



Joseph C. Cornwall Center  
for Metropolitan Studies

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**New Jersey's Juvenile Justice System:  
Striving to Meet the Needs of New Jersey's At-Risk Youth**

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## **History and System Overview**

New Jersey's current juvenile justice system is the product of a long history of innovation and adaptation. New Jersey first began to differentiate between juveniles and adults with probation laws in 1900.<sup>i</sup> Next came the Juvenile Court Act in 1903, which enabled the court of common pleas to act as the juvenile court within each county.<sup>ii</sup> These changes took place during the Progressive Era (from about 1900 to 1918).<sup>iii</sup> When the New Jersey courts underwent a major revision in 1947, the New Jersey Supreme Court was given power over all the courts in the state. The vicinages had separate probation departments, and there were now standards for the judges of the juvenile court.<sup>iv</sup>

Juveniles were defined as individuals under the age of 18, and delinquency was defined at the time as "any act which, if committed by an adult, would constitute a felony, misdemeanor, municipal ordinance violation or disorderly conduct offense." The offending youths were not put on trial but rather attended "hearings on the complaint." Several other acts specifically related to minors were also considered delinquent, including habitual vagrancy, immorality, knowingly associating with thieves or vicious or immoral persons, and habitual truancy from school.<sup>v</sup> This description of juvenile delinquency contributed to the growing trend, at the time, toward rehabilitative treatment rather than punishment. The hearings were informal, and not many rules were applied or followed; the court system acted more as a parent or a counselor.<sup>vi</sup> This statute was repealed in 1974.<sup>vii</sup>

Since the 1950s, the movement has been toward formalizing the custody of juvenile delinquents. The New Jersey Supreme Court established juvenile conference committees in 1953 to address the lack of treatment services for children in several communities due to the belief that court appearances stigmatized juveniles by attaching a criminal record.<sup>viii</sup>

Throughout the 1950s and 1960s debate ensued over due process in the juvenile system. In 1967 the U.S. Supreme Court ruled in *In re Gault* that the Fourteenth Amendment would be applied to several aspects of juvenile court practice.<sup>ix</sup> The New Jersey Supreme Court added its own "court rulings and administrative actions further extending Constitution and procedural rights to the juvenile justice system."<sup>x</sup>

By 1983, New Jersey had adopted its current Code of Juvenile Justice. The code encompasses criminal matters for children eighteen years of age or younger. A new court called family court, which is the chancery part of the superior court, now enforces the code.

In 1995, Governor Christine Whitman issued Executive Order #75, which created the Juvenile Justice Commission. The creation of the JJC was a part of Governor Whitman’s efforts to reform the juvenile justice system. The commission was created in response to the Governor’s Advisory Council on Juvenile Justice, which reported “a lack of centralized authority for planning, policy development and service provision in the juvenile justice system.”<sup>xi</sup> The JJC is now “the single agency of State government with centralized authority for planning, policy development and provision of services in the juvenile justice system.”<sup>xii</sup>

The federal Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 further expanded the means by which the state could address juvenile delinquency issues. It called for the formation of a JJDP Committee whose members are appointed by the governor.<sup>xiii</sup> This committee receives federal funding and stays informed of juvenile justice developments at a national level through its affiliation with the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention. It, in turn, acts as a steering body for the JJC.

New Jersey’s JJDP Committee is responsible for steering the JJC in its overall mission and for administering the funding of its programs and initiatives. The JJDP Act establishes several core requirements that have become the principles on which the New Jersey JJDP Committee has shaped its policies and practices over the past decade:

1. Deinstitutionalization of Status Offenders—No minor accused of a status offense (an act that would not be criminal if committed by an adult) may be securely detained in a jail, lockup, or juvenile detention center. Examples of status offenses are truancy, running away, curfew violations, underage drinking, and being ungovernable. This requirement also extends to nonoffenders, children who fall under the Juvenile Court Act who are abused, neglected, and/or dependent.
2. Separation of Juveniles from Adult Offenders—Juveniles alleged to be or found to be delinquent, status offenders, and nonoffenders shall not have contact with adult persons who are incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges. The separation of juveniles from adults must be both by sight and sound.
3. Removal of Juveniles from Adult Jail and Lockups—Juveniles accused of committing acts that would not be criminal for adults are not to be securely detained in jails or lockups. A rule of reason is applied, allowing alleged delinquents to be detained for up to

six hours for the purpose of investigation and identification. The clock starts the moment a juvenile is placed into a locked setting. This includes any locked room, or when a juvenile is handcuffed to a stationary object. At the end of the six hours the juvenile must be released or transferred to a juvenile detention center.

