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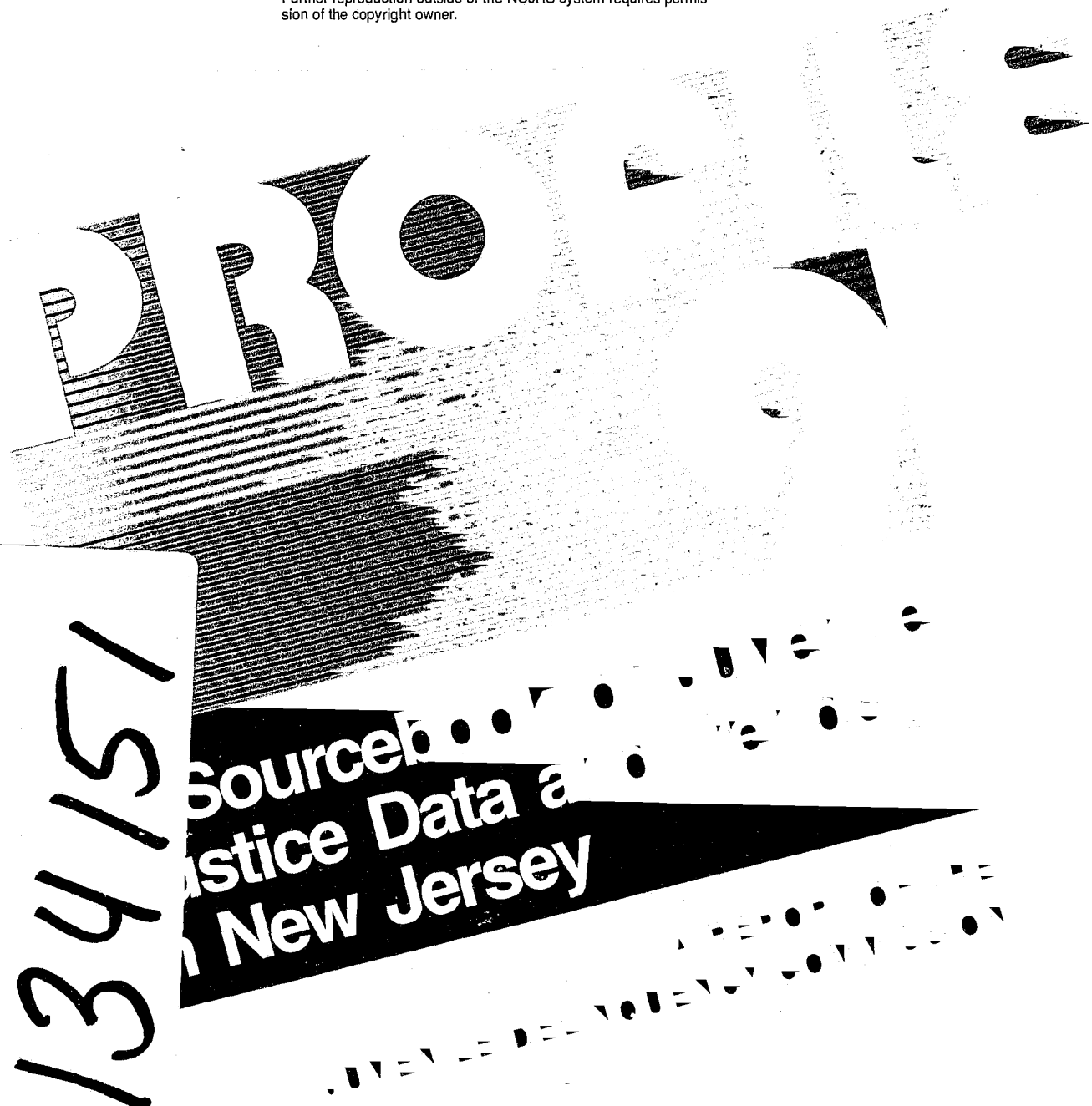
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JUVENILE DELINQUENCY COMMISSION

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JUVENILE DELINQUENCY COMMISSION

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September, 1991

Dear Colleague:

The Commission began publishing its *Profile* series in the winter of 1990 and will continue publishing it on a bi-annual basis. *Profile's* purpose is quite simple – to supply you with information on what is happening in New Jersey's juvenile justice system.

This Summer 1991 edition provides basic information on arrests, crisis intervention, detention, court and correctional trends. It also contains a special section on drugs that we hope you will find informative.

We encourage you to contact us with your comments.

A handwritten signature in cursive script, reading "Peter W. Loos".

Peter W. Loos
Chairman

A handwritten signature in cursive script, reading "Ty Hodanish".

Ty Hodanish
Executive Director

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INTRODUCTION

Observers of our state juvenile justice system are likely to see some promising new developments as well as some danger signs. Following a significant decline in juvenile arrests in the 1980s, juvenile crime may well be on the rise again. Particularly disturbing are the recent increases in the rates of violent index offenses (murder, rape, robbery and aggravated assault). Combined with an expected increase in the general juvenile population in the 1990s and predictions that delinquency may increase in this population group, we can anticipate some rougher times ahead.

A related problem is that the "system" at all points continues to feel the strain of dealing with delinquent youth. In short, there are simply too many problems and not enough options – especially in our urban areas. We're simply not organized or prepared to do a good job.

The good news is that policymakers are devoting additional attention to juvenile crime and are seriously considering many of the recommendations made by the Commission over the past 5 years. One promising avenue is the recently formulated "Governor's Cabinet-Level Action Group" headed by the Attorney General that is focusing a coordinated executive branch approach on some key juvenile justice issues.

The Judiciary continues to focus effort on juvenile issues after a highly successful annual conference. County Youth Services Commissions are becoming more effective in developing local approaches, and it is becoming increasingly recognized that efforts for dealing with delinquency must reside in local communities.

These efforts are occurring at a time when the basic profile of the system is changing. In part, the juvenile justice system that we knew ten years ago is not the same system that we have today. Here are some of the highlights noted in this Summer 1991 edition:

Juvenile Arrests

- There were 90,265 juvenile arrests in 1990, virtually no numerical change from 1989. Index offense arrests, however, rose with violent index offense arrests increasing by 13.2%.
- Over a ten year period (1981-1990), juvenile arrests dropped significantly, by 22.8%, due in large part to a decrease in youth population. Arrests for violent index offenses, however, rose by 7.4%.
- Serious juvenile crime remains largely an urban phenomenon. Our six most populous cities accounted for 19.6% of juvenile arrests, 19.0% of index arrests and 36.7% of violent index arrests.

Juveniles and Drugs

- According to a recent student survey, drug and alcohol use is extensive among students. The good news is that use appears to have decreased significantly in recent years.
- There were 5,568 juvenile drug arrests in 1990, a drop of over 28% since 1988.
- By 1990, 42.1% of all juvenile drug arrests were for distribution-related offenses, as opposed to possession. Only 25.3% were for distribution-related offenses in 1981.
- Minority youths appear to be disproportionately impacted by the drug epidemic. Black youths comprised more than two-thirds of all drug arrests in 1990, and more than four-fifths of all arrests for distribution. Arrests of black youths for drug-related offenses rose 162.9% between 1981 and 1990 while arrests for white youths dropped 72.0%.

Juvenile-Family Crisis Intervention

- Family Crisis continues to be an extensively used option. The 11,732 cases handled in 1990 represents a 3.5% increase over the previous year's total. Family conflict cases accounted for about one-half (49.7%) of all cases handled, followed by runaway (15.7%) and truancy (13.4%) cases.

- Only 11.0% of all Family Crisis cases were petitioned to court in 1990, indicating that Family Crisis Units are successful in diverting large numbers of cases from Family Court.

Probation

- Probation continues to be the dominant service arm of the juvenile justice system. There was an average of 11,560 juveniles on probation at any one time in 1990, an increase of 3.4% over the previous year. Despite the increase, however, probation officer caseloads decreased 14.1%.
- There were 5,100 court orders for community service in 1990, totalling 168,513 community service hours. The average case involved 33 hours of service.

Juvenile Detention

- There were 11,007 juveniles admitted pre-dispositionally to detention centers throughout the state in 1990, down slightly from the number recorded for 1989. The average daily population was below the statewide rated capacity for the first time since 1987.
- However, overcrowding continues to be a major problem in some facilities. Data for April of 1991 show that five of the eighteen facilities were exceeding their rated capacity.

Juvenile Corrections

- 1990 was the first year since 1984 that the Department of Corrections experienced a decrease in the number of juveniles under its jurisdiction. Data for the first six months of 1991 suggest that this downward trend continues.
- There were 1,326 juveniles under the jurisdiction of the DOC at any one time in 1990 – training schools averaged 676 juveniles, residential programs 390, and day programs 260.
- Minority youths continued to account for the overwhelming majority of youths placed in our state's training schools. In July of 1991, they comprised 87.6% of the training school population.

JUVENILE ARRESTS

ARRESTS IN 1990

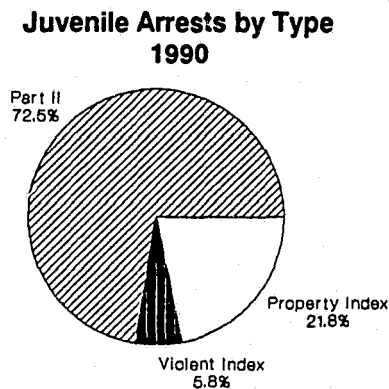
The Uniform Crime Report (UCR) published yearly by the State Police provides our best available information on juvenile crime, in the form of juvenile arrests. According to the UCR, there were 90,265 juvenile arrests

There were over 90,000 juvenile arrests in 1990. Most were for less serious delinquent acts. But 6% were for serious violent offenses.

in 1990. Taken as a group, juveniles accounted for just over one in every five (20.5%) arrests in New Jersey. The juvenile arrest rate was 117 arrests per 1,000 juveniles ages 10 to 17, or about 1 arrest for every 10 youths in the state.

WHAT OFFENSES DO JUVENILES COMMIT?

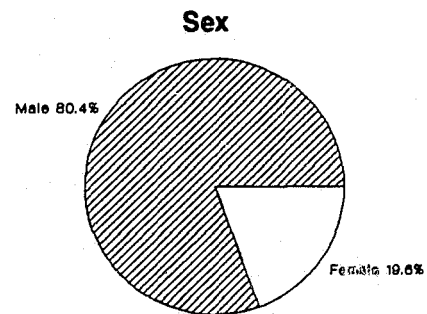
Juveniles commit a wide variety of offenses, ranging from violent acts to shoplifting and disorderly conduct. UCR "index offenses" include violent offenses (murder, rape, robbery and aggravated assault) and property offenses (burglary, larceny-theft and motor vehicle theft). All other offenses (generally less serious than the index offenses) are referred to as Part II offenses.



A large majority of juvenile arrests were for these Part II offenses. But 24,832 arrests (27.5% of the total) were for index offenses; only 5,195 (5.8%) involved violent index offenses. The offense categories most common in 1990 were (in order of magnitude) larceny-theft, disorderly conduct, simple assault, malicious mischief and drug abuse violations. These combined to account for 46,146 juvenile arrests, 51.1% of the total.

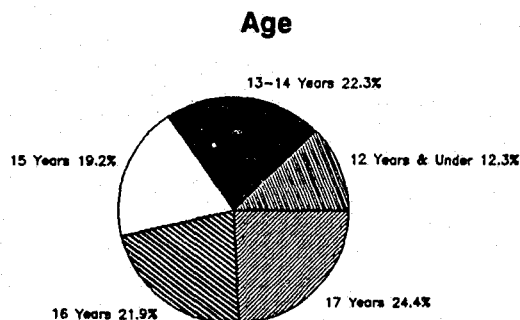
DEMOGRAPHICS OF ARREST

The typical juvenile arrested in 1990 was a 17 year old white male. This picture has remained fairly constant over time, although it fails to reflect some important new trends. Further gender, age and race/ethnicity details are provided below.



