the success of the Young Adult Resource Center.

Very Truly,

Dolores M. Harris, Director  
Continuing Education

Barbara Banks, Supervisor  
Gloucester County Learning Center

BMB/lcl



State of New Jersey  
GLASSBORO STATE COLLEGE  
GLASSBORO, NEW JERSEY 08028

June 5, 1979

Mr. Robert Maloney, Coordinator  
Youth Services Program  
Together, Inc. - Delsea Drive  
Glassboro, New Jersey 08028

Dear Bob:

I am writing in support of your efforts to obtain grant support to establish a program for vocational and employment training to be offered to troubled youth who otherwise might not have these opportunities.

Having served on a H.E.W. National Task Force on Runaway Youth to help plan model programs and having counseling experience with runaways and their families, I am well aware of the needs of troubled youth.

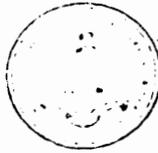
The need to feel useful, skilled and productive is strong in young people who are often experiencing great difficulty in establishing meaningful relationships in school, at home and with peer groups.

I believe the program you are planning to assist troubled youth with vocational education, counseling and training, as well as to provide, when necessary, short-term housing, will help meet this need not only in the present but also as importantly for the youth's future life.

Best wishes,

A handwritten signature in cursive script that reads "Gene V. Elliott".

Gene V. Elliott, Ph.D.  
Professor - Psychology Department



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY

BOX 39 • CLARKSBORO, N. J. 08020

CHILDREN'S SHELTER  
DAVID B. ARMOR, SUPERINTENDENT

DEPARTMENT OF PUBLIC  
INSTITUTIONS AND AGENCIES

DIRECTOR  
KENNETH MILTON O. FREDERICKS

DEPUTY DIRECTOR  
KENNETH DONALD H. WAGNER

June 5, 1979

Mr. David Long  
Together, Inc.  
State & Delsea Drive  
Glassboro, NJ 08028

Dear David:

For the past eight months I have been following your progress in developing a proposal for a Juvenile (Young Adult) Resource Center. In early meetings with Judge Francis in the fall of 1978 we discussed the desperate need for such a program in Gloucester County. The project continues as a priority for juvenile justice planning in the county.

A major concern is the isolation which normally occurs while a juvenile is in detention. Therefore, I will assign one of our Youth Group Workers to participate in the project 30 hours each week to coordinate transitional referral from the juvenile justice system and to provide follow-up and evaluation services. The Youth Group Worker will also assist in coordination of court services.

I'd like to highlight the need for transitional living accommodations for the target population. There are no group homes or group shelter care facilities available for youth in transition. Many of the youth who are transitioning to the job market need temporary housing until they become established in the work market. I appreciate the wide range of services which are addressed in the proposal and feel that the composite approach is important for the success of the program.

I heartily endorse the establishment of this program in Gloucester County and pledge my full support and cooperation

Page two  
David Long

in contributing to its success.

Sincerely,

A handwritten signature in cursive script that reads "David B. Armor". The signature is written in dark ink and is positioned above the typed name.

David B. Armor, MSS, MLSP

DEA/ceg



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
COUNTY GRANTS COORDINATOR  
AND  
CRIMINAL JUSTICE PLANNER  
WOODBURY, NEW JERSEY 08096

JOHN W. ROBERTSON  
PLANNER/COORDINATOR

PHONE: 845-1600

June 5, 1979

Mr. Bob Maloney  
Together, Inc.  
7 State Street  
Glassboro, New Jersey 08028

Re: Proposed Young Adults  
Resource Center

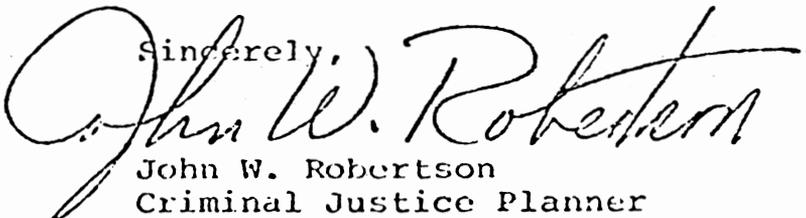
Dear Mr. Maloney,

the Gloucester County Office of Criminal Justice Planning favorably endorses the proposed Together, Inc. Young Adult Resource Center. Due to our involvement with the juvenile justice system, our office is well acquainted with the needs of young adults in Gloucester County.

With the implementation of the proposed Together, Inc. Young Adult Resource Center, our youth will be able to benefit from job development, education, vocational counseling services, as well as from their participation in the program. The provision of these needed services, will help to alleviate the disparity between existing youth services and those services which are presently lacking in the County.

Our office will continue to support your efforts and provide technical assistance to augment the development of the Young Adult Resource Center.

