

# Public Hearing

NJ  
10  
597  
1992 a  
V.1

before

## ASSEMBLY TASK FORCE ON AUTO THEFT

"Discussion of the increasing problem of automobile theft in this State, and possible remedies"

**LOCATION:** Essex County  
Hall of Records  
Newark, New Jersey

**DATE:** December 15, 1992  
1:15 p.m.

### MEMBERS OF TASK FORCE PRESENT:

Assemblyman Monroe Jay Lustbader, Co-Chairman  
Assemblyman Willie B. Brown, Co-Chairman  
Assemblyman Robert L. Brown  
Assemblywoman Marion Crecco  
Assemblyman Paul DiGaetano  
Assemblyman Harry A. McEnroe

### ALSO PRESENT:

Miriam Bavati  
Office of Legislative Services  
Aide, Assembly Task Force on Auto Theft



New Jersey State Library

***Hearing Recorded and Transcribed by***

The Office of Legislative Services, Public Information Office,  
Hearing Unit, 162 W. State St., CN 068, Trenton, New Jersey 08625-0068





MONROE JAY LUSTBADER  
Chairman  
WILLIE B. BROWN  
ROBERT L. BROWN  
MARION CRECCO  
PAUL DiGAETANO  
HARRY A. McENROE

**New Jersey State Legislature**  
ASSEMBLY TASK FORCE  
ON AUTO THEFT  
LEGISLATIVE OFFICE BUILDING, CN-068  
TRENTON, NEW JERSEY 08625-0068  
(609) 292-5526

## NOTICE OF PUBLIC HEARINGS

TO: MEMBERS OF THE ASSEMBLY TASK FORCE  
ON AUTO THEFT

FROM: ASSEMBLYMAN MONROE JAY LUSTBADER, CHAIRMAN

SUBJECT: **PUBLIC HEARINGS - December 15, 1992 and January 6, 1993**

The Assembly Task Force on Auto Theft will hold two public hearings:

- **Tuesday, December 15, 1992 at 1:00 P.M. in the Essex County Hall of Records (County Building), Newark, New Jersey.**

and

- **Wednesday, January 6, 1993 at 3:00 P.M. in the Bloomfield Council Chambers, Bloomfield Town Hall, Bloomfield, New Jersey.**

The topic of discussion is the increasing problem of automobile theft in this State, and possible remedies.

*The public may address comments and questions to Miriam Bavati, Judiciary Section, Office of Legislative Services, (609) 292-5526. Those persons presenting written testimony should provide 15 copies to the committee on the day of the hearing.*

Issued 12/10/92



## TABLE OF CONTENTS

	<u>Page</u>
Clynthia Trueitt Director Contemporary Needs Program East Orange YMCA	2
Thomas J. D'Alessio County Executive Essex County, New Jersey	10
Patricia Williams Drug Elimination Coordinator Father Rasi Homes Housing Authority of the City of Orange, New Jersey	19
Ronald H. Manzella Acting Director Division of Youth Services Department of Citizen Services Essex County, New Jersey	21
Alan Zalkind Director Department of Citizen Services Essex County, New Jersey	22
Bernice J. Davis Superintendent of Schools City of Orange Township, New Jersey	34
John A. Clarke, Jr. Trial Court Administrator Essex County, New Jersey	40
Ty Hodanish Executive Director Juvenile Delinquency Commission	56
Carmen Restaino Administrative Assistant to the Superintendent of Schools East Orange, New Jersey	63



# TABLE OF CONTENTS (continued)

	<u>Page</u>
Dr. Gerard Lee Supervisor of Guidance and Coordinator of At-Risk Programs East Orange School District	63
David Weiner President Communications Workers of America Local No. 1081, and Family Service Worker Essex County Division of Welfare	64
hmw: 1-56 mjz: 57-72	

\* \* \* \* \*





**ASSEMBLYMAN MONROE JAY LUSTBADER (Co-Chairman):**

Ladies and gentlemen, we're going to start this hearing. I'm waiting for Co-Chairman, Assemblyman Willie Brown. I'm sure he'll be here any minute. I would like to get started because we have quite a few witnesses, and I think it's only fair to those assembled that we do start.

I'd like to read a preliminary statement first: I think it's important that I thank my colleagues for volunteering their efforts to serve on this Task Force. They bring to the job a broad perspective from which to view this problem, and a determination that crosses geographic and political party lines. This is a bipartisan Task Force under AR-1, passed by the Assembly.

As you know, New Jersey has one of the most serious car theft problems in the United States. New Jersey has six of the top ten cities in America for car theft. In fact, according to the State Police Uniform Crime Report, there were 72,626 cars stolen in New Jersey last year, nearly one-third of which were stolen in Essex County. A few other New Jersey counties have become hotbeds of rampant auto theft and consequential injuries.

For those who are interested I might add, that there are, on a credible list of auto theft Meccas, New Jersey, unfortunately, has six cities. Newark is number one in the country, Irvington is three, Camden is sixth, East Orange is seventh, Elizabeth is ninth, and Trenton is twelfth on that list. So we have a lot of work, and I think we certainly have an obligation to move on this.

Motor vehicle theft accounted for 17 percent of the total crime index, and 19 percent of the nonviolent crime. Ninety-one percent of all vehicles stolen in this State are cars, which means it's a crime that hits the average person the hardest. Car theft accounts for 65 percent of the total value of property stolen in New Jersey.

If the cost is high in terms of money -- roughly \$300 million in 1991 -- it is even higher in terms of the strain it places on society. Car theft is increasingly a juvenile crime, and children of poor families are more at risk than anyone else. Sixty percent of the 3500 people arrested in 1991 for car theft were juveniles, and most of them came from the poorest areas of the State. The quick money and relatively low odds of apprehension and punishment are luring too many people into this criminal activity.

The mission of this Task Force is to get a better understanding of automobile theft and carjacking, and propose answers to the problem; where we are enlisting the help of law enforcement experts, community leaders, and public officials across the State in our search for meaningful and pragmatic answers. The increasing level of violence involved in auto theft makes it imperative that we view this as a serious crime against the person, rather than a crime against property. It is too late in the day to yield to solutions offered by apologists. We must take decisive action.

Now I'd like to introduce my colleagues, who are very valuable to this Task Force, and who will undoubtedly contribute a lot toward solutions. On the left I have Assemblyman Paul DiGaetano; further to the left will be Assemblywoman Marion Crecco; to my right is Assemblyman Harry McEnroe. And I believe that Co-Chairman, Willie Brown, will be here any minute.

So with that, I think I'll call the first witness. Clynthia Trueitt? Good afternoon, Ms. Trueitt.

**C L Y N T H I A T R U E I T T:** Good afternoon. Thank you for the opportunity to be able to speak to the Assembly, and especially to Assemblyman Brown, who gave me the invitation.

I'm going to read a prepared statement.

**ASSEMBLYMAN LUSTBADER:** Before you begin your statement, would you give your name, address, and affiliation, please.

MS. TRUEITT: Sure. My name is Clynthia Trueitt, and I'm with the East Orange YMCA, which is located in East Orange at 100 North Arlington Avenue. I am the Contemporary Needs Program Director for that branch.

ASSEMBLYMAN LUSTBADER: Go right ahead.

MS. TRUEITT: The dilemmas that are facing our youth, especially our urban youth, are myriad and complex. Simple solutions are not sufficient or efficient, and as we can all attest to, neither are they effective. We need deeper commitment and a more collaborative effort to address the problems that involve our youth.

When a young person gets into trouble, it's the result of many factors. A publication from the Education and Human Services Consortium regarding structuring partnerships to connect children and families with comprehensive services states: "A wide array of prevention, treatment, and support services is the first essential element of high-quality comprehensive service delivery. Services should be sufficient in kind and number to meet the multiple needs of children, youth and families, and to respond to the overlapping risk factors that lead to school failure, teen pregnancy, unemployment, and other negative outcomes."

Incarceration, teen pregnancies, gang memberships, indiscriminate violence such as carjackings, have become badges of honor for our youth. Penalties do not deter these actions. They simply put another notch in the belt. The brotherhood, acceptance, and leadership of our youth is in the streets. We are not **except** to arrest them, chastise them; not to understand their need to be recognized, cared for and listened to.

Last year at a retreat for inner-city youth, a 13-year-old young man spoke out vehemently regarding the turmoil of his daily life. He stated, "You don't live where I live. You don't hear the gunshots I hear every day. I don't

know if I will get hit by a stray bullet. I don't know how long I will live, therefore, I live for today, and I cannot tell you that I won't carry a gun."

We cannot simply ask our youth to just say, "No." It is not enough. Without providing them with viable avenues to achieve their wants and desires, we close the cell door, we throw dirt on their coffins. Summer employment, entrepreneurial avenues, college preparedness, school based community service programs, alternative education and empowerment programs are vehicles that we need to embrace with all of our resources. Schools, community organizations, and collaborations that assist in teaching youth self-esteem, values, and skill building must be supported to prepare our future work force, our future government representatives, teachers, and so on.

We must teach them by example, not by rhetoric. We must help them to evolve into whole human beings. We must believe in them, and give them reason to believe in us. We must develop innovative, dynamic, and challenging programs to deliver our youth from the streets. False promises, desolate jail cells, and empty futures, are not only the downfall of the child, but of the community, the nation, and the world.

Right now we're in Somalia, aiding hungry children and families without hope. We have children here suffering from hunger also, a hunger that we can provide for.

The YMCA embraces the concept of healthy mind, body, and spirit. We must look at ways to assist the growth and stability of the whole child.

I wholeheartedly support the bill to create the Summer Youth and Employment Responsibility Program and any other initiatives that show our youth that we value them and that we won't leave them stranded in these very treacherous times.

I further advocate that you look at the programs that are currently working. Sometimes, we would rather reinvent the wheel than look around us for solutions that have great

returns. Also, the need for adequate child care, health insurance, and housing are paramount in bettering the quality of life for our youth and their families. We must work together. I cannot stress that enough.

One organization cannot do it alone. Schools, government, parents cannot do it alone. Together we represent a power and influence that can provide a base for greater comprehensive services.

I would like to end with a quote from Bill Bradley's speech given to the United States Senate on race and American cities. He says, "Again, what is needed is not so much charismatic leadership, but day-to-day leadership, truthful leadership, dedicated to real and lasting change, leadership that has the power within the community by virtue of the community knowing the life of the spokesperson. That is leadership that can get things done, and in the end, for change to come, decisions have to be made, work has to get done, and some group of individuals has to accept collective responsibility for making change happen.

**ASSEMBLYMAN LUSTBADER:** Ms. Trueitt, thank you for your testimony. If you would just wait at the table for a minute. I just want to introduce my Co-Chairman, Assemblyman Willie Brown, who has an opening statement, and then maybe there will be some questions for you.

**MS. TRUEITT:** Sure.

**ASSEMBLYMAN WILLIE B. BROWN (Co-Chairman):** I think we'll finish any questions that we have. We'll finish up asking her questions, then I'll make my comments.

**ASSEMBLYMAN LUSTBADER:** All right. Okay, fine.

Does the panel have any questions for Ms. Trueitt?

**ASSEMBLYWOMAN CRECCO:** Through you, Mr. Chairman. I just want to ask one question. You said that we should look at some of the programs that are now working. What are some of these programs? You don't state what they are.

MS. TRUEITT: Some of the programs-- Now, I'm going to say that I'm recently from Washington. I came in on October 19 to East Orange, and one of the things that I was surprised at, that in Washington seems to be working very well, is that a lot of the schools, and in Maryland, have a requirement for community service before kids are allowed to graduate. What we find is that when kids are allowed to go and do things within their community, they have a buy in to what happens there. And it also prepares them to go on and to look at their future and where they want to place themselves. Community-based programs are one, in terms of kids knowing how to volunteer, how to work inside of their community.

Drug prevention programs that are targeted for smaller kids in elementary school must have a component that goes on and catches those same kids in junior high school. What we seem to find is that there are a lot of programs for kids in elementary school, and then you'll have programs for college preparedness in high school. We seem to skip the junior high school kids, which seem to be the major ones that are getting in trouble -- 14-, 15-year-olds -- and also with the pregnancies. So really, to adapting some of the programs for them.

Leadership clubs, the opportunity for kids to know what it means to go into business. I've seen entrepreneurial clubs work, where kids are actually able to start their own businesses. Any kind of leadership program--

I know the YMCA just, as an organization by itself, has a myriad of programs coming out of our national office, and just here in East Orange, we've got six or seven that we're working on, along with Safe Haven, which just came down. We're going to be working with the police department and other organizations to provide programming for kids up until midnight, every night, so that there is something that they can do and enjoy themselves. Also within that program, there will

be job training, because not everybody is going to college. Job training for those who want to go to college, how to get there, how to find the funding for it. There will be arts and crafts. There will be a theatre of performing arts, all kinds of programs in the Safe Haven, along with, again, the Police Department of East Orange they will be working with.

ASSEMBLYMAN W. BROWN: Ms. Trueitt, I would also like to suggest that-- Let me just explain to you the function of this Committee. We're the Task Force that will be reviewing various kinds of legislation that will be enacted into law that addresses this issue. So if you could probably just give us some--

MS. TRUEITT: Compile a list of programs?

ASSEMBLYMAN W. BROWN: Right. Just outline a--

MS. TRUEITT: I can do that.

ASSEMBLYMAN W. BROWN: You know, direct us in the way you think may be helpful to us as far as legislation goes.