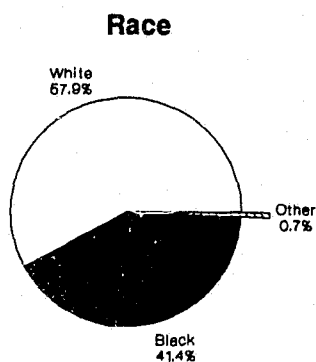
Gender. Males continue to account for the majority of juvenile arrests:

- In 1990, males accounted for four of every five (80.4%) arrests.
- The gender difference is even greater for serious offenses. Females, for example, accounted for only 12.9% of violent index offense arrests. Even so, females now account for a somewhat greater proportion of these arrests than they did in 1980 (9.2%).



Age. Delinquency patterns also vary across age, with older juveniles most prone to arrest:

- In 1990, seventeen year olds remained the most arrest prone age group, accounting for 24.4% of all arrests. Fifteen to seventeen year olds accounted for nearly two-thirds (65.4%) of all arrests.
- Focusing solely on arrests for violent index offenses, 17 year olds comprised a 28.1% share; the 15 to 17 age group combined for 71.3% of the total (down from 76.3% in 1980).
- Juveniles 12 and younger accounted for only 12.3% of all arrests. Their share of index arrests was somewhat higher, 13.9% (15.3% for property and 8.8% for violent offenses). A very small portion of arrests (2.4%) involved youths ages 10 and below.
- The relative likelihood of the younger juveniles (ages 12 and below) being arrested for violent index offenses was higher than it was in 1980. For example, in 1990 they accounted for 8.8% of all arrests for violent index offenses as compared with 6.1% in 1980.



Race/Ethnicity.¹ Minority youths continue to be arrested at rates disproportionate to their presence in the total population:

- In 1990, white youths accounted for 57.9% of all juvenile arrests, down significantly from 74.1% in 1980.
- Black youths accounted for 41.4% of all arrests. In addition, they accounted for nearly half (46.7%) of all index offense arrests and 65.7% of arrests for violent index offenses.
- The disproportionality of arrest patterns of black youths increased over the last decade. By comparison with 1990, black youths accounted for 25.8% of all arrests, 40.0% of arrests for index offenses and 60.6% for violent index offenses in 1980.
- Hispanic youths accounted for 12.5% of all juvenile arrests. This included 13.6% of index arrests and 15.9% of violent index arrests.

WHERE IS DELINQUENCY FOUND?

Delinquency is found in every community, although the nature and extent of delinquent behavior varies from

Delinquency knows no boundaries. But serious juvenile crime is largely an urban phenomenon.

county to county – even from neighborhood to neighborhood. Arrest figures indicate that a large share of delinquent activity occurs in our larger urban counties (see Table 1, appended). In 1990, six of our urban counties (Essex, Bergen, Monmouth, Passaic, Union and Hudson) accounted for 51.8% of all juvenile arrests. By contrast, six other counties (Hunterdon, Sussex, Warren, Salem, Cape May and Gloucester) accounted for only 7.2%.

Regions also vary in arrests for serious offenses. Focusing solely on arrests for violent index offenses, we see that five of our counties accounted for nearly two-thirds (63.2%) of all juvenile arrests for these offenses even though they contain only one-third (33.6%) of the state's under 18 population. These were Essex, Hudson, Camden, Passaic and Atlantic counties; Essex and Hudson alone accounted for 43.6% of these arrests (see Table 2, appended).

That serious juvenile crime continues to be largely an urban phenomenon is reflected even more clearly in a city profile. Our six most populated cities (Camden, Elizabeth, Jersey City, Newark, Paterson, and Trenton) contain about 14.3% of the state's under 18 population. In 1990, these six cities accounted for 19.6% of all arrests, 19.0% of index arrests and 36.7% of all arrests for violent index offenses (see Table 3, appended). The cities of Jersey City and Newark alone accounted for nearly a quarter (23.9%) of all the state's juvenile arrests for violent index offenses.

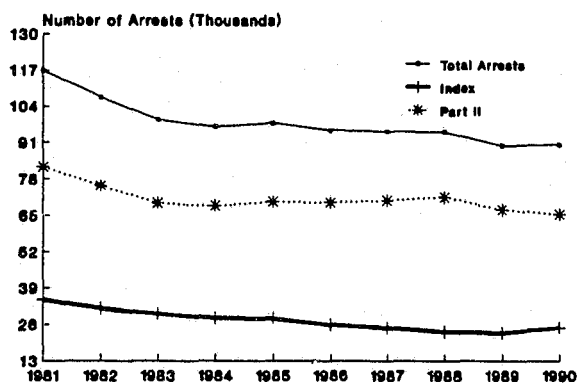
TRENDS IN ARRESTS

Comparing 1990 with 1989. There was virtually no change (up less than half of one percent) in the number of arrests between 1989 and 1990, but other disturbing shifts are seen. Arrests for index offenses rose 8.6% – with each of the seven index offense categories increasing. The greater rise in arrests was for the violent offenses, increasing 13.2%; for property offenses the rise was 7.5%. Arrests for Part II offenses showed a small decline of 2.5%.

A Ten Year Trend. Our last "Profile" noted that the decade of the 1980s witnessed a decline in juvenile arrests. Below, we examine trends for the most recent ten year interval – 1981 to 1990 (also see Table 4, appended).

On the bright side, there were 26,721 fewer juvenile arrests in 1990 than in 1981, a drop of 22.8%. The downward trend was steady except for very small increases in 1985 and 1990. Arrests for index offenses also declined during the ten year period, by 28.6%.

**Juvenile Arrest Trends
1981-1990**

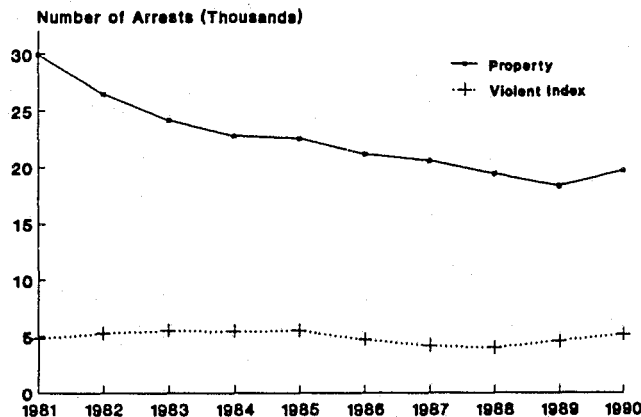


A closer examination of index offenses, however, shows a diverging trend. Arrests for property index offenses decreased steadily, reversing only in 1990.

The good news is a 23% drop in juvenile arrests in ten years. The bad news is that violent index offenses are increasing.

Over the ten year period these property arrests dropped 34.4% but arrests for violent index offenses increased 7.4%. After peaking in 1983, arrests for these violent offenses have fluctuated. But most recently, they have risen by 30.6% since 1988.

**Juvenile Arrests by Type of Index Offense
1981-1990**



Part of the overall downward trend in juvenile arrests over ten years can be explained by a declining youth population. Specifically, the number of youths ages 10 to 17 dropped about 21% in ten years. With population shifts in mind, we can examine how arrest rates have changed. In 1981 the total juvenile arrest rate (per 1,000 youths ages 10 to 17) was about 119; by 1990 it was at 117 (having gone as low as about 104 in 1984). The overall index arrest rate dropped from 35 to 32. The property index rate decreased from 30 to 25. But the violent index rate increased from 4.9 to 6.7. Finally, the arrest rate for all other (Part II) offenses rose slightly from 83 to 85 (see Table 5, appended for specific county information).

Ten Year Trend in the Counties. Consistent with the statewide trend, almost all of the 21 counties had a drop in juvenile arrests between 1981 and 1990 (see Table 1, appended). Only two counties increased: Cumberland (+50.9%) and Atlantic (+4.1%).

We see a somewhat different picture when we look solely at the violent index offenses of murder, rape, robbery and aggravated assault (see Table 2, appended). Ten of the 21 counties showed an increase over the ten years. The counties with the greatest increases were Cumberland (+171.8%), Gloucester (+82.9%), Cape May (+80.6%), Hudson (+78.2%), Atlantic (+63.1%) and Salem (+62.5%). Those with the greatest drop were Passaic (-40.8%), Warren (-36.4%), Sussex (-33.3%), Ocean (-31.4%), Union (-26.9%) and Somerset (-20.6%).

Notes

1. According to the 1990 U.S. Census, blacks comprise 16.9% of New Jersey's under 18 population. Hispanics (who are categorized as either white (primarily), black or other races) comprise 12.4% of the under 18 population. While whites account for 73.3% of the under 18 population, the figure for white nonhispanics (i.e., the nonminority group) is 66.9%.

**TABLE 1
JUVENILE ARRESTS BY COUNTY
1981 - 1990**

	1981	1982	81-82 %Change	1983	82-83 %Change	1984	83-84 %Change	1985	84-85 %Change	1986	85-86 %Change	1987	86-87 %Change	1988	87-88 %Change	1989	88-89 %Change	1990	89-90 %Change	81-90 %Change
Atlantic	3,677	3,685	0.2%	2,882	-21.8%	2,888	0.2%	3,233	11.9%	2,921	-9.7%	3,039	4.0%	3,245	6.8%	3,073	-5.3%	3,827	24.5%	4.1%
Bergen	12,866	11,889	-7.6%	10,532	-11.4%	10,290	-2.3%	10,053	-2.3%	9,344	-7.1%	8,855	-5.2%	8,010	-9.5%	7,751	-3.2%	7,845	1.2%	-39.0%
Burlington	4,859	4,327	-10.9%	3,367	-22.2%	3,129	-7.1%	3,406	8.9%	3,357	-1.4%	3,022	-10.0%	2,957	-2.2%	2,817	-4.7%	2,761	-2.0%	-43.2%
Camden	6,711	5,662	-15.6%	5,508	-2.7%	4,738	-14.0%	4,755	0.4%	4,957	4.2%	5,077	2.4%	5,068	-0.2%	5,111	0.8%	5,256	2.8%	-21.7%
Cape May	2,005	1,676	-16.4%	1,485	-11.4%	1,217	-18.0%	1,574	29.3%	1,846	17.3%	2,086	13.0%	1,982	-5.0%	1,845	-6.9%	1,911	3.6%	-4.7%
Cumberland	2,643	2,200	-16.8%	1,784	-18.9%	1,753	-1.7%	2,026	15.6%	2,157	6.5%	2,508	16.3%	2,964	18.2%	3,348	13.0%	3,989	19.1%	50.9%
Essex	14,169	13,766	-2.8%	13,983	1.6%	14,141	1.1%	14,768	4.4%	14,655	-0.8%	14,522	-0.9%	14,328	-1.3%	13,398	-6.5%	12,705	-5.2%	-10.3%
Gloucester	2,623	3,157	20.4%	2,243	-29.0%	2,465	9.9%	2,044	-17.1%	2,047	0.1%	1,943	-5.1%	2,008	3.3%	1,982	-1.3%	1,946	-1.8%	-25.8%
Hudson	7,508	6,956	-7.4%	7,869	13.1%	7,710	-2.0%	7,437	-3.5%	6,405	-13.9%	6,242	-2.5%	7,010	12.3%	7,359	5.0%	6,347	-13.8%	-15.5%
Hunterdon	722	626	-13.3%	574	-8.3%	415	-27.7%	518	24.8%	597	15.3%	646	8.2%	503	-22.1%	431	-14.3%	489	13.5%	-32.3%
Mercer	5,408	4,987	-7.8%	5,187	4.0%	5,691	9.7%	5,376	-5.5%	5,554	3.3%	5,929	6.8%	6,074	2.4%	6,078	0.1%	5,297	-12.8%	-2.1%
Middlesex	8,835	7,583	-14.2%	6,429	-15.2%	6,356	-1.1%	6,341	-0.2%	6,020	-5.1%	6,031	0.2%	6,229	3.3%	5,454	-12.4%	5,768	5.8%	-34.7%
Monmouth	8,648	8,517	-1.5%	8,101	-4.9%	6,927	-14.5%	6,941	0.2%	6,558	-5.5%	6,816	3.9%	7,307	7.2%	6,621	-9.4%	6,766	2.2%	-21.8%
Morris	5,621	4,751	-15.5%	4,007	-15.7%	4,465	11.4%	3,904	-12.6%	3,782	-3.1%	3,747	-0.9%	3,491	-6.8%	2,986	-14.5%	2,889	-3.2%	-48.6%
Ocean	6,763	6,747	-0.2%	6,073	-10.0%	5,509	-9.3%	5,637	2.3%	5,227	-7.3%	5,227	0.0%	5,098	-2.5%	4,859	-4.7%	4,643	-4.4%	-31.3%
Passaic	8,645	6,802	-21.3%	6,090	-10.5%	6,065	-0.4%	6,045	-0.3%	6,165	2.0%	6,464	4.8%	6,595	2.0%	6,109	-7.4%	6,574	7.6%	-24.0%
Salem	1,006	897	-10.8%	719	-19.8%	534	-25.7%	630	18.0%	705	11.9%	721	2.3%	755	4.7%	696	-7.8%	839	20.5%	-16.6%
Somerset	3,011	2,684	-10.9%	2,430	-9.5%	2,515	3.5%	2,284	-9.2%	2,413	5.6%	2,423	0.4%	2,505	3.4%	2,372	-5.3%	2,485	4.8%	-17.5%
Sussex	1,346	1,100	-18.3%	1,074	-2.4%	965	-10.1%	997	3.3%	1,013	1.6%	862	-14.9%	833	-3.4%	685	-17.8%	592	-13.6%	-56.0%
Union	8,565	8,117	-5.2%	7,890	-2.8%	7,443	-5.7%	8,289	11.4%	7,846	-5.3%	7,315	-6.8%	6,757	-7.6%	5,934	-12.2%	6,422	8.2%	-25.0%
Warren	1,311	1,150	-12.3%	952	-17.2%	1,047	10.0%	1,124	7.4%	1,308	16.4%	1,169	-10.6%	867	-25.8%	725	-16.4%	711	-1.9%	-45.8%
TOTAL*	116,942	107,279	-8.3%	99,179	-7.6%	96,263	-02.9%	97,382	1.2%	94,877	-2.6%	94,644	-0.2%	94,586	-0.1%	89,634	-5.2%	90,062	0.5%	-23.0%