4. Disproportionate Minority Contact (DMC)—A core requirement of the Juvenile Justice and Delinquency Prevention Act (JJDP) directs states to address the disproportionality with which minority youth are coming into contact with the juvenile justice system at all nine decision points in the system. It is the expectation of the Department and the Commission that gender, race, or ethnicity will not play any role in the decision to make services available to youth. In addition, this act will require that, among other elements, the gender, race, ethnicity, and age of each youth served will be tracked.

Each year the JJDP Committee issues an annual report to the Governor and Legislature on juvenile delinquency issues that assesses programs and makes recommendations. In 2009 it also published a comprehensive three-year program for improving numerous aspects of the system.<sup>xiv</sup>

### **Passing through the Juvenile Justice System**

Today, juveniles in New Jersey pass through several stages upon entering the juvenile justice system.<sup>xv</sup> A minor is considered to be officially entered into the justice system when a delinquent complaint is signed.<sup>xvi</sup> The complaint is then filed and received by the Family Case Management Office, which decides whether the complaint should be dismissed or referred for further action. If there is probable cause to deem the juvenile a delinquent, the court intake service will issue a summons, signed by either a judge or the court, for the individual and his or her parents. A judge can also issue a warrant in place of a summons if it is considered necessary to take the individual into custody and put him or her into a detention facility until the hearing.

The case then moves into family court, where it undergoes an adjudication hearing. The initial hearing must occur within twenty-four hours of admission, with a second detention hearing within two court days. Secure detention pending a hearing is required only if the juvenile poses a threat to the community or is at risk of not appearing in court.

In the juvenile justice system, the offender is not convicted of a crime, but rather is adjudicated of delinquency. The primary goal of the juvenile justice system is to rehabilitate and educate youths rather than punish them. Once in the court system, one of the rights of the juvenile is the right to legal counsel, as established in *In re Gault et al.* The family can hire its own lawyer or can have one appointed if it cannot afford one. The prosecutor can issue a waiver hearing at this point if a case can be made that the individual should be moved over to adult court. A waiver hearing can then be held, in which the judge can use the evidence to determine whether the individual should stay in juvenile (family) court.<sup>xvii</sup>

Once the decision has been made to keep the juvenile in family court, the case moves on to the initial hearing. Juveniles, unlike adults, are not tried by jury. Instead, their cases are decided by a bench trial, in which a judge decides the outcome—whether or not the individual is adjudicated as a delinquent. If the individual pleads guilty or is found guilty, the case moves on to a dispositional hearing, also known as a sentencing hearing, at which the court will design a rehabilitation plan. Depending on the case and the acts committed, the plan can be an assortment of different programs, such as incarceration, probation, community services, fines, or residential programs. The most common disposition is probation supervision. The amount of time required for the programs can also vary.

In New Jersey, the Juvenile Justice Commission provides numerous facilities and programs for the adjudicated youth. These include a variety of residential group centers, residential drug treatment facilities, and secure care facilities. The Juvenile Justice Commission runs fifteen community programs statewide; these are “less restrictive facilities for juveniles who do not require a secure setting.”<sup>xviii</sup> The state also has four secure care facilities, which provides all-around care for juveniles, including “education, vocational programming, counseling and medical services.”<sup>xix</sup> The JJC’s Office of Juvenile Parole and Transitional Services provides supervision for youth going back into the community after being released from custody.

### **Current Philosophy and Goals**

The Juvenile Justice Commission has three goals:

- Ensure public safety.
- Rehabilitate the juvenile.
- Hold the juvenile accountable for his or her actions.