MS. TRUEITT: Okay.

ASSEMBLYMAN W. BROWN: I'd just like to make that suggestion. We would appreciate it if you could get that to us as soon as possible.

MS. TRUEITT: I sure will.

ASSEMBLYMAN W. BROWN: And get it to the Committee.

Let me just say-- I really wasn't late. I was in the building, making sure when I got up here, properly, and my Co-Chairman, we had a freshman-- We normally don't start the meeting until the person who convened the meeting gets here, but we'll get to that as time goes on.

I want to just open up with my initial statement, and then I ask the County Executive -- he has a tight schedule, and he also would like to make some comments. And then we'll go back to the regular meeting.

Let me just tell you why we're here. I'm not sure; did you do all that earlier?

ASSEMBLYMAN LUSTBADER: Yes, we did.

ASSEMBLYMAN W. BROWN: Normally, my colleague, we don't always have the same views, so I want to make sure my position is clear, so in case--

ASSEMBLYMAN LUSTBADER: We have on this issue.

ASSEMBLYMAN W. BROWN: This is a bipartisan Task Force, so that means there are times it may deviate a little bit from the philosophical approach. But I would like to first begin by thanking all of you for attending this public hearing on auto theft. This is the second hearing that we have held, and there will be others before our task is completed, so those of you who may think of new ideas or whatever, you can leave and then try to attend some of the other Task Force meetings that we will have.

The problem of car theft in New Jersey has been around for some time. However, it was not until recently that the violence and brashness of those who steal cars mobilized public opinion on the issue. The tragic murder of Piscataway's Gail Shollar during a carjacking, as well as the deaths of several people, innocent bystanders, caused by joyriders here in Newark, are the memories we must all bear as we attempt to control this crisis.

It is a crisis, especially among our young people. Juvenile arrests for auto theft have increased by 10 percent since 1991. In the Task Force's first hearing, great emphasis was placed on enforcement issues; how tough can we make the penalties on car thieves? This information is important, but I hope that this hearing will move us to the next phase: After the arrest, what do we do? There are long-range answers and short-range answers to this question.

In the long-term we have to deal with society's factors that contribute to juvenile delinquency. Auto theft is a fad, and when it goes out of style, juvenile delinquency will find a new outlet. The question is: How can we change the



agenda of these young people to something more constructive than hanging out in the middle of the streets at all hours of the night?

Government can no longer afford to ignore the social forces that impact upon our young people. Unless we create opportunities for hope, kids will remain on the streets through all hours of the night in spite of curfews.

In the short-term, there are also several issues to consider. Given the State's prison overcrowding situation, where do we put all the people we want to arrest for auto theft? How can juvenile delinquents best be reformed toward productive lives.

I hope that this hearing will address some of these issues, and I hope that some of you can just give some input into those areas, because it's one thing to have the law enforcement, which I think there is a lot of support for that area, but I think it's significant that we have the long-range plan and talk about a solution to the problem. We need to look at preventive measures on how they got there and why they got there. Once we arrest those car people, there are going to be additional people that also will generate, as we fill up the prisons, unless we get to the root of the problem.

Hopefully, a lot of your testimony -- and I think some of Ms. Trueitt's -- are comments that already address some of those issues, and going beyond just the law enforcement concept of lock them up, put them in jail, just the boot camp, curfews. I mean, how long can you do curfews? At one point when they get to a certain age, they're going to be back out anyway.

So unless we instill into their minds that there are other things to do other than car theft and carjacking -- unless we find out why they are doing that, I think we are spinning our wheels.

I just wanted to have opening comments. You said the same thing, is that correct?

ASSEMBLYMAN LUSTBADER: Well, more or less -- more or less, mild bipartisan differentiation.

But in any event, I see the County Executive is here.

ASSEMBLYMAN W. BROWN: I was going to acknowledge the County--

ASSEMBLYMAN LUSTBADER: I'd like to invite him, since he's the landlord here.

ASSEMBLYMAN W. BROWN: Mr. County Executive, would you like--

ASSEMBLYMAN LUSTBADER: Would you like to step forward.

ASSEMBLYMAN W. BROWN: I know you have a tight schedule, and we said we'd get you in and out. We both-- You were invited by both Essex legislators.

**C O U N T Y   E X E C .   T H O M A S   D ' A L E S S I O :**

Let me first of all say good afternoon to our Co-Chairmen, Assemblyman Willie Brown, and the former Essex County Freeholder, Monroe Lustbader, and Assemblyman Harry McEnroe, and Assemblywoman Marion Crecco.

ASSEMBLYMAN LUSTBADER: County Executive, would you do me the favor of explaining to Assemblyman Brown that I am not a freshman. I have been in public office for 12 years. Would you explain that to the--

ASSEMBLYMAN W. BROWN: No. I said a freshman Assemblyman.

COUNTY EXECUTIVE D'ALESSIO: I am not getting drawn into that argument. (laughter) But Monroe Lustbader served here as a Freeholder who was highly regarded as one that fought for county government, fought tough issues, and is a great representative of the public, even though he serves in the other party.

ASSEMBLYMAN W. BROWN: Before you start, you should know the reason I selected the Freeholder place was because I knew that Monroe would be able to find it.

ASSEMBLYMAN LUSTBADER: I'm very comfortable here.

COUNTY EXECUTIVE D'ALESSIO: And also to Assemblyman Paul DiGaetano, and everyone that is here today -- the staff and the members who are going to present testimony.

On behalf of the citizens of Essex County I'd like to welcome all the members of the Assembly Auto Theft Task Force here to Essex County. The fact that you traveled to Essex County to listen and to learn is recognition of the severity of the problem that we in Essex County face today. The fact that we have members from both sides of the political aisle present today is proof of the seriousness which our State government views this present crisis that we all have. As County Executive, I would like you to know that we appreciate your efforts, and we stand ready to support the legislative remedies that you have proposed.

This process began several months ago when Governor James Florio, and our Attorney General, Bob Del Tufo, held the first major auto theft seminar here in the City of Newark. As a result of all of the information that was gathered by the law enforcement experts, the judicial leaders, our educators, our social service professionals, and our churchmen, who attended that session at Saint James A.M.E. Church in Newark, a package of bills was created.

In the time that has passed since that first hearing, we've had more car theft incidents that have claimed the lives of juvenile thieves and innocent bystanders alike. We have seen the problem of simple car theft escalate with the addition of the new crime that we're all aware of; and that's carjacking and the increased use of weapons.

The Uniform Crime Report tells us statistically what every cop in Essex County already knows: Juvenile arrests for auto thefts have increased by more than 10 percent since 1991. Juvenile arrests account for 60 percent of auto theft arrests in New Jersey. Of the 71,000-plus auto thefts in New Jersey in 1991, 56 percent occurred in urban areas such as Newark, Passaic, Paterson, and Elizabeth.

We do see a slight decrease of 1 percent in the total number of auto thefts being reported, but that small decrease does not mean that we have even begun to solve this crisis. We need the assistance that is built into this legislative package. The bills that you have, contain almost all of the Attorney General's recommendations, and if passed and signed into law, will provide vital assistance to the County of Essex.

We specifically support the proposals to upgrade the penalties for eluding the police and joyriding, to establish mandatory sanctions for juveniles, and to require restitution by their parents for the crimes they commit. However, we must point out that while we support these badly needed law enforcement initiatives, the criminal side of this problem is not the only issue that we must address.

While we support items such as mandatory sentencing and increased penalties, we must make certain that these are realistic possibilities and not mere political posturing. Mandatory sentences will mean more prisoners for an already overburdened prison system. The Essex County Youth House is a case in point. For those of you who don't know, the Essex County Youth House holds, maybe, 110 or 115 youths. There have been days when we have had 170. Every time the Legislature passes laws to put people in jail or put youths away, it costs money. And if you live in an urban county, such as Essex, with the demands upon us with our judiciary, it's an impossible task to keep going back to the Board of Freeholders and to the taxpayers of our County to pay for these programs.

The concept of shock incarceration, or the use of boot camps, is a subject of another piece of legislation that you have before you. Yet strict limits are placed on the type of person who could be sent to such a facility. The bill eliminates anyone under the age of 18, and also eliminates anyone who committed a crime before the age of 16. That will eliminate the majority of young people involved in auto theft crimes.

Additionally, whenever we talk about dealing with the crisis in juvenile crime, we must be aware that the issues go deeper than just increased penalties. We must address the societal factors that bring about the lawlessness in our young people today. Without excusing criminal behavior, we must address the root causes, or we will not achieve any permanent or long-range solutions.

Auto theft may just be the current fad in juvenile crime. When the thrill of it wears away or goes out of style, some new criminal activity will only take its place. We must work to put in place some meaningful programs that will address the problems and lack of hope and opportunity of young people, and providing parental training and assistance to families.

We've heard, many times, the Mayor of the City of Newark say that you have parents today, children having children. You have youngsters walking on the streets who have no family. And if you stand on a corner, trouble will find you. And if everyone thinks to steal a car, and to carjack is something that's popular and makes you big in your area, these are what the young people are learning, and we think that's sad.

The legislative package we review today is a vital step in the right direction, we believe. The government of Essex County stands strongly in support of our Assembly members, both Democrat and Republican, who are trying to assist the people of our County to find workable and long-range solutions to the juvenile crisis that we are facing.

And when I speak about juveniles who get in trouble with car thefts or carjackings, we're only talking about a small percentage. We have many youngsters who attend our vocational schools, who attend our college here, and who seek employment and do a great job in the County of Essex. By no means do we mean to insult them, or to say that this is all youngsters. But there are some that you just have to deal with, and you have to take a strong hand with, and we have to

have a program that will identify and try to restructure their lives. I think it's very important, and it's incumbent upon the legislators and the people who are elected by the people of the great County of Essex and the State of New Jersey, to address this problem.

Anything I can do as a County Executive -- and I know that our Board of Freeholders feel the same way, you'll be hearing from them. If we can play any role, or assist you, please feel free to call on us, and count on us.

With that, I thank you.

ASSEMBLYMAN LUSTBADER: Thank you, Mr. Executive.

ASSEMBLYMAN R. BROWN: Thank you, Mr. County Executive. We appreciate your comments. I'm sure that we'll make sure that you're provided some of the resources and avenues to assist the areas that you deal with in the County.

COUNTY EXECUTIVE D'ALESSIO: Let me also say hello to Assemblyman Bob Brown. Now we have two Assemblymen Browns here.

ASSEMBLYMAN LUSTBADER: Mr. Executive, before you leave, let me ask whether any members of the panel have any questions?

ASSEMBLYMAN McENROE: Yes, through our Co-Chairs: Mr. Executive, I appreciate very much your comments relative to this new strong position, really, on these kinds of issues that go right to the heart of social problems in our State. We've heard testimony, even at the first meeting where representatives of the Attorney General in our State came and talked about what we could do from the viewpoint of beefing up the Prosecutor's Office, developing more help through the court system, involving probation, of course, Corrections and everyone. And as you often stress, where does all this money come from?

I would like to comment and hope our Task Force here will appreciate the plight of a board of freeholders and a county executive in a county such as Essex or Hudson, or the

more urbanized counties where most of these difficult circumstances are occurring, and not only support legislation that will address the problem, but that will also send a level of funding, so that we don't have assistant prosecutors paid by the Essex County taxpayers addressing the problem; that we have Deputy Attorney Generals from the State of New Jersey.

In other words, impacting on the State budget rather than limiting it just to Essex, because it is a difficult societal problem, and it creates an even greater problem for yourself as the Executive of the County, and the taxpayers to support these kinds of incentives when they are not accompanied by sufficient State funding and State attention. We like the attention, but we need the funding to provide the additional incarceration, the boot camps, whatever way we establish that would be the procedure, or really, just the basic guidance and direction from the Department of Probation or from Welfare, or whatever it might be assisting families.

I do want to-- I know you've emphasized all along that we need to have attention by the State to the funding aspects of any of these new programs.

COUNTY EXECUTIVE D'ALESSIO: We are presently now in the ground breaking stage, very soon, to build a brand-new youth house. This youth house will hold 190 youths. It will house maybe one or two courts that can be used there, also. But the way that juvenile crime is rising, this youth house will be outdated before we build it.

We can build more prisons, more youth houses, but I think we have to attack the root problem of what it is. If it's the parents, and it's programs, and it's schooling, and education, I think that's the way we have to go. It's better for our society and it's better for the youth.

I don't think we want to be known as a County -- or the State of New Jersey -- that just wants to take people and just put them in jail and warehouse them. I think we have

enough educational opportunities and job opportunities to make their life meaningful.

I think that the schools also should get involved in this program, because once youths leave school or quit school, and stand on a corner, and they're not trained for a position or employment, trouble finds them. Today, to be trained with an education if you're going to have a future, that has to be the prerequisite. I believe that.

ASSEMBLYMAN W. BROWN: Thank you, Mr. County Executive. I'm going to suggest to the members that we just ask direct questions, and you probably can sum up your speech after, so we can kind of -- we really want to hear from the public and the people. You know, if we could just do that.

I need to recognize Assemblyman Brown. I should say Robert -- is it E. or L. Brown? -- from Orange, the 27th District, who just joined us, who is also on the Task Force.

Welcome to the Task Force. Do you have any questions for the County Executive? Or anyone else?

