

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 973**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 6, 2010

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 973.

As amended and reported by the committee, Assembly Bill No. 973 establishes the Juvenile Transfer Task Force. The purpose of the task force is to study, evaluate, and develop recommendations concerning the transfer of juveniles from the juvenile justice system to the adult criminal justice system.

As amended, the task force is to consist of 11 members as follows:

- Seven ex-officio members: the Chief Justice of the Supreme Court or a designee who may be a judge or retired judge of the Superior Court with experience in juvenile delinquency matters; the Administrative Director of the Office of the Courts or a designee; the Attorney General or a designee; the President of New Jersey County Prosecutors Association or a designee; the Executive Director of the Juvenile Justice Commission or a designee; the New Jersey Public Defender or a designee; and the Commissioner of Corrections or a designee; and
- Four public members, two of whom are to be appointed by the President of the Senate and who may not be of the same political party, and two of whom are to be appointed by the Speaker of the Assembly and who may not be of the same political party. The public members should have, by experience or training, demonstrated expertise in juvenile justice, law enforcement, crime prevention, victim advocacy or social sciences.

The task force is to organize as soon as practicable following the appointment of its members and select a chairperson and vice-chairperson from among the members. The chairperson is to appoint a secretary who need not be a member of the task force.

The task force is required to report its findings and recommendations to the Governor, and to the Legislature, along with any legislative bills that it desires to recommend for adoption by the

Legislature, no later than 12 months after its organizational meeting. Upon submission of the report, the task force would expire.

Under current State law and upon the motion of the prosecutor, the court is required to transfer a juvenile to adult court if the juvenile is 14 years of age or older and there is probable cause to believe the juvenile committed certain crimes and offenses. A recent study found that transferring juveniles to the adult criminal justice system increases risks for the juveniles without significantly increasing public safety.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) expand the membership of the task force to include the Administrative Director of the Office of the Courts or a designee and the New Jersey Public Defender or a designee; and
- (2) specify that the Chief Justice could appoint a judge or retired judge of the Superior Court with experience in juvenile delinquency matters as a designee.