The organizational chart of the New Jersey juvenile justice system reflects the JJC's philosophy of focusing the greater part of its efforts on programs for prevention and rehabilitation.<sup>xx</sup> Under the executive director are two deputy executive directors, one for operations and the other for programs. The Office of Programs is devoted entirely to prevention and rehabilitation through three separate divisions: Community Programs, Education, and Local Programs and Services. New Jersey's emphasis on community prevention alternatives mirrors similar leading-edge reforms in states such as Illinois, Louisiana, and Washington.<sup>xxi</sup> The Office of Operations is likewise divided into three divisions: Secure Facilities, Special Programs for the Detained, and Parole and Transitional Services. Most of these offices focus their efforts on programs and services for juvenile offenders.

A large part of the JJC's philosophy involves finding alternatives to prison-style incarceration if at all possible. Although it oversees the operation of detention facilities, a far greater number of its facilities are run like schools and hospitals for both residential and probationary youth. For example:

- The JJC operates more than a dozen Residential Community Homes (RCHs), which are like boarding schools in which the residents undergo daily education and rehabilitation.<sup>xxii</sup>
- Some RCHs, such as Manor Woods RCH in Mays Landing, handle general rehabilitation of up to twenty-four juveniles ranging from thirteen to fifteen years of age. Manor Woods states its goals as: "The program provides comprehensive services that give young people tools to help them develop into responsible law-abiding members of the community. Emphasis is placed on lifelong learning, improved self-esteem and good decision making skills."<sup>xxiii</sup>
- Other RCHs, such as Southern RCH in Egg Harbor, offer the same comprehensive arrangement, but for teenagers aged fifteen to nineteen years.
- Some RCHs are specifically targeted to youth offenders with drug abuse problems, such as the Straight & Narrow Adolescent Treatment Unit in Paterson, which not only focuses on detoxification and chemical dependency therapies but also has a high school diploma program and provides job-hunting instruction.
- Pinelands RCH in Chatsworth addresses the rehabilitation of youth sex offenders, with a "No More Victims" motto and specially designed therapies.

- Several RCHs specialize in the rehabilitation of serious and violent offenders convicted of theft, arson, assault, and weapons charges; these include Voorhees RCH in Glen Gardner and Albert Elias RCH in Hopewell.
- The Fresh Start RCH in Farmingdale admits youth aged fourteen to eighteen with special mental health needs. These facilities have maximum capacities of no more than thirty residents at any one time, enabling them to devote individual attention to each resident.

For less serious offenders and those on probationary status, the JJC operates several types of day program facilities. Generally speaking, all of New Jersey's day programs focus on four main goals: socialization, education, prevocational training, and aftercare. Day programs are part of both probationary sentencing and the aftercare of detained youth.

In 2004, New Jersey became one of several states to adopt a new program designed specifically to divert as many youths from the juvenile justice system as possible. In that year, New Jersey became an official replication site of the Juvenile Detention Alternatives Initiative (JDAI), a national program founded and funded by the Annie E. Casey Foundation. Its goal is "to reduce the unnecessary and inappropriate use of detention while maintaining public safety and court appearance rates."<sup>xxiv</sup> With funding of \$200,000 annually, the JDAI began in five New Jersey counties; it now includes eleven sites across twelve counties. Each year it publishes an annual report that summarizes trends in such key indicators of detention utilization as admissions, length of stay, average daily population, overrepresentation of minority youth in detention, and detention-alternative program utilization. Its report for 2009 cites encouraging statistics for the success of the program. Trends are measured against statistics from 2003, the first year of the JJDP's influence:<sup>xxv</sup>

- Average daily population decreased 42.9 percent from 2003 across the eleven sites (288 individuals). This compares to an overall nationwide average decrease of about 28 percent from 2003 to 2009.<sup>xxvi</sup>
- Minority youth accounted for 88.7 percent of this drop.
- Admissions decreased 47.5 percent from 2003 (4,019 individuals). This compares to a nationwide average decrease of 25 percent from 2002 to 2009.<sup>xxvii</sup>
- Readmission for violation of probation was down 21 percent from 2003.

- Of the eight detention sites that reported program outcome data, the 2009 success rate (those who did not reenter the system) averages 79 percent.<sup>xxviii</sup> Only 3.7 percent of youths in a detention alternative program faced new delinquency charges.
- Across the eleven sites, the average daily population of girls in detention decreased by 60 percent from 2003 thanks to alternative programs.<sup>xxix</sup> This compares to an overall nationwide average decrease of about 26 percent for females in detention, 2003 to 2009.<sup>xxx</sup>

The JDAI does, however, recognize that there is still room for improvement. For example, several sites reported increases in average length of stay, and youths of color experience longer rates of stay on average than white youths. In essence, these longer average lengths of stay reflect the fact that, with so many youths diverted to detention alternatives, those who are detained account for more serious delinquencies. It is interesting to note that the median length of stay dropped about two or three days, but the average length of stay rose about one day, reflecting a small core of serious offenders who skewed the average.