ASSEMBLYMAN R. BROWN: No, other than to just extend greetings to the County Executive, if you will, Mr. Co-Chairman, just to say that I agree with what the County Executive has stated. Obviously, we're not in a position to lock everybody up. There is a large group of people out there, youngsters, who haven't decided which way they're going to go, whether they're going to go the crime route, or the route consistent with the law. We have to do something to help them make that decision. For 12 years in this country, I don't think we've done much for urban America or our young people, and I think we're seeing the fruits of 12 years of neglect. We're going to have to tackle that, as well as the immediate problem in terms of people who are breaking the law, and protecting the public.

ASSEMBLYMAN W. BROWN: Thank you, Mr. County Executive. We have a--



ASSEMBLYMAN LUSTBADER: Just before you leave. One question, Mr. Co-Chairman.

ASSEMBLYMAN W. BROWN: We want to get to the-- This is a public hearing. It's not a--

ASSEMBLYMAN LUSTBADER: I think it's self-evident, is it not, that the county correctional facilities are overcrowded, and that there is no--

COUNTY EXECUTIVE D'ALESSIO: Overcrowded, and they're facilities that are old. They're tired; they need constant repair and attention.

ASSEMBLYMAN LUSTBADER: So aside from the boot camp idea, which the Legislature is talking about, is there anything else that you have been exploring locally?

COUNTY EXECUTIVE D'ALESSIO: I believe that you've got to address that situation of youngsters who leave school. I think that's a big problem.

ASSEMBLYMAN LUSTBADER: I'm talking about the immediate acute problem of apprehending those who are not disposed to listen to more constructive solutions.

COUNTY EXECUTIVE D'ALESSIO: Well, I believe that that is a group of youngsters who, I think, the judiciary and the Prosecutor's Office have to address and take care of that. If there are some youngsters who will not abide by the law and constantly create this crime, then we have to deal with that swift and sure punishment. I agree with that.

ASSEMBLYMAN McENROE: Mr. Executive, I know you have vast experience in law enforcement. Would you say that the individuals, the juveniles, who are arrested for car thefts in general, in your experience, place little emphasis on their education? Is that your opinion?

COUNTY EXECUTIVE D'ALESSIO: Yes. I would say that's been my experience.

ASSEMBLYMAN McENROE: And there have been several proposals, one of which is boot camp, which would require, in

addition to physical training, education during their period of incarceration. Do you support that type of approach?

COUNTY EXECUTIVE D'ALESSIO: I would wholeheartedly support that, because if you have juveniles that are outside and on the street at 3:00, 4:00, and 5:00 in the morning-- I think we all know that come 8:00 or 9:00 in the morning, you're not attending school. They're running wild.

ASSEMBLYMAN McENROE: Thank you.

ASSEMBLYMAN LUSTBADER: Thank you.

COUNTY EXECUTIVE D'ALESSIO: Thank you.

ASSEMBLYMAN R. BROWN: Mr. Chairman, I just have one question of the County Executive before he leaves.

County Executive, the boot camp legislation as visited by the Legislature and been welcomed by many, but as I read the legislation when it came through our Committee, it dealt with individuals between the ages of 18 and 24. Now in my experience, being the Mayor of Orange in Essex County, the fact of the matter is, a large amount of our problems deal with the class of children that are younger than 18. So, many people who think this boot camp legislation may be the panacea, if you will, to a lot of problems, in my opinion, are mislead.

Maybe I could get your experience or opinion--

COUNTY EXECUTIVE D'ALESSIO: Assemblyman Brown, I testified to that earlier. You're absolutely right, that the boot camp does not address the age group of the youngsters that we're having most difficulty with with carjackings, and with car thefts.

You're right, the boot camp is for an older juvenile.

ASSEMBLYMAN R. BROWN: Thank you.

ASSEMBLYMAN W. BROWN: Okay. Thank you, Mr. County Executive.

COUNTY EXECUTIVE D'ALESSIO: Thank you.

ASSEMBLYMAN W. BROWN: I appreciate your comments.

We're trying to get a format-- I don't know if we're going to do a lot of-- I just want to make sure that all of these people are here. Let me just check. I saw Ms. Barrett, and Ms. Patricia Williams. Is she here also? (affirmative response) Okay you were here first. Why don't we hear from you, and we'll try to make sure we don't have all the males speak before the women. I want to rotate.

And then after that we should hear from-- Is Mr. Manzella here, from the Youth House? (affirmative response) Okay, you'll be next.

**P A T R I C I A W I L L I A M S:** Good afternoon. I want to thank you all for having me here. It was kind of a coincidence that I had just wrote a report to my employer, the Housing Authority of Orange. In it I was suggesting that there was a need for a program that would act as a vehicle to get our citizens from point "A" to point "Z", whatever that might be for their lives.

This program would be -- as in my way of seeing it -- the program would be a citywide program. It would function as a vehicle to move the participants through the social service system, as well as the existing rehabilitation resources.

Through coordination of service delivery, we can orchestrate movement of participants from whatever point they are experiencing, to their ultimate long-range goal of empowerment and self-sufficiency.

The participants will enter the program voluntarily. Intake and orientation would be the first steps. An assessment by staff would be done next. A preliminary course of action would be designed for the individual. The program must address the realistic needs of the participants in a nonjudgmental manner.

Through collaboration and networking of service providers, a great deal of duplication of services can be remedied. With cooperative planning utilizing the Municipal

Alliance and the Middle School Task Force, as well as the Drug Elimination Program, cost-effective strategies can be possible, thereby increasing efficiency and effectiveness.

Drug abuse is a symptom of emotional misdirection, as well as car thefts, and the lack of connective education. These symptoms must be addressed if we are going to gain any ground in the war on drugs, poverty, and car theft. We must address the underlying social ills, as well as the emotional and educational ones.

We cannot afford to have our service providers competing in the delivery of services. It is counterproductive and costly. The dangers of the competitive attitude is no less harmful than the dangers incurred through drug abuse. Inability to work together has been ingrained in our psyches. We must put forth a conscious effort to combat this impulse. There is also a need to work with the courts, the probation department, and the parole boards, so that any citizen can access the program from any point in their lives.

ASSEMBLYMAN LUSTBADER: Ms. Williams, I think we neglected to ask you to state your name, address, and affiliation for the record.

MS. WILLIAMS: My name is Patricia Williams. I am with the Orange Housing Authority, and I am a Drug Elimination Coordinator.

ASSEMBLYMAN LUSTBADER: Your testimony has been handed in to the Task Force, or-- What you just read, was that handed into the Task Force?

MS. WILLIAMS: No, it has not been.

ASSEMBLYMAN LUSTBADER: If you would, if you could deliver it to us, we would appreciate it, and make it part of the record.

MS. WILLIAMS: Yes, sir. There was one other thing that I did want to mention. I think that one of the things that we will need to do is to kind of open our views. We have

put rehabilitation programs in one place or another, and they have to be accessible. With the problems the way that they are, we really have to function with the whole community as a rehabilitation site, as a controlled situation, because the problems are community wide. It's not just a drug problem or a car theft problem. Really, the problems have to be addressed for families and communities.

ASSEMBLYMAN LUSTBADER: Any questions from the Task Force?

ASSEMBLYWOMAN CRECCO: I just want to ask you, and I think you hit upon it insofar as the symptoms also being, perhaps, very often, lack of parental responsibility. And as you mentioned community, maybe since you are very involved in all this, we could think of volunteers within the community to work with us on that?

MS. WILLIAMS: Volunteers, as well as, we must look at the situation for adults, for children, for all ages, for all of the real people that we have, there has to be something to address the positions that they are in. That's why I think that possibly a program that would do this would be in order. I don't know of anything else at this point that anyone has come up with that really seems that it could address all of the problems.

ASSEMBLYMAN LUSTBADER: Thank you, Ms. Williams.

MS. WILLIAMS: Thank you.

ASSEMBLYMAN W. BROWN: Ronald Manzella? I would like to ask all the speakers to give their name and the organization that they are representing, so we will have it clear for the record.

ASSEMBLYMAN LUSTBADER: Are you gentlemen together in this matter?

R O N A L D H. M A N Z E L L A: We're together.

ASSEMBLYMAN LUSTBADER: Okay. Then I would assume-- Mr. Manzella, would you give your name, address, and affiliation, and Mr. Zalkind can do likewise.

MR. MANZELLA: Thank you, Mr. Co-Chairman. Ronald Manzella, Acting Director, Division of Youth Services for the County of Essex. One of my primary responsibilities is the day-to-day operation of the detention facility that houses those kids charged with offenses, while they wade through the judicial process.

A L A N Z A L K I N D: My name is Alan Zalkind. I'm the Department Director for the Department of Citizen Services. The Division of Youth Services is one of the five divisions within the Department.

ASSEMBLYMAN LUSTBADER: Mr. Manzella?

MR. MANZELLA: Yes. I was asked to provide testimony through Assemblyman Brown's office, and I welcome the opportunity. I'd like to echo many of the comments made by the County Executive and some of the previous speakers as relates to the need to look at this problem in a larger scope.

I would like to be able to provide technical information and feedback to the Committee as to how this package of bills may impact on a judicial system that is crowded, a detention facility that's meant to be a short-term detention facility that is not equipped or in the position to be a post-adjudication facility, and let you know that in many ways, when you go to a mandatory sentencing -- which a lot of the bills, I believe, attach -- you are going to increase the amount of jury trials in the Juvenile Section, Family Part, which will increase the length of stay in your county facilities, which will drive the high number of kids awaiting process to go through the system.

Car theft has to be looked at on several levels. One, it's viewed as a part of a crime -- an additional crime, particularly drugs. It's done as a profit motivation, stripping a car.

And then there's the addictive -- some people call, joyriding, as the kids talk about doing doughnuts and marking up the community, which is the greatest threat to the largest

number of people. If you're going to steal a car and do doughnut, and drive through the cities in the urban counties, and not care about getting caught, you have to look at that differently than a profit motivated crime, to steal a car and remove it as quickly as you can because the object of the exercise is not to get caught. And then the use of stolen cars as a means of transportation to commit other crimes, typically drug related.

So you have to look at the impact on our society from three different levels, why people use and participate in stealing cars.

I would like to be able to provide that kind of information to the Committee as you steer this legislation through, and may need to look at it and examine it from the point of what kind of impact will it have on the local counties where the first strain will be in your local detention facilities.

Today we have 150 kids in detention. We have 80 on home detention. So we have an overworked system. We have a high number of kids incarcerated. And also, for your information, a vast majority of kids who come in are repeat offenders. In 1992 we'll probably have approximately 3000 admissions. Clearly 2000 will be multiple admissions this year. The same kids committing the same kind of crimes, doing the same thing. It leads one to believe that getting tough with a certain element may remove them from the streets, therefore reducing the actual number of car thefts. In some ways in supporting these bills, you are going to get tough with the segment and remove them. At the same time we have to look at rehabilitating that group and have them reenter back into the community to be productive citizens.

ASSEMBLYMAN LUSTBADER: Mr. Manzella, there is a perception out there, and we heard some testimony on it early in the first hearing, that the risk reward is out of sync. The

risk of getting caught and the reward of stealing and gaining some remuneration for the theft, it doesn't seem to be in balance. Is it your understanding -- and I'm sure you're close to these kids, at least you hear talk -- is that part of the problem; the problem that the criminal justice system has not caught up with the importance of the crime, and that there's a perception out there that the risk is small? If they get apprehended, there will be a turnstile approach to the apprehension; they'll be out on the street in a couple of days?

MR. MANZELLA: I believe that that perception did exist. It's starting to change. Kids are starting to understand that getting caught in a stolen car is no longer a joyride offense.

I think that we as a society have (indiscernible) a joyride. We have made it a kids' crime. We've made it something of a residue from the 1950s, where kids joyrided a car, and it was, you know, boys will be boys. I think because of the nature of the violence of the crime today, we're putting more and more citizens in jeopardy; we're putting families in jeopardy, not allowing them to go to the store or have their children play on the street for fear a 14-year-old kid will come racing down the block at 100 miles an hour. So we as a society need to educate ourselves that it's not a victimless crime. There are victims, very, very serious victims.

I think there has been a perception that if I get caught, I have to get caught many times before I will be punished. And the punishment-- I mean, you're going to look at a year in Jamesburg, maybe two years in Jamesburg, with parole time and other kind of days that would be given off your sentence for time prior to your commitment, you're looking at -- in my mind -- a meaningless stretch of time for the potential benefits, both physical, financial, and emotional. There is an addictive nature to car theft, in the joyriding category.



ASSEMBLYMAN W. BROWN: Mr. Manzella, I know you work with a lot of the youth, and you see a lot from the Youth House. I was just curious, since it appears that carjacking and car theft is something that they feel great about. They feel like movie stars and actors and things of that nature, and their peers seem to promote them as role models, how would something-- If we had some kind of system where, when these individuals went back into the community, do various kinds of community services, maybe not totally demeaning, but to somewhat as a form of in that same area where they grew up where their peers looked up to them -- maybe helped clean the streets or things of that nature -- how would that-- How do you see that as a deterrent?

What I see in the youth houses, it appears that we're kind of warehousing the youth. They stay there. I'm not sure if they go in and out or what happens, or what kind of training that they get, but I think if the others, as a deterrent-- Would you support something to that effect?

MR. MANZELLA: I think in each case you would have to look at it individually. Just to set the record-- The Youth House is a preadjudication center where kids are held. There is a reasonable bail for kids, okay? They're held there while they go through the judicial process or until the judge hearing the case decides that this child is no longer a bad risk to show up in court, or some other mitigating factor such as home detention. They do provide counseling, recreation, and education.

