
Testimony



TO: Senate Law and Public Safety Committee
FROM: Cecilia Zalkind, Executive Director, Advocates for Children of New Jersey
Mary Coogan, Assistant Director, Advocates for Children of New Jersey
DATE: March 12, 2015
Re: Testimony in Support of Senate Bill 2003

Thank you for the opportunity to testify on Senate Bill 2003. Advocates for Children of New Jersey (ACNJ) is a statewide child advocacy organization and a member of the Juvenile Justice Reform Coalition that is providing testimony here today. While we support the coalition's position, I would like to make a few brief comments on behalf of ACNJ.

First, I want to commend Senator Pou for introducing this bill, which proposes reform of New Jersey's juvenile justice system. It is long overdue. As a society, we know so much more about brain development than we did when the Juvenile Justice Code was first enacted. A growing body of research demonstrates that brain development continues to age 26; teens do not have the same decision-making ability as adults. That is why they are more likely to take risks and less likely to anticipate the consequences of their actions.

While we agree that juveniles should be held accountable for their actions, we must treat juveniles who commit crimes differently than adults. These youth will return to their communities and we must equip them with the skills they need to stay out of trouble and mature into productive adults.

In November 2012, ACNJ released a *Kids Count Special Report on Juvenile Justice* that examined New Jersey's successful efforts to reduce the numbers of juveniles in county detention centers. This success is credited in part to the state's participation in the Juvenile Detention Alternatives Initiative (JDAI), a national project led by the Annie E. Casey Foundation. While this initiative focuses on reducing the number of youth

Giving Every Child A Chance

confined in county detention facilities, it has also resulted in far fewer youth being committed to longer-term incarceration in the Juvenile Justice Commission's facilities **without risk to public safety.**

New Jersey is the only state to be designated a national model for detention reform as part of this initiative. This has been, arguably, one of the most significant successes to benefit New Jersey youth over the past decade. We need to continue to implement reforms that are making New Jersey's juvenile justice system smarter, safer and **saving taxpayer dollars.**

Senate Bill 2003 moves us in that direction. The bill proposes reforms to New Jersey's juvenile justice system that take into account the most current scientific research on brain development. A critical provision of the bill addresses the transfer or "waiver" of minors to adult court. Under the current version of the bill, the minimum age for a juvenile case to be transferred from family to adult criminal court would be raised from age 14 to 15.

I currently serve on the New Jersey Council on Juvenile Justice System Reform and chaired the subcommittee that addressed the waiver issue. After exhaustive research and discussion, the subcommittee, made up of a cross-section of people working in the juvenile justice field, concluded that the age at which a juvenile can be waived should be raised, and could be raised without threatening public safety. Numerous studies have documented the harmful effects of incarcerating young teenagers – to both the youth and society.

The subcommittee recommended that the age at which a juvenile may be waived to adult criminal court should be raised from 14 to 16. In examining data on waiver, the committee found that very few 14 and 15-year-olds were actually waived to adult court. However, having the law on the books sends the message that it is available and appropriate for younger teens. The committee also recommended increasing the time allotted to file a waiver motion from 30 to 60 days to allow adequate time for investigation.

Raising the waiver age, as well as the other common-sense reforms advanced in S-2003, are backed by recent scientific research showing that adolescents need time to mature. Our focus must be on rehabilitating these youth – not sentencing them to a life in the criminal justice system. New Jersey's success in significantly reducing the number of youth in detention demonstrates that there are better ways to treat juveniles and that these reforms can be done with no risk to public safety.

We agree with the coalition that there are provisions of the bill that need further discussion. However, we would urge this committee to release the bill today so that we can take the important first step on a pathway to reform.