

# SETON HALL UNIVERSITY SCHOOL OF LAW

## REMARKS OF

### ATTORNEY GENERAL PETER VERNIERO<sup>1</sup>

Good morning, everyone. It is a privilege to be here today with so many individuals dedicated to helping New Jersey's young people and preventing future victims of crime.

Looking around this room, I see quite a few familiar faces, including Juvenile Justice Commission Executive Director Paul Donnelly, and a number of his staff. Also, as I look around, I am pleased with the diversity of this audience, and how that diversity reflects the scope of our mission in dealing with juvenile crime. We have distinguished members of the judiciary joined by members of the law enforcement, legal and education communities. Representatives from local, county and state government also are represented. In addition, I

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<sup>1</sup> Mr. Verniero was sworn in as New Jersey Attorney General in July 1996. He was unanimously reconfirmed in January 1998. Prior to becoming Attorney General, Mr. Verniero served as chief counsel to Governor Whitman from January 1994 to February 1995, and then as chief of staff to the Governor. In June 1997, Mr. Verniero was named chairman of the Environment and Energy Committee of the National Association of Attorneys General. He is also a member of the Senior Environmental Enforcement and Compliance Forum, which advises on state-federal enforcement policies. Additionally, Mr. Verniero served as Executive Director of the Republican State Committee from July 1989 to January 1990; is the former chairman of the State Bar Association's Election Law Committee; and is a Fellow of the American Bar Association.

Before joining state government, he was a director of the law firm of Herold and Haines in Warren. He was with the firm Pitney, Hardin, Kipp and Szuch, Morristown, from 1985 to 1987, and an adjunct business law professor at the County College of Morris in 1986. He began his legal career in 1984 as a law clerk to state Supreme Court Justice Robert L. Clifford. Mr. Verniero graduated *summa cum laude* from Drew University and received his J.D. with honors from Duke University School of Law.

would like to recognize the Seton Hall Legislative Bureau for organizing this event and for bringing so many of the faculty and students of the law school together to learn more about juvenile justice. A special thanks also goes to Judge Fred DeVesa for putting together a strong discussion panel that will tackle a number of critical issues later in the program.

Although we are a diverse audience, we are unified in our mission. Indeed, each one of you has a stake in the future of the troubled young people with whom you deal everyday. Juvenile crime continues to be much in the public's eye and on the public's mind, and rightly so.

Last week's shootings in Jonesboro, Arkansas, allegedly by two boys, ages thirteen and eleven, is but the latest in a series of tragic events that have galvanized the public's attention and spawned calls for reform. Indeed, we watched in horror. We watched in sorrow, as young children clung to each other for support as the aftermath of this tragedy began to unfold.

It is at times like these when the work each of you does shines through. Your commitment to helping troubled youth is appreciated and valued. New Jerseyans should take comfort in knowing that there are people like you who are working to make a difference – a difference that can ultimately save a life. For that, I thank you.

Whether Jonesboro and like incidents are representative of juvenile crime seems an open question. The Justice Department reports, for example, that the national homicide rate for teenagers has been declining during the past few years.

In New Jersey, I am glad to report, we have been ahead of the curve. Juvenile arrests in our state have declined three percent from the first six months of 1997 as compared to the first six months of 1996. We initiated a reasoned, public discussion about juvenile justice reform starting four years ago. That dialogue bore fruit in 1995 with the creation of the Juvenile Justice Commission. Today, I would like to discuss some of the Commission's efforts and accomplishments, as well as provide you with a brief look toward the future.

But first, I would like to put those efforts and accomplishments in context. When Governor Whitman came into office in 1994, the statistics on juvenile crime told a

disturbing story. Between 1993 and 1994, juvenile arrests jumped six percent. The number of young people arrested for violent crimes – murder, rape, robbery, aggravated assault – had taken a dramatic turn for the worse, rising nearly forty percent since 1987.

Recognizing the severity of the situation, the Governor called on then-Attorney General Deborah Poritz to undertake complete reform of the state's juvenile justice system. The Governor issued an executive order revitalizing an existing advisory council on juvenile justice. She directed the council to conduct an in-depth study of the entire juvenile justice system and to present her with a comprehensive blueprint for reform. Many of you here today played active roles in formulating this change.

The Council reported back to the Governor and Legislature in December 1994, shortly after beginning its task. Chief among its recommendations was the creation of a single, centralized agency to handle all juvenile justice matters in New Jersey. The end-result was the Juvenile Justice Commission, which began operation in December 1995 and which I now oversee as the Attorney General. The Commission ultimately brought together a fragmented system of juvenile services.