Sincerely,

  
John W. Robertson  
Criminal Justice Planner

DGP/jai

16x



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY

JUVENILE COURT INTAKE  
COURT HOUSE ANNEX  
BROAD AND HUNTER STS.  
P. O. BOX 634  
MIDDLETOWN, N.J. 08036

HENRY G. SAUSELEN  
DIRECTOR  
(609) 845-1600

TO WHOM IT MAY CONCERN:

It comes to our attention that Together, Inc. of Glassboro, New Jersey, is applying for federal funding through the Department of Health, Education & Welfare for the implementation of a juvenile resource center to be known as the Gloucester County Juvenile Resource Center. This is to say that we have observed and are aware of the operation of the Juvenile Resource Center of Camden County, and we have studied the projected and specific plans of the Gloucester County proposal. In both instances we are impressed with the goals and objectives proposed.

This is to say that based on past experience in Gloucester County the Presiding Judge of the Juvenile Court, the Gloucester County Probation Department, and the Gloucester County Intake Service are daily aware of a classification of juvenile offenders who come to the attention of the court system whose problems and life experiences place them in a situation such that they fit nowhere in existing programs of needed services. Specifically, by the time they come to the attention of the court even on the first offense, they have a long history of consistent failure to the point of inability to deal with established remedies provided by the local school system; they are, by virtue of age, inexperience, lack of training and skills, lack of eligibility for vocational training, and lack of general education rendered not employable.

Thus their dilemma is complicated: Their total inability to pursue existing educational programs denies to them vocational training options; having neither skills nor training, they are not presently nor will they be in the future constructively employable, and they remain juvenile misfits channeled to swell the population of juvenile delinquents and, in later years, adult criminals.

By focusing in a step-by-step monitored way on qualifying these offenders through the G.E.D. dynamic in basic education skills (reading and math, especially) the program seeks to qualify these juveniles for job-training skills that will render them social assets in the community. All too often and

regularly these young people introspectively assess their situation as they approach the disposition of the Juvenile Court either in the traditional courtroom or in a Juvenile Conference Committee or at a Pre-Judicial Conference and express very basic desires (yearnings, even) to set themselves up in such a way that they might be achieving members of society.

In this self-assessment, they do sincerely commit themselves before the Juvenile Court to such goals and objectives. Upon leaving the courtroom however, it soon becomes very evident that the probation and other services available to the juvenile through the Court are not able to provide the specific, regular, and continuing services of such intensity as to achieve their educational/employment goals. It is submitted that the program observed in the neighboring county and the goals and objectives of the proposed Gloucester County Juvenile Resource Center have and will have the capability of providing the kind of attention that these juveniles uniquely require.

Together, Inc. has been able to achieve outstanding community cooperation and involvement in both the private and public sectors in the matter of existing programs. We are, therefore, impressed that their responsible achieving policies and performance will be continuing and extended in this new endeavour. Together's credibility is very high among the local citizenry and youth-serving agencies in Gloucester County.

It is therefore recommended that the proposed Gloucester County Juvenile Resource Center be funded through the federal Department of H.E.W.



Henry G. Sauselen, Director  
Gloucester County  
Juvenile Court Intake Service

HGS:cds

EMPLOYMENT AND  
TRAINING CENTER  
a County Agency



Camden County

120 Warwick Road,  
Stratford, N.J. 08084

RICHARD E. DODSON  
Director

CAMDEN COUNTY  
JUVENILE RESOURCE CENTER  
100 Madison Ave. - Suite 100  
Haddonfield, N. J. 08033

June 6, 1979

Together Inc.  
7 State St.  
Glassboro, N.J. 08028

Gentlemen:

I am writing in support of your Proposal to HEW to establish a Juvenile Resource Center in Gloucester County. The Resource Center in Camden County has been in existence for two years. As you know, the results have been excellent. The good results in employment, education, and recidivism are due in large part to the concept of a multi service center. Multi service Resource Centers are often the only major positive alternative for Juveniles in need of help.

I know that you have been working with several agencies to put together a comprehensive program for juveniles. This type of cooperation between agencies to provide better quality service at a lower cost should be encouraged nationwide. I support your efforts whole heartedly. If there is anything that we can do to assist you we would be more than happy to do so.

