

[First Reprint]
SENATE, No. 454

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator CAFIERO

1 AN ACT concerning the establishing of specialized county
2 rehabilitative programs for certain juvenile offenders, and
3 supplementing chapter 8 of Title 30 of the Revised Statutes and
4 P.L.1970, c.13 (C.5:9-1 et seq.).

5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8

9 1. This act shall be known and may be cited as the “Juvenile
10 Offender Rehabilitation Act.”

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12 2. The Legislature finds that specialized rehabilitation programs
13 which utilize proven military techniques of regimentation and
14 structured discipline have been shown to develop positive attitudes
15 and behavior traits in juvenile offenders; such programs foster self-
16 control, self-respect, and dramatically improve a juvenile offender’s
17 potential for rehabilitation and re-integration into the community; and,
18 by complementing that regimen and structure with education,
19 vocational training, counseling, and aftercare services, such a program
20 can significantly reduce recidivism among juvenile offenders.

21 The Legislature, therefore, declares that the counties of this State
22 should be authorized to establish and maintain specialized
23 rehabilitation programs for juvenile offenders; these specialized
24 programs should be designed as short-term incarcerations during
25 which the juvenile offender is exposed to a highly structured routine
26 of discipline, intensive regimentation, exercise and work therapy,
27 together with substance abuse treatment, self-improvement counseling,
28 and educational and vocational training; and following the term of
29 incarceration, the program should provide a period of intensive
30 aftercare supervision or mentoring for the juvenile offender.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SLP committee amendments adopted November 7, 1996.

1 3. As used in this act:

2 “Commission” means the Juvenile Justice Commission established
3 pursuant to ¹[P.L. , c. (C.) (now pending before the
4 Legislature as Senate, No. 2211(2R) of 1995)] section 2 of P.L.1996,
5 c.284 (C.52:17B-170)¹.

6 “Juvenile offender” means a person ¹[at least 14 years old and]¹
7 under the age of 18 who has been adjudicated delinquent for an act
8 which, if committed by an adult, would constitute a crime of the third
9 or fourth degree, excluding an adjudication for any act which would
10 constitute a crime under chapter 14 of Title 2C of the New Jersey
11 Statutes.

12

13 4. a. The governing body of any county, by resolution or
14 ordinance, as appropriate, may establish and maintain a juvenile
15 offender rehabilitation program.

16 b. The governing bodies of two or more counties, in accordance
17 with the provisions of the “Interlocal Services Act,” P.L.1973, c.208
18 (C.40:8A-1 et seq.), may establish and maintain a joint juvenile
19 offender rehabilitation program.

20

21 5. A juvenile offender rehabilitation program established and
22 maintained pursuant to this act shall consist of the following
23 components:

24 a. A comprehensive, ¹ [four to six week]¹ residential program ¹for
25 a minimum period of four weeks¹ consisting of:

26 (1) Highly structured routines of discipline;

27 (2) Physical exercise;

28 (3) Work;

29 (4) Substance abuse counseling;

30 (5) Educational and vocational counseling¹[:] and:¹

31 (6) ¹[Psychological counseling; and

32 (7)]¹ Self-improvement and personal growth counseling stressing
33 moral values and cognitive reasoning.

34 b. A six to nine month aftercare or mentoring program. The
35 program, which may include a residential period, shall consist of
36 counseling services and assistance, including, but not limited to:
37 educational and vocational counseling and assistance; psychological
38 counseling; substance abuse counseling and assistance; personal
39 development and self-improvement counseling; and counseling and
40 assistance relating to the juvenile’s re-integration into his family and
41 the community.

42

43 6. In imposing a term of incarceration on a juvenile offender, if
44 information obtained during court proceedings or information
45 contained in the presentence investigation and report prepared for the
46 court prior to sentencing leads the court to conclude that the offender

1 may be eligible for participation in the juvenile offender program the
2 county has established and maintains pursuant to the provisions of this
3 act, the court shall note that conclusion and the reasons for it in
4 writing and shall include it as part of the juvenile's record to be
5 forwarded to the Juvenile Justice Commission.

6
7 7. a. Any juvenile offender who is serving a term of incarceration
8 at a facility operated by the commission may:

9 (1) request admission to the juvenile offender program maintained
10 by the county wherein the juvenile offender ¹[is incarcerated] resides¹;
11 or

12 (2) be offered admission to the juvenile offender program by the
13 commission, if, following its assessment of the juvenile offender's
14 record, the commission determines that the offender is an appropriate
15 candidate for the program.

16 b. If an offender fails to comply with the requirements of the
17 juvenile offender program, the offender shall be returned to the
18 custody of the commission to serve the remainder of the sentence
19 originally imposed and shall be eligible for parole pursuant to the
20 provisions of P.L.1979, c.441 (C.30:4-123.45 et seq.). The offender
21 shall not subsequently be eligible for re-admission at any time to any
22 program established and maintained pursuant to the provisions of this
23 act.

24
25 8. Notwithstanding any other provisions of law to the contrary
26 concerning primary parole eligibility dates and parole release dates of
27 juvenile inmates, ¹whenever¹ a person ¹[who]¹ successfully completes
28 a juvenile offender rehabilitation program established and maintained
29 pursuant to this act ¹, the sentencing judge ¹shall ~~[not]~~ determine
30 whether that person shall¹ be required to serve parole.

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32 9. Nothing in this act shall be construed to exempt any person who
33 is admitted to a juvenile offender program established and maintained
34 pursuant to the provisions of this act from the payment of any fine,
35 penalty, restitution or other financial obligation imposed by law or the
36 court as a result of any adjudication.

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38 10. For the purposes of P.L.1970, c.13 (C.5:9-1 et seq.), a juvenile
39 offender rehabilitation program established and maintained pursuant
40 to the provisions of P.L. , c. (C.)(now pending before the
41 Legislature as this bill) shall be considered an education program
42 eligible for State aid ¹, to the extent permitted by law.¹ from the net
43 proceeds of any State lottery; provided, however, no such program,
44 regardless of whether that program is established and maintained by
45 one county or by two or more counties, shall receive in any fiscal year

1 an amount of State aid under the provisions of this section more than
2 either the actual cost of the program or \$1,000,000, whichever is less.

3
4 ¹[11. The commission, in accordance with the provisions of the
5 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
6 seq.), shall promulgated rules and regulations to effectuate the
7 purposes of this act. Those rules and regulations shall include, but not
8 be limited to, minimum standards and guidelines for the several
9 component parts of the residential and aftercare elements of a program
10 set forth in section 4 of this act; procedures concerning the voluntary
11 admission of incarcerated juvenile offenders into a program; and
12 procedures providing for the commission’s monitoring and evaluating
13 of the effectiveness of each program.]¹

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15 ¹[12.] 11.¹ This act shall take effect on the first day of the sixth
16 month following enactment, except that section 9 shall take effect
17 immediately.

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21
22 Permits counties to establish boot camps for juvenile offenders.