Under the Commission, services provided previously by three different departments – Law and Public Safety, Corrections and Human Services – were placed under one roof. The three sometimes disparate entities began speaking with one voice. Our mission is to protect the public and rehabilitate youth – and when necessary, to punish youth – and to provide a broad continuum of sanctions and services. The state now speaks with one voice on the situation.

Soon after its creation, the Commission set in place a series of short- and long-term objectives for reform. Many of them have been already realized. Let me list a few: we've developed a new aftercare system, built new facilities – including a boot camp, upgraded others, enhanced educational programming, started a "restorative justice" program, enhanced drug treatment efforts, and established a state/community partnership grant program, all in the last two years.

Let me share some details on these accomplishments. I'll begin with our totally new system of aftercare and parole.

Started in September 1997, the new aftercare effort is built on stringent reporting requirements, curfews, drug testing and community service assignments. All paroled juveniles are now released to an aftercare system that pairs rigorous public safety measures with services to the offenders and their families. The new aftercare system is built on a team approach. Parole officers now work with assistant case managers, education and employment specialists, to ensure that young people do not slip back into a life with crime.

The changes have brought about marked reductions in caseloads. Parole officers now handle a maximum of forty-five cases, compared with as many as 100 cases several years ago. The aftercare system has also adopted new state-of-the-art technology designed to track and monitor parolees quickly and efficiently.

In February, we installed a voice verification tracking system that uses a voice print of each juvenile to track his or her movements up to nine times a day. This is combined with a sophisticated pager system that allows random checks of juveniles' whereabouts. Aftercare is complemented by the development of transitional living facilities. Last June the Commission opened the state's first such facility in Camden County.

This residential placement center is an important aspect of our overall strategy. It provides a less restrictive setting closer to home for juveniles who are about to be paroled. This system is designed to better link juveniles with families, mentors, jobs, community agencies and schools in familiar surroundings before their release. A second facility recently opened in Passaic County, and we hope to have at least three more sites in place in the near future.

The Commission has also made strides in dealing with its overall facilities needs. For instance, in May 1997, the state opened its first secure-care facility for young girls, Valentine Hall in Bordentown. It is only one of a handful of such institutions in the nation. The facility serves as the intake unit for all girls in the state's care, as well as a medium security facility.

Continued concerns by both citizens and public officials about the New Jersey Training School for Boys in Monroe

Township led to the addition of a state-of-the-art security system, including a perimeter fence around the facility. The result: for the first time in the school's 125-year history there has not been a single escape in more than a year. To help address the problem of overcrowding at juvenile facilities, the Commission is planning two new facilities with a total of 220 beds. Additionally, the number of beds at current facilities has been increased, as well.

On the education front, the Commission is working to ensure that juveniles are provided with programs that emphasize the fundamentals of reading and writing. Vocational training and job skill development are also provided, to round out the curriculum.

In an effort to get youth to confront the impact of their crimes and to allow communities to see that the young people are willing to "give back" to the neighborhoods and people they have harmed, the Commission has developed a "restorative justice" program. In this program, youth work directly with the victims of crime or in communities affected by crime, undertaking such tasks as neighborhood clean-up projects.

Clearly, no single agency alone could possibly undertake juvenile justice reform. The success of our efforts is instead based on a multi-agency approach. With that in mind, the Commission has provided seven million dollars yearly to more than 120 innovative juvenile justice programs – as part of the State/Community Partnership Grant Program. Administered at the county level by youth Services Commissions, the program provides local solutions to local problems. It identifies the needs of young people and the ways to provide the necessary services and sanctions at a grassroots level.

The theory behind this approach is simple. Sanctions short of incarceration should be designed and implemented at the local level where juveniles live and where the community most affected by these young offenders can become involved in a positive way.

I'd like to finish this list of accomplishments by telling you a little bit about what is perhaps the most visible symbol of our reform efforts. I'm referring to the Stabilization and Reintegration Program – more commonly known as the boot camp. The boot camp incorporates military style discipline

with life skills training. The cadets hone their physical abilities through rigorous drills, attend classes and meet with counselors. Combined, these activities lay a foundation of strength from which these young people can rebuild their lives. Indeed, since February 1996, when the Commission opened the boot camp at the Wharton Tract in southern New Jersey, the camp has graduated more than 240 young men from a total of fourteen platoons.