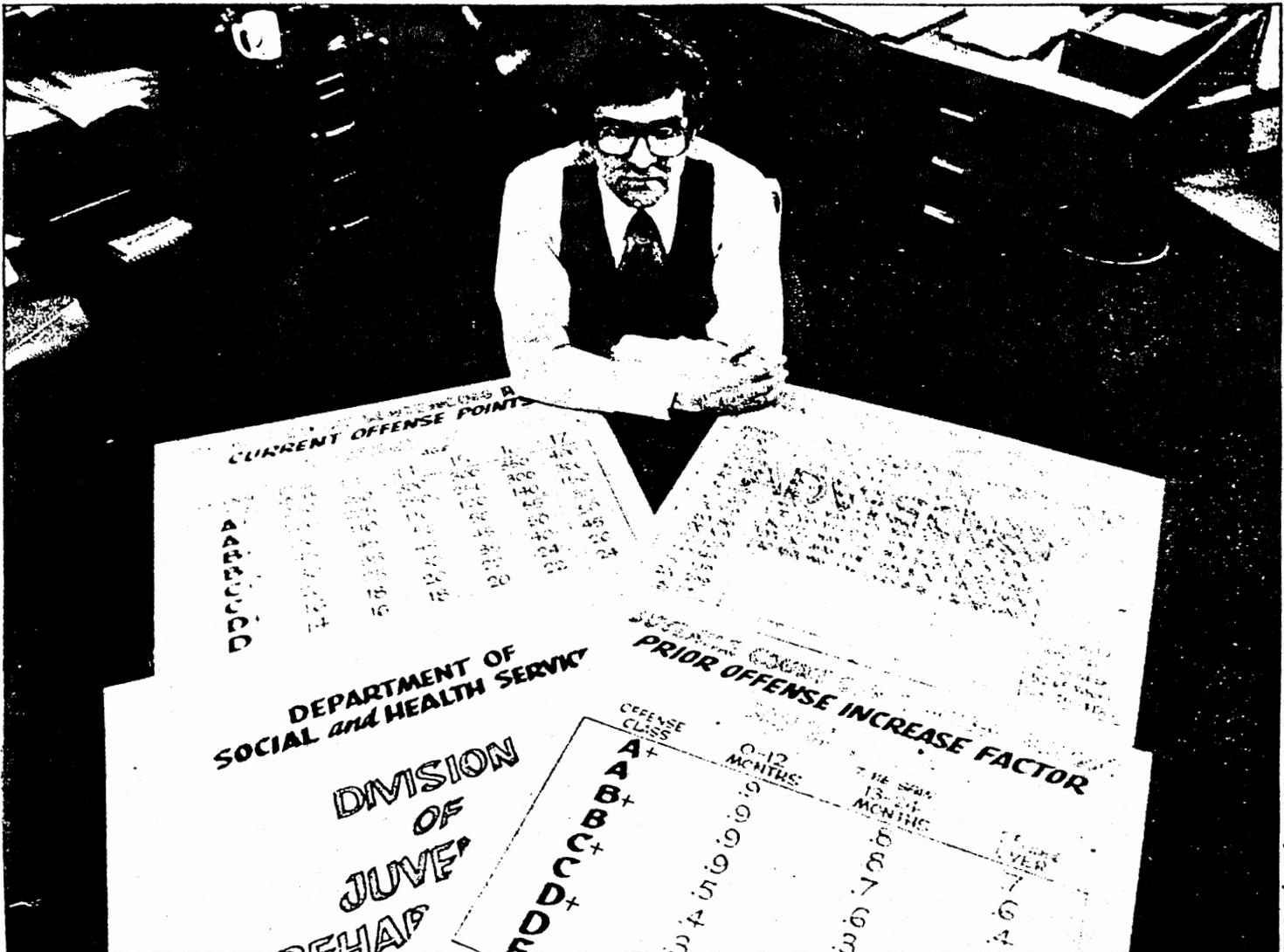
Sincerely,

*Aaron Bocage*

Aaron Bocage  
Director

AB:c

# Police Write a New Law on Juvenile Crime



Photos by Tony O'Brien

Washington institution chief Netherland with charts outlining the sentencing guidelines for juvenile offenders.

by Michael S. Serrill

**A**BOUT ten years ago, when E. E. Knechtel was a lieutenant in the Seattle (Wash.) Police Department, a teenaged boy was arrested by one of his officers for a serious crime. The youngster, recalls Knechtel, "had an extensive record of felony crimes." Nevertheless, a few days later Knechtel learned that the boy's case had been "adjusted" informally by a probation officer in the King County courts and the offender sent home.

Knechtel was furious, and stormed to the office of the King County juvenile court director, who runs proba-

tion and other administrative services for the courts. The police officer remembers that he got into a shouting match with the juvenile court director in which he declared that it must be illegal for an offender with such a heavy record to be released.

The court director, Knechtel says, pulled a book of Washington state statutes off his shelf, opened it and showed the police officer Section 13.04.056, which read: "Whenever any child is brought to their attention, the probation officers in each court may with the consent of the parents or legal guardians make whatever informal adjustment or disposition of the case as is practical without the filing of a petition as provided in RCW 13.04.060 subject

to the review of the juvenile court judge."

