

P.L. 2021, CHAPTER 196, *approved August 11, 2021*  
Senate, No. 2924 (*First Reprint*)

1 **AN ACT** creating a two-year restorative and transformative justice  
2 pilot program focused on reducing initial and repeat youth  
3 involvement with the youth justice system, and making an  
4 appropriation.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

- 8  
9 1. The Legislature finds and declares that:  
10 a. Currently, New Jersey's youth justice system has staggering  
11 racial justice disparities, high recidivism rates, and grossly  
12 underfunded community-based services;  
13 b. New Jersey has the highest Black to white youth  
14 incarceration racial disparity rate in the country with a Black youth  
15 twenty-one times more likely to be detained or committed than a  
16 white youth, even though research shows that Black and white  
17 youth commit most offenses at similar rates;  
18 c. New Jersey also has the fourth highest Latina-Latino to  
19 white youth incarceration disparity rate in the country;  
20 d. The recidivism rates in New Jersey are devastating as well.  
21 Of the <sup>1</sup>~~377~~ 336<sup>1</sup> youth released from State juvenile facilities in  
22 <sup>1</sup>~~2014~~, 76.9 had a subsequent arrest or court filing, 58.9 percent  
23 had a subsequent adjudication or conviction, and almost one-fourth,  
24 23.9<sup>1</sup> 2015, over one quarter (28<sup>1</sup> percent<sup>1</sup>)<sup>1</sup>, were recommitted to  
25 a facility within three years of release;  
26 e. Yet, despite these failures, New Jersey continues to finance  
27 its youth incarceration system at exorbitant cost. In <sup>1</sup>~~calendar~~  
28 fiscal<sup>1</sup> year <sup>1</sup>~~2020~~ 2021<sup>1</sup>, New Jersey <sup>1</sup>~~plans to~~ will<sup>1</sup> spend  
29 <sup>1</sup>~~\$300,000~~ \$445,504<sup>1</sup> to incarcerate each youth in a State secure  
30 juvenile facility managed and operated by the Juvenile Justice  
31 Commission <sup>1</sup>~~,~~ and projects the same expenditure in calendar year  
32 2021<sup>1</sup>;  
33 f. While the State currently spends approximately <sup>1</sup>~~\$56~~ \$53<sup>1</sup>  
34 million a year to operate its three secure juvenile facilities, it only  
35 allocates around \$16 million to provide counties with funding for  
36 community-based youth programs;  
37 g. The current public health crisis resulting from the  
38 Coronavirus disease 2019 pandemic, also referred to as the COVID-  
39 19 pandemic, has further illustrated the failures of our youth justice  
40 system by detrimentally harming our impacted youth. As of

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 17, 2021.

- 1 '【August 20】 March 18<sup>1</sup> , '【2020】 2021<sup>1</sup> , according to the  
2 Juvenile Justice Commission, '【29】 92<sup>1</sup> youth and '【56】 221<sup>1</sup> staff  
3 in juvenile facilities have tested positive for the virus SARS-CoV-2  
4 which causes COVID-19; '【21】 54<sup>1</sup> of the '【29】 92<sup>1</sup> youth cases  
5 occurred at the New Jersey Training School, also known as  
6 Jamesburg, the State's largest secure facility for youthful males;
- 7 h. The Juvenile Justice Commission has taken several measures  
8 to mitigate the spread of the virus, including releasing  
9 approximately '【38】 90<sup>1</sup> incarcerated youth from its facilities 'as  
10 of November 4, 2020<sup>1</sup> . '【Should Senate Bill No. 2519, passed by  
11 the Senate on August 27, 2020, or its counterpart bill, Assembly  
12 Bill No. 4235, become law】 Since the enactment of P.L.2020,  
13 c.111<sup>1</sup> , more incarcerated youths '【would】 will<sup>1</sup> be released in an  
14 expedited fashion because their terms of incarceration '【would】  
15 will<sup>1</sup> be reduced based on awards of credits during the current  
16 declared public health emergency concerning the COVID-19  
17 pandemic;
- 18 i. As young people are released from facilities in response to  
19 the current pandemic, it is clear that the State must actively engage  
20 communities and properly fund services to reintegrate these youth  
21 back into their communities successfully;
- 22 j. The Juvenile Justice Commission and community  
23 stakeholders should also work together to create community-based  
24 public safety systems that 'support all young people as they return  
25 home from juvenile facilities and<sup>1</sup> divert young people away from  
26 the youth justice system in the first place;
- 27 k. Thus, the confluence of the COVID-19 pandemic with the  
28 on-going, fervent call for racial equality demands a fresh and  
29 immediate need to transform New Jersey's youth justice system. As  
30 an alternative to an overreliance on punishment, New Jersey needs a  
31 community-based system that embraces restorative and  
32 transformative justice practices and emphasizes physical,  
33 psychological and emotional safety and healing for youth, their  
34 families and communities;
- 35 l. Nationally, restorative justice and transformative justice  
36 programs and practices have been recognized as best practices in  
37 keeping young people out of the youth justice system and  
38 successfully reintegrating them into their home communities after  
39 being released from out-of-home placements;
- 40 m. Restorative justice is a system that brings victims,  
41 community members, and youth who have committed harm together  
42 to discuss the harm that was done and explore solutions to address  
43 the root cause of that harm. This system presents an alternate  
44 avenue for addressing harm and encourages active participation in  
45 the restorative process to facilitate stronger community  
46 relationships and community-driven public safety;