I've just given you a snapshot of how far we have come – in a relatively short time – on the road to lasting juvenile justice reform in New Jersey. Now let me tell you about our future plans. I'll begin by updating you on the New Jersey Training School for Boys. To further respond to concerns about the school, the Legislature directed that the Commission conduct a study on the feasibility of closing of the school.

The Commission, aided by an advisory panel appointed by the governor, reported its findings in December. We recommended that a new juvenile correction facility should be constructed outside of the current location. Upon completion of this new facility, the use of the training school for the most serious offenders would be curtailed. However, the school would remain open in a scaled-back form for the custody and care of other offenders committed to the Commission. These recommendations were not made lightly. They were based in part on research conducted by the Commission on future trends in juvenile crime. With the assistance of an expert from the National Council on Crime and Delinquency, it was determined that youth committed to the custody of the Juvenile Justice Commission will increase between 1998 and 2007 by approximately eight percent. This projection, based on research by Dr. James Austin, the national council's expert, is founded on the projected growth in the fifteen through nineteen-year-old population.

In the Commission's report, it was further noted that there are a number of positive socio-economic trends that may contribute to a lower juvenile crime and arrest rate regardless of increases in the youth population. But, as you well know, there are also more dire views. In fact, there is much public debate about future trends in juvenile crime. You'll hear more discussion about this during the panel presentation later today.

Indeed, it is predictions of our future needs that are serving as the basis for the creation of a juvenile justice master plan. The plan will address how to enhance current facilities, sanctions and services. We have received input from juvenile justice system professionals and traditional and non-traditional providers. The Commission is also seeking input from both parents and young offenders who are at various points in the system, as well as state government departments that have a stake in juvenile justice. When completed, the master plan will provide valuable information that can be used to determine population projections, and the size of any new juvenile secure care facility. The master plan will be a vehicle for ensuring that juvenile justice reform remains a flexible work in progress. It is an undertaking that will take us well into the next century; it is an undertaking that will go far beyond the next generation.

At this point, I would like to pause and talk about an issue that I think is one of the most dramatic, important, significant, and serious issues we face in not only the juvenile justice system, but as a society. That is the issue of drugs and drug abuse. Shortly after I became Attorney General, I was presented with some very disturbing statistics. They were the results of a survey that my department does every three years. The results were alarming. Drug use among our young people in high school has doubled and heroin use has almost tripled throughout the state. We have high school students telling representatives of my office that they use drugs or alcohol before the start of school. One out of every five students said they use drugs. As a parent, I am alarmed. As Attorney General, I am convinced that we are faced with probably one of the greatest public challenges we can face.

We have a problem with drugs. It is not a problem caused by any one political party or any single administration. It has been building up over time. It is not just in New Jersey, it is a national problem. National research indicates that up to eighty percent of people arrested in this country show signs of drugs and alcohol. Despite the fact that our overall juvenile trial statistics have gone down, the overall ten year trend on drug arrests alone indicate that drug arrests are up thirty-seven percent. In New Jersey, preliminary results of a survey conducted by the Commission indicate that nearly sixty percent

of young people in this state have drug abuse problems. There cannot be a rational discussion about juvenile justice reform without a discussion about drugs and alcohol. The Governor announced in October of 1996 a multi-faceted, drug enforcement, education, public awareness initiative that is now in full force. This plan calls for equal parts of education, public awareness and law enforcement. No one element of society can face this battle alone. We need this multi-faceted strategy.

The evolution of programs and services for young offenders will no doubt at times prove challenging and perhaps even daunting to each of us in this room. To that end, I am pleased to announce, for the first time publicly that the Commission will be adding 100 beds through a private service provider that will include substance abuse education and counseling services. The bids for this new initiative will be issued on Monday. Our target completion date is August 1, 1998. Seventy-five of those beds will serve as a transition for young people being paroled from the New Jersey Training School for Boys. Twenty-five of the beds will be available to the aftercare program to help those young people who are having difficulty readjusting to the community and to the conditions of their parole.

On a related note, in December, the fifty-two bed Alpha Meta house opened as a substance abuse treatment unit at the Training School for Boys – another first for that facility. The Commission is also piloting a substance abuse education program designed to both increase juveniles' awareness of drug and alcohol issues and to help them learn to turn their backs on illicit substances.

I am confident that we have begun to turn the corner on juvenile justice reform, and that together we can continue to serve New Jersey by keeping youth free from a life of crime.

Thank you.