Having shown him the law, Knechtel says the court director then "threw me out of his office." Knechtel, now an assistant police chief, was astonished at the law. What it meant was that probation officers had the right to release any child, no matter what he had done. The police and prosecutors could not insist that charges be filed. Though approval of the juvenile court judges was required, they almost always gave their approval to the probation officers' recommendations. As late as 1978, the probation officers were informally adjusting 80 percent of the cases brought against juvenile offenders in Washington.

No one can accuse the assistant chief of being anti-children; he and his wife have taken in 94 foster children over the last 20 years and adopted five of them. But he was determined that the law be changed so that serious and chronic juvenile criminals would be locked up. Last year he finally got his way.

X On July 1, 1978, a new juvenile code took effect in the state of Washington that mandates the commitment to state institutions of all serious juvenile offenders. The passage of the law was a unique compromise between liberal and conservative forces in which almost everyone got what they wanted. For while the law requires that serious offenders go to state institutions, it forbids juvenile court judges from sending "status offenders" — runaways, truants, "incorrigibles" — and minor offenders to institutions, thus satisfying the long-standing demand of "child advocacy" groups that such offenders be diverted into community programs. Assistant Chief Knechtel proudly points out that he, along with lawyers from the King County prosecutor's office, helped to write the part of the law that applies to juvenile offenders. Though the chief is not yet satisfied with the way the statute is being implemented, he agrees with those many observers, including leaders of the American Bar Association, who consider the structure of the new Washington juvenile code to be a model for the nation.

**Juvenile-justice** experts and practitioners from around the country are intensely interested in what is happening in Washington. For that state's new law pulls together all the elements of at least three different "movements" for juvenile-justice reform that have been active during the last ten years.

In the last several years, the most vocal group of reformers has been law-enforcement officials and conservative politicians, who have demanded that the juvenile-justice system be tightened up so that dangerous juvenile offenders are segregated from the community. State legislatures have responded with alacrity, especially in urban states where the problem is most

serious. A dozen states have amended their laws so that juveniles who commit certain crimes can be prosecuted as adults and sentenced to long terms, or so that some minimum period of incarceration is mandatory. In New York, children as young as 13 accused of murder can now be sent to the adult courts and sentenced to terms as long as life. In California, the age at which juvenile offenders can be tried as adults has been lowered to 16. In other states, maximum terms for juvenile offenders prosecuted in juvenile courts have been extended.

But the movement to treat juvenile offenders more harshly has been countered by an equally strong, though quieter effort to divert status offenders and minor offenders out of institutions. In numerical terms, this movement has outweighed that of the conservatives. The number of juvenile offenders held in state correctional institutions has declined over the last 15 years from a high of about 43,000 to the current total of about 26,000.

A third reform movement has been underway in the organized legal community. This movement culminated last February when the House of Delegates of the American Bar Association approved 17 volumes of "standards" for the juvenile-justice system. The emphasis of the standards, which are likely to be used in future years as models when state legislatures reconsider their juvenile codes, is on providing juveniles with the same "due process" rights that adults are entitled to. They recommend public jury trials — now rarely held in juvenile courts — and a raft of other court reforms. And they recommend that juveniles receive "determinate" sentences — that is, flat sentences without possibility of parole — rather than the totally indeterminate terms that most offenders, juvenile and adult, now receive.

Though it was passed in June 1977, long before the ABA adopted its standards, the Washington law adheres closely to many of them. It is, for instance, the first application of the determinate sentencing idea to juvenile offenders (five states have passed determinate sentencing laws for their adult offenders). All juveniles con-

victed of crimes are subject to an elaborate point system. Each gets a certain number of points according to his age, his prior criminal record and the severity of his crime.

Juvenile offenders are divided into three categories: minor, middle and serious. Minor offenders who accumulate less than 110 points will seldom go to institutions; serious offenders with more than 110 points will almost always go. A judge can diverge from the standards established by the guidelines, but only if he declares that it would be a "manifest injustice" to send or not send a child away. Any sentence based on a "manifest injustice" can be appealed to higher courts. With "middle" offenders — those convicted of property crimes like burglary and car theft — the judge has more leeway, but the authors of the law assume that the judges will usually feel obligated to follow the "presumptive" sentence established by the point system.

Those minor and middle offenders not institutionalized are subject to other, lesser penalties: fines of up to \$100, restitution to their victims, or periods of up to 150 hours of "community service," which means free work for public and private community agencies. The non-institutional penalties are administered jointly by city and county juvenile court directors and community "conference boards," manned by citizen volunteers.