* The arrest totals based on county figures are slightly lower than statewide totals. In some arrest cases involving state, federal or interstate agencies the appropriate county jurisdiction has not been identified.

Source: State of New Jersey, Division of State Police, *Crime in New Jersey, Uniform Crime Report (1981 - 1990)*.

TABLE 2
JUVENILE ARRESTS FOR VIOLENT INDEX OFFENSES BY COUNTY
1981 - 1990

	1981	1982	81-82 %Change	1983	82-83 %Change	1984	83-84 %Change	1985	84-85 %Change	1986	85-86 %Change	1987	86-87 %Change	1988	87-88 %Change	1989	88-89 %Change	1990	89-90 %Change	81-90 %Change
Atlantic	198	238	20.2%	149	-37.4%	222	49.0%	278	25.2%	182	-34.5%	239	31.3%	187	-21.8%	219	17.1%	323	47.5%	63.1%
Bergen	166	165	-0.6%	161	-2.4%	199	23.6%	167	-16.1%	161	-3.6%	116	-28.0%	146	25.9%	169	15.8%	221	30.8%	33.1%
Burlington	136	109	-19.9%	115	5.5%	112	-2.6%	153	36.6%	140	-8.5%	83	-40.7%	128	54.2%	96	-25.0%	178	85.4%	30.9%
Camden	346	349	0.9%	318	-8.9%	321	0.9%	362	12.8%	291	-19.6%	273	-6.2%	241	-11.7%	313	29.9%	360	15.0%	4.0%
Cape May	31	30	-3.2%	18	-40.0%	17	-5.6%	17	0.0%	24	41.2%	26	8.3%	31	19.2%	45	45.2%	56	24.4%	80.6%
Cumberland	103	79	-23.3%	62	-21.5%	68	9.7%	97	42.6%	111	14.4%	119	7.2%	145	21.8%	222	53.1%	280	26.1%	171.8%
Essex	1,528	1,757	15.0%	1,777	1.1%	1,863	4.8%	1,591	-14.6%	1,383	-13.1%	1,360	-1.7%	1,348	-0.9%	1,406	4.3%	1,463	4.1%	-4.3%
Gloucester	35	46	31.4%	44	-4.3%	64	45.5%	58	-9.4%	60	3.4%	30	-50.0%	42	40.0%	77	83.3%	64	-16.9%	82.9%
Hudson	450	643	42.9%	1,220	89.7%	1,010	-17.2%	1,152	14.1%	853	-26.0%	555	-34.9%	500	-9.9%	695	39.0%	802	15.4%	78.2%
Hunterdon	5	8	60.0%	6	-25.0%	5	-16.7%	7	40.0%	7	0.0%	9	28.6%	11	22.2%	5	-54.5%	5	0.0%	0.0%
Mercer	192	194	1.0%	194	0.0%	212	9.3%	221	4.2%	212	-4.1%	173	-18.4%	175	1.2%	249	42.3%	175	-29.7%	-8.9%
Middlesex	254	246	-3.1%	172	-30.1%	192	11.6%	234	21.9%	191	-18.4%	166	-13.1%	168	1.2%	182	8.3%	234	28.6%	-7.9%
Monmouth	241	271	12.4%	238	-12.2%	193	-18.9%	247	28.0%	209	-15.4%	210	0.5%	213	1.4%	174	-18.3%	253	45.4%	5.0%
Morris	60	88	46.7%	62	-29.5%	72	16.1%	41	-33.1%	67	63.4%	55	-17.9%	69	25.5%	57	-17.4%	51	-10.5%	-15.0%
Ocean	102	95	-6.9%	81	-14.7%	109	34.6%	88	-19.3%	89	1.1%	77	-13.5%	70	-9.1%	68	-2.9%	70	2.9%	-31.4%
Passaic	564	433	-23.2%	477	10.2%	436	-8.6%	342	-21.6%	375	9.6%	320	-14.7%	258	-19.4%	336	30.2%	334	-0.6%	-40.8%
Salem	16	29	81.3%	25	-13.8%	19	-24.0%	15	-21.1%	15	0.0%	22	46.7%	15	-31.8%	18	20.0%	26	44.4%	62.5%
Somerset	63	44	-30.2%	56	27.3%	40	-28.6%	88	120.0%	37	-58.0%	46	24.3%	46	0.0%	47	2.2%	50	6.4%	-20.6%
Sussex	24	20	-16.7%	13	-35.0%	10	-23.1%	11	10.0%	14	27.3%	22	57.1%	12	-45.5%	17	41.7%	16	-5.9%	-33.3%
Union	301	409	35.9%	327	-20.0%	298	-3.9%	322	8.1%	296	-8.1%	239	-19.3%	173	-27.6%	189	9.2%	220	16.4%	-26.9%
Warren	22	12	-45.5%	14	16.7%	19	35.7%	11	-42.1%	22	100.0%	24	9.1%	1	-95.8%	7	600.0%	14	100.0%	-36.4%
TOTAL	4,837	5,265	8.8%	5,529	5.0%	5,481	-0.9%	5,502	0.4%	4,739	-13.9%	4,164	-12.1%	3,979	-4.4%	4,591	15.4%	5,195	13.2%	7.4%

Source: State of New Jersey, Division of State Police, Crime in New Jersey Uniform Crime Report (1981 - 1990).

**TABLE 3
JUVENILE ARRESTS IN NEW JERSEY CITIES
1990**

	State Total	The "Big 6"	% of State Total	The "Urban 15"	% of State Total
Murder	51	33	64.7%	35	68.6%
Rape	231	69	29.9%	94	40.7%
Robbery	1,964	825	42.0%	1,180	60.1%
Aggravated Assault	2,949	977	33.1%	1,326	45.0%
Burglary	4,532	797	17.6%	1,283	28.3%
Larceny-Theft	13,183	1,407	10.7%	2,641	20.0%
Motor Vehicle Theft	1,922	617	32.1%	804	41.8%
Manslaughter	14	8	57.1%	8	57.1%
Simple Assault	8,683	1,792	20.6%	2,756	31.7%
Arson	299	39	13.0%	82	27.4%
Forgery & Counterfeiting	92	21	22.8%	26	28.3%
Fraud	272	29	10.7%	39	14.3%
Embezzlement	17	5	29.4%	5	29.4%
Stolen Property: Buying, Receiving, Possessing, etc.	5,373	2,249	41.9%	2,782	51.8%
Criminal/Malicious Mischief	7,424	1,170	15.8%	1,648	22.2%
Weapons; Carrying, Possessing, etc.,	1,846	388	21.0%	562	30.4%
Prostitution & Commercialized Vice	50	43	86.0%	43	86.0%
Sex Offenses (Except Rape & Prostitution)	468	149	31.8%	191	40.8%
Drug Abuse Violations	5,568	2,544	45.7%	3,013	54.1%
Gambling	152	1	0.7%	1	0.7%
Offenses Against Family & Children	16	0	0.0%	0	0.0%
Driving Under the Influence	295	8	2.7%	26	8.8%
Liquor Laws	4,425	85	1.9%	169	3.8%
Disorderly Conduct	11,288	1,934	17.1%	2,581	22.9%
Vagrancy	58	0	0.0%	6	10.3%
All Other Offenses (Except Traffic)	11,502	879	7.6%	1,457	12.7%
Curfew & Loitering Law Violations	1,650	324	19.6%	402	24.4%
Runaways	5,941	1,254	21.1%	2,480	41.7%
Violent Index	5,195	1,904	36.7%	2,635	50.7%
Property Index	19,637	2,821	14.4%	4,728	24.1%
Index	24,832	4,725	19.0%	7,363	29.7%
Part II	65,433	12,922	19.7%	18,277	27.9%
TOTAL	90,265	17,647	19.6%	25,640	28.4%

The "Big 6" includes Camden, Elizabeth, Jersey City, Newark, Paterson and Trenton. The "Urban 15" includes the "Big 6" and Bayonne, Clifton, Dover Township, East Orange, Irvington (town), Passaic, Union City, Vineland and Woodbridge. According to the 1990 Census, the "Big 6" accounts for 14.3% and the "Urban 15" 22.1% of the under 18 population.

Source: State of New Jersey, Division of State Police.