Fluctuation by county is significant in many of the statistical measures. For example, while the ratio of average daily detention population to approved capacity ( a measure of crowding) is only 60.9 percent statewide, this ratio varies from about 27 percent in Bergen and Morris counties to more than 90 percent in Atlantic and Ocean counties.<sup>xxxi</sup> This does not mean that those counties are being overrun with juvenile delinquency; in fact, Atlantic and Ocean counties have among the lowest average daily populations (24.4 and 28.2, respectively). The real determining factor is the size of the approved capacity, which seems to have little correlation to the actual population. Essex County, which has the highest average daily population at 114.7, runs at only 47.4 percent of its approved capacity, while Gloucester County, with one of the lowest average daily populations at 11.7, runs at 78.1 percent of its approved capacity. Yet Bergen County, with almost the same average daily population (11.0) as Gloucester County, runs at only 26.9 percent of its capacity.

Thus, even though the average daily population across all counties has dropped steadily since 2003 thanks to alternative programs, some counties have a greater challenge with detention capacity than others. Facilities in South Jersey counties (Burlington, Ocean, and southward) tend to run at a higher percentage of approved capacities (82.1 percent on average) than those in North Jersey counties (53.4 percent on average).<sup>xxxii</sup> Facilities with populations above 90 percent of approved capacity may be candidates for increased capacity. But it is equally clear that

consistently low percentages of approved capacity at some facilities may indicate that capacities can now be reduced, potentially saving money that could be rechanneled into more useful programs. Indeed, several counties have expressed an interest in closing their detention facilities in the interest of cutting operating costs.<sup>xxxiii</sup>

## **Challenges and Opportunities**

### *Recidivism*

A major concern of the juvenile justice system is the rate of repeat offenders. With the great emphasis placed on rehabilitation, any return to the penal system, either as juveniles or as adults, is cause for concern. Currently, the JJC devotes a significant part of its research and evaluation effort to systematically studying recidivism rates among its youth. In a 2007 study of recidivism rates in New Jersey, researchers determined that 36.7 percent of delinquent youths recidivated within two years of being freed from the system, based on 2004 data. The rates at three months, six months, and one year were 8.4, 16.8, and 25.6 percent, respectively. These figures were down by 2 to 3 percentage points from 1998 data at all time points, but they are still significant, especially when so much of the current rehabilitation philosophy is devoted to socialization and reintegration into the law-abiding community.<sup>xxxiv</sup> With more than one-third of all youth reoffending within two years, the JJC considers recidivism reduction a top priority. The JJC systematically studies recidivism rates, and it has made changes in such things as its contract services, redirecting services and funds toward those types of offenders for whom recidivism outcomes were most positive.

Gang membership among juvenile offenders poses a significant challenge to recidivism because many of these youths have already been exposed to adult career criminals and have adopted a career criminal mentality. These offenders are resistant to the “scared straight” philosophy at the heart of get-tough policies such as trying juveniles in adult courts and sentencing them to adult incarceration. Rather than frightening these youths away from crime, the adult justice system often hardens them and makes them see themselves as adult criminals. Placing these offenders in secure facilities or waiving them to the adult penal system because of the severity of their crimes may not work as well as placing them in the intensive group therapy and rehabilitation environments of some of the residential group centers. The JJC has recently developed a program called Phoenix, funded by the New Jersey Department of Education; it

provides education and work-based training in a highly structured environment for gang youth in secure facilities, RCHs, and day programs.<sup>xxxv</sup>

### *Drug Abuse*

It has long been recognized that drug abuse contributes significantly to delinquency in minors. Thus, New Jersey's juvenile justice system takes into account the special needs of drug-dependent offenders in several ways. As mentioned earlier, the JJC devotes several of its residential group care facilities to the treatment and rehabilitation of youth who come into the justice system with substance abuse problems. Touchstone Hall in Rockleigh, for example, admits only youths who have drug problems and treats them with a demanding, highly structured twelve- to eighteen-month course of therapy. Similarly, the New Hope Foundation operates residential units for substance abusers in Secaucus and Marlboro. Straight & Narrow Juvenile Treatment Unit in Paterson, as mentioned earlier, offers both inpatient and outpatient treatment with an emphasis on work/therapy vocational training and educational programs. All of these facilities offer services to the parents of their residents as well.