The determinate-sentencing system applies to all offenders. Those who do not go to institutions receive a predetermined schedule of fines and community service hours according to their crimes and prior records. Those who go to institutions receive specific sentences according to a similar schedule. Institution officials, who used to be totally responsible for deciding release dates, still have some discretion. But they can now adjust sentences up or down, based on institutional performance, by no more than ten percent of a youngster's flat sentence.

Juvenile offenders, even those convicted of such crimes as murder, rape and armed robbery, used to remain in institutions for less than a year. Now they are being sentenced to flat terms



Secure unit at the Green Hill School for delinquents in Washington. Under new juvenile code, those convicted of certain violent crimes must spend at least 90 days in a secure setting.

as long as three and four years. Nevertheless, because of the diversion of so many minor offenders to non-institutional programs, the population of Washington's seven juvenile institutions has declined drastically, from a high of as many as 1,500 youngsters a few years ago, to as few as 650. And the character of the juvenile inmates is changing; most of those now committed were convicted of very serious crimes.

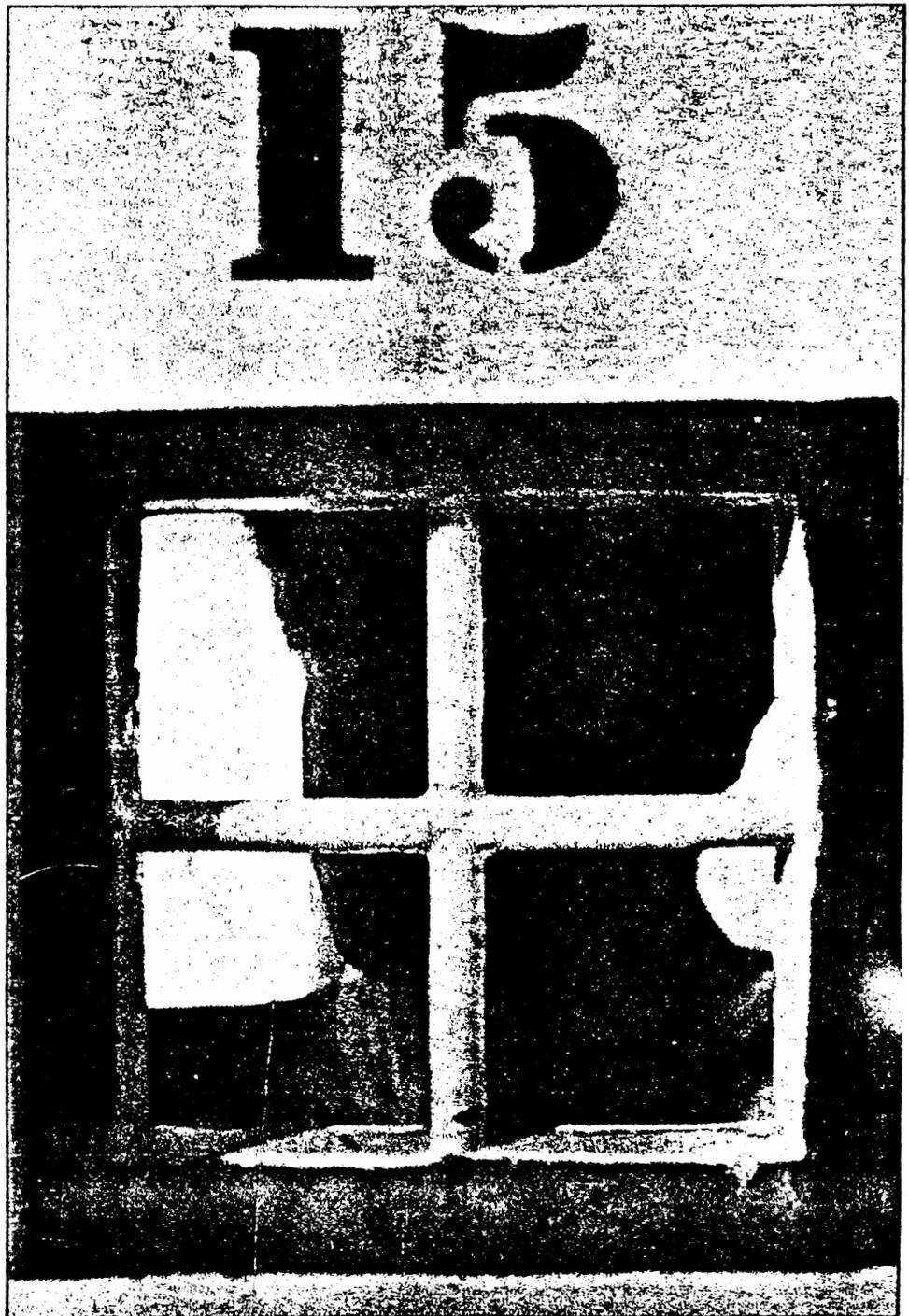
**Unlike most** criminal-justice legislation, the Washington juvenile code was not introduced or adopted as a result of any scandal. Though the state has a significant juvenile-crime problem, there had been no sensational incidents to provoke public wrath. In fact, the passage of the bill was almost a fluke. Various individual legislators and outside interest groups had been quietly trying for years to amend the juvenile code, but legislative leaders did not show much interest. Changing the law regarding status offenders, especially runaways, had been the pet project of a well-loved state senator named Frank Woody. During the 1977 session, Woody died of cancer. As a tribute to him, his senate colleagues decided to make a concerted effort to get his bill passed. Leaders of the state House of Representatives agreed to cooperate if the senators would combine Woody's legislation with their own bill rewriting the laws regarding "dependent" children and juvenile offenders. The deal was struck and the legislation, House Bill 371, passed with little opposition.