1 n. Transformative justice addresses conflicts and harms at the  
2 individual level, community level, and within broader social  
3 structures. Transformative justice works to build alternatives to our  
4 current systems and transform the conditions which help create acts  
5 of violence or make them possible;

6 o. Restorative justice and transformative justice offer two  
7 different perspectives of justice aimed at interpersonal and  
8 consensual resolutions, with transformative justice also  
9 incorporating systems-level change;

10 p. To sufficiently support young people being released from  
11 juvenile facilities in response to the current public health crisis, and  
12 to provide adequate resources <sup>1</sup>for all youth released from  
13 incarceration and<sup>1</sup> to prevent young people in New Jersey from  
14 entering the youth justice system in the first instance, New Jersey  
15 should explore, through a pilot program, the development of a  
16 comprehensive youth continuum of care based on restorative and  
17 transformative justice practices.

18  
19 <sup>1</sup>2. As used in this act:

20 “Community conferencing” is a practice which addresses  
21 conflicts through a collective group session, consensual resolution,  
22 and decision-making processes to heal and repair harms.  
23 Community conferencing works for multiple types of conflicts  
24 involving the community, station house adjustments, juvenile court  
25 diversion, and reentry from youth incarceration.

26 “Peace circles” refer to a technique used to facilitate restorative  
27 conversations, conflict resolution strategies, and healing practices  
28 between youth, families, and community stakeholders.

29 “Restorative justice hubs” are physical spaces within the  
30 community where youth and families can heal, reconnect, and build  
31 healthy relationships in the community. The purpose of restorative  
32 justice hubs is to resolve local conflicts through dialogue instead of  
33 punitive measures. Restorative justice hubs shall provide services  
34 that: include peace circles and community conferencing; connect  
35 youth and families to the services and programs provided for in  
36 paragraphs (1) through (9) of subsection b. of section 3 of P.L. ,  
37 c. (C. ) (pending before the Legislature as this bill); and  
38 coordinate service delivery across the community, and by doing so,  
39 create and maintain equitable relationships and collaborations  
40 between the Juvenile Justice Commission, county youth services  
41 commissions, courts, public defenders, prosecutors, law  
42 enforcement, and any other appropriate entities or persons.<sup>1</sup>

43  
44 <sup>1</sup>**[2.] 3.**<sup>1</sup> There is established in the Juvenile Justice  
45 Commission, created by section 2 of P.L.1995, c.284 (C.52:17B-  
46 170), a two-year pilot program, titled the “Restorative and  
47 Transformative Justice for Youths and Communities Pilot

1 Program.” The purpose of the pilot program is to develop  
 2 innovative restorative and transformative justice continuums of care  
 3 in four target cities that include two components: <sup>1</sup>restorative  
 4 justice hubs and<sup>1</sup> community-based enhanced reentry wraparound  
 5 services <sup>1</sup>and restorative justice hubs<sup>1</sup>. The pilot program shall be  
 6 established in the municipalities of Camden, Newark, Paterson, and  
 7 Trenton.

8 a. The first <sup>1</sup>component of the pilot program shall include  
 9 restorative justice hubs. Each of the four pilot program  
 10 municipalities shall have one restorative justice hub.

