

SENATE, No. 4104

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2021

Sponsored by:

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

SYNOPSIS

Expands Restorative and “Transformative Justice for Youths and Communities Pilot Program” in Juvenile Justice Commission to include Jersey City; appropriates \$2 million.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the “Restorative and Transformative Justice for
2 Youths and Communities Pilot Program” in the Juvenile Justice
3 Commission and amending P.L.2021, c.196.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 3 of P.L.2021, c.196 is amended to read as follows:

9 3. There is established in the Juvenile Justice Commission,
10 created by section 2 of P.L.1995, c.284 (C.52:17B-170), a two-year
11 pilot program, titled the “Restorative and Transformative Justice for
12 Youths and Communities Pilot Program.” The purpose of the pilot
13 program is to develop innovative restorative and transformative
14 justice continuums of care in **[four]** five target cities that include
15 two components: restorative justice hubs and community-based
16 enhanced reentry wraparound services. The pilot program shall be
17 established in the municipalities of Camden, Jersey City, Newark,
18 Paterson, and Trenton.

19 a. The first component of the pilot program shall include
20 restorative justice hubs. Each of the **[four]** five pilot program
21 municipalities shall have one restorative justice hub.

22 b. The second component of the pilot program shall include
23 community-based enhanced reentry wraparound services to be
24 provided within each restorative justice hub. These services shall be
25 designed as an emergency response for those young people being
26 released from juvenile facilities due to the COVID-19 pandemic,
27 and may also serve as a long-term program for all young people
28 released from a facility. Community-based enhanced reentry
29 wraparound services shall include, but not be limited to, the
30 following services and supports:

- 31 (1) Mental health services;
32 (2) Substance use disorders treatment and recovery;
33 (3) Education support;
34 (4) Employment services;
35 (5) Housing support;
36 (6) Financial literacy and debt support services;
37 (7) Life skills support services;
38 (8) Social support services; and
39 (9) Preventative mentoring services.

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

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

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.

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

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

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

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

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

30 (6) To increase program participation rates in other restorative
31 and transformative justice programs in the municipalities in which
32 the pilot program is established.

33 (cf: P.L.2021, c.196, s.3)

34
35 2. Section 5 of P.L.2021, c.196 is amended to read as follows:

36 5. There is established within the General Fund a separate,
37 temporary dedicated fund to be known as the "Restorative and
38 Transformative Justice for Youths and Communities Pilot Program
39 Fund," to be held separate and apart from all other funds of the
40 State. This fund shall be administered and the monies in the fund
41 distributed by the Juvenile Justice Commission. From the monies
42 appropriated under the category of juvenile grants-in-aid for the
43 Department of Law and Public Safety in State fiscal year 2022 and
44 State fiscal year 2023 , **[\$4,200,000]** \$5,200,000 in each fiscal year
45 shall be credited to this fund for a total of **[\$8,400,000]**
46 \$10,400,000, and these monies, and any interest or other income

1 earned thereon, shall only be used for purposes associated with the
2 pilot program established by this act.

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

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

35 b. The fund shall be used to provide grants to participating
36 service providers selected by the county youth services
37 commissions through a competitive process pursuant to section 4 of
38 P.L.2021, c.196 to develop and implement the pilot program
39 established by this act. Priority in distributing monies in the fund
40 shall be given to service providers located in the **four** five pilot
41 municipalities and to service providers whose employees are
42 representative of the communities to be served by the pilot program.
43 Monies in the fund used to provide grants to develop and implement
44 the pilot program shall be allocated equally among the **four** five
45 county youth services commissions and distributed in accordance
46 with rules and regulations adopted by the Juvenile Justice
47 Commission .

1 c. No more than eight percent of the monies in the fund shall
2 be used by the Juvenile Justice Commission for administrative
3 purposes and no more than 15 percent of the monies in the fund
4 shall be used by the county youth services commissions for
5 administrative purposes.

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

12 e. The pilot program shall operate for a period of two years,
13 exclusive of the time required to implement the grant application
14 and award process, and to initiate the pilot program. To the extent
15 necessary, funding distributed to the pilot program shall be carried
16 forward and used for its purposes regardless of whether the funds
17 are expended in the same fiscal year in which the funds were
18 initially distributed. At the conclusion of the two-year pilot
19 program, any monies remaining in the fund shall be transferred to
20 the Juvenile Justice Commission for use in administering the
21 State/Community Partnership Grant Program established pursuant
22 to P.L.1995, c.283 (C.52:17B-179 et al.), and funding grants
23 distributed through that program.

24 (cf: P.L.2021, c.196, s.5)

25
26 3. This act shall take effect immediately and shall expire 30 days
27 following the Juvenile Justice Commission's submission of the report to
28 the Governor and Legislature as required by section 6 of P.L.2021,
29 c.196).

30 31 32 STATEMENT

33
34 This bill expands the "Restorative and Transformative Justice for
35 Youths and Communities Pilot Program" in the Juvenile Justice
36 Commission (JJC) and makes an appropriation.

37 Legislation, enacted as P.L.2021, c.196 (the enactment), establishes
38 the two-year Restorative and Transformative Justice for Youths and
39 Communities Pilot Program in the JJC in four target cities: Camden,
40 Newark, Paterson, and Trenton. The enactment also appropriates \$8.4
41 million for implementation of the pilot program. This bill requires the
42 pilot program also to be implemented in Jersey City and increases the
43 appropriation by \$2 million to fund the implementation of the program
44 in Jersey City.

45 As provided in the enactment, the purpose of the pilot program is
46 to assist with the reintegration of youths released from juvenile
47 facilities and to help them avoid involvement with the youth justice
48 system during the current public health crisis caused by the

1 Coronavirus disease 2019 pandemic, also referred to as the COVID-
2 19 pandemic, and potentially beyond. The pilot program is to
3 operate for a period of two years, exclusive of the time required to
4 implement the grant application and award process established
5 under the enactment, and to initiate the pilot program. The JJC is
6 required to submit a report to the Governor and the Legislature at
7 the conclusion of the pilot program, containing information on the
8 development and implementation of the program and the feasibility
9 of expanding the program to other municipalities in the State. The
10 provisions of the enactment are to expire thirty days after the report
11 is filed.

12 The program is to include two components: restorative justice
13 hubs and community-based enhanced reentry wraparound services.
14 Under the enactment, there is to be one restorative justice hub in
15 each of the pilot municipalities. Each hub is to provide the
16 restorative justice services and reentry wraparound services
17 outlined in the enactment. The restorative justice hubs are required
18 to establish working relationships with law enforcement, courts,
19 prosecutors, and defense attorneys to support the diversion of youth
20 away from arrests and prosecution and towards participation in
21 restorative justice services.

22 The appropriate county youth services commissions would
23 implement the existing request for proposal process in order to
24 solicit proposals from interested persons and organizations.

25 Pursuant to the enactment, the pilot program is to be funded from
26 the General Fund with \$4,200,000 in State fiscal year 2022 and
27 \$4,200,000 in State fiscal year 2023 to be credited to a separate,
28 temporary dedicated fund known as the “Restorative and
29 Transformative Justice for Youths and Communities Pilot Program
30 Fund.” The fund is to be used to provide grants to participating
31 service providers through a competitive process established under
32 the enactment. Under the bill an additional \$2 million, \$1 million in
33 State fiscal year 2022 and \$1 million in State fiscal year 2023, is to be
34 credited to the fund for costs associated with implementation of the
35 program in Jersey City.