The new Washington juvenile code is as close as any state has come to a "bill of rights" for children. Children are no longer the chattels of their parents. If they run away from home and are picked up by police, they can refuse to go back home. When the new structure is fully in place, those who refuse to go home will be taken to non-secure "crisis residential centers," where they can stay up to 72 hours while counselors carry on negotiations between the parents and children to resolve the family problem that caused the child to leave home. If the problem is not resolved within 72 hours, the case will be taken to court. But the judge cannot order the child to go

home if the child doesn't want to, as he could before the new law was passed, and as judges in other states still can. If the child refuses to cooperate, he cannot be declared "ungovernable" and sent to an institution. Parents, judges, probation counselors and community workers can now recommend counseling or therapy for both delinquent and non-delinquent youths, but the youngsters have the right to refuse it. Those who are delinquent enough to be sent to institutions also have the right to refuse counseling and therapy; they cannot be punished for not cooperating and, since their terms are established beforehand, they cannot be denied release.

The notion among "child advocacy" groups that the legal system ought to accord children some specific rights was the original impetus for the new juvenile code. One of these groups was the Washington Council on Crime and Delinquency. While the Council is pleased with the new law, said Director Ira Schwartz, he does not think it goes quite far enough. "It should have included an emancipation act," he said, "so that some of these people who are responsible enough to make it on their own ought to be legally able to do that." Under the new law, any child under 18 still must have a legal guardian. Another problem, Schwartz said, is that the rest of the legal and social system is now out of tune with the new law. "The schools and employment systems still treat kids as cripples," he said. "The mandatory school laws under this kind of model probably ought to be abolished. The child labor laws probably ought to be abolished and some rethinking done of how kids ought to learn about and have access to career employment opportunities."

The theoretical underpinnings of the Washington law are that if children have certain rights and are to be treated as thinking, willful beings, they should also be held "accountable" when they commit crimes. Accountability was the slogan adopted by the King County prosecutor's office and the Seattle Police Department when they were lobbying for the law. Like their counterparts in most major cities, the police and prosecutors in Seattle



had long been angry at the fact that the seriousness of a teenager's crime and the length of his criminal record seemed to have nothing to do with the disposition of his case. Assistant Chief Knechtel, who spent more than 20 years in the department's juvenile bureau, can tell endless "horror stories" about juveniles who committed crime after crime with seeming impunity.

"We had a kid who had been arrested 64 times," Knechtel recalls, "35 of them for felonies. And he had never done time in an institution." Knechtel says that 30 years ago juveniles comprised 20 to 25 percent of those arrested for burglary and 33 percent of those arrested for car theft. By 1977, he said, the figures had risen to 63 and 82 percent. At least some of this

change, said Knechtel, "has got to be due to the fact that we didn't do anything about it."

**All of the different** strands of the movement to reform the juvenile justice system converge at one point: the juvenile court. Those who want fewer juveniles locked up, those who want more locked up, and those who want the procedures by which juveniles are prosecuted reformed agree on one point: that the source of all the evils of the existing system is the tremendously broad discretion of juvenile courts.

The juvenile court was itself a "movement" at the turn of the century. This movement's principal tenets were that there was never any justification for treating troubled children like their adult counterparts, that they bore little or no responsibility for their acts, and that the state's obligation was to do whatever was necessary to resolve the social or family problems that brought them to court. The movement was successful; every state established juvenile courts (also known as "family" or "domestic-relations" courts.) The courts' mandate in almost every state was to look at each individual case and take whatever action was in the "best interest" of the child.

The juvenile court judges are conservative in the strictest sense of that term: They want to conserve the absolute discretion they have always had over the disposition of every single juvenile offender who comes before them.