### *Minorities*

Of all the problems facing the New Jersey juvenile justice system, minority overrepresentation is not only one of the most serious but also one that is among the most difficult to solve. Statewide, the ratio of minority delinquents in detention is much higher than in the overall population ratio, according to JDAI statistics.<sup>xxxvi</sup> New Jersey is hardly alone in facing this problem; a recent report from the National Conference of State Legislatures reveals that, nationwide, "Minority youth come into contact with the juvenile justice system at every stage at a higher rate than their white counterparts."<sup>xxxvii</sup> It has even been theorized that such school discipline practices within recent years as "zero tolerance" have exacerbated the disproportionality of minorities in state juvenile justice systems.<sup>xxxviii</sup>

While the absolute numbers of minority youths in detention has dropped, the disproportionality compared to white youths has actually increased. For example, in 2003, minority youth accounted for an average of 89 percent of admissions and 93.3 percent of the average daily population statewide. The percentages for 2009 were 92.9 and 96.6, respectively—increases of about 3 percent. In all eleven JDAI sites, the average daily population of minorities

in detention represents a significant disparity compared to the overall minority youth population.<sup>xxxix</sup>

Mid-July 2011 statistics show that a total of 706 black, 198 Hispanic, and 97 white youths were in the juvenile justice system, either committed to detention, in probation, or in aftercare. That amounts to a 90.4 percent nonwhite representation in the system. Of those individuals in detention facilities, 360 were black, 112 were Hispanic, and 46 were white—amounting to a 91.2 percent nonwhite population.<sup>xl</sup>

### *Trying Juveniles as Adults*

In New Jersey, under N.J.S.A. 2A:4A-26, juveniles fourteen years of age and older can be waived to adult court. For many years, this has been a means of handling serious youth offenders, especially those in their later teens. The thinking behind the practice was that if young persons got a taste of the adult penal system, they would be shocked and frightened into mending their ways. Recent studies have questioned the efficacy of this method of juvenile justice, however. The national Office of Juvenile Justice and Delinquency Prevention now advocates caution in juvenile transfers to adult court, stating that “[j]uvenile delinquency jurisdiction should be to age 18 in every state. In most cases, juvenile offenders can be effectively maintained in the juvenile justice system. In rare instances, the most violent offenders cannot be rehabilitated within the juvenile system and should be transferred for adult prosecution. However, the decision to transfer should only be made by the juvenile or family court judge.”<sup>xli</sup>

More recently, in the June 2010 issue of *Juvenile Justice Bulletin*, Richard E. Redding, law professor at Chapman University School of Law, summarized all available findings on the subject. While admitting that not enough research has been done yet to draw a definitive conclusion, empirical evidence from six studies in five states, including New Jersey, “suggests that transfer laws, as currently implemented, probably have little general deterrent effect on would-be juvenile offenders.”<sup>xlii</sup> He adds:

The nationwide policy shift toward transferring juvenile offenders to the criminal court is based largely on the assumption that more punitive, adult criminal sanctions will act as a deterrent to juvenile crime. In terms of specific deterrence—in other words, whether trying and sentencing juvenile offenders as adults decreases the likelihood that they will reoffend—six large-scale

studies have found higher recidivism rates among juveniles convicted for violent offenses in criminal court when compared with similar offenders tried in juvenile court. With respect to general deterrence—whether transfer laws deter any would-be juvenile offenders—the picture is less clear. The studies on this issue have produced somewhat conflicting findings; however, the bulk of the empirical evidence suggests that transfer laws have little or no general deterrent effect.