Getting to your point, I think in each kid there is a reason for the joyriding. Some of it -- a large part of it -- is status, is being able to steal a car frequently, to steal a certain car, to do certain things with it. I think you have to break that cycle, and as part of the treatment modality, be able to have them go back into the community, not in the

negative sense, but in some kind of positive leadership. The kids do feel good about themselves when they are able to commit certain types of crimes.

Again, specifically in the car theft, there is a red badge of courage, the status that goes along with it, and it's well worth the risk when you feel helpless and hopeless, living in your environment, "That I only can feel good about myself in this negative vein." Not to paint it in such a broadbrush that this includes everyone, but they are some of the threads that make up this fabric of this problem that we're facing.

ASSEMBLYMAN W. BROWN: You don't see that this would-- The fact that a person, "The only way I become recognized and got a leadership role is to steal a car." Then to put them back into the community now, you know, we'll elevate-- I'm just curious of how you balance the two? Do you want to look at it as punishment, as a deterrent factor?

MR. MANZELLA: I think you need to look at, in terms of replacing one negative type of reward with a positive type of reward. Education -- I heard a previous speaker talk about education -- affordable housing, a sense that there is something beyond tomorrow to live for, these are things that need to be instilled in this young offender, and allow him to turn his life around in a positive vein.

So, we're caught as a society, wishing to punish those who offend us, and also not waste the next generation of young people because we're not responding to their--

ASSEMBLYMAN DiGAETANO: Mr. Manzella, you touched on something, and a prior speaker touched on it also, this badge of courage or notch, if you will, for this theft. Is that in any way negated or mitigated by some type of punishment, by some type of incarceration, or by some other form of punishment that you can tell this Committee?

MR. MANZELLA: I believe that they go hand in glove. I see kids coming in -- 12-year old, 13-year old kids -- coming into detention, and almost bragging about it when they go back

in their home, because that child usually, unless it's a real heinous crime, will be in and out. There's a whole-- In every detention facility, the words may be different, but the system is the same. You move up, you go from the little boy units up to the bigger boy units. You go from unit 2-A up to 3-A, with older, tougher, more sophisticated kids. You learn how to jail. You become part of a negative system. The same way you would feel good about making the honor roll, or making the varsity football team, in some perverse way there's this graduation from one level in detention to another.

Going away to Jamesburg, I believe, I'm sure there are cases where it's a deterrent or there's a negative feeling about it, but I see, this year, 250 to 270 kids going off to Jamesburg from this County, and I do not see hope or despair in those faces. It's just part of doing business.

ASSEMBLYMAN DiGAETANO: Well, what I'm trying to get at is something that the Co-Chairman just touched on moments ago; and that is, is there some form of treatment, whether it be some community service -- and the word "demeaning" was used, but I know that wasn't intentional -- some humbling service, if you will, something that you know of that this Committee could consider that would negate, or at least mitigate this good feeling, this badge of courage, this notch on the belt, so to speak?

MR. MANZELLA: Well, I think it has to be looked at in a broader sense, because the reasons that someone would gravitate to a negative behavior, to feel strokes of warmth or good, is because there is a deficit within that person's makeup that didn't exist at 12 and 13. That deficit was started to be created at a very, very young age, when you have families that can't stay together because of financial reasons, because of a lack of affordable housing, so they have a sense of family and staying together.

There is not a singular answer here. You have to look at it in the larger scope of what causes a child to take that step to abandon. It's young people having children and trying to raise them. It's not unusual for a 15-year-old boy in detention to have one or two children on the street. It's not unusual for a mother to say, "I'm not interested in Johnny anymore, because I've got five other children that I have to put my resources to." And it's not-- It's because, "I can't take another day off from work or I'll lose my job, because I don't get sick time, or holiday time to go to court and wait for the court hearing to proceed. I just can't, because I need the money to pay for my other children."

So it's a very, very deep-rooted problem that I don't think there is going to be a singular answer that says, "This will cure it." You know, the objectives should be that we turn the system right side up. We put a vast majority of our dollars and our resources in adult corrections, where we have the philosophy of punishment. We still have the remnants of a philosophy of rehabilitation in juveniles, and we put the least amount of our resources--

We are creating the next wave. I spent close to four years in the adult system in this County, in between being the Acting Warden, Caldwell, and the Director of Corrections, and I was appalled that I would walk through the east wing, and have kids remember me because now they had caught up to me. So we don't put our resources where we want. We say we want service for children, we want to break this, but if you look at the Department of Corrections budget, you look at Judiciary's budget, you look at all the things that deal with this kind of person, we put the resources in the adult system, and leave what's left for the juvenile system.

ASSEMBLYMAN McENROE: I have a question.

ASSEMBLYMAN W. BROWN: Before Harry speaks, we're going to try to get some kind of a short answer. I know it's a long-- Your answers are very long; the questions are very

long. I'm going to ask the members, just like you did, to just ask the questions, specifically, without an editorial. A lot of politicians want to give speeches. I really want to hear from the public, what they're saying, so the questions -- so we can expedite the process. By all means, we should feel free.

Harry?

ASSEMBLYMAN McENROE: All right. Through the Chair: Mr. Manzella, what percentage-- We've heard about overcrowding in the Youth House, and we understand that's certainly a problem. What percentage of the young people you detain in the Youth House are there because of a charge of auto theft?

MR. MANZELLA: It varies, but on average I'd say it runs between 30 percent to 40 percent have some car offense. Either it's receiving stolen property, possession of stolen auto, possession of tools to steal an auto, and a lot of times they come with multiple charges; that would be possession of stolen property along with possession of drugs.

ASSEMBLYMAN McENROE: If we could focus on detaining young people because of auto theft, and move them through the system very expeditiously and get them into a circumstance -- the boot camp procedure -- would that be helpful, do you think, and free up space in your facility for those who--

MR. MANZELLA: I do. I think if there's-- Someone asked earlier -- one of the panel, Committee -- about reward versus punishment. I think when we get to a sure and certain punishment, and punishment as part of a treatment modality, we move those kids out of a short-term detention facility into the State's, that has the resources to do the things that you're talking about--

ASSEMBLYMAN McENROE: A boot camp with educational opportunities?

MR. MANZELLA: Right. But it has to be sure and quick to be effective--

ASSEMBLYMAN McENROE: Sure and certain?

MR. MANZELLA: --and through the system, and not linger in detention.

ASSEMBLYMAN McENROE: Okay. One other question: I'm going to ask this of other law enforcement people, and I think you would certainly have a sense of this also. Drugs: How pervasive is drugs as a problem for young offenders? Is it tied directly to car theft, or is that more the joyriding, the, "We can grow up overnight by stealing our own Cadillac," or something? What's your sense of this?

MR. MANZELLA: Most of the kids I deal with are not users. My drug and alcohol people will attest to this. They become users as young adults, 18, 19, 20, or 21.

ASSEMBLYMAN McENROE: So the carjacker would be more inclined to be someone involved with drugs?

MR. MANZELLA: Well, they might be involved with drugs. They're also involved in the immediate gratification of thrills, and the drugs are related to that, because they may be into selling drugs. That's the link there.

Most of the kids that come in--

ASSEMBLYMAN McENROE: But a small minority of youthful offenders would be involved in, let's say, illicit drug trade and use of drugs?

MR. MANZELLA: That's the largest category that's coming in.

ASSEMBLYMAN McENROE: That would be involved?

MR. MANZELLA: Would be involved in--

ASSEMBLYMAN McENROE: So there is a tie between the use of drugs and auto theft, and auto theft among young people?

MR. MANZELLA: They're overlapping. There is a thrill, but the vast majority of kids don't use drugs. They sell them; they make money from them. They're the ones who may use a stolen car and joyride while they're doing it. It's not so easy to compartmentalize.

But the younger kid is the kid we need to focus on. The kid who comes into detention has-- If you look at it, the number of arrests, which is different than the number of remands, which is different than the number of convictions or adjudications.

So the Newark Police become upset when they have a kid who has been arrested 12 times and never was put in detention. I see the same kid, he may get four admissions to the Youth House, and he may get one adjudication as delinquent. I think if we fast tracked, and looked at the kid, and profiled him, and moved him out into a treatment modality, you'd have a chance of stopping that cycle, because all you're going to do is have him come back and do the same thing.

ASSEMBLYMAN McENROE: So you're saying that the 15-year-old who is involved in auto theft is involved, very much, as a drug user, or in the trade of drugs?

MR. MANZELLA: Mostly selling.

ASSEMBLYMAN McENROE: Selling. Okay, thank you.

MR. MANZELLA: Most of the kids we see become drug users as they become young adults.

ASSEMBLYMAN W. BROWN: Okay. I'm going to ask Mr. Zalkind to give his comments.

MR. ZALKIND: I'll be brief, because my colleague really covered almost all points.

Three observations I'd like to share with you: Obviously we support the legislation because it is certainly in the direction that we think is desirable.

A couple of observations that we ask the Assembly to consider as they are implemented, and frankly, this legislation has an aspect of social policy that does require some evaluation.

The first comment that I would suggest is that you need to define, early on, for the executive agencies how you intend to monitor and evaluate the effectiveness of this

program; whether it is truly the ability to incarcerate more children, whether the children's recidivism rate decreases, whether the number of car thefts and carjackings go down, whatever characteristics you choose to define, need to be defined early on.

The second observation that I'd make -- and I want to mirror what my colleague, Mr. Manzella, said -- please be reminded that counties are predispositional facilities. We are not in the business of serving children for 60-day sentences, and 30-day sentences, and 20-day sentences. As the County Executive mentioned, we are currently over capacity now. Even with plans to build a newer facility, it could become very convenient, very feasible, to use our facilities, essentially, as the place to sentence children for the short-term sentences. We obviously and adamantly oppose that if that is the intent, directly or indirectly, of the legislation.

The third and final observation that I'd make is that it is not surprising or insignificant that the vast number of children that come through the Youth House also happen to be recipients of public assistance. The existence of poverty is not completely an explanation, but certainly you cannot ignore the fact, the bulk of the children coming through our system are deprived in every single, conceivable way: educationally, in terms of health services, in terms of employment opportunities.

And as you structure your continuing services, which must be adequately funded, you must take into account the deficits and deprivation that exist in those other systems that really cannot be, and will not be addressed by amendments in the juvenile justice system. I make that point, obviously, because you're in a position to consider that as you play with, and amend, and modify the legislation.

The juvenile justice system cannot be, frankly, the last point that touches a child -- frankly, the first point where the kid gets some positive benefit for participating in



the program. That ought not be the first place where a kid gets treatment, it ought to be, genuinely, the last place.

So, in that sense, we do support notions of punishment, because punishment is the place where a child had done some things -- a youngster has done some things -- that merit it. And again, I mirror what Mr. Manzella has said. It needs to be swift, it needs to be certain. The child needs to understand that the society will not accept nor tolerate the kinds of behavior that you have witnessed and we have witnessed, and for which there has been no consequences -- the wrong message.

ASSEMBLYMAN W. BROWN: Assemblywoman Crecco?

ASSEMBLYWOMAN CRECCO: I'd like to ask you one question: You talk about it's true punishment, but how do you suggest-- You speak about education -- lack of education -- obviously, we don't have enough accountability, because we spent money on the school systems, so there's something wrong there. There are problems, very often, within the family. There are problems-- We have to work all this together before the child has that problem, but what would you suggest?

MR. ZALKIND: Well, I mean, the reality is, and it's wisdom, and I don't mean to be sarcastic. The State has created a number of vehicles and mechanisms for counties and cities to use. We have a Youth Service Commission, and a Human Service Advisory Council, a Mental Health Board, local superintendents of schools. Frankly, there is an overabundance of agencies and mechanisms that are supposed to be responsible for providing services. Typically there are turf fights, and there are other kinds of arguments that prevent what we call just a comprehensive, holistic continuum of services to be provided.

I would suggest, as you consider this piece of legislation, you have Youth Service Commissions in every county. They ought to be the focal point to carry out some of

these services, not really the incarceration function, but the prevention services, the education services, anything else that needs to be done ought to be placed in one location as opposed to the places that we look at now.

Frankly, they're in competition with each other. There is an ambiguous message out to public service providers, "Who is supposed to be doing what?" And I think that's unfortunate, and the consequences of that are, from my point of view, inefficiency and ineffectiveness. No one is clearly responsible for the child, and more importantly, that child's family.

ASSEMBLYWOMAN CRECCO: Thank you.

ASSEMBLYMAN W. BROWN: Okay. Thanks, Al.

MR. ZALKIND: Thank you.

ASSEMBLYMAN W. BROWN: I'm going to ask Ms. Bernice Davis, who is the Orange Superintendent of Schools?

**B E R N I C E J. D A V I S:** Good afternoon. My name is Bernice Davis. I am the Superintendent of Schools of the City of Orange Township.

I would like to take this opportunity to thank Assemblyman Robert L. Brown for inviting me to make remarks this afternoon on a subject that has altered the life-style of all law-abiding citizens in our State. As we prepare for the holiday season, we must proceed with caution, whether it's Christmas shopping in our malls, or just running errands to the supermarket, that as we have seen in Piscataway, can result in a tragic outcome.

Instead of listening to T.V. commercials promoting the holiday theme of "Peace on earth, good will toward men," we listen to an awareness campaign about measures we should take to lessen the incident of carjacking, the most brutal form of auto theft.