Efforts by various state legislatures to amend their juvenile laws have again and again been defeated by politically powerful state judges' associations. But in Washington the judges were defeated, though they and their allies and employees, the probation officers, fought hard against the new law. Today, the judges and probation officers have much less discretion over the disposition of cases, and they are bitter about it.

Their informal spokesman, Judge David Soukop of the King County Superior Court, denounces the new law as the product of a "sixth-grade civics class." The idea behind the determinate sentencing part of the law —

that offenders who have committed similar crimes and have similar backgrounds should get similar sentences — is "absurd," Soukop says, because it does not permit judges and other officials to take into consideration the individual's background or the specifics of the crime committed. "This bill says that anybody who commits second-degree burglary should be treated the same, regardless of the reason they did it, regardless of the actual acts that were accomplished in it," says the judge. "Everybody's going to be treated equally, regardless of how unequal their circumstances are. That's not fairness. The most unequal treatment obviously is identical treatment of unequal situations."

But the police, prosecutors and other supporters of the new juvenile code say that the judges brought on their own downfall. The courts, says Jay Reich, head of the juvenile division of the King County prosecutor's office, were so busy trying to act as social-service agencies that they forgot that their first mandate was to uphold the law and protect the community. "For example," says Reich, "by court rule, if you charged a child with five offenses and he admitted to any one of them, the rest were immediately dismissed or adjusted." The reason, Reich says, was that the only goal of the court was to gain jurisdiction over the child so that he could be provided with social services.

The idea that children should be punished for their crimes was anathema, says Reich. Once, he suggested in court that a juvenile offender needed to be punished. "I personally was reprimanded in court by a senior judge," he recalls, "who said that we do not use that word in court, and that I could be reported to the bar."

Reich said that one of most "bizarre" examples of how the courts functioned happened last year. "We had back-to-back cases last November before the same judge. [The first case] was a young gal who had been convicted of prostitution at age 14 and had tremendous dependency problems. She was committed to the state institution. . . . The next case before that judge was of a 16- or 17-year-old male who had been

convicted at trial of rape in the first degree. He was given four weekends in detention, because he was amenable to the social services available in the community. . . . There was no sense of proportionality or predictability. I don't know what the message given to kids was about committing crimes."

State institutions were considered to be the absolute last resort. A study done before the passage of the new law revealed that teenagers were convicted of an average of 7.5 felonies before they were committed to institutions. Under the new law, that number has been reduced to 3.5.

The sense that the state's only obligation was to deal with the social and psychological problems of delinquents extended into every part of the system. Even when juveniles were sent to state institutions, conventional notions of justice and fairness were stood on their heads. Warren Netherland, director of the Washington Bureau of Juvenile Rehabilitation, which runs the state's seven training schools, says that a study done in the early 1970s showed that "the group of kids that stayed the shortest time in the institutions were the armed robbers and murderers — seven and a half months on the average — and the group that stayed the longest were the 'incurables' — 15 months." The reason for this, Netherland explained, was that the serious offenders were much more likely to have homes to return to than the status offenders, and this was the sole criterion used by institutional caseworkers who decided release dates. Also, he said, the status offenders and minor offenders were always much more disruptive in the institutions than the serious offenders, and they were punished for their misbehavior with longer terms.

Netherland strongly favors the new law. He is glad to be rid of the status and minor offenders, whom he never thought belonged in state institutions. Their removal from the institutions has lessened the admission rate by 50 percent. Netherland expects the population to rise from the current 650 to about 1,000, as the institutions fill up with serious offenders serving longer terms.

The new law gives the state De-

partment of Social and Health Services authority to establish the guidelines, subject to legislative approval. Under the current guidelines, drawn up by Netherland, chronic burglars and other property offenders are now being sentenced to terms of from eight to 12 months, depending on their age and prior record, while those convicted of violent offenses are receiving terms ranging from 20 to 40 months.

Many critics of institutions would be appalled at the length of these terms, which are three and four times the average time served by delinquents in many other states. Netherland defends the sentences on the grounds that "too many times in the past social-worker types [he is himself a social worker] have not been responsive to the needs of the community, to the dangerousness of the kids' behavior." He also points out that since the new juvenile

code was passed, the number of juveniles transferred to adult courts and sentenced to adult prisons has substantially declined — and adult prison is a fate much worse than Netherland's small, mostly open facilities.

Though the institution chief is convinced that most of his wards leave the institutions "feeling better about themselves" than when they went in, he is not convinced that the stiffer sentences or any of the other programs established by the new law will have any effect on crime rates or recidivism. "As near as I can tell," he said, "there is nothing that any part of the criminal justice system does that affects crime rates. The thing we [in the juvenile system] have going for us more than anything else is maturity." Many delinquents simply stop committing crimes once they reach a certain age, he pointed out, so "a lot of credit we

take for programs would probably happen if we did nothing."