**TABLE 4
TRENDS IN JUVENILE ARRESTS BY OFFENSE
1981 - 1990**

	1981	1982	81-82 % Chng	1983	82-83 % Chng	1984	83-84 %Chng	1985	84-85 %Chng	81-85 %Chng	1986	85-86 %Chng	1987	86-87 %Chng	1988	87-88 %Chng	1989	88-89 %Chng	1990	89-90 %Chng	81-90 %Chng
Murder	59	53	-10.2%	41	-22.6%	28	-31.7%	43	53.6%	-27.1%	30	-30.2%	35	16.7%	37	5.7%	38	2.7%	51	34.2%	-13.6%
Rape	264	239	-9.5%	293	22.6%	304	3.8%	269	-11.5%	1.9%	281	4.5%	214	-23.8%	203	-5.1%	168	-17.2%	231	37.5%	-12.5%
Robbery	2,272	2,558	12.6%	2,996	17.1%	2,733	-8.8%	2,793	2.2%	22.9%	2,128	-23.8%	1,657	-22.1%	1,397	-15.7%	1,852	18.3%	1,964	18.9%	-13.6%
Aggravated Assault	2,242	2,415	7.7%	2,199	-8.9%	2,416	9.9%	2,397	-0.8%	6.9%	2,300	-4.0%	2,258	-1.8%	2,342	3.7%	2,733	16.7%	2,949	7.9%	31.5%
Burglary	9,138	7,897	-13.6%	6,801	-13.9%	6,096	-10.4%	5,977	-2.0%	-34.6%	5,077	-15.1%	4,950	-2.5%	4,553	-8.0%	4,321	-5.1%	4,532	4.9%	-50.4%
Larceny-Theft	19,257	17,210	-10.6%	16,183	-6.0%	15,533	-4.0%	15,094	-2.8%	-21.6%	14,310	-5.2%	13,773	-3.8%	12,799	-7.1%	12,172	-4.9%	13,183	8.3%	-31.5%
Motor Vehicle Theft	1,547	1,363	-11.9%	1,212	-11.1%	1,138	-6.1%	1,474	29.5%	-4.7%	1,728	17.2%	1,824	5.6%	2,011	10.3%	1,779	-11.5%	1,922	8.0%	24.2%
Manslaughter	5	8	60.0%	3	-62.5%	3	0.0%	8	166.7%	60.0%	7	-12.5%	5	-28.6%	9	80.0%	5	-44.4%	14	180.0%	180.0%
Simple Assault	8,524	8,474	-0.6%	8,167	-3.6%	8,591	5.2%	8,613	0.3%	1.0%	8,136	-5.5%	8,565	5.3%	8,225	-4.0%	8,139	-1.0%	8,683	6.7%	1.9%
Arson	501	396	-21.0%	320	-19.2%	354	10.6%	311	-12.1%	-37.9%	328	5.5%	221	-32.6%	272	23.1%	248	-9.6%	299	21.5%	-40.3%
Forgery & Counterfeiting	133	134	0.8%	68	-49.3%	76	11.7%	110	44.7%	-17.3%	95	-13.6%	104	9.5%	102	-1.9%	77	-24.5%	92	19.5%	-30.8%
Fraud	318	239	-24.8%	163	-31.8%	184	12.9%	350	90.2%	10.1%	461	31.7%	244	-47.1%	250	2.5%	236	-5.6%	272	15.3%	-14.5%
Embezzlement	5	9	80.0%	13	44.4%	11	-15.4%	8	-27.3%	60.0%	20	150.0%	54	170.0%	30	-44.4%	22	-26.7%	17	-22.7%	240.0%
Stolen Property: Buying, Receiving, Possessing, etc.	3,753	3,247	-13.5%	3,031	-6.7%	2,884	-4.8%	3,621	25.6%	-3.5%	4,320	19.3%	5,249	21.5%	5,745	9.4%	5,749	0.1%	5,373	-6.5%	43.2%
Criminal/Malicious Mischief	9,298	8,547	-8.1%	8,331	-2.5%	9,058	8.7%	8,660	-4.4%	-6.9%	7,975	-7.9%	7,616	-4.5%	7,441	-2.3%	7,100	-4.6%	7,424	4.6%	-20.2%
Weapons; Carrying, Possessing, etc.	2,028	1,992	-1.8%	2,007	0.8%	2,199	9.6%	2,193	-0.3%	8.1%	1,995	-9.0%	1,762	-11.7%	1,983	12.5%	1,766	-10.9%	1,846	4.5%	-9.0%
Prostitution & Commercialized Vice	53	63	18.9%	50	-20.6%	55	10.0%	63	14.5%	18.9%	60	-4.8%	27	-55.0%	27	0.0%	31	14.8%	50	61.3%	-5.7%
Sex Offenses (Except Rape & Prostitution)	527	555	5.3%	545	-1.8%	642	17.8%	554	-13.7%	5.1%	537	-3.1%	451	-16.0%	416	-7.8%	470	13.0%	468	-0.4%	-11.2%
Drug Abuse Violations	7,855	5,913	-24.7%	5,566	-5.9%	6,154	10.6%	6,319	2.7%	-19.6%	6,275	-0.7%	7,902	25.9%	8,954	13.3%	7,746	-13.5%	5,568	-28.1%	-29.1%
Gambling	11	6	-45.5%	12	100.0%	22	83.3%	9	-59.1%	-18.2%	24	166.7%	9	-62.5%	96	966.7%	86	-10.4%	152	76.7%	1281.8%
Offenses Against Family & Children	0	0	0.0%	0	0.0%	10	1000.0%	36	260.0%	1000.0%	26	-27.8%	18	-30.8%	9	-50.0%	10	11.1%	16	60.0%	1000.0%
Driving Under the Influence	648	782	20.7%	505	-35.4%	381	-24.6%	335	-12.1%	-48.3%	386	15.2%	347	-10.1%	377	8.6%	296	-21.5%	295	-0.3%	-54.5%
Liquor Laws	5,849	6,095	4.2%	5,362	-12.0%	4,580	-14.6%	5,288	15.5%	-9.6%	5,993	13.3%	5,808	-3.1%	5,475	-5.7%	4,170	-23.8%	4,425	6.1%	-24.3%
Disorderly Conduct	14,375	12,872	-10.5%	12,189	-5.3%	11,280	-7.5%	11,370	0.8%	-20.9%	11,833	4.1%	11,036	-6.7%	11,432	3.6%	11,332	-0.9%	11,288	-0.4%	-21.5%
Vagrancy*	317	44	-86.1%	61	38.6%	37	-39.3%	39	5.4%	-87.7%	28	-28.2%	21	-25.0%	60	185.7%	30	-50.0%	58	93.3%	-81.7%
All Other Offenses (Except Traffic)	18,324	17,033	-7.0%	15,570	-8.6%	14,041	-9.8%	13,863	-1.3%	-24.3%	12,570	-9.3%	12,783	1.7%	12,505	-2.2%	11,967	-4.3%	11,502	-3.9%	-37.2%
Curfew & Loitering Law Violations	3,174	3,164	-0.3%	2,013	-36.4%	2,073	3.0%	1,725	-16.8%	-45.7%	2,100	21.7%	1,608	-23.4%	1,490	-7.3%	1,621	8.8%	1,650	1.8%	-48.0%
Runaways	6,509	6,012	-7.6%	5,478	-8.9%	5,897	7.6%	6,461	9.6%	-0.7%	6,406	-0.9%	6,487	1.3%	6,622	2.1%	6,002	-9.4%	5,941	-1.0%	-8.7%
Violent Index	4,837	5,265	8.8%	5,529	5.0%	5,481	-0.9%	5,502	0.4%	13.7%	4,739	-13.9%	4,164	-12.1%	3,979	-4.4%	4,591	15.4%	5,195	13.2%	7.4%
Property Index	29,942	26,470	-11.6%	24,196	-8.6%	22,767	-5.9%	22,545	-1.0%	-24.7%	21,115	-6.3%	20,547	-2.7%	19,363	-5.8%	18,272	-5.6%	19,637	7.5%	-34.4%
Index	34,779	31,735	-8.8%	29,725	-6.3%	28,248	-5.0%	28,047	-0.7%	-19.4%	25,854	-7.8%	24,711	-4.4%	23,342	-5.5%	22,863	-2.1%	24,832	8.6%	-28.6%
Part II	82,207	75,585	-8.1%	69,454	-8.1%	68,532	-1.3%	69,936	2.0%	-14.9%	69,575	-0.5%	70,317	1.1%	71,520	1.7%	67,101	-6.2%	65,433	-2.5%	-20.4%
TOTAL	116,986	107,320	-8.3%	99,179	-7.6%	96,780	-2.4%	97,983	1.2%	-16.2%	95,429	-2.6%	95,028	-0.4%	94,862	-0.2%	89,964	-5.2%	90,265	0.3%	-22.8%

* Vagrancy was "failure to give good account" in 1981.

Source: State of New Jersey, Division of State Police. Crime in New Jersey, Uniform Crime Report (1981-1990).

**TABLE 5
JUVENILE ARREST RATES PER 1,000 YOUTHS
BY TYPE AND COUNTY
1990**

	Population 10-17	Total Arrests	Total Arrest Rate	Index Arrests	Index Rate	Violent Index Arrests	Violent Index Rate	Property Index Arrests	Property Index Rate	Part II Arrests	Part II Rate
Atlantic	21,404	3,827	178.8	1,330	62.1	323	15.1	1,007	47.0	2,497	116.7
Bergen	74,333	7,845	105.5	1,466	19.7	221	3.0	1,245	16.7	6,379	85.8
Burlington	41,864	2,761	66.0	891	21.3	178	4.3	713	17.0	1,870	44.7
Camden	55,682	5,256	94.4	1,856	33.3	360	6.5	1,496	26.9	3,400	61.1
Cape May	8,652	1,911	220.9	459	53.1	56	6.5	403	46.6	1,452	167.8
Cumberland	15,830	3,989	252.0	1,450	91.6	280	17.7	1,170	73.9	2,539	160.4
Essex	83,185	12,705	152.7	3,527	42.4	1,463	17.6	2,064	24.8	9,178	110.3
Gloucester	26,398	1,946	73.7	620	23.5	64	2.4	556	21.1	1,326	50.2
Hudson	53,233	6,347	119.2	2,019	37.9	802	15.1	1,217	22.9	4,328	81.3
Hunterdon	11,079	489	44.1	109	9.8	5	0.5	104	9.4	380	34.3
Mercer	31,175	5,297	169.9	1,221	39.2	175	5.6	1,046	33.6	4,076	130.7
Middlesex	60,627	5,768	95.1	1,694	27.9	234	3.9	1,460	24.1	4,074	67.2
Monmouth	58,703	6,766	115.3	1,805	30.7	253	4.3	1,552	26.4	4,961	84.5
Morris	42,713	2,889	67.6	675	15.8	51	1.2	624	14.6	2,214	51.8
Ocean	41,852	4,643	110.9	1,559	37.3	70	1.7	1,489	35.6	3,084	73.7
Passaic	46,640	6,574	141.0	1,769	37.9	334	7.2	1,435	30.8	4,805	103.0
Salem	7,718	839	108.7	252	32.7	26	3.4	226	29.3	587	76.1
Somerset	22,013	2,485	112.9	484	22.0	50	2.3	434	19.7	2,001	90.9
Sussex	15,223	592	38.9	232	15.2	16	1.1	216	14.2	360	23.6
Union	46,133	6,422	139.2	1,193	25.9	220	4.8	973	21.1	5,228	113.3
Warren	9,324	711	76.3	217	23.3	14	1.5	203	21.8	494	53.0
STATE TOTAL*	773,781	90,062	116.4	24,828	32.1	5,195	6.7	19,633	25.4	65,234	84.3

* The arrest totals based on county figures are slightly lower than statewide totals. In some arrest cases involving state, federal or interstate agencies the appropriate county jurisdiction has not been identified.

Source: State of New Jersey, Division of State Police, Crime in New Jersey, Uniform Crime Report (1981 - 1990).

JUVENILE-FAMILY CRISIS INTERVENTION

A NEW INVENTION

A reform of the revised Juvenile Code, Juvenile-Family Crisis Intervention Units (CIUs) offer the juvenile justice system a new and innovative way to handle "status" type problems. The major purpose of creating CIUs

CIUs offer the juvenile system a new way to handle some types of problems like serious family conflicts.

was to divert these cases away from Family Court to a more appropriate system providing social service intervention and referrals to community support services. More detailed information on CIU operations can be found in past Commission reports.

In our First Annual Report, the Commission recommended that the Administrative Office of the Courts evaluate the success of these units. While a formal evaluation has not been attempted to date, the AOC is making an effort to monitor and improve CIU operations. Hopefully, a formal evaluation will be attempted in the near future.