Redding also cites a number of limited studies in which interviewed juvenile offenders indicated that being tried as adults woke them up to the consequences of their actions more than had they been tried as juveniles: “the lengthier period of incarceration gave them more time to consider their futures and the consequences of reoffending, suggesting that the longer sanctions had an impact.” But among the various aspects of the adult prison experience, those considered most beneficial were the rehabilitation programs, and least beneficial were the fear, pain, and misery of daily prison life. These findings suggest that a shortened average daily length of stay is not necessarily an indicator of an improved juvenile detention system. The juvenile justice system could provide greater benefit than transfers to the adult system by lengthening sentences in the case of serious offenses and emphasizing training and rehabilitation programs in the detention facilities. As recently as August 2012, the judgment of the juvenile court confirmed these principles. Reversing an earlier waiver to adult prison of a juvenile offender in Trenton, Judge Alexander Waugh Jr. wrote: “The transfer of a juvenile to an adult prison significantly changes the focus of the incarceration away from rehabilitation and toward security and punishment.”<sup>xliii</sup>

For these reasons, New Jersey takes a cautious approach to the transfer of juveniles to adult court. A comparison of 2007 to 2009 data reveals that while the number of requests for waiver to adult court decreased in New Jersey by 16.9 percent, the number of waivers granted decreased by 40.7 percent (275 of 579 waiver requests granted in 2007; 163 of 482 waiver requests granted in 2009).<sup>xliiv</sup> In other words, the family courts are growing more cautious in granting adult waiver requests, even as the number of requests are decreasing. The concurrent decreases in daily population of juveniles in detention between 2007 and 2009 confirm that this cautious approach to adult transfers is yielding positive results.

New Jersey's Juvenile Justice and Delinquency Prevention Committee issued a three-year plan for addressing the challenges to be faced from 2009 through 2011. The comprehensive seventy-one-page document breaks down its goals into the following areas:

- Increase the sharing of juvenile justice system information across counties and law enforcement bodies.
- Step up compliance monitoring of juvenile facilities and programs throughout the state.
- Address delinquency prevention through the Governor's Strategy for Safe Streets and Neighborhoods program, which seeks to develop local community-based resources for at-risk youth.
- Address the disproportionate ratios of black and Hispanic youths in juvenile detention; one method is to expand law enforcement's use of stationhouse adjustments to handle low-level delinquency.
- Continue to reduce the number of female delinquents through programs such as the Young Women's Action Alliance (YWAA).
- Reduce truancy in schools; for this, the JJDP Committee has published the Toolkit for Truancy Reduction; it also coordinates an Interagency Truancy Workgroup.

## **Conclusion**

New Jersey's juvenile justice system, like its counterparts all over the country, faces many challenges, but statistically it is experiencing a trend of improvement thanks to an operational philosophy and steady stream of new programs that began more than a decade ago. The numbers of incarcerated youth have fallen in the last decade, as has the average length of stay in detention. The numbers have decreased so much, in fact, that several detention facilities are running well below capacity and may be closed in the near future.

Behind these encouraging numbers lie significant challenges. Although the averages are down, statistics vary widely from county to county, with some parts of the state experiencing increases in juvenile offenses and in the severity of those offenses. Minority overrepresentation in the system continues to be a major problem. Drug abuse and gang involvement remain serious concerns. And despite significant efforts to address recidivism, the rate of recidivism still runs close to one-third of youth offenders within two years.

New Jersey's best asset in facing these challenges is that it has in place a centrally organized, well-designed governing body whose philosophy and resources have been directed toward innovations for improvement since its inception. The Juvenile Justice Commission has replaced prison-style detention with residential and day-program rehabilitation in all but the more severe cases and has incorporated vocational training and high school diploma programs into rehabilitation therapies. Programs exist to address drug abuse, gang membership, mental health problems, and teenage pregnancy. New Jersey was one of the first states to charter the Juvenile Detention Alternatives Initiative (JDAI), which has led to a significant reduction in detention rates since 2004.

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The Center is named after the late Joseph C. Cornwall, a widely respected civic leader and the founding Chair of The Fund for New Jersey. Mr. Cornwall devoted much of his career to advancing the welfare and quality of life for New Jersey's citizens. To recognize Mr. Cornwall's civic and philanthropic accomplishments, the Fund for New Jersey established an endowment to support and perpetuate the Center and its mission to improve the lives for people who live in cities and the surrounding metropolis.