11 b. The second<sup>1</sup> component of the pilot program shall include  
 12 community-based enhanced reentry wraparound services <sup>1</sup>to be  
 13 provided within each restorative justice hub<sup>1</sup>. These services shall  
 14 be designed as an emergency response for those young people being  
 15 released from juvenile facilities due to the COVID-19 pandemic,  
 16 and may also serve as a long-term program for all young people  
 17 released from a facility. Community-based enhanced reentry  
 18 wraparound services shall include, but not be limited to, the  
 19 following services and supports:

- 20 (1) Mental health services;
- 21 (2) Substance use disorders treatment and recovery;
- 22 (3) Education support;
- 23 (4) Employment services;
- 24 (5) Housing support;
- 25 (6) Financial literacy and debt support services;
- 26 (7) Life skills support services; <sup>1</sup>and<sup>1</sup>
- 27 (8) Social support services <sup>1</sup>; and
- 28 (9) Preventative mentoring services<sup>1</sup>.

29 <sup>1</sup>b. The second component of the pilot program shall include  
 30 restorative justice hubs, which are physical spaces within the  
 31 community where youth and families can heal, reconnect and build  
 32 healthy relationships in the community. The purpose of restorative  
 33 justice hubs is to resolve local conflicts through dialogue instead of  
 34 punitive measures, connect youth and families to a variety of  
 35 services and programs, and coordinate service delivery across the  
 36 community, and by doing so create and maintain equitable  
 37 relationships between the Juvenile Justice Commission, county  
 38 youth services commissions, courts, State and municipal public  
 39 defenders, prosecutors and law enforcement, and additionally,  
 40 collaboration on public safety initiatives.<sup>1</sup>

41 c. The goals of the pilot program shall be:

- 42 (1) To increase participation in education, vocational
- 43 programming, and employment. Youth participants in the pilot
- 44 program shall receive academic support, depending on personal
- 45 development goals, and shall be connected to secondary schools,
- 46 alternative schools, vocational schools, apprenticeship programs
- 47 and colleges and universities. The program shall collaborate with

1 local community college's admissions and academic support  
 2 programs, and offer workshops that include financial aid planning.  
 3 Participants seeking employment shall be linked to vocational or  
 4 job readiness training. The selected partner-providers participating  
 5 in the pilot program shall be trained in and utilize evidence-based  
 6 and evidence-informed practices with respect to the provision of  
 7 their respective services;

8 (2) To increase participation in mental health and well-being  
 9 programming. The program shall employ trauma-informed  
 10 practices and connect youth to licensed outpatient mental health  
 11 care facilities and professionals. The program shall create safe,  
 12 caring environments to address physical health, mental health and  
 13 substance use disorder conditions and facilitate healing for youth,  
 14 families, and communities.

15 (3) To decrease incidents of harmful and unlawful behavior.  
 16 The program shall work with youth to comply with their probation  
 17 or parole plan, as applicable. Moreover, the program shall employ  
 18 trauma-informed practices, violence reduction, and peacemaking  
 19 supports and tools to address harmful and unlawful behavior;

20 (4) <sup>1</sup>To have restorative justice hubs establish working  
 21 relationships with local law enforcement agencies, courts,  
 22 prosecutors, and defense attorneys to support the diversion of youth  
 23 away from arrests and prosecution and towards participation in  
 24 restorative justice services provided in the hubs;

25 (5)<sup>1</sup> To improve the socioemotional and behavioral responses of  
 26 youth within communities through the use of more appropriate, and  
 27 less punitive, interventions, thereby establishing more restorative  
 28 interventions; and

29 <sup>1</sup>**[(5)] (6)<sup>1</sup>** To increase program participation rates in other  
 30 restorative and transformative justice programs in the municipalities  
 31 in which the pilot program is established.

32

33 <sup>1</sup>**[3.] 4.<sup>1</sup>** a. (1) The county youth services commissions for  
 34 the counties in which the municipalities participating in the pilot  
 35 program are located shall implement their existing request for  
 36 proposal process in order to select service providers to develop and  
 37 implement the program.

38 (2) <sup>1</sup>**[(Persons and organizations)]** A restorative justice hub may  
 39 have a single service provider or multiple service providers within  
 40 one lead service provider.

41 (3) An individual organization<sup>1</sup> interested in <sup>1</sup>**[(developing and**  
 42 **implementing aspects of the program in a participating**  
 43 **municipality)]** becoming a service provider at a restorative justice  
 44 hub<sup>1</sup> shall submit a proposal using the existing request for proposal  
 45 process to the appropriate youth services commission.