This kind of disillusionment with traditional rehabilitation programs was one of the inspirations for Washington's new approach to juvenile crime. One can look high and low in Washington (and most other states) and not find many people who think they know a method of rehabilitating criminals, juvenile or adult. The advantage of the new system, says Rep. Mary Kay Becker, one of its principal backers in the legislature, is not that it will reduce crime or rehabilitate more offenders, but that it is more fair and more honest. The juveniles that are sent off to institutions should be the first to know, she added, that "we are not sending [them there] to do them any good. We're sending them there because their behavior has demonstrated that they are a menace to society." □



Youngsters at the Green Hill School for delinquents in Washington State.

# township of Willingboro

August 7, 1979

The Honorable William E. Flynn  
Assemblyman - District 12  
550 Route 9  
P. O. Box 515  
Old Bridge, New Jersey 08857

Dear Assemblyman Flynn:

It is my understanding that you are currently chairing the Assembly Judiciary Sub-Committee on Juvenile Justice; and, as a committee, are investigating the issues of school violence, vandalism and parental responsibility within the Juvenile Justice System of New Jersey.

As Mayor of Willingboro Township, I am formally requesting that you and the Sub-Committee consider having public hearings within Burlington County this fall.

Recent articles, both locally and nationally, have highlighted the degree of frustration felt within communities concerning the absence of coordinated legal controls on juvenile violence and vandalism. I'm sure that you are aware of relatively recent State Supreme Court decisions in New Jersey denying the validity of local ordinances requiring parental responsibility.

The Township of Willingboro has continually been concerned about both the degree of the problem within the community and the region, as well as the absence of effective and appropriate constitutional controls that can protect both the individual and the community.

We strongly urge the Sub-Committee to consider having hearings within Burlington County and can offer the use of the Township Municipal Building and/or coordinate the use of a larger facility within one of our Township high schools should you respond favorably to the suggestion.

Thank you for your continued cooperation.

Sincerely,



Paul Krane  
Mayor

lpk

26 x

an equal opportunity employer

municipal complex

saalem road

willingboro, new jersey 08046

(609) 877-2200

# Harrison Township Police

110 South Main Street  
Mullica Hill, New Jersey 08062

Clarence M. Wingate  
Chief of Police



August 5, 1979

Mr. Martin Herman  
Assemblyman, District 3  
59 North Broad Street  
Woodbury, New Jersey 08096

Re: Juvenile Hearing By Judiciary Sub-Committee

Dear Assemblyman Herman:

Thank you for your letter of July 30, in which you invite me to offer testimony at a public hearing on juvenile problems. Unfortunately, I will not be able to attend this hearing because of prior vacation plans.

I would like to offer the following comments for your consideration.

The Courts should reconsider the parental responsibility statute which was ruled unconstitutional.

Also, there should be a Bill introduced for mandatory restitution. Especially in cases where there is malicious damage or vandalism.

In many cases, a juvenile first offender is referred to a juvenile conference or an inter-departmental arrest, which basically means the juvenile doesn't get any punishment and the victim suffers the loss.

Thanks again for the invitation. If I may be of any assistance, please feel free to call.

Respectfully,

A handwritten signature in cursive script that reads "Clarence M. Wingate".

Clarence M. Wingate  
Chief of Police

CMW/ccm

August 9, 1979

Dear Marty,

Because of a previous commitment to our local Board of Education on Monday, I will be unable to attend your hearing on juvenile justice--a misnomer if ever there was one. I request that this letter be read into the record.

Having been a victim of juvenile crime, I resent the way things are handled today. In addition, I was one of the demonstrators at the Court House several years ago, I'm still angry.

It is inconceivable to me that the public in general and victims in particular have so much trouble finding out just where a juvenile is to be tried or sentenced. Indeed, the so-called "sentence" is an insult to all victims of either robbery or any violent crimes. Where, oh where, are the rights of victims?

In my view, these young things should have their names and pictures spread all over the papers. It may enhance them in the eyes of their fellow punks but I for one would like to know who to be afraid of. I also object strenuously to the habit of letting first offenders off. There should be no "freebies" in juvenile crime, or in any other.

Also in my opinion there should be some form of restitution either to the victim or to society. Why can't lieu be put on a juvenile's future earnings or his parents? Or why can't these young things be made to do some of the dirty work of their towns and county--collect garbage, clean streets, etc.? De-romanticize crime.

I believe that the concept of rehabilitation in jail has had a fair trial over many years and has failed. It's even almost impossible and very expensive to permanently expel a violent student from school.

These are just a few of my gripes. I urge you to give these major ones your earnest consideration.

Yours truly,  
Anna Lou Ennis  
210 Chatham Road  
Whitman Square  
Turnersville, NJ 08012