As a private citizen, I am outraged that my freedom to come and go has been diminished and jeopardized. And as an educator with 38 years of service in the public schools, I am

also outraged, but I am saddened and I am concerned. If you take a look at the small percentage of the population that is creating this chaos and severely affecting the quality of our lives, you may realize that they are either products of our schools, dropouts, or throwaways.

They are the youths who have the prefix "dis" in their school records: disruptive, disaffected, dysfunctional, disenchanted.

I can assure you that educators in the urban school districts are also outraged, but they are worried, and they often feel helpless in their attempts to turn these kids around.

Certainly, we have in place the mechanisms to teach subject matter, but we have very few support services to teach these children human values, respect for life and limb, respect for authority, respect for themselves.

I witnessed a student last week who actually went berserk, kicked the front doors of the school until he got them opened, and ran around the side of the building. He did not stop, and because of his anger, he could not stop when we assured him that whatever was wrong, we would address it. In a few minutes he returned and tried to run back into the school yelling, "I'll blow his head off." Fortunately, the Orange Police responded immediately, just at the moment when we were unable to restrain him any longer.

After the episode, I had an opportunity to listen to the Police as they tried to calm him down. They knew plenty about him, such as why his face and neck are so severely scarred -- his father set him on fire. Why he is so alienated -- his mother leaves him alone for as long as two weeks at a time. Will he ever get involved in auto theft? If he's in the wrong place at the wrong time, he might.

Auto theft is an expensive crime in terms of the cost of human life and suffering, the cost of personal property and large insurance payments and claims, the legal costs and the cost of incarceration.

I received a brochure Saturday that advertised "Special Carjacking Protection," a cellular phone for \$199, a remote control alarm with a panic button for \$299. These items may give the consumer some relief from this escalating problem, but the roots of this insanity are deep.

What about the future auto thieves, the little ones who, because of deprivation of values and caring will resort to this kind of crime, or others even worse? You and I have no sense of how these children are brought up in an environment of violence and neglect. Most children appear at the schoolhouse door with an attachment for family; be they from a single parent home or extended family, that is immaterial. But they have been nurtured and programmed for the school environment.

Not our future auto thieves. You see them in supermarkets. They want something; the mother says, "No." They cry, and the mother slaps them in the face. They come to school with antisocial behavior that becomes even worse as they gravitate towards others with like circumstances.

Do they learn? No, they're too busy being defiant, disrespectful, belligerent, too busy fighting; too busy exhibiting unacceptable behaviors they use to shield their cries for love, help, caring, and a sense of belonging. Their deficiencies at 5-years-old are magnified, in proportion, by the time they are 15.

Public school educators are frustrated about the lack of resources in our schools to change, to actually restructure this behavior. I would like to see our schools as places where specialized personnel can work with these students and work with community social agencies that have their families as clients. What will it take? Money, of course, to hire elementary guidance counselors and more counselors for the secondary schools to work with groups and individual students, to help children to develop a value system, to do some psychodrama with them, to talk, to refer, to care, to give

parenting workshops, to reach out to parents of these troubled students, to hire crisis counselors, more substance abuse awareness counselors, tutors, and supplemental teachers.

We need alternative schools. We need a well-focused, collaborative effort among social agencies, health care providers, and local government to eliminate barriers and foster effective services for our children and their families.

My district has no elementary guidance counselors, no crisis counselors, one substance awareness counselor for 4000 children, no tutors, no supplementary teachers. But we care and we cope. Our best partners are the juvenile police officers who try to present a constructive attitude under the most unfavorable but required constraints of the juvenile court system.

Another reliable partner in Orange is the municipality. The City of Orange Township, under the leadership of Mayor Robert L. Brown, has expanded the park system and the activities offered by the Recreation Department. Positioned at the top of its application for the Community Development Block Grants are two projects: a Help is Here After School and Latchkey Kids Program, and a Delinquency Prevention Program.

All of the things that I am saying are not necessarily provocative. I didn't intend to give provocative testimony, but my message is simple: Let's address the fundamental reasons for auto theft: youths with no skills, no direction, no conformity, no respect for law, absolutely a total absence of respect for the lives and property of others. You've heard this story before, but this pervasive societal problem is even worse than we could ever have predicted.

Enable the schools to help them before they take over the streets and rob us of our inherent freedoms as citizens.

At this place and time I have to endorse the proposed legislation. Yes, it is punitive, but this is an emergency situation, a gigantic problem. Citizens are, and rightfully

so, crying out and screaming for help. But I ask the Legislature that schools, with the proper resources, can play a major role in finding a solution for these troubled youths.

Thank you very much.

ASSEMBLYMAN W. BROWN: Thank you.

Any questions from the Task Force?

ASSEMBLYMAN R. BROWN: I just have a comment, Mr. Chairman. First of all, I'd like to thank our Superintendent of Schools from the City of Orange for coming down and taking the time to present this testimony to this Committee. I think it's very important for us to understand, as I know most of my colleagues already do, the importance of the school system in its opportunity to shape and mold some of these people before they become the large problems that they have become in our criminal justice system.

I think Superintendent Davis, unfortunately for her, but fortunately for us, has given us the wealth of her experience with these kinds of children and in these kinds of settings, and letting us know the kind of resources that are necessary to address the problems.

I'd like to thank the Superintendent for appearing before our Committee, and certainly I'm going to keep in mind these comments as we forge forward in trying to fashion this legislation.

Again, thank you.

MS. DAVIS: Thank you.

ASSEMBLYMAN McENROE: Mr. Chairman, I would also like to thank Ms. Davis for appearing as Superintendent of Schools. I'm intrigued by your comment on page 3, "We need alternative schools." Now we're talking here about boot camps, which we envision would include some further preparation in social behavior, maybe not education, exactly.

But yours is really the first testimony -- either the first or second -- that really ties education completely and

totally within the needed package. So I recognize that and appreciate it.

MS. DAVIS: Well, the schools are an established structure, and we have the children five-and-a-half to six hours a day. I think we can have a real powerful impact on them.

The boot camps are for children who have already committed a crime, but what we need to do is to do something for them before they commit the crime. And I'm telling you that the people in the schools are very caring, dedicated people, if we just had the resources to work with, and identify the children at an early age and work through their problems with them and turn them around into some positive force.

I think it can really be done.

ASSEMBLYMAN McENROE: One other question, if I may? You're totally involved, career-wise, in educating young people.

MS. DAVIS: Yes.

ASSEMBLYMAN McENROE: And we've had testimony, and in our own deliberations we've thought about the concept of the peer group -- as Co-Chairman Brown mentioned earlier before -- of having the Student Senate members, both male and female, being involved in seminars, if you will, between peer groups.

In other words, the ones that are appreciating the system and making their way educationally, preparing for productive lives-- Do you think there is potential for those young people having a positive impact on the "dis" crowd, as you called them?

MS. DAVIS: Maybe a marginal impact.

ASSEMBLYMAN McENROE: It's tough, isn't it?

MS. DAVIS: Yes, because the life style is different.

ASSEMBLYMAN McENROE: Yes.

MS. DAVIS: The life style really is--

ASSEMBLYMAN McENROE: They would reject it, out of hand, before we really could--

MS. DAVIS: Yes. I have a tendency to feel that, you know, children establish goals early on, and the students who are doing well have established some goals, and they're really following them. Our kids that are having trouble are goalless. They don't have any goals because they don't have that nourishment at home and that direction at home.

I can imagine, you know, reading a story to your child at bedtime is a normal thing for us. It is not normal for them. We need to give them that sense. We need to help their parents to understand how to help their children. And I'm telling you, the schools are a marvelous vehicle for all of that to happen in, because children will come -- they know they have to come, if they're not over 16, mandatory -- and if somebody approaches them in a positive manner, we think we can help them.

But we do need these extra resources.

ASSEMBLYMAN LUSTBADER: Thank you, Ms. Davis, for your excellent insight.

Mr. John Clarke, next, please?

ASSEMBLYMAN W. BROWN: I'm going to ask Mr. Clarke, maybe he could shed some light on just a couple of programs, and then we can get back. As you know, John Clarke is the Essex County Trial Court Administrator. He's only going to give statements on the program. He's not here to support any legislation, in favor or against. He's not in a position to do that. He can probably share with you his position, for the record.

Mr. Clarke?

**J O H N A. C L A R K E, JR.:** Thank you, Mr. Chairman.

Let me begin by thanking you for the invitation to be here, and secondly by congratulating all of you for taking on such a difficult task, of trying to shape a solution to such an enormous problem and such a complex problem. My congratulations and thanks to each of you for the time you are putting into this.



As Assemblyman Brown noted, because of my role within the judiciary, it would be improper for me to come before you today and comment on legislation. It's simply not a proper role for us to perform. But I would like to do three things today.

One, I'd like to support what some of the other speakers have said, because I think they have given you some enormously good advice, and I'd like to highlight a little bit of that.

Secondly, I'd like to introduce a couple of facts for your consideration as you go about your deliberation, and ask you to see if it fits within the context of what you've heard from others, and whether or not it would be relevant to your work as you prepare your legislation.

And thirdly, what I would like to do is to talk briefly to you about two projects that we are actually running in Essex, as they relate to juvenile auto theft and see if you're interested in the good points or bad points of them. We can have a dialogue on that.

Let me begin by making reference to a publication that I have brought with me today. I'll read the title of it for the record. The publication is called, "The Chronic Juvenile Offender." The subtitle is, "A Challenge to New Jersey's Juvenile Justice System." It's a November 1991 report, and it is published by the Juvenile Delinquency Commission. I'll be making reference to a couple of charts and some data that is within that report.

First, a couple of facts: Much of the discussion that has gone on so far has talked about juvenile auto theft. I don't mean to be presumptuous and think you don't know all this already, but in fact, I think it's important to your deliberations to remember that when we talk about juvenile auto theft, we are talking about children who are committing various levels, if you will, of serious offenses. Frequently when

we're caught in dialogue, and talking about developing programs, we often forget that some of the solutions to the problems must be geared to the type of kid who is committing the offense.

What I would suggest to you is that the child who is participating in joyriding is dramatically different from the child who is participating in acting out and vicious behavior like carjackings and other offenses. Similarly, juveniles who are participating in car theft, specifically for profit; that is, they're involved in either organized crime, or they're involved in less than organized crime, but specifically working for adults, are clearly different, and need to be dealt with differently than those, if you will, who are participating simply -- and I don't mean to diminish -- but simply in joyriding.

Another thought that you might consider is that those who are using autos simply as an expedient to be able to perpetrate other criminal activities such as the sale or possession of drugs, burglary, the ability to move around the community to affect other crimes, I would suggest to you also ought to be thought of differently as you try to put together this very complex package that you're working on.

The second fact that I haven't heard raised today that I would like to offer to you comes out of the report that I originally mentioned to you, "The Juvenile Delinquency Commission." At page 2 of that report, there is a particularly interesting piece of data. From 1986 through 1989, the Commission studied juvenile offenses in New Jersey. And they studied some 118,000 juveniles who came into the system.

The point I want to make to you is that they broke those numbers down into the number of juveniles that had been docketed once, twice, three times, or four or more times. What they found was that of the 118,000 juveniles arrested during that three-year period of time, some 76,000 -- or almost 65

percent of those children -- never came back into the system. In fact, the experience of having come to court and being placed on probation or whatever the disposition was, statewide, took out almost 65 percent of all of the juveniles who came into the system during that period of time.

The reason that I bring that fact to your attention is that as you talk about legislation, I would suggest to you that what this data suggests is that, in fact, the first time-- I don't want to say "the first offender," because there's a problem with that. But the juvenile who is brought before the court for the first time, in effect, 65 percent of those children wash out with very little intervention. In a time when resources are so scarce, I think it is important for you to consider the fact, as you frame your legislation, that with basically no secondary intervention, this group is being washed out.

I know that part of your legislation now deals with dealing with first offenders. I just offer that to you, and I don't want to tread over the line. But I hope you get the message that I'm trying to offer.

Within that data, as well, it's noted that those cases docketed four times represented almost 13 percent of the juveniles arrested, and in fact, they had committed 46 percent of the crime. I think that's a very telling piece of information, because what it says is, that there is a very hard core group of kids. And you'll have an opportunity, I think, if I can make this available to you, or if your staff can get it available to you, to look and see if you don't come to the same conclusion. Twelve percent of the kids committing 46 percent of the crime, over, and over, and over again.

A corollary to my first point. We need to figure out who those kids are, and we need to target that group for the kind of severe penalties that I think that are certainly due. And we need not displace certain penalties on a group that I

would suggest to you may end up being handled appropriately going through the first time through the juvenile justice system. Just two things that I would appreciate it if you would keep in consideration.

I want to talk now a little bit about two programs that we are running. The matter of juvenile auto theft has dominated the administrative agenda of this court in Essex County for several years now. We have been aware that it is a serious problem. The mayors, Mayor Brown other mayors, have come to us and brought that to our attention, and we have tried to be responsive in the limited area that we can.

The Assignment Judge added -- has taken probation officers from the adult system and placed them in the juvenile system. We've added more judges to the juvenile court. We've worked with the prosecutor to develop a Chronic Offender Program aimed at those children that I spoke of earlier, that 12 percent, or 15 percent group. We have established policies within the court, and you heard Mr. Manzella say that the Youth House now has about a third of auto theft offenders. Auto thieves, now, if they're involved in violent activities -- antisocial activities -- will go to the Youth House, immediately. There is no revolving door.