CIU OPERATIONS IN 1990¹

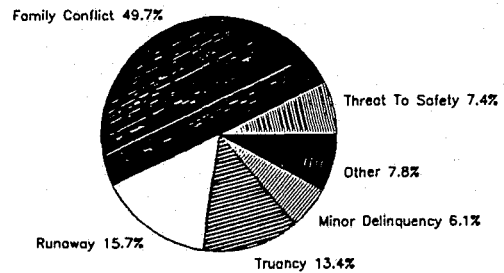
The structure of CIUs varies across counties. Nine counties have their CIUs within the court while the remaining counties have their CIUs operated by "outside" agencies. Those counties with in-court CIUs are Camden, Cumberland, Gloucester, Mercer, Middlesex, Monmouth, Ocean, Passaic and Salem.

There were 11,732 cases handled and "disposed" by CIUs, statewide, in 1990. This figure is up slightly (3.5%) from the previous year. Monmouth County disposed of the greatest number of cases (1,154) while Warren disposed the fewest (84) (see Table 6, appended for additional county-level information).

CIUs handled almost 12,000 cases in 1990.

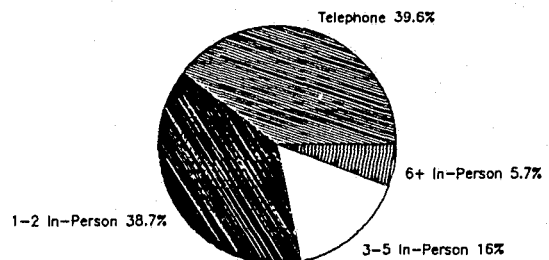
CIUs handle a variety of cases.² Serious family conflict cases were the most frequent case type handled by CIUs in 1990. They accounted for about half (49.7%) of all new cases statewide. Cases involving runaways and truancy accounted for 15.7% and 13.4% of all new cases, respectively. CIUs also handled some minor delinquency cases (i.e. disorderly/petty disorderly persons offenses). These accounted for only a small fraction (6.1%) of all new CIU cases in 1990. A majority of these cases (70.9%), however, occurred in only three counties (Essex, Cumberland and Burlington).

Types of Cases Handled by CIUs
1990



Cases are handled in different ways, depending on their nature and complexity. In 1990, a large portion (39.6%) were handled solely through telephone contacts. Most cases, however, required in-person contacts. Almost two-fifths (38.7%) required one or two face-to-face counseling sessions while 21.7% required three or more.

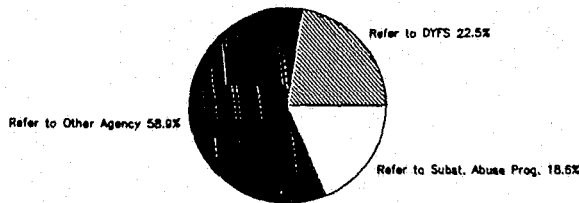
CIU Counseling Sessions by Number and Type
1990



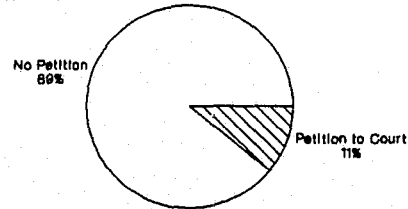
When comparing in-court units to those operating out of court, there is some variation in case handling. In-court units handled almost half of their cases (49.0%) solely through telephone contacts while outside units handled 30.5% of their cases that way. Almost one-third (31.5%) of all "outside" court CIU cases received three or more face-to-face counseling sessions vs. 11.4% for in-court units.

CIU staff frequently refer cases to other community agencies when special services are required. In 1990, this occurred in about one-half of CIU cases. Almost one-quarter (22.5%) of the referrals were made to the Division of Youth and Family Services (DYFS) while about one-fifth (18.6%) were made to substance abuse programs. The remaining referrals were made to a wide array of other agencies.

**Type of CIU Service Referrals
1990**



**CIU Petitions to Court
1990**



Notes

1. County data may not be comparable in all cases due to administrative and procedural variations as well as differences in the nature and complexity of caseloads.
2. Breakdown by case type refers to the primary problem leading to referral to the CIU.
3. Note a potential for multiple placements in any particular case.

Only 11% of CIU cases were referred to court.

Only a small percentage of all cases eventually result in an out-of-home placement. In 1990, the out-of-home placement rate was 12 per 100 CIU cases, down slightly from 14 the previous year.³ About three in every five placements (59.9%) were considered "involuntary."

Occasionally, cases need to be referred to Family Court by way of "petition." This normally occurs when the juvenile-family crisis has not been resolved or when a ruling needs to be made on an "involuntary" out-of-home placement request. Only 11.0% of all cases handled by CIUs statewide resulted in a petition to court in 1990. This indicates that CIUs are successful at diverting many cases from involvement in the Family Court.

**TABLE 6
JUVENILE-FAMILY CRISIS INTERVENTION DATA BY COUNTY
1990**

	TYPES OF NEW CASES (%)							Cases Disposed	% Referred for Services	% Petitioned to Court	Out-of-Home Placement Rate Per 100 Cases*	
	New Cases	Threat to Safety	Family Conflict	Runaway	Truancy	Minor Delinquency	Other				Voluntary	Involuntary
Atlantic	795	3.6%	48.6%	10.3%	36.4%	1.0%	0.1%	817	41.4%	15.3%	1.5	3.9
Bergen	412	5.6%	67.5%	13.3%	6.6%	1.0%	6.1%	439	65.4%	15.7%	4.8	10.3
Burlington	812	13.9%	27.2%	13.1%	13.5%	10.8%	21.4%	805	58.3%	11.2%	7.5	10.2
Camden	889	18.7%	18.0%	22.7%	36.1%	3.8%	0.7%	803	23.4%	6.1%	3.1	2.0
Cape May	349	16.3%	60.5%	9.7%	4.6%	3.4%	5.4%	343	49.6%	15.7%	4.1	11.4
Cumberland	599	2.3%	44.9%	13.0%	16.9%	21.0%	1.8%	604	29.3%	6.3%	1.7	0.3
Essex	1,287	3.2%	49.9%	6.8%	8.9%	23.8%	7.4%	1,055	15.0%	10.1%	2.1	12.7
Gloucester	638	12.5%	45.6%	13.3%	6.0%	0.9%	21.6%	624	65.7%	5.8%	2.9	2.9
Hudson	551	7.6%	36.8%	19.6%	22.1%	7.1%	6.7%	536	48.3%	23.1%	5.4	11.6
Hunterdon	116	31.0%	47.4%	17.2%	4.3%	0.0%	0.0%	118	79.7%	16.1%	14.4	8.5
Mercer	648	3.9%	47.8%	12.8%	8.3%	2.3%	24.8%	621	64.1%	3.4%	5.5	0.3
Middlesex	532	10.7%	56.8%	18.0%	9.0%	1.8%	3.6%	545	64.6%	17.2%	15.2	18.0
Monmouth	1158	3.0%	70.9%	14.4%	4.0%	1.2%	6.5%	1,154	46.4%	13.2%	5.0	8.9
Morris	450	10.9%	54.7%	19.8%	4.9%	0.9%	8.9%	445	71.7%	4.9%	4.3	1.1
Ocean	427	8.9%	58.5%	15.0%	9.6%	2.1%	5.9%	402	84.6%	6.2%	11.2	8.2
Passaic	669	7.0%	57.5%	14.1%	10.5%	2.7%	8.2%	718	52.6%	5.8%	5.6	4.7
Salem	263	3.0%	71.9%	18.6%	6.1%	0.4%	0.0%	270	56.7%	24.1%	3.0	14.4
Somerset	307	2.3%	40.1%	30.3%	13.0%	8.5%	5.9%	314	79.0%	2.2%	0.3	2.2
Sussex	248	6.9%	52.4%	14.1%	9.3%	3.2%	14.1%	249	70.7%	16.9%	11.6	4.4
Union	786	.1%	58.3%	30.5%	9.5%	0.6%	0.9%	786	50.0%	12.3%	3.1	10.2
Warren	95	1.1%	49.5%	18.9%	30.5%	0.0%	0.0%	84	72.6%	9.5%	1.2	1.2
TOTAL	12,031	7.4%	49.7%	15.7%	13.4%	6.1%	7.8%	11,732	50.3%	11.0%	4.9	7.3

* Note a potential for multiple placements in any particular case.
Source: Administrative Office of the Courts.

FAMILY COURT AND PROBATION

DELINQUENTS IN FAMILY COURT

One of the most challenging research issues the Commission faced in the past was providing good information on court disposition of cases. Utilizing a system known as "Unit Case," the Commission had previously been able to closely profile overall trends and outputs (in the form of dispositions). This in turn led to a number of important insights and discoveries about the overall performance of the system, that helped everyone identify important issues still being addressed today – issues like the lack of dispositional options, disparity, the lack of parental involvement in dispositions and the need for a more aggressive focus in handling chronic offenders.

The Unit Case System was terminated by the AOC in April of 1990. In its place, the AOC is developing a statewide automated system entitled FACTS (Family Automated Case Tracking System). It was designed to assist counties in case tracking and case management of family and probation cases. When operational statewide, this system should enable the Commission to provide even better data on system performance. Future *Profile* reports will focus on this information.

PROBATION SERVICES

Probation is the most common disposition ordered by the court, ordered in about three out of every five

Probation continues to be the disposition most commonly used by the court.

adjudicated juvenile cases, either alone or in tandem with other dispositions.

Probation is administered through county probation departments. Probation services may include supervision or the monitoring of dispositions, including res-

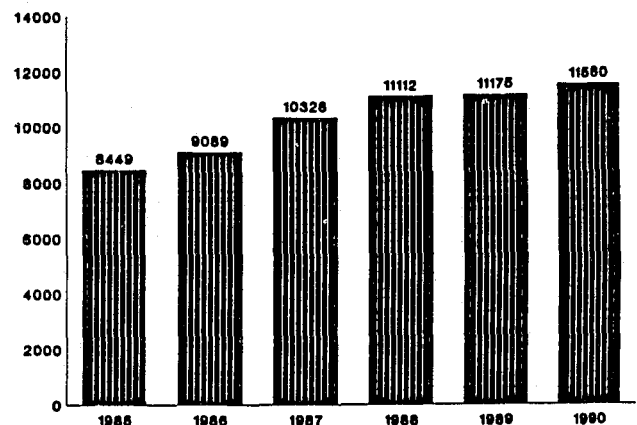
titution, community service, or payment of mandatory penalties or fines. They also include assisting youths with locating employment, pursuing educational opportunities, or obtaining special services. Probation is also increasingly being asked to "mobilize" community support for helping rehabilitate offenders.

**Juveniles on Probation by County
1990**

Atlantic	764	Middlesex	769
Bergen	406	Monmouth	644
Burlington	416	Morris	420
Camden	1,354	Ocean	461
Cape May	145	Passaic	1,394
Cumberland	722	Salem	142
Essex	1,085	Somerset	257
Gloucester	216	Sussex	87
Hudson	641	Union	801
Hunterdon	76	Warren	127
Mercer	633	State Total	11,560

There were, on average, 11,560 juveniles on probation statewide in 1990. This was a minor increase (3.4%) over the prior year. There are significant regional differences in the number of juveniles on probation. In 1990, Hunterdon had the fewest juveniles on probation (76) while Passaic County had the most (1,394). Four counties (Passaic, Camden, Essex, and Union) accounted for 40.1% of all juvenile probationers.

