

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4663

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 2021

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 4663.

As amended and reported by the committee, Assembly Bill No. 4663 establishes a two-year pilot program in the Juvenile Justice Commission (JJC) to assist with the reintegration of youths released from juvenile facilities and to help them avoid involvement with the youth justice system - during the current public health crisis caused by the Coronavirus disease 2019 pandemic, also referred to as the COVID-19 pandemic, and potentially beyond. This program would be titled the “Restorative and Transformative Justice for Youths and Communities Pilot Program.”

The purpose of the pilot program would be to develop innovative restorative and transformative justice continuums of care in four target cities: Camden, Newark, Paterson, and Trenton. The program is to include two components: restorative justice hubs and community-based enhanced reentry wraparound services. There is to be one restorative justice hub in each of the four pilot municipalities. Each hub will provide the restorative justice services and reentry wraparound services outlined in the bill. The restorative justice hubs would establish working relationships with law enforcement, courts, prosecutors, and defense attorneys to support the diversion of youth away from arrests and prosecution and towards participation in restorative justice services.

The appropriate county youth services commissions would implement the existing request for proposal process in order to solicit proposals from interested persons and organizations. All submitted proposals would need to include concrete measurements for success to assess the impact of the program and include outcomes related to positive youth development, reduction in harmful behavior, and community engagement. A restorative justice hub could have a single service provider or multiple service providers with one lead service provider.

The pilot program is to be funded from the General Fund with \$4,200,000 in State fiscal year 2022 and \$4,200,000 in State fiscal

year 2023 to be credited to a separate, temporary dedicated fund known as the “Restorative and Transformative Justice for Youths and Communities Pilot Program Fund.” The fund is to be used to provide grants to participating service providers through a competitive process established under the bill. Priority in distributing monies in the fund is to be given to service providers located in the four pilot municipalities whose employees represent the diversity of the communities which they serve. All monies in the fund, and any earned interest or other income, are only to be used for purposes associated with the pilot program; no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes.

Following the adoption of the rules and regulations the JJC is required to adopt under the bill, the JJC would be required to announce the program and require one public meeting to be held by the appropriate youth services commission in Paterson, Newark, Trenton, and Camden. The provisions of the bill specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission.

All service providers participating in the pilot program would be required under the bill to undergo intensive training in restorative and transformative justice practices or provide proof of prior training in these practices. Service providers may use the monies awarded from the pilot program to finance this training. The bill also notes that monies in the fund administered and distributed by the JJC would not replace any other funds administered and distributed by the commission, including those administered and distributed through the JJC’s State/Community Partnership Grant Program. At the conclusion of the two-year pilot program, any monies remaining in the fund would be transferred to the commission for use in administering the State/Community Partnership Grant Program, and funding grants distributed through that program.

Under the bill, the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program. To the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.

The JJC would be required to submit a report to the Governor and the Legislature at the conclusion of the pilot program, containing information on the development and implementation of the program

and the feasibility of expanding the program to other municipalities in the State. The report also would include copies of any reports by service providers selected to develop and implement the pilot program. Thirty days after that report is filed, the bill's provisions would expire.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define “peace circles” and “community conferencing,” which are conflict resolution and healing practices to be implemented under the bill;

(2) reorganize certain provisions of the bill to state and appropriately describe that restorative justice hubs and community-based enhanced reentry wraparound services are the two components of the pilot program established under the bill;

(3) include that preventative mentoring services are to be included in the services provided in the community-based enhanced reentry wraparound services provided in the restorative justice hubs;

(4) clarify that the community-based enhanced reentry wraparound services enumerated in the bill are to be provided in each restorative justice hub;

(5) provide that a restorative justice hub may have either a single service provider or multiple service providers with one lead service provider;

(6) provide that an individual or lead organization interested in becoming a service provider is to submit a proposal using the existing request for proposal process to the appropriate youth services commission;

(7) require all service providers participating in the pilot program to undergo intensive training in restorative and transformative justice practice or show proof of JJC approved training and provide that service providers may use the monies awarded pursuant to the pilot program to fund this training;

(8) to require a public meeting to be scheduled in each of the four pilot municipalities; as introduced, the bill requires a public meeting to be scheduled in each of the northern, central, and southern regions of the State;

(9) provide that priority in distributing monies in the fund established under the bill is to be given to service providers in the four pilot municipalities, and providers whose employees reflect the diversity of the communities they serve;

(10) provide that \$4,200,000 in funding is to be appropriated from the General Fund in both State fiscal year 2022 and State fiscal year 2023; as introduced, the bill provided for funding in the amount of \$8,400,000 in State fiscal year 2021 and State fiscal year 2022;

(11) provide that rules and regulations are to be adopted by the JJC immediately upon filing with the Office of Administrative Law

and within 120 days of the bill's effective date, and that the rules adopted are to be in effect during an interim period, but may subsequently be amended, adopted, or readopted by the JJC in accordance with the Administrative Procedure Act; as introduced, rules and regulations were to be established by the JJC within 30 days of the bill's effective date;

(12) specify that monies in the fund used to provide grants to develop and implement the pilot program are required to be allocated equally among the four county youth services commissions, and distributed in accordance with the rules and regulations adopted by the Juvenile Justice Commission;

(13) Provide that no more than eight percent of the monies in the fund could be used by the JJC for administrative purposes, and no more than 15 percent of the monies in the fund could be used by the county youth services commission for administrative purposes; as introduced, the bill provided that no more than 10 percent of the monies in the fund is be used for administrative purposes;

(14) provide that the pilot program is to operate for a period of two years, exclusive of the time required to implement the grant application and award process, and to initiate the pilot program; and

(15) provide that, to the extent necessary, funding distributed to the pilot program is to be carried forward and used for its purposes, regardless of whether the funds are expended in the same fiscal year in which the funds were initially distributed.