We are plagued, and I won't get into a resource question, you know it well. There are only so many kids we can put in the Youth House before we cause a severe problem. The County Executive and Mr. Manzella spoke eloquently and accurately about those problems.

When we began to look at the Juvenile Auto Theft Program, we asked several experts, if you will, in education, what it would take to actually get through to some of these kids -- many of the questions that you were asking earlier. We took those ideas. Our Program now is funded by the County through the court budget. It costs about \$40,000 to run. It's run by a probation officer, and I think we have about 25 percent of a secretary running it.

The program has four main components: basically an education component, a value clarification component, a component that deals with volunteers and victims of the crimes, and lastly, an element that links with the community. They were the four elements that people who we talked to told us were essential.

Since March of 1992, we have processed -- treated -- about 350 juveniles who were arrested for auto theft. The Program generally goes something like this. Children are brought to the court. The charges are basically held over their head. They are deferred to the Program. The Program runs four nights, four consecutive nights -- four nights, I'm sorry, not consecutive -- over a period of several weeks. The children are required to come with their parents to a group session.

There are a couple of elements to the Program. The first, for a shorthand reference, would be sort of a scared straight kind of approach. We sit the kids down in a circle and we have photos of car theft car accidents; we have video tapes of car accidents -- we have the video tape of the car that burned recently, and the children were killed. We have scenes from emergency rooms. What we're trying to do at that point in time is to get the childrens' attention and say to them, "This is a crime, not simply of property, but in fact, a crime where people end up dead." We're trying to make that point very clearly to them and to their parents.

The second session involves a group discussion with the kids. One of the things the experts told us is that it doesn't work well to have adults stand up and preach to kids, the kind of kids that we're talking about. The second thing they told us is that many of the kids that we're dealing with -- and we know this firsthand -- have learning disabilities. They don't learn well in traditional settings. They don't pick up and read like you and I do; that's not a way they assimilate material, so it's very heavily process oriented.

Those sessions -- I'm talking now about the second sessions -- we bring in the prosecutor. We bring in police officers. We bring in community activists. There are a lot of groups in Newark who are actively involved. One group that comes to mind is Cops for Cons. If anybody can help me with that? It doesn't occur to me. It's a group of ex-offenders who have come out of prison and will come and talk to the kids about the consequences of their acts. What we try to do is to get the kids involved in a dialogue, and try to say, you know, "Do you really think you're invincible? Do you really think you're immortal? Let's have a little reality brought into this."

The third step of the project is to try to get the kids to realize that their actions have directly affected another human being. It's very easy -- what we found out -- it's very easy for kids to look at a car on the street and not attach a value to that, a personal value. What we have done is we have talked to victims, and we said, "Come in and tell us what it means to you to lose your car. Come in and tell us what it means when your husband can't get to work, or when the insurance company won't pay." We've tried to bring a reality to the kids that, in fact, there is something wrong with this activity.

The last piece of the Program is tying the kids back to people in the community. What we don't want to do is to simply run kids through a program, and then simply set them back on the street corner. What we have been successful at doing is hooking up with community groups -- churches in particular -- who have come forward and said, "If you have kids who come out of our communities, we're willing to work with the court, and link up with the court and the kid. And we'll take some personal responsibility for that kid, if he'll reciprocate." So what we're doing now is working, for example, with the clergy and different social groups, and hooking these kids back up so they have a contact in the community.

We think that those four elements will prove to be successful, and thus far, while it's very early to say, the overwhelming majority of the kids who have been through the Program have not recidivated. Now the point is, it's been a very short period of time, and we've simply got our fingers crossed.

I'll be brief and I'll talk about the last piece of this, because I think it's unique. Two years ago we asked the business community in Newark to join with us in helping us resolve some of the problems we have in the Essex court system. They met that challenge, and Prudential Insurance Company Chairman, Bob Winters, chairs an advisory committee that assists the court in various projects. That committee consists of a number of business people. There are representatives from Bell Tel, Mutual Benefit, PSE&G -- all of the big companies -- big employers -- in the city.

That group has gotten together and solicited funds from different insurance companies, made contributions from their own companies, and have accepted private donations, to begin a program dealing with auto theft.

Just one more minute on what they have done: What they have done is they have linked up with Seton Hall University, to their graduate program for psychologists and counseling, and they have recruited volunteers to hook up with kids, one-on-one, and work in a counseling session. They have hooked up with the law school and recruited law school students to come into the community. And now we're working with the business school at Rutgers, and we are hooking up with them, and they have volunteered a certain amount of money and time to allow us to take kids that we identify as having some potential, and hook them up with a real live person -- somebody who can look eyeball to eyeball with that child -- and try to work with them on a one-on-one basis.

**New Jersey State Library**

The Program has a lot of other dimensions, but I realize that I'm dominating the conversation now. But I just wanted to let you know, there are programs working out there now. We're confident that our program is having an impact.

We're real pleased that the community is not only investing rhetorically in their own programs, but also financially. There is a tremendous amount of resources out there that are willing to get involved. I tell you that story because I think it's interesting that they have actually funded the program. The last time I looked at the budget -- we don't have anything to do with solicitation of funds -- the last time I looked at the budget, they had solicited some \$80,000 in funds to take on these projects. So they are very, very serious, the business community, about resolving these problems. It is clearly in their social interest, as well as in their economic interest, to make Newark and the surrounding communities a safe place to be.

I'll conclude my remarks, and thank you for your attention.

ASSEMBLYMAN LUSTBADER: Mr. Clark, thank you for that valuable testimony. I think that the Task Force would appreciate a copy of your report.

Just one question: You mentioned that 46 percent of the offenders are not recidivists. Was that your statistic?

MR. CLARKE: Sixty-four percent of the 118,000 that were studied during this period of time came into the system once -- came before the court -- and did not come back into the system during that period of time.

What we think -- just if I can add one more point to that -- when we look at Essex County data, and we don't have the best data because we really have not-- The way we have organized our data in the past has never been to really organize it around car thefts. We have categories that we organize it around -- our data was not around car theft. And,



in fact, even if we had, the majority of kids that are coming into the system are never charged with car theft. They are charged with receiving stolen property, or other theft related crimes, so it's hard to identify.

The point I want to make is, in Essex we don't think we're doing quite as well as 65 percent not coming back. We think we're doing somewhere around in the high 50 percent.

ASSEMBLYMAN LUSTBADER: Well, do you see any common denominator in that group that would show that we're doing something right with that group, as opposed to the 46 percent -- as opposed to the 13 percent committing 46 percent of the crime. There has got to be some kind of a profile here.

MR. CLARKE: There are some. I don't have all the-- I wouldn't even attempt to suggest that we do. The most critical factor is having an adult involved in their life, someone who is willing to come forward and take some responsibility for them. As Ron Manzella accurately pointed out, in those cases where we see the greatest failure in the kids coming into the system, it is because they have no home, or little home, and frequently -- we're finding this out now in our group sessions -- bringing children in who are 15- and 16-years-old, and their mother is coming with them, and the mother is a child herself who had a child at 14 or 15 years old, who is only 15 years older than the child. She doesn't have the experience. She has never taken the opportunity to learn how to be a parent. And now we're finding ourselves in these group sessions -- I don't mean to be glib -- but almost with the situation where we have two children.

It's that link. How are we trying to compensate for that? We're trying to work with the parents. But we are the court system, and we have a limited role.

The other thing we're trying to do, is trying to hook that parent and that child up with a community person, somebody from the clergy, somebody who is willing to try to work through them, long-term.

But the dominate characteristic between failure and success is whether or not there is somebody else in their life. Many of these kids, and it would certainly be that 13 percent, they come out of the Youth House, there is never a follow-up.

ASSEMBLYMAN LUSTBADER: Thank you, Mr. Clark.

Any questions?

ASSEMBLYMAN McENROE: Yes, I just have one question. You had described, Mr. Clark, very well, the program of the courts to involve parents, and to generally create a circumstance where people will think twice about their next experience with the courts. It sounds very productive.

Where are the personnel from that conduct these sessions? You've talked about the voluntary involvement. Is it probation, or what? Where are these people from, that assist in the Program?

MR. CLARKE: The assistance is coming strictly on a voluntary basis from the community. I was cynical when we started the Program because I didn't think the people would come out. We have a Program tonight. I didn't think people would sustain that.

But there are an awful lot of people in the community who are willing to put forth their time. They're not paid; they're simply interested in solving the problem. We've never paid anyone who has come forward. There are prosecutors, there are police, there are elected public officials, sort of everybody pitching in and getting involved.

ASSEMBLYMAN McENROE: So there's no real budgetary funding to support this kind of program in your county budget?

MR. CLARKE: We simply took the person who was performing another function, and moved them into that job. So far we're dealing with some 300 offenders. But remember, these are first time offenders. It's our thinking at this point in

time, and again, not to tread over the line, that when you start to get into the second offense, you really do need to start to crack down.

Your thoughts about community service, I think, are very well taken. I think it's a very prudent task.

If I could, I would respectfully suggest that the number of hours that you're proposing -- I believe it to be now, 360 hours? -- I respectfully suggest that that may be self-defeating. It's going to be extremely difficult to enforce that from a court point of view. And I'm afraid, if required to hold to that high a level of a standard, that you're really talking about kids coming for a period of perhaps a year or better, to be able to sustain that kind of involvement in a 15- or 16-year-old, irrespective if they are involved in juvenile delinquency or not-- I have a 15-year-old, who fortunately is not involved. To try to get her to do anything over a period of a year is extremely difficult.

I just suggest that if you could take a look at that, it would be well--

If I could add another point to that that occurs to me as I'm talking. We now have about 5000 hours a year in community service from our Juvenile Probation Department. Cast that against 115,000 hours of community service that we used for our adults. You say, "Holy mackerel, 5000/115,000 hours. Why the discrepancy?" I would suggest to you that the primary reason for the discrepancy is that it is extraordinarily hard -- look at the numbers -- to find community service projects for juveniles, and to sustain that over any lengthy period of time.

Businesses simply don't want juveniles in their establishment. They're just too hard to manage. The business community is willing to accept, and the public community, 115,000 hours of adult work, but we're just getting the tip of the iceberg in the juvenile area.

People in probation counsel me that if we try -- if we saturate There is only a certain limited ability of the community to absorb a certain number of kids in a certain number of activities, and that if you go in that direction, what we would suggest is that you're going to have to be cognizant that any significant requests for more community service is almost always going to have to come out of a public sector operation. The business community is just not, in our estimation, capable or willing to absorb a big piece of community service.

So, respectfully, if you would keep in mind, that amount of hours is really tough for us to try to manage through, particularly when you're talking about in Essex, where we have some 2000 auto offenses this year. I'm estimating. We did a study back in September, and we were up to about 1800 at that time. I don't have any reason why I believe we are not over 2000. Two thousand kids, for 360 hours each, is really an avalanche on the community. But a more strict, a more tailored, a more realistic number is eminently reasonable.

ASSEMBLYMAN LUSTBADER: Thank you, Mr. Clark. We appreciate it.

ASSEMBLYMAN R. BROWN: Mr. Chairman, I have some questions, if Assemblyman McEnroe didn't.

ASSEMBLYMAN LUSTBADER: Sure, go right ahead.

ASSEMBLYMAN R. BROWN: Mr. Clark, in my travels through some of the courthouses, I hear some judges say that to sentence juveniles in terms of hours of community service is really more cumbersome than they see the benefits from it, in terms of administering. I've heard it suggested that community service might be better served if the sentence was in terms of days of community service, from an administration standpoint. What's your view on that?

MR. CLARKE: You're absolutely correct, and I appreciate you're raising the point. I had it in my notes, and I simply forgot to raise it. It is much easier to administer

on a daily basis than on an hourly basis. The standard now for a day is about six hours, that's the standard we're using right now, a six-hour day. If you were to reconsider that piece, it would be significantly easier to administer a program on a day-sentence kind of basis, than an hourly sentence.

ASSEMBLYMAN R. BROWN: I'd also like to ask you, Mr. Clark, if you will: Your statistics seem to say that the majority of kids that find their way into the juvenile justice system only come once, and are never seen again, the 65 percent?

MR. CLARKE: From this report?

ASSEMBLYMAN R. BROWN: From that report.

MR. CLARKE: That's what I'm saying.

ASSEMBLYMAN R. BROWN: So do you see any-- I know there is a lot of public pressure where people feel generally terrorized by juveniles at this point, and want to see stiffer penalties. And, in fact, some people deserve some stiffer penalties. But of that 65 percent, do you see any benefit incarcerating kids that are only going to come into the system one time and straighten themselves out, and never going to be seen again?

MR. CLARKE: I would come to the opposite conclusion. Kids that come into the system, if we're using these numbers.

ASSEMBLYMAN R. BROWN: Right.

MR. CLARKE: And I do believe in this from my own intuition and experience, although I didn't do this work. I would think that it would be a disservice to a child coming into the system for the first time, to incarcerate that child. I think there is an awful lot that has to be done. If there is family support, I think there are other alternatives such as our program or programs similar to ours, community service.

What I'm saying, Mayor Brown, there is a sequential approach. And I think just to unilaterally say that if you came in the system once, you are incarcerated, would not only be a financial mistake, because it would be extraordinarily expensive to do, but it would be a disservice, as well.

ASSEMBLYMAN R. BROWN: Apparently statistics bear out that about 14 percent -- or 12 percent -- of the juveniles are committing 46 percent of the crime, according to that report.