46 <sup>1</sup>(4) A lead organization partnering with other organizations  
 47 which are interested in becoming service providers at a restorative

1 justice hub shall submit a joint proposal using the existing request  
 2 for proposal process to the appropriate youth services commission.  
 3 If selected, they shall jointly provide services at the restorative  
 4 justice hub.<sup>1</sup>

5 b. All proposals shall include concrete measurements for  
 6 success to assess the impact of the program and include outcomes  
 7 related to positive youth development, reduction in harmful  
 8 behavior, and community engagement.

9 c. In addition to the pilot program requirements set forth in  
 10 subsections a. and b. of section <sup>1</sup>~~2~~ of this act ~~3~~ of P.L. , c.  
 11 (C. ) (pending before the Legislature as this bill)<sup>1</sup>, concerning  
 12 mandatory components of <sup>1</sup>restorative justice hubs<sup>1</sup> enhanced  
 13 reentry wraparound services <sup>1</sup>~~and restorative justice hubs~~<sup>1</sup>, a  
 14 proposal may also include, and a youth services commission may  
 15 consider and accept for the program, additional services and  
 16 training that support the development and implementation of  
 17 restorative justice and transformative justice practices in the  
 18 participating municipalities.

19 d. Persons and organizations selected as service providers shall  
 20 collaborate with the service providers of any education pilot  
 21 programs operating in the participating municipalities during the  
 22 time the pilot program established by this act is operating, in order  
 23 to incorporate restorative justice and transformative justice  
 24 practices within that education pilot program.

25 e. Person and organizations selected as service providers may  
 26 seek additional monies from any public or private source to further  
 27 advance the goals of the pilot program.

28 <sup>1</sup>f. Each service provider participating in the pilot program  
 29 shall be required to undergo intensive training in restorative and  
 30 transformative justice practices. A service provider may be exempt  
 31 from this training requirement upon a satisfactory showing of proof  
 32 of prior training in these practices which may include certificates of  
 33 completion of training courses provided by trainers in restorative  
 34 and transformative justice practices approved by the Juvenile  
 35 Justice Commission. Service providers may use the monies  
 36 awarded from the pilot program to finance this training.<sup>1</sup>

37  
 38 <sup>1</sup>~~4.~~ <sup>1</sup>5.<sup>1</sup> There is established within the General Fund a  
 39 separate, temporary dedicated fund to be known as the “Restorative  
 40 and Transformative Justice for Youths and Communities Pilot  
 41 Program Fund,” to be held separate and apart from all other funds  
 42 of the State. This fund shall be administered and the monies in the  
 43 fund distributed by the Juvenile Justice Commission. From the  
 44 monies appropriated under the category of juvenile <sup>1</sup>~~services~~<sup>1</sup>  
 45 grants-in-aid<sup>1</sup> for the Department of Law and Public Safety in State  
 46 fiscal year <sup>1</sup>~~2021~~ <sup>1</sup>2022<sup>1</sup> and State fiscal year <sup>1</sup>~~2022~~ <sup>1</sup>2023<sup>1</sup>,  
 47 <sup>1</sup>~~\$8,400,000~~ <sup>1</sup>\$4,200,000<sup>1</sup> in each fiscal year shall be credited to

1 this fund <sup>1</sup>for a total of \$8,400,000<sup>1</sup> , and these monies, and any  
2 interest or other income earned thereon, shall only be used for  
3 purposes associated with the pilot program established by this act.

4 a. (1) Notwithstanding the provisions of the “Administrative  
5 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the  
6 contrary, the Juvenile Justice Commission, <sup>1</sup>【shall,】 immediately  
7 upon filing with the Office of Administrative Law and<sup>1</sup> within  
8 <sup>1</sup>【30】 120<sup>1</sup> days of the effective date of this act, <sup>1</sup>【file proper notice  
9 with the Office of Administrative Law, and thereafter immediately】  
10 shall<sup>1</sup> adopt <sup>1</sup>such<sup>1</sup> rules and regulations <sup>1</sup>【prepared by】 as<sup>1</sup> the  
11 commission <sup>1</sup>deems<sup>1</sup> necessary or proper to <sup>1</sup>implement the  
12 provisions of this act including, but not limited to,<sup>1</sup> setting the  
13 terms and conditions of applying for grants paid for by monies in  
14 the fund, the distribution of those monies, and for publishing these  
15 terms and conditions on its official website. <sup>1</sup>【Following the  
16 adoption of the rules and regulations, the commission shall also  
17 schedule at least one public meeting in the north, central, and  
18 southern regions of the State】 The rules and regulations shall be  
19 effective during any interim period and may thereafter be amended,  
20 adopted, or readopted by the commission in accordance with the  
21 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-  
22 1 et seq.). The Juvenile Justice Commission also shall require: the  
23 Passaic County Youth Services Commission to schedule one public  
24 meeting in Paterson; the Essex County Youth Services Commission  
25 to schedule one public meeting in Newark; the Mercer County  
26 Youth Services Commission to schedule one public meeting in  
27 Trenton; and the Camden County Youth Services Commission to  
28 schedule one public meeting in Camden. These public meetings  
29 shall be held<sup>1</sup> to announce the pilot program, and inform the public  
30 of the adopted rules and regulations for grant applications and  
31 distributions.