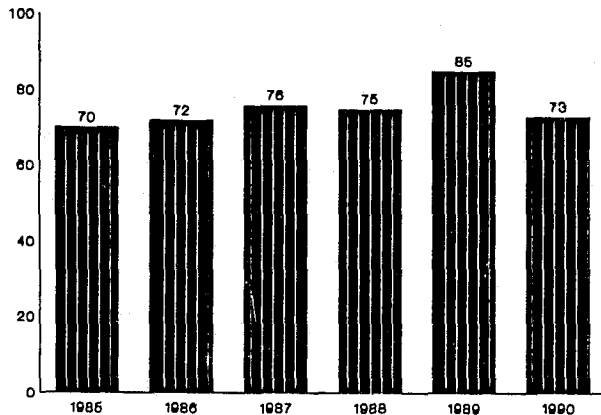
**Juveniles Under Probation Supervision
1985 – 1990**



There were over 11,500 juveniles on probation last year.

The number of youths on probation has risen steadily in recent years. In fact, the number rose 36.8% between 1985 and 1990.

**Juvenile Probation Caseloads
1985 - 1990**



One positive sign is that supervision caseloads have decreased. In 1989, the average juvenile caseload was 85. In 1990, this figure dropped to 73, a decrease of 14.1%. However, significant caseload variation exists between counties. For example, Cumberland and Camden averaged 151 and 132 caseloads, respectively, while probation officers in Bergen, Gloucester, Hunterdon and Sussex each had caseloads of 50 or less.

**Probation Caseloads by County
1990**

Atlantic	85	Middlesex	70
Bergen	50	Monmouth	78
Burlington	65	Morris	67
Camden	132	Ocean	81
Cape May	81	Passaic	85
Cumberland	151	Salem	86
Essex	54	Somerset	52
Gloucester	32	Sussex	38
Hudson	64	Union	77
Hunterdon	42	Warren	53
Mercer	91	State Average	73

What probation will look like in the future remains open to speculation. Its purpose and functions will be the subject of the upcoming annual judicial conference. Look for more emphasis on cooperative ventures with the community, much in the tradition of probation's roots as a volunteer citizen activity.

A COMPUTERIZED DATA SYSTEM FOR JUVENILE PROBATION

One promising development in the probation system has been the creation of an on-line automated data system. Currently in the pilot stage and operational in six counties, the system will soon be available statewide. Nearly one-third of all juvenile probation cases are currently part of the system. The system was developed as part of FACTS (the Judiciary's new automated system) and tracks cases from the juvenile's court disposition hearing through case termination. Eventually, it will serve as the official case record for all juvenile probation cases.

Among other things, the system helps officers to manage their caseloads and reduces the amount of time spent on paperwork. And by providing on-line access to client need assessments and information on social, family and court-related history, it assists in case plan development and provision of appropriate levels of supervision.

THE COMMUNITY SERVICE DISPOSITION

Community service is an important dispositional option. By requiring youths to perform services in the community (e.g., cleaning parks, painting buildings), this disposition helps them understand that they are responsible for their actions.

The use of the community service option continues to increase. In 1990, there were 5,100 court orders for community service, a 10.2% increase over 1989. In addition, there were 168,513 community service hours ordered, representing a 15.5% increase over 1989. The average number of hours ordered was 33.

Counties vary greatly in their use of this option. Seven counties (Camden, Hudson, Passaic, Essex, Union, Morris, and Burlington) accounted for almost two-

The use of the community service disposition continues to increase. There were over 5,000 community service orders last year.

thirds (63.7%) of all orders in 1990. By contrast, five counties (Atlantic, Mercer, Sussex, Monmouth and Warren) accounted for only 5.4%.

One noteworthy point is that the total number of community service hours completed, relative to the total number ordered, has decreased significantly. In 1989, juveniles completed 107,549 hours, 73.7% of the total number ordered. In 1990, they completed 103,821 hours, 61.6% of the total ordered. Although it is unclear why this decrease has occurred, the shortage of available community service sites in some locations may help explain the situation. Perhaps a better indication of juvenile compliance with community service orders is the percentage of youths who have completed required hours by the time of their discharge. In 1990, 87% of the juveniles completed their hours compared with 84% in 1989. If the community service disposition is to continue as a viable dispositional option, there is clearly a need to develop more community service sites. Look for increased pressure for this in the future.

JUVENILE DETENTION

JUVENILES IN SECURE DETENTION

The Commission has monitored detention trends closely over the past five years and offered a number of recommendations, several of which have resulted in legislation. This process of reporting trends and offering constructive recommendations continues below.

In 1990, 11,007 juveniles were admitted pre-dispositionally to county detention facilities (i.e., not including short-term commitments). This is a 6.6% decrease

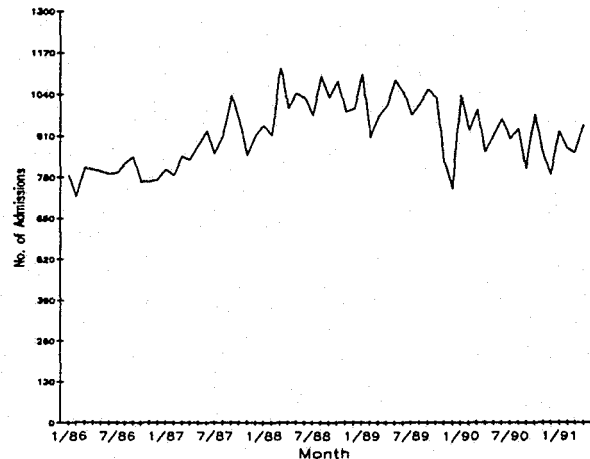
Over 11,000 juveniles were admitted to county detention facilities in 1990.

from the 1989 total (11,781) and reflects the second straight year that a decrease has occurred. The average length of stay for these youths was 19 days, down slightly from the previous year's average of 20. Data for the first four months of 1991 reveal that detention admissions have continued to drop. When compared with the first four months of 1990, admissions have decreased 5.7%.

There appear to be several potential reasons for these decreases. Increasing attention has been given at the county level to developing alternatives to incarceration as a result of overcrowding. In fact, several initiatives have targeted the creation of detention alternatives. Closely related may be the impact of Commission sponsored legislation narrowing detention admissions criteria, and the impact of a recent court ruling on the holding of post-adjudicated juveniles.

As might be expected, great variation continues to exist between counties in the number of detention admissions. Nearly half (44.5%) of all 1990 admissions occurred in only three counties – Essex, Hudson and Passaic.

**Pre-dispositional Detention Admissions
January 1986 – April 1991**



OVERCROWDING CONTINUES

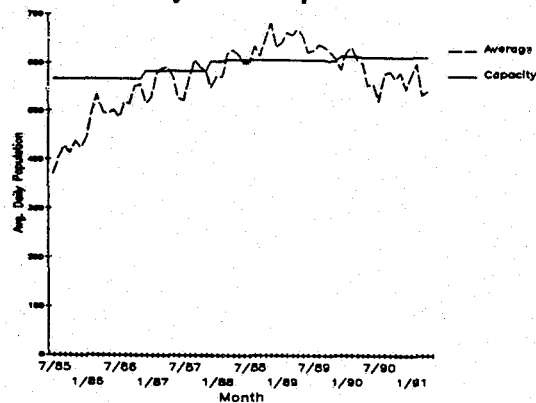
While problems have plagued certain county detention facilities over the last decade, the most significant has

Overcrowding continues to be a problem, but detention populations dropped by 7% last year.

been facility overcrowding. The average daily statewide detention population for 1990 was 579, a 9.0% decrease from the 1989 total and the first decrease since 1984. This also reflects the first time since 1987 that the annual average has been below the state's rated detention capacity – currently set at 612. Detention facilities, statewide, in 1990 were at 95% of their capacity.

The decrease appears to be continuing in 1991. Daily detention population data for the first four months of 1991 reflect a decrease of 8.8% from the same period in 1990.

**Average Daily Detention Populations
July 1985 - April 1991**

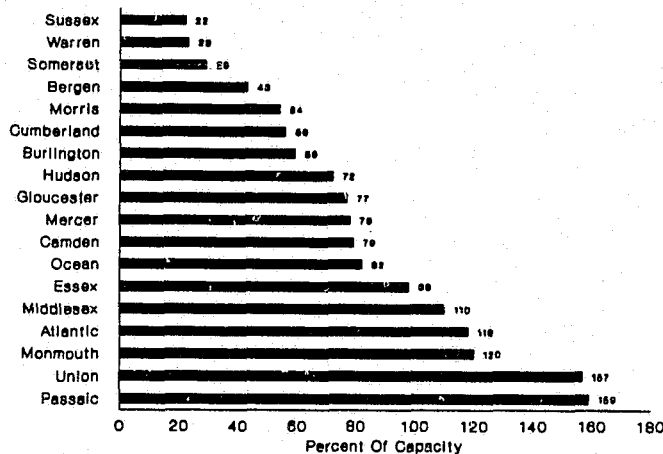


**Detention Capacity
April 1991**

County	Capacity	Average Population	Percent of Capacity
Atlantic	19	22.3	118%
Bergen	41	17.8	43%
Burlington	21	12.5	59%
Camden	38	30.2	79%
Cumberland	32	17.8	56%
Essex	100	97.7	98%
Gloucester	15	11.6	77%
Hudson	45	32.6	72%
Mercer	44	34.4	78%
Middlesex	39	42.9	110%
Monmouth	39	46.6	120%
Morris	24	12.9	54%
Ocean	16	13.1	82%
Passaic	52	82.7	159%
Somerset	17	5.0	29%
Sussex	16	3.4	22%
Union	34	53.4	157%
Warren	20	4.6	23%
State Total	612	541.5	89%

But despite the fact that statewide detention figures are down, overcrowding continues to be a problem in some counties. Data for April of 1991 show that in five of the eighteen facilities, average daily populations exceeded rated capacity. These included Passaic (159%), Union (157%), Monmouth (120%), Atlantic (118%), and Middlesex (110%). Atlantic, Passaic and

**Detention Populations as a Percent of
Rated Capacity, April 1991**



Union have been above capacity for each of the first four months of 1991, and all of the previous year. In contrast, seven facilities were at less than 60% of capacity in April of 1991: Burlington (59%), Cumberland (56%), Morris (54%), Bergen (43%), Somerset (29%), Warren (23%) and Sussex (22%). Note, however, that facility capacities do not always reflect counties' detentional needs.

DETENTION DEMOGRAPHICS

Males comprise the vast majority of juveniles placed pre-dispositionally in detention facilities. During 1990, they accounted for 88.5% of the total.

When compared to their numbers in the general

***Minority youths comprised 84% of
detention admissions statewide.***

population, minority youth are clearly overrepresented. They comprised 83.7% of all detention admissions in 1990, with black youths accounting for nearly two-thirds (65.4%). White youths, in comparison, accounted for slightly less than one-sixth of pre-disposition admissions (16.3%).

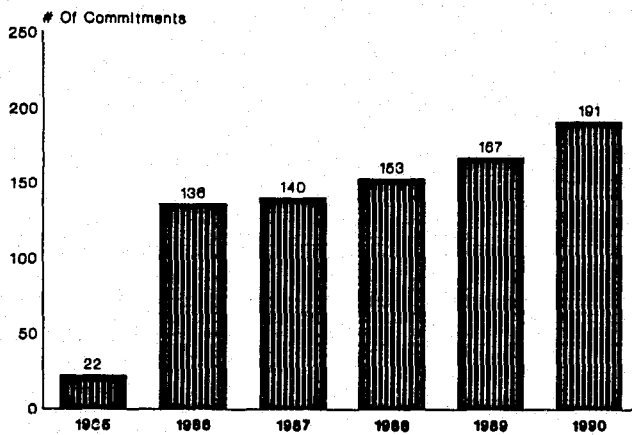
SHORT-TERM COMMITMENT

Authorized as an experimental dispositional option in the 1984 Code, short-term commitments allow judges to sentence adjudicated juveniles to detention centers

for periods up to sixty days. Short-term commitments were later established on a permanent basis by the Legislature in 1988 as a result of the Commission's recommendation. To date, only seven counties operate short-term commitment programs. These include Bergen, Cumberland, Middlesex, Ocean, Somerset, Sussex and Warren.

