

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3911

STATE OF NEW JERSEY  
220th LEGISLATURE

DATED: JANUARY 5, 2024

SUMMARY

- Synopsis:** Establishes 14 years old as minimum age for juvenile delinquency; requires AG to establish working group to advise on implementation.
- Type of Impact:** Annual State cost decrease.
- Agencies Affected:** Department of Law and Public Safety; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Decrease	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill may result in a modest annual cost savings to the State. The Judiciary considers a range of factors in adjudicating a juvenile delinquent and subsequently ordering, for example, diversion, probation, community service, secure confinement, or detention. The OLS lacks available data on how many juveniles will no longer be adjudicated delinquent as a result of raising the age of delinquency pursuant to the provisions of the bill.
- According to data published on December 15, 2023 by the New Jersey Office of the Attorney General and the Juvenile Justice Commission, there are six juveniles that are in eighth grade, three committed to a juvenile facility, and three in probation. Assuming these juveniles are 13 (generally, a 13-year old would be in eighth grade), because the bill establishes a minimum age of delinquency at 14 years of age, there may be a marginal reduction in the number of juveniles that are under the supervision of the Juvenile Justice Commission at a given time. However, the OLS is unable to estimate the exact cost savings to the commission.

BILL DESCRIPTION

This bill sets the minimum age at which a juvenile can be adjudicated delinquent at 14 years or older.

Under the New Jersey Code of Juvenile Justice, “delinquency” is defined as the commission of an act by a juvenile which, if committed by an adult, would constitute a crime of the first degree through fourth degree; a disorderly persons offense or petty disorderly persons offense; or a violation of any other penal statute, ordinance, or regulation, with certain exceptions. The code currently defines a “juvenile” as a person under 18 years of age.

This bill changes the definition of delinquency in the code to establish that the minimum age at which a juvenile could be adjudicated delinquent is at 14 years of age or older.

In addition, the bill requires the Office of the Attorney General to establish a Juvenile Justice working group. The purpose of the group is to advise on the implementation of this bill.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that this bill may result in a modest annual cost savings to the State. The Judiciary considers a range of factors in adjudicating a juvenile delinquent and subsequently ordering, for example, diversion, probation, community service, secure confinement, or detention. The OLS lacks available data on how many juveniles will no longer be adjudicated delinquent as a result of raising the age of delinquency pursuant to the provisions of the bill.

Under the bill, a juvenile aged 14 years or older may be adjudicated delinquent. Juvenile delinquency cases are heard in the Family Division of the Superior Court. According to data published on December 15, 2023 by the New Jersey Office of the Attorney General and the Juvenile Justice Commission, there are six juveniles that are in eighth grade, three committed to a juvenile facility, and three in probation. Assuming these juveniles are 13 (generally, 13-year olds are in eighth grade), because the bill establishes a minimum age of delinquency at 14 years of age, there may be a marginal reduction in the number of juveniles that are under the supervision of the Juvenile Justice Commission at a given time, but the OLS is unable to estimate the exact cost savings to the commission.

The bill also requires the Office of the Attorney General to establish a Juvenile Justice working group to advise on the implementation of this bill. The establishment of this working group may result in some marginal administrative costs for the Office of the Attorney General and other State agencies participating in the working group.

*Section:*           *Judiciary*

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                  *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).