32 (2) The initial rules and regulations adopted pursuant to  
33 paragraph (1) of this subsection shall be in effect for the duration of  
34 the two-year pilot program, unless the commission determines it is  
35 necessary to amend or repeal any initial rule or regulation, which it  
36 may do on an expedited basis immediately upon filing proper notice  
37 with the Office of Administrative Law, notwithstanding the  
38 provisions of the “Administrative Procedure Act,” P.L.1968, c.410  
39 (C.52:14B-1 et seq.), to the contrary.

40 b. The fund shall be used to provide grants to participating  
41 service providers selected by the county youth services  
42 commissions <sup>1</sup>through a competitive process<sup>1</sup> pursuant to section  
43 <sup>1</sup>【3 of this act】 4 of P.L. , c. (C. ) (pending before the  
44 Legislature as this bill)<sup>1</sup> to develop and implement the pilot  
45 program established by this act. Priority in distributing monies in  
46 the fund shall be given to service providers located in <sup>1</sup>【or

1 intending to work with youth from those municipalities  
2 participating in the pilot program with a higher rate of youth  
3 committed to a secure juvenile facility **】** the four pilot municipalities  
4 and to service providers whose employees are representative of the  
5 communities to be served by the pilot program. Monies in the fund  
6 used to provide grants to develop and implement the pilot program  
7 shall be allocated equally among the four county youth services  
8 commissions and distributed in accordance with rules and  
9 regulations adopted by the Juvenile Justice Commission<sup>1</sup> .

10 c. No more than **‘【10】 eight**<sup>1</sup> percent of the monies in the fund  
11 shall be used **‘by the Juvenile Justice Commission**<sup>1</sup> for  
12 administrative purposes **‘and no more than 15 percent of the monies**  
13 **in the fund shall be used by the county youth services commissions**  
14 **for administrative purposes**<sup>1</sup> .

15 d. Monies in the fund administered and distributed by the  
16 Juvenile Justice Commission shall not replace any other funds  
17 administered and distributed by the commission, including those  
18 administered and distributed through the State/Community  
19 Partnership Grant Program established pursuant to P.L.1995, c.283  
20 (C.52:17B-179 et al.).

21 e. **‘The pilot program shall operate for a period of two years,**  
22 **exclusive of the time required to implement the grant application**  
23 **and award process, and to initiate the pilot program. To the extent**  
24 **necessary, funding distributed to the pilot program shall be carried**  
25 **forward and used for its purposes regardless of whether the funds**  
26 **are expended in the same fiscal year in which the funds were**  
27 **initially distributed.**<sup>1</sup> At the conclusion of the two-year pilot  
28 program, any monies remaining in the fund shall be transferred to  
29 the Juvenile Justice Commission for use in administering the  
30 State/Community Partnership Grant Program established pursuant  
31 to P.L.1995, c.283 (C.52:17B-179 et al.), and funding grants  
32 distributed through that program.

33

34 **‘【5.】 6.**<sup>1</sup> The Juvenile Justice Commission shall submit a  
35 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
36 (C.52:14-19.1), to the Legislature at the conclusion of the two-year  
37 pilot program, containing information on the development and  
38 implementation of the pilot program and the feasibility of  
39 expanding the program to other municipalities in the State. The  
40 report shall also include copies of any reports by service providers  
41 selected to develop and implement the pilot program by the county  
42 youth services commissions for the counties in which the  
43 municipalities participating in the pilot program are located  
44 pursuant to section 3 of this act.

45

46 **‘【6.】 7.**<sup>1</sup> This act shall take effect immediately, and shall  
47 expire 30 days following the Juvenile Justice Commission’s



1 submission of the report to the Governor and Legislature as  
2 required by section 5 of this act.

3

4

5

6

7 Creates two-year “Restorative and Transformative Justice for  
8 Youths and Communities Pilot Program” in Juvenile Justice  
9 Commission; appropriates \$4.2 million in FY 2022 and FY 2023.