The number of short-term commitments continues to increase. In 1990, there were 191 short-term commitment orders, an increase of 14.4% over the previous year. When compared with the 1986 total (the first full year of implementation), the increase is a substantial 40.4%.

**Short-term Detention Facility Commitments
1985 - 1990**



During 1990, males comprised the vast majority (87.4%) of short-term commitment admissions. In addition, white juveniles comprised over half (53.9%), black youths 36.6%, and hispanic youths 8.9% of admissions.

The use of the short-term commitment option increased 40% since 1986.

CORRECTIONS

AN EXPANDING ROLE

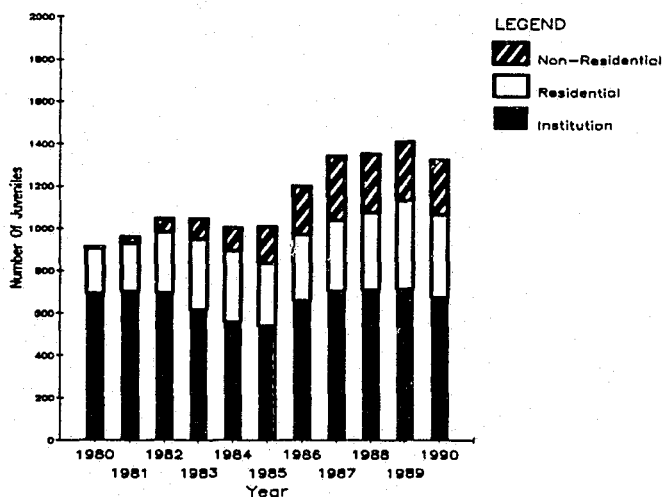
The Department of Corrections (DOC) is responsible for handling many of the most seriously troubled and difficult youths in the juvenile system. Those placed under their care are handled in one of three different settings: training schools, community residential centers or community day programs. There are three training schools, twenty-seven residential programs and nineteen day programs currently serving juveniles.

During 1990, there was an average of 1,326 juveniles under DOC supervision at any one time. This reflects a

On any given day there are over 1,300 juveniles under DOC jurisdiction.

6.0% decrease from 1989, and marks the first time since 1984 that a decrease has occurred. In fact, DOC populations rose steadily throughout most of the 1980s – the 1990 figure reflects a notable 46.0% increase over 1980.

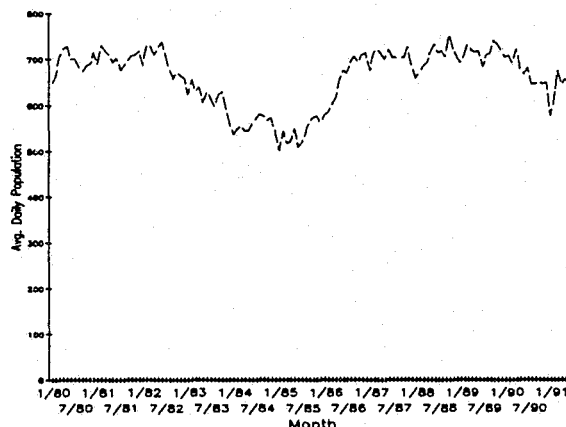
Juveniles Under DOC Jurisdiction by Program Type, 1980 – 1990



INSTITUTIONS

In 1990, there were 676 juveniles in DOC training schools on any given day. Compared to 1989 (717), this is a 5.7% decrease, the first since 1985. While the training school population in 1990 was nearly as high as in 1980 (actually, 2.5% below), the number fluctuated during that period. More recently, data for the first six months of 1991 suggest a continuing decline, with a daily average of 636 juveniles, 8.8% lower than the same period in 1990.

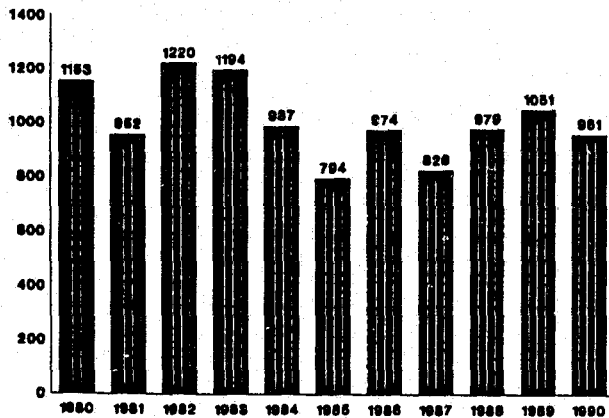
Average Daily Institutional Populations¹ January 1980 – June 1991



While all juveniles in training schools have been “committed” by the courts, not all committed juveniles end up in an institution. Following a DOC classification process, each committed youth is assigned to an institution or to one of DOC’s community programs. The trend in commitments is described below.

While other DOC programs have expanded rapidly, there were nearly the same number of juveniles in training schools in 1990 as in 1980.

Juvenile Commitments 1980 - 1990



In 1990, a total of 961 youths were committed by the Family Court to DOC, an 8.6% decrease from the 1989 total. Long-term, the number of statewide commitments has fluctuated. The 1990 figure reflects a 16.7% decrease in commitments since 1980.

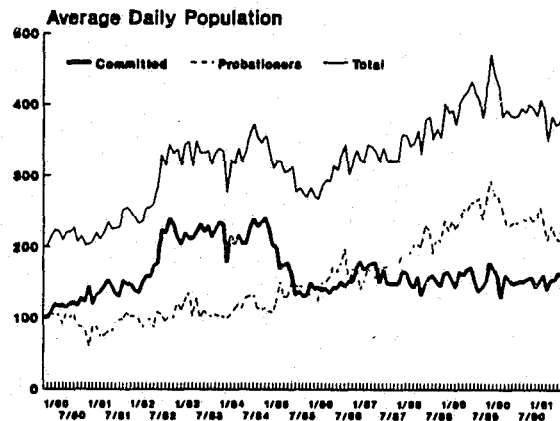
Great variation continues to exist between counties in terms of the number of commitments ordered. Three counties (Essex, Passaic and Camden) accounted for close to three-fifths (58.5%) of all commitment orders in 1990. By contrast, six counties (Cape May, Hunterdon, Morris, Salem, Sussex and Warren) accounted for only 1.7%.

RESIDENTIAL PROGRAMS

In 1990, an average of 390 juveniles were in residential programs on any given day. This is a decrease of 6.3% compared with the prior year's average and marks the first decrease since 1985. The decline appears to be continuing. The first six months of 1991 yielded an average of 375 youths in residential placements - a decrease of 2.8% compared with the same period in 1990.

DOC residential programs handle two types of juveniles - those who are committed by the court and are later placed in a residential program by DOC, and those placed under DOC jurisdiction concurrent with a disposition of probation. Slightly over three-fifths (61.3%) of the 1990 residential population were "probationers."

Average Daily Residential Populations¹ by Type of Resident January 1980 - June 1991

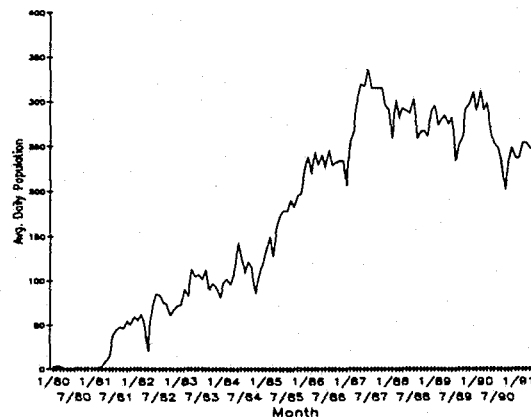


DAY PROGRAMS

An average of 260 juveniles were in DOC day programs on any given day in 1990, a 6.8% decrease from the previous year's average (279). However, unlike the institutional and residential populations which, until 1990 had been increasing, this represents the third straight year that a decrease has occurred in day program populations.

So far, 1991 appears to be continuing this downward trend. The first six months yielded an average of 249 juveniles, a 12.9% decrease from the average for that period in 1990. This decrease may be explained, in part, by the closing of several day program facilities.

Average Daily Day Program Populations¹ January 1980 - June 1991



DEMOGRAPHICS

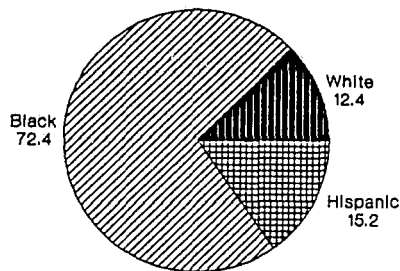
Males comprise the vast majority of juveniles under the jurisdiction of DOC. On June 3, 1991, males accounted

Minority youth currently comprise 88% of our training school population.

for 98.9% of the institutional population, 95.0% of the residential and 94.4% of the day program populations. In all, they accounted for 96.9% of all juveniles under DOC jurisdiction.

The most recent data on the number of minorities in DOC programs continue to show disproportionate representation. In July of 1991, minority youth accounted for 87.6% of the training school population. Black youths comprised a large majority of this population, close to three-quarters of training school youths (72.4%); hispanic youths comprised 15.2% and white youths 12.4%.

**Race/Ethnicity of Youths in Training Schools
July 1991**



GOVERNOR'S INITIATIVE CONTRACT PROGRAMS

In addition to the programs discussed above and as a result of a special "Governor's Initiative" appropriation to foster development of alternative programs, DOC funds a number of community agencies to provide juveniles with residential and nonresidential services. The objective of these programs is to help avoid unnecessary incarceration in detention centers and training schools.

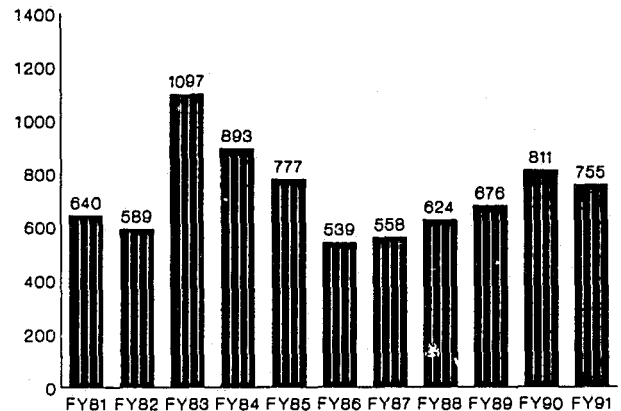
Currently, there are nine of these programs under contract, two residential and seven nonresidential. Together, they are serving approximately 130 youths at any one time. The large majority of youths are served by the nonresidential programs – as of June 3, 1991 there were 115 served in the nonresidential or "day" programs and 13 in the residential programs.

PAROLE

It is the responsibility of the State Parole Board to determine when committed juveniles will be released from custody. The actual release date is determined by the length of the sentence ordered by the Family Court in conjunction with a list of factors deemed pertinent by the Board. Parole releases are reported by fiscal year.

In FY91, there were 755 juvenile parole releases approved, a 6.9% decrease from FY90. This marks the first decrease since FY86.

**Parole Releases of Committed Juveniles
FY81 – FY91**



Notes

1. Missing data for 8-10/87 plotted at 7/87 level.

TABLE 7
JUVENILE COMMITMENTS BY COUNTY
1980 - 1990

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
Atlantic	63	53	91	100	60	47	63	86	106	87	60
Bergen	29	31	29	39	33	26	18	10	12	6	12
Burlington	32	26	41	32	12	16	23	24	14	18	13
Camden	129	118	93	128	156	123	169	129	96	137	154
Cape May	12	8	4	9	8	6	13	7	4	3	1
Cumberland	69	48	46	49	38	36	22	16	27	29	29
Essex	207	126	145	132	127	116	143	144	181	182	224
Gloucester	3	2	3	6	6	7	5	6	3	7	12
Hudson	68	41	47	28	63	28	66	22	27	56	45
Hunterdon	8	8	7	7	6	3	4	4	6	7	0
Mercer	59	51	69	40	39	21	21	27	31	37	26
Middlesex	49	69	81	92	40	29	43	33	53	52	36
Monmouth	115	75	86	83	61	62	67	62	123	119	51
Morris	21	15	21	12	7	4	8	3	5	4	2
Ocean	41	47	64	58	40	29	21	26	20	31	19
Passaic	93	103	213	190	187	125	172	139	182	175	184
Salem	21	6	10	20	6	3	4	2	6	6	6
Somerset	35	36	53	57	28	42	30	7	11	25	19
Sussex	11	3	6	8	5	0	6	10	1	2	1
Union	78	67	94	89	55	65	75	68	66	64	61
Warren	10	19	17	15	10	6	1	1	5	4	6
TOTAL	1,153	952	1,220	1,194	987	794	974	826	979	1,051	961

Source: Department of Corrections.