MR. CLARKE: Yes, sir.

ASSEMBLYMAN R. BROWN: So it would seem to me that our goal up here would be to try to develop some kind of standard that would direct and find that 12 percent for sentencing purposes.

MR. CLARKE: I think that's absolutely the challenge that you face. You know -- and I won't be long -- you know that there are only about 1400 beds in the State of New Jersey, about 700 or so secure beds, and about another 700 or so residential beds. There are some-- Give me a second to take a look at my numbers. (witness consults his notes)

There were some 99,000 cases of delinquency last year. So you have almost 100,000 kids heading to -- if ultimately, incarceration is the thought -- heading to 1400 beds, secure and insecure. I would suggest to you that what happens when you have that kind of disparity is that the kids who make it to those institutions need to be in those institutions.

And I would again respectfully suggest that that is where you have your rapists, your arsonists, your sex offenders, your drug sales, and if we try to put car thieves in there, it's a system now, where if you put one in, somebody has got to come out. So you've got an extraordinary dilemma, and I think what you need to do is you need to think on a level of stratification, and you need to think about some of the numbers that these things suggest.

You need to stratify who goes where, and you need to differentiate between the kinds of kids that I suggested, joyriders from carjackers, kids who are predators from kids who are simply-- Well, I don't know what the other alternative is, but they're not predatory.

When you identify the predatory kind of person, there is an appropriate sanction for that. When you identify something less than that, joyriding, if you will -- I hate to use that term, because it's not what we're about today in the talk, but I'm doing it for distinction -- that kind of a person needs a different kind of sanction.

ASSEMBLYMAN LUSTBADER: So it-- I'm sorry, go ahead.

ASSEMBLYMAN R. BROWN: No, go ahead, Mr. Chairman.

ASSEMBLYMAN LUSTBADER: I was going to say, so really you're making a distinction between someone who would use a weapon to steal a car, compared to somebody who would, on a rather capricious level, steal a car for kicks.

You're not saying that a person who would extricate the occupant of a car by a weapon -- through means of a weapon -- let's say a handgun, and then steal a car should not be incarcerated? You're not saying that?

MR. CLARKE: No, I'm not saying that at all.

ASSEMBLYMAN LUSTBADER: Okay. So you're dealing with the so-called joyrider phenomenon.

MR. CLARKE: What I was trying to suggest is a level of stratification for offense, and some differentiation in the kind of kid you're looking at. To try to call everybody a car thief may not do you or the public the kind of service that I know you're interested in providing. You need to look a little further.

And they're not complex. I'm not trying to introduce something into your deliberations that is going to put you into a tailspin. Somebody who goes and rams a police car is real apparent, than the kid who has walked in, and he's gotten caught for the first time joyriding. That's what I'm trying to suggest.

ASSEMBLYMAN LUSTBADER: Our next witness will be Ms. Lydia Davis-Barrett. Is she here? (no response)

ASSEMBLYMAN R. BROWN: What organization is she from, Mr. Chairman?

ASSEMBLYMAN LUSTBADER: She's from the Drug Elimination-- No, I'm sorry, she's from the Urban League of Essex County.

ASSEMBLYMAN R. BROWN: She might have just stepped in the hallway, because I saw her. Maybe we can just ask somebody to call out in the hallway, because I just saw her.

UNIDENTIFIED SPEAKER FROM AUDIENCE: She took her coat.

ASSEMBLYMAN R. BROWN: Is she gone?

UNIDENTIFIED SPEAKER FROM AUDIENCE: I think so. She took her coat and everything.

ASSEMBLYMAN LUSTBADER: How about Mr. Ty Hodanish?

T Y H O D A N I S H: By your leave, Mr. Chairman, I'd prefer to stand, if you don't mind.

ASSEMBLYMAN LUSTBADER: Your name, address, affiliation. Just one little word of admonition, if you will. I'm trying to move this along. Some of the members of the panel have other commitments, so I would ask that the witnesses be as brief as possible and hit their important points. And if they want to submit a written statement which will clarify their oral presentation, we're happy to accept it. So, please.

HEARING REPORTER: Excuse me, Mr. Chairman. I need him to stand by the mike.

MR. HODANISH: Oh, do you? I'll pull the mike over.

HEARING REPORTER: Thank you.

MR. HODANISH: My name is Ty Hodanish, and I have the pleasure of serving as Executive Director of your Juvenile Delinquency Commission. I say your Juvenile Delinquency Commission because, as some of you may know, the Commission was established by the Legislature way back in 1986 as part of the Juvenile Code, with the express purpose of serving as a permanent, ongoing oversight Commission on the State's juvenile justice system.



That Commission has four legislators who serve: Senator Leanna Brown, Senator Ron Rice, Assemblyman Frank Catania, and Assemblyman John Watson. Apropos of that role that we play as a permanent oversight group on the State's juvenile justice system, we prepared a briefing book -- a copy of which you have right here. I am pleased to see that many of the facts that you heard earlier with the basic statistics about juvenile auto theft, the number, the fact that 60 percent of all the arrests for juvenile auto thefts in the State are juveniles-- The Chronic Offender Report which was done by the Commission -- by Dr. Michael Aloisi about four years ago-- They were all products of the Commission's research.

I wanted you to know also that one of the things that we began doing way back in 1986, was to examine this whole issue of juvenile auto theft. So that has been something that has not been new for us. The issues were put squarely on the table way back in 1986. You will see on page 2 of this report something called, "Some Initial Commission Findings." These were the kinds of things that came out of a major symposium which was held in Rutgers University way back in 1988. You will see that those minutes from that symposium were addressed and a couple of newsletters, and also a report that came out called, "Juvenile Auto Theft: What Can We Do?"

Let me read you some of the major conclusions that came out as a result of that. The first conclusion that we came out with, was that motor vehicle theft in New Jersey was considered the perfect juvenile crime. It had profit; little chance of being caught; and little chance of being incarcerated or receiving a tough response. We also found out that youth in New Jersey often began their criminal careers with auto theft and moved on to bigger things.

We found out, as a result of looking at some of the profiles of the juveniles we had in the system, that there were a number of reasons why kids stole cars. This is very

important in terms of your deliberations today. The first thing on the hit list was that kids act out and often joyride, but there were a number of car thefts that were attributed to profit, and they were frequently being used for transportation for kids without cars.

We found out, as a result of that symposium also, that auto theft in New Jersey back in 1986 and 1987 was a low priority offense. In other words, if you were in court on an auto theft charge, it really wasn't a very serious thing. The court was focusing its efforts on a number of other offenses. We found out something else that was very interesting: In New Jersey there were no offense specific dispositions to deal with the crime of auto theft.

Now, what do I mean by that? One of the major things that the Legislature did way back in 1984 -- it was a new code -- was say, "Look, one of the major problems we face in New Jersey is the fact that when a judge sentences a kid, he has very little choice between incarceration and probation." Probation was seen, at that point, as just a slap on the wrist, with a caseload of 120 kids in some cases. Incarceration, which was the option all the way at the deep end of the system, at a cost of \$35,000 to \$40,000 a year, just didn't make a lot of sense for a lot of kids who were coming through the system.

One of the things that we began to talk about at the Commission six years ago, was the fact that we needed offense specific dispositions; that is to say, if we have a kid who comes into the system with a sex offense, we don't put that kid just in straight probation. We put him in a program that deals with sexual offenders. If you have a kid who is a repetitive shoplifter, you don't put him on some kind of a program that doesn't deal with anything. You put him into the system with a program that deals with shoplifting. We began to say the same thing about juvenile auto theft. Juvenile auto theft which the Court Administrator told you about, was initiated at the

recommendation of your Commission about five years ago. One of our staff was instrumental in developing the funding for that program. As a matter of fact, she spent about three months trying to beat the bushes and get private contributions to establish that program before it was put into a regular appropriation.

Senator Ron Rice, by the way, introduced a piece of legislation way back in 1987 to establish that program on a permanent basis. So, there have been a lot of things that were done. There is a history that is going on here.

You are examining the issue right now of, what do we do, and what kinds of kids are coming into the system? You know, the most interesting thing is that when we talk about problems like this, we usually get a lot of, "I think this," or, "I think that," or, "I think something else." But one of the things that we try to do as a Commission is to do real, solid research to uncover what the facts are. We went back into the files of our court system about six months ago -- no, about a year ago. We went through about 1000 cases. We had to do that by hand, because even though we have a very sophisticated computer system that develops the kind of data that you heard here, the fact that 100,000 kids go through the system every year-- We had to go back to the records because the computerized data system doesn't really tell very much about the kids who are in the system on welfare. The charging practices are all over. For example, a kid may be coming in on something related to auto theft, but the charge may be possession of a stolen vehicle, or some other charge that doesn't easily relate to the case in point.

But, here is what we found out as a result of that data analysis. You will see this in our analysis, called: "More Recent Research Findings Based on a Review of the Essex County Juvenile Theft Auto Cases." Close to half of all the juveniles involved in auto theft cases in Essex County had no

prior court record; that is to say, most had no prior record of any type, and most had no prior auto theft charges. More than one-third of the juveniles charged with auto theft-related offenses were 17 years old or older at the time they entered court, and more than half of these older offenders had no prior court record.

Juveniles adjudicated delinquent on auto theft and auto theft-related charges get a wide variety of dispositions, and incarceration in State correctional institutions is relatively uncommon at this point, although it is utilized, occurring in about 10 percent of all cases. The most common sentences were: probation, suspended sentences, and informal continuances.

While diversion of cases from courts was relatively common in the past, this has been discontinued. One of the things that has happened in the system, regardless of whether you decided past legislation or not, is that the gatekeepers in the system have systematically begun to crack down on auto theft. We are finding, for example, right now, that while it was a relatively common practice for a kid charged with auto theft to spend time in a detention center, it certainly is a rule rather than an exception at this point.

We also found out that a very small, but apparently growing number of auto theft cases involve a violent offense or a potential for physical harm. In recent months, about 14 percent of these cases involve such offenses. As a result of that history, your studying the problem and looking at the data, we came up with a number of things we think you ought to take a look at in terms of policy implications, or the policy directions you intend to go in. Those are summarized in the last pages of the report. Among them are these facts:

There simply is no best solution for the problem of auto theft. Kids steal cars for all kinds of reasons, and therefore need a real range of responses. In fact, anyone who

deals with juvenile crime, at this point, will tell you that when we talk about offenses, we need to have a gradual, incremental number of programs whereby we can begin to deal with a kid early on.

By the way, let me go back and talk about this report that the Court Administrator talked about, because he missed a couple of very interesting points. The analysis was really all about something I think that was entirely different; that is the fact that in New Jersey, you have a relatively small number of kids, a point between 6 percent and 14 percent, who are responsible for a vast amount of the juvenile crime in this State. Now, while the Court Administrator was talking about the good news is that about 60 percent, or 65 percent of the kids who never come back -- because of something we do, or because of the fact that they age out of the system -- the fact of the matter is, we do a very bad job in terms of getting to those kids who commit the vast amount of crime. We have the same kid who recycles through the system a number of times. That means that our interventions really don't seem to be very effective.

So, one of the things that we have to do in the juvenile justice system is begin to manage the system much better than we have before. We have to be able to identify high risk kids coming into the system, and to work with them. As a matter of fact, the Commission just received -- and I am very proud to say this -- the National Office of Juvenile Justice grant to help the court system do that on a statewide basis. We are going to implement that program in about six months.

We need to do the same thing in the juvenile auto theft field. We need to catch the kids coming in early for early intervention and work with them. By the way, there is another thing that I really-- There is probably no single thing that I can stress more than the need to really get smart

about dealing with this problem. Programs are nice, and I would be the last guy in the world to tell you not to develop more programs, because we certainly need a whole variety of programs out there. But, you know, not too recently someone asked me, "What causes juvenile crime, and what solution is there to it?" Well, it is like asking the question, "What causes childhood disease?" There is no single answer. Kids get sick for all kinds of reasons. A cure -- to get one kind of a cure -- is like saying when a kid comes into a hospital emergency room you put a cast on every kid's left leg, whether he is there for whooping cough or measles or a broken limb or something else.

We need to develop approaches, not programs, that deal with each kid individually. That is to say, when a kid comes into the court system, it doesn't work anymore to just say, "You go to this program," or, "You go to that program," or, "You go to incarceration." We waste money doing that. We defeat the entire purpose of the juvenile justice system by pushing kids into programs that they don't fit into. What we need in the juvenile justice system rather than just a program to deal with all kinds of things, is an approach, and the approach needs to find out what is causing delinquency with that particular kid; a diagnosis early on.

We need to develop a program specifically for that kid and a case plan that takes that kid not just for three months or two months, but maybe for six months or a year, or three years, or even five years down the road. You are wasting your money unless you do it that way. We also need a strategy that says to every kid who comes in, "You are accountable for what you did. We are going to hold you accountable for what you did," the program approach that really takes the parents and involves them in the program, so that people know exactly what is coming at them.

So, I tell you quite frankly that just to develop a program is a very easy out. Sure you need a program; maybe a boot camp approach will work. But you really need to diagnose every kid who comes through that system. The program that the court has begun to do has some elements of that kind of thing. So we need some very highly individualized program approaches.

Let me stop there. Maybe if you have any questions, we can--

ASSEMBLYMAN LUSTBADER: Okay. I appreciate it, because we have to move it along. Any questions from the Task Force? (no response) We would like to see that report. I don't have a copy of it. Some may have gotten it.