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- Promoting and conducting scholarly research on the evolution of cities and metropolitan places
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- <sup>xxiv</sup> Office of the Attorney General, "Juvenile Detention Alternatives Initiative," [http://www.nj.gov/oag/jjc/localized\\_programs\\_jdai.html](http://www.nj.gov/oag/jjc/localized_programs_jdai.html) (accessed July 20, 2011).
- <sup>xxv</sup> New Jersey Juvenile Justice Commission, "JDAI Annual Data Report – 2009," <http://www.nj.gov/oag/jjc/pdf/JDAI-2009-Report-Annual.pdf> (accessed July 20, 2011).
- <sup>xxvi</sup> Charles Puzzanchera et al., *Juvenile Court Statistics 2009* (Washington DC: National Center for Juvenile Justice, 2012), 72.
- <sup>xxvii</sup> *Ibid.*
- <sup>xxviii</sup> This average is expected throughout all detention sites.

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- <sup>xxxix</sup> This decrease grown 68% by 2011. New Jersey Juvenile Justice Commission, “New Jersey Juvenile Detention Alternatives Initiative (JDAI) 2011 Annual Data Report,” (February 2012), <http://www.state.nj.us/lps/jjc/pdf/JDAI-2011-Report-Annual.pdf>, 23 (accessed August 20, 2012).
- <sup>xxx</sup> Puzzanchera et al., *Juvenile Court Statistics 2009*, 76.
- <sup>xxxix</sup> New Jersey Juvenile Justice Commission, “2008 Annual Detention Statistics Report,” <http://www.nj.gov/oag/jjc/2008-AnnualDetentionStatisticsReport.pdf> (accessed July 20, 2011).
- <sup>xxxii</sup> Ibid. These figures are based on averaging South Jersey and North Jersey percentages from table 10, column 4.
- <sup>xxxiii</sup> “The New Jersey 2009–2011 Comprehensive Three-Year Plan.”
- <sup>xxxiv</sup> New Jersey Juvenile Justice Commission, “Preliminary Report on Recidivism of Youth Committed to the Juvenile Justice Commission: 2004 Releases” (June 2007), <http://www.nj.gov/oag/jjc/pdf/JJC-Preliminary-Recidivism-Report.pdf> (accessed July 20, 2011).
- <sup>xxxv</sup> “Introduction to the New Jersey JJC.”
- <sup>xxxvi</sup> New Jersey Juvenile Justice Commission, “JDAI Annual Data Report – 2009.”
- <sup>xxxvii</sup> Sarah Alice Brown, *Trends in Juvenile Justice State Legislation: 2011–2011* (Washington DC: National Conference of State Legislatures, 2012).
- <sup>xxxviii</sup> Johanna Wald and Daniel J. Losen, “Defining and Redirecting a School-to-Prison Pipeline,” *New Directions for Youth Development* 99 (Fall 2003): 9-15. The report includes several cited statistics for support: in 2002, blacks accounted for 17 percent of the national student body but 34 percent of suspensions from school. Nationwide, black students are 2.6 times as likely to be suspended from school as white students (10).
- <sup>xxxix</sup> Statewide, the average median ratio of minority youth is 43.7%.
- <sup>xl</sup> New Jersey Juvenile Justice Commission, “Juvenile Demographics and Statistics,” <http://www.nj.gov/oag/jjc/stats/07-15-11-Juvenile-Demographics-and-Stats.pdf> (July 15, 2011) (accessed July 20, 2011).
- <sup>xli</sup> *Juvenile Justice Reform Initiatives in the States: 1994–1996*, U.S. Department of Justice (Washington DC: Office of Juvenile Justice and Delinquency Prevention, 1997), 46.
- <sup>xlii</sup> Richard E. Redding, “Juvenile Transfer Laws: An Effective Deterrent to Delinquency?” *Juvenile Justice Bulletin* (June 2010).
- <sup>xliiii</sup> MaryAnn Spoto, “Juveniles Entitled to Hearing before Being Moved to State Prison, N.J. Court Panel Rules,” *[Newark] Star-Ledger* (August 28, 2012).
- <sup>xliv</sup> Data compiled from State of New Jersey Department of Law and Public Safety, Division of Criminal Justice, “New Jersey Prosecutor’s Annual Report 2008,” 4, and “New Jersey Prosecutor’s Annual Report 2010,” 41.