MR. HODANISH: The Chronic Offender Report?

ASSEMBLYMAN LUSTBADER: Yes.

MR. HODANISH: We will be happy to supply a copy.

ASSEMBLYMAN LUSTBADER: If you could give us that-- We appreciate your testimony. It sounds like you spent a lot of time on that. We would like to see your report and review it.

Thank you, sir.

MR. HODANISH: Thank you.

ASSEMBLYMAN LUSTBADER: How many more speakers are there? I know Mr. Weiner has signed up to speak. Is there anyone else who has signed up?

C A R M E N R E S T A I N O: (speaking from audience) The East Orange Board of Education is here. John Howard was invited, and I am here representing him.

ASSEMBLYMAN LUSTBADER: And your name, sir?

MR. RESTAINO: Carmen Restaino.

ASSEMBLYMAN LUSTBADER: Anybody else?

D R. G E R A R D L E E: (speaking from audience) Yes. I am Dr. Gerard Lee, here with him.

ASSEMBLYMAN LUSTBADER: I see. Let me call Mr. Weiner next. Then I will call you two gentlemen.

D A V I D W E I N E R: I will be the briefest of all, I promise.

ASSEMBLYMAN LUSTBADER: That would be nice. We know you are Mr. Weiner, but you have to say it for the record.

MR. WEINER: I am David Weiner, President of CWA Local No. 1081, representing 750 social workers and other nonmanagerial employees of the Essex County Division of Welfare. I am also a Family Service Worker myself, and have been for 16 years.

Basically, I have listened attentively for the last two-and-a-half hours to a lot of very apt and logical points and statements about what the problem is. What I am going to suggest is basically very simple and to the point, and we believe it is responsible, constructive, and cost-efficient.

As Mr. Zalkind, the Director of the Department of Citizen Services, who is also the Acting Division of Welfare Director at this time, indicated earlier, a significant number of youths coming into the Youth House are from families which receive welfare -- Aid to Families with Dependent Children. I would also note that the Division of Welfare, as well as the Youth House, are both under the auspices of the Department of Citizen Services, which Mr. Zalkind is Director of, so you have two Divisions that are under the same Department.

What is not occurring, and this has been referenced earlier, but not specifically to this issue, is that there is no coordination between the Youth House and welfare. What we are suggesting is that a cross-check be initiated between children going into the Youth House and to see if they are coming from welfare families -- AFDC. Now if someone says that is not correct or responsible, I would point out that under our IEVS program there are computer checks when clients are -- when their Social Security numbers come up, and there is a cross-reference and it is found that clients are working and



receiving welfare at the same time. So I don't believe it is a question of invasion of privacy.

We would suggest then that once a cross-check is made and an identification is made, that the respective Family Service Worker, i.e., social worker, is notified that there is a problem, particularly a beginning problem with the child -- the first-timer -- that there is a problem and that they delve into the family circumstances that might have led to this unacceptable behavior. The FSW -- the Family Service Worker -- should then determine if the parents, quite frankly -- and this also has been alluded to earlier -- are performing their duty to provide a safe and wholesome household for the child. If not, appropriate measures should be taken which could include -- not necessarily, but could include -- referring that child to DYFS or other social service agencies, denying the grants for that child to the parent, looking very closely at the other children to see if there is a possibility that they could follow suit in terms of their behavior and deportment. No child should be allowed to roam unfettered by parental supervision in the wee hours of the morning. That is a parental responsibility.

The parents have a responsibility to monitor their children. If they fail to properly supervise their children and act as a parent should, we believe they are guilty of neglect. In a case where separation of the child is not warranted or denial of the grant appropriate, the Family Service Worker should then design a case plan to intensely work to stabilize and help that family -- to help the parent or parents -- having investigated into the causes of the unacceptable behavior in the first place.

As social workers, because of the shortage of staff, we are reactors. We don't do perspective social work like we did 20 years ago. What we do is, we react to problems once they become problems. What I am saying is simply to coordinate

between two Divisions within the same Department to identify the problems early on and have existing resources-- I heard the woman from the school system say they have no resources. Well, we have these resources. We have our people who are willing, capable, and trained to do the job to work with these families. Put into effect the coordination, assign them to us, and let us try to help as one piece -- it is not a cure-all; it is one piece. Let us try to find the solutions to this problem.

That is our presentation.

ASSEMBLYMAN LUSTBADER: Any questions? (no response)  
Thank you, Mr. Weiner.

Gentlemen, will you please come forward? Suppose you start, Mr. Restaino.

MR. RESTAINO: Thank you very much, and thank you for giving the East Orange School District an opportunity to speak with you at this moment when you are deliberating obviously an extremely important item, and that is the future of the young children in New Jersey.

ASSEMBLYMAN LUSTBADER: Would you give your name, address, and your affiliation, please?

MR. RESTAINO: Yes. My name is Carmen Restaino. I am Administrative Assistant to the Superintendent of Schools in East Orange, Dr. John Howard, Jr., who was unable to attend, but who did want, in fact, the opportunity to speak in front of this body.

ASSEMBLYMAN LUSTBADER: And the other gentleman for the record, please?

MR. RESTAINO: To my left--

DR. LEE: My name is Dr. Gerard Lee. I am Supervisor of Guidance and Coordinator of At-Risk Programs for the East Orange School District.

MR. RESTAINO: At first when I was here, I thought how unfortunate it was that we weren't selected first, but obviously seeing there is a process for how one is selected to

speaking, I find myself in a very lucky position, because clearly all the things that I may have wanted to say regarding the grim statistics and the situation that exists, have already gone. I would rather talk about the possibility of some things that can be effective.

Certainly, as educators, I am not going to sit before you and talk about penalties and how they should be divided and dealt to offenders. That is not our area of expertise. Rather, long before that child crosses the line, we like to think that we can, in fact, intervene, as Superintendent Davis spoke to you about earlier.

There are a number of ways we believe that we can be effective in interacting with the youngsters, prior to their getting into the position in which we are finding them. We have to look at the whole child. You cannot look at the child who sits before us six hours a day in our schools. Clearly, it is one of those children who is doing the kinds of crimes that seem to have the State in an uproar at this moment. As very well put by, I believe, Assemblyman Brown, it may, in fact, be a fad to be stealing cars at this point.

I seriously believe, as does Superintendent Howard, that we are dealing with the same group of children; children with whom the schools, as we know them, are not effective. Therefore, as Superintendent Davis talked about, alternative means of education, different ways of doing things, are required. In doing those things, we must address the whole child.

There are two things that come into my mind when I talk about that, and both of them are ongoing programs in the State of New Jersey: One is the Family Net Program, which is a State Department of Education program, and, of course, one of the very important reasons why I have Dr. Lee with me, because he, in effect, is working on that program in East Orange. I have heard many of the people today who spoke before you talk

about the need to bring together the various agencies that have the services, but, in effect, sometimes duplicate services, or children fall between the cracks. Family Net is a way to prevent that from happening and, it is my understanding through Dr. Lee, that we are not talking about funding at this point. We are talking about a directive, but not funding.

Another issue that was brought up was case by case, child by child. Ladies and gentlemen, most of the children who come to our schools are not just children. They do, in fact, become productive citizens. Some do not. Those are the ones we are addressing this evening. But in order to do that, you have to identify these children long before they even think about stealing that first car. Therefore, another program we are working on in East Orange -- and I believe the State Department of Education is also in support of this -- is the Comer Project, especially for special needs districts. I notice the litany of cities in which car theft is a major problem. A number of those cities -- I heard the same -- are both special needs and cities that have massive car theft problems.

Basically, the Comer Project asks the school districts to bring about a group of concerned people who represent the various agencies you have seen in this room this afternoon, to study and observe children case by case who are not being positively affected by the schools. Now, you must say, "How do you know that these children are not being affected?" Clearly we have bona fide programs in the schools where as early as the fourth grade, and earlier, they have identifiers that put a little red flag up to indicate a child who needs additional assistance.

Hopefully, if you have some questions, Dr. Lee and I might be able to address them. But there are a number of programs that we feel are already effective that need additional support. Thank you.

DR. LEE: I would also like to just make some brief comments. I think it would be important for this body, in addition to the entire Legislature, in looking at this problem, to not look at it in one direction, but to take into consideration many different facets of how to attack it, one of which would be to look at it from a punitive standpoint, as has been suggested. I'm sure there has been some legislation directed in that direction.

The other way to look at it would be from the standpoint of prevention. That is where the school system comes in. We recognize that if a youngster is well-directed earlier, he may not be of the mind-set to be involved in car theft or carjacking, etc.

It is important to understand the reason why youngsters, or anybody, does anything. We strongly believe and recognize -- and there is a large body of research which suggests -- that people do things for very specific reasons. There is a body of research that suggests that misbehavior is caused very largely by four specific reasons: One would be a need for power; another would be a need for attention; a third would come out as a result of a need for revenge; and then the fourth would be because youngsters feel inferior and, as a result of this, are acting out to try to have these needs satisfied.

Within the East Orange School District, we have an entire bevy of guidance counselors, from our elementary schools right through our high schools. Very traditionally, counselors on the high school level, as I am sure you are aware, work with youngsters in terms of goal setting, moving on to college, trying to get some kind of direction as far as employment is concerned. On the elementary level and on the middle school level, our counselors do a very different thing, and obviously they have to be very different than what they do on a high school level.

What we do on the elementary level, very specifically, is directed at trying to attack and help youngsters with their self-esteem. If youngsters do not have good self-esteem, they don't feel good about themselves, their behavior will manifest that, and often their behavior will manifest it as a result of car thievery or carjacking and the like. So, prevention is a very important aspect in terms of trying to address this problem.

As far as the Family Net Program is concerned, as Mr. Restaino indicated, the Family Net Program is a program, or is a process that is coordinated by the Department of Education where the various departments of State government come together primarily because of the reduction of budgets, in an attempt to try to bring services to a community without the institution of additional dollars. The effort here is the coordinating of services by bringing people together, trying to research and find out who provides what kinds of service, and then to see if there is a way that we can come together to have these services provided so that duplication does not occur; so that individuals are not running into each other -- individuals and agencies; and so that there is smooth coordination so that services can effectively be provided.

The East Orange School District coordinates, we have heard by the State Department of Education, one of the best Family Net Programs in the State. This is a clear way of providing comprehensive services without instituting an additional sum of dollars to allow that to happen.

I think I want to stop here.

ASSEMBLYMAN LUSTBADER: Any questions?

ASSEMBLYMAN McENROE: Yes. Through the Chair, Doctor -- and Mr. Restaino also -- you are discussing a program that is led, in a sense, by the State Department of Education and it impacts on districts. Now, prior to your testimony, we had testimony from Mr. Weiner from the county level -- from the

Division of Youth and Family Services here in the county. Is there any present coordination of activity by the State Department of Education and the school districts and the county welfare agencies?

MR. RESTAINO: Yes.

ASSEMBLYMAN McENROE: There is?

MR. RESTAINO: Those agencies all sit on our Family Net.

ASSEMBLYMAN McENROE: They may sit on the board, but are they involved as professional workers in the area of solving this problem?

DR. LEE: Yes, they are. Let me just give you an idea of how the Family Net works.

ASSEMBLYMAN McENROE: Is the suggestion he makes a novel one? You are saying here that we should have interagency cooperation? Are we doing that right now?

MR. RESTAINO: What I'm saying is, yes, Family Net is a beginning, and it needs additional support -- State support -- so that it grows. It is not novel.

DR. LEE: There is no board as such that oversees the Family Net Program. What happens functionally, is that representatives from these various agencies are designated by their directors to participate in the Family Net Program. They come to our Board of Education for monthly meetings. We then talk about the nature of the service that they provide. We attempt then to slot individuals into various kinds of categories and develop this coordination of activity, so that when there is a need for the service, an individual can be contacted and the service can be immediately accessed.

What we are attempting to do this year is to even more closely localize this service. We are targeting a particular school that has a large population which is characterized by youngsters who come from public housing, which is characterized by youngsters who also come from other countries and have

particular needs, and youngsters who are particularly deprived youngsters who come from families that are homeless, the whole bevy of real disadvantage. What we are doing is, we are having individuals from DYFS, from East Orange General Hospital, from different kinds of agencies, which have indicated a willingness to come to a specific location right in this school for a day a week, and then are able to provide immediate service for any youngster and his family, which may either be in an emergency state, in a crisis, or which may just have a dire need for service. The individual and those services are immediately impacted on those individuals, at no additional cost either to the school district or to those agencies.

ASSEMBLYMAN MCENROE: Thank you.

ASSEMBLYMAN LUSTBADER: Gentlemen, thank you for your testimony. This whole hearing today has been very informative for the Task Force. I think we have learned some things that will be important in our deliberations.

Our next public hearing will be on January 6, a Wednesday, in Bloomfield, in the Council Chambers. I understand the hearing is scheduled for 3:00 p.m., although that is subject to change.

MS. BAVATI (Task Force Aide): No, that will be 7:00 p.m.

ASSEMBLYMAN LUSTBADER: Seven o'clock? Okay.

I would like to recognize Freeholder Joseph Parlavecchio, who just came in. He has had a lot of experience in these matters. Welcome.

I am going to adjourn the hearing tonight. If anyone would like to submit any written statements, you are welcome to do so through the staff.

Thank you.

**(HEARING CONCLUDED)**