DRUGS: THE CHALLENGE OF THE 90s

OVERVIEW

The decade of the 80s witnessed the declaration of a "war on drugs" at both the national and local level. There were several catalysts for this, including acknowledgement that drug abuse was a problem that affected all our communities, the occurrence of several highly publicized drug-related deaths and the arrival of an especially dangerous and inexpensive form of cocaine on the streets of the nation - crack.

By the mid-80s, leaders in New Jersey began to fashion a "get tough" response toward drugs, reflected in the term "zero tolerance." However, the advocates of this approach also recognized that a tough law-enforcement approach would not be effective by itself. The war

We have fashioned a "get tough" response to drug involvement.

on drugs was to be won, ultimately, in the classroom, not the courtroom. As a result, emphasis was increasingly placed on education, prevention and treatment. Education and prevention efforts were begun as early as kindergarten, with the state mandating "K through 12" drug and alcohol education. Since the mid-80s, tens of millions of federal and state dollars have been dedicated to implement both these law-enforcement and "demand-oriented" initiatives.

A key initiative was passage of the Comprehensive Drug Reform Act of 1987 (CDRA) which provided stiffer penalties for all persons convicted of drug involvement. Among its key provisions were the following: a minimum \$500 cash penalty for all convicted drug offenders and forfeiture of driving privileges (the Drug Enforcement and Demand Reduction or DEDR penalties); creation of drug free zones within 1,000 feet of elementary and high schools; creation of new offenses, i.e., "employing a juvenile in a drug distribution scheme" and "drug distribution within school safety

zone" both of which carry mandatory incarceration for adults and juveniles handled as adults; and referral of all alleged drug offenses for court action unless the prosecutor consents to diversion (by amendment).

Subsequent to the passage of the new law, the Legislature created the Governor's Council on Alcoholism and Drug Abuse, an independent body created to plan and implement, statewide, the most appropriate and effective strategies to confront the drug problem among juveniles and adults. Growing out of this effort, municipalities across the state created Alliance groups to plan and develop substance abuse prevention strategies. Fittingly, the Alliance efforts are to be funded through penalties on adults and juveniles found guilty of drug offenses. Money has just recently been released to fund these Alliances.

THE NATURE OF THE PROBLEM

The abuse of illegal drugs by adolescents can have particularly serious and costly consequences. The increasing number of delinquent youths involved with drugs poses a serious problem for the juvenile justice system.

Drug involvement by juveniles has changed over time, with crack emerging as a major problem by the mid-80s. Because of its affordability, it has enticed many newcomers to cocaine use. And juveniles have become increasingly involved as drug dealers. Many of the youngest became lookouts or in other ways "apprenticed" for bigger and better positions. A picture emerges of the juvenile drug "entrepreneur" who plans, takes risks and makes rational business decisions, often willing to trade a year or more in a correctional facility for the chance to make big money and gain the status that comes with it.

Because of its profitability, the cocaine trade has become much more competitive and, as a result, violent - often the product of gang or "pseudo-gang" involvement. Guns are now an integral part of the drug scene

and the broader juvenile justice problem in various parts of the state. Reportedly, inner-city youths increasingly feel the need to carry weapons for their own safety.

Our juvenile justice system is currently faced with two drug problems. Youths are entering the system with drug abuse problems in large numbers. Effectively identifying these drug abusing juveniles is a difficult problem. Deciding just how to handle them is equally

The juvenile drug "entrepreneur" has emerged – a risk taker willing to trade a year in an institution for big money and status.

problematic. Drug use today often does not fit the old picture of "strung out" addiction. Rather, many juveniles use drugs several times a week or less. When they commit crimes, they do so less to support drug use than to support a life-style of which drug abuse is only a part.

The second problem, one we increasingly face, is what to do with the juvenile drug dealer. Significantly, many of these "entrepreneurs" do not have drug abuse problems. Should they be handled by drug treatment programs? Is their apparent "addiction" to money comparable to a drug addiction? How can they best be held accountable or treated? Everyone seems to acknowledge that the frequently lucrative nature of drug dealing makes it difficult to fashion rehabilitative programs that will make repeated involvement in the drug trade less attractive. The sheer number of juveniles entering the courts on distribution charges makes it imperative that we find good answers to these questions, and soon.

THE EXTENT OF JUVENILE DRUG INVOLVEMENT

How many juveniles are involved with drugs? While no one knows the total picture, some recent information, in the form of surveys and juvenile arrest figures, helps tell the story.

National and New Jersey surveys of high school students indicate extensive drug and alcohol use by young people, although use has declined in recent years. The New Jersey study of student substance use in 1989 indicated that 41% of the students surveyed reported using an illicit drug at some time.¹ Reportedly, 32% had used marijuana, 13% had used inhalants, 11% had sniffed glue, 10% had used hallucinogens, and 9% had used cocaine or amphetamines. The good news is that reported lifetime use of most drugs dropped dramatically between 1980 and 1989, including marijuana (down 48%), cocaine (down 43%) barbiturates (down 67%) and hallucinogens (down 38%). There was a drop in the reported use of alcohol as well, although a smaller one. While 91% reported ever drinking alcohol in 1980, the figure dropped to 84% by 1989.

This survey also examined frequency of use. There was a reported decline in the regular use of substances (defined as "use on ten or more occasions within the last 30 days"). For the ten year period, there was a decline in regular use from 27% to 11%. More specifically, by 1989, one in ten students used alcohol, three in one hundred used marijuana and less than one in a hundred (0.6) used cocaine regularly. The survey findings, in summary, indicate that while large numbers of juveniles continue to use drugs, the number has declined substantially, and that regular use appears to be a problem of a small group of students.

Why the decline? Some credit new school drug education programs, others the deterrent effect of a more stringent law enforcement response. Given the coordinated effort by government, the media, education and our communities to condemn involvement with drugs, perhaps the decline might partly be attributed to the fact that some youths are not willing to reveal their involvement.²

The optimistic reports of declining juvenile drug use belie the reality of our inner cities.

Both the national and local student surveys appear to tell us only part of the drug story. The reality of juvenile drug involvement reflects a tale of two "societies." The

somewhat rosy picture of the middle class youths who appear to be turning away from drugs belies the experience of youths in many of our inner cities. Many experts suggest that high rates of cocaine use in the cities' poorest neighborhoods continues amidst broader family and social disintegration.

Juvenile Drug Arrests. While arrest figures are a valuable index of youth behavior, they also reflect juvenile justice system policies and practices. This is especially relevant in recent years with new state laws and directives on drugs.

There were 5,568 juvenile drug arrests in 1990. Surprisingly, both long and short-term arrest trends are down.

There were nearly 5,600 juvenile drug arrests in 1990.

For example, there were fewer arrests in 1990 than there were in 1981 (a drop of 29.1%). In addition, despite the fact that juvenile drug arrests rose dramatically in the period following the new drug law enactment (up 42.7% between 1986 and 1988), they have declined since. The 1990 figure represented a 28.1% decline in just one year.

There has also been a steady change in the nature of drug arrests over time. By 1990, 42.1% of all juvenile drug arrests were for distribution offenses (sale and manufacturing), as opposed to possession/use. In comparison, only 25.3% of the arrests were for distribution while nearly three-quarters (74.7%) were for possession in 1986.

A large portion of all juvenile arrests involve "hard drugs." In 1990, nearly two-thirds (63.3%) of all juvenile drug arrests involved cocaine/opium while about one-third (33.0%) involved marijuana/hashish, and 3.7% for other drugs. A large majority (82.3%) of distribution arrests were for cocaine/opium (only 14.0% involved marijuana/hashish) while arrests for possession of cocaine/opium were only slightly more common than for marijuana/hashish (49.5% vs. 46.7%).

As we have noted in other areas of juvenile justice system involvement, minority youths are also dis-

Drug arrests are increasingly for distribution rather than possession.

proportionately arrested for drug offenses. Black youths accounted for more than two-thirds (67.5%) of all juvenile drug arrests, whites 32.3% and other races 0.2% in 1990. With reference to ethnicity, hispanics accounted for 11.7% of the drug arrests. These differences are even more dramatic when we focus solely on distribution arrests. Here, black juveniles accounted for more than four-fifths (83.4%) of all arrests, whites 16.4% and other races 0.1%. For possession arrests only, blacks accounted for the majority of arrests (56.0%) while whites accounted for 43.8% and other races 0.3%.

These racial patterns reflect a significant change over time in the racial makeup of juvenile drug arrests in New Jersey since at least the early 1980s. Between 1981 and 1990, arrests of black youths increased by a remarkable 162.9% while arrests of white youths dropped 72.0%. This pattern continued over the last five years (1986 to 1990) although it was attenuated by the recent drop in drug arrests. Still, from 1986 to 1990, drug arrests of black youths increased 20.1% while arrests of white youths dropped 42.7%. Data on hispanics was not collected in the early 1980s. However, from 1986 to 1990, arrests of hispanics dropped 13.6% while arrests of non-hispanics dropped 11.0%.

A large portion of arrests, especially arrests on distribution charges, occur in our larger cities where minority

Black youths accounted for two-thirds of all drug arrests in 1990 and over 80% of arrests for distribution.

populations are highest. For example, the six largest cities in New Jersey accounted for nearly half (45.7%)

of all juvenile drug arrests in 1990. This included 58.6% of distribution arrests along with 36.3% of possession arrests. The "Urban 15" accounted for a little over half (54.1%) of all juvenile drug arrests (69.1% of distribution and 43.2% of possession arrests).

OUR POLICY DIRECTIONS AND THEIR IMPACT

The new drug law and subsequent rigorous enforcement policies have had a considerable impact on the juvenile justice system. After the law went into effect in mid-1987, the number of juveniles entering the system swelled. Arrests rose dramatically. In addition, according to one report, the number of juvenile drug cases in Family Court increased by 70% from 1986 to 1989.³

The number of juveniles incarcerated also increased substantially. Between Court Years 1987 and 1989, the number of juveniles placed in detention facilities for drug cases more than doubled.⁴ An informal survey conducted by the Commission soon after the Comprehensive Drug Reform Act (CDRA) went into effect indicated that a number of counties were experiencing an influx of drug cases. We were told that many of these

Rigorous enforcement of the new drug law has had a dramatic impact on the number of youths handled by the juvenile system.

juveniles would not have been detained in earlier years. And finally, the Department of Corrections has noted a substantial growth in the portion of the training school populations adjudicated for drug-related offenses.⁵

At this point it is difficult to judge just how effective New Jersey's drug policy shift has been at reducing juvenile drug involvement. But, it is clear that CDRA and related enforcement policies have required new responses from the system.

The Supreme Court's 1990 Judicial Conference on Drugs and the Courts focused on finding ways to cope with the surge in adult and juvenile drug cases. Pointing

to an overburdened court system, the Conference emphasized the courts's need to work "harder and smarter." Among its recommendations was a call for greater sentencing flexibility and a more individualized approach than was felt available under CDRA's mandatory sentencing provisions.⁶

Supporters of existing legislative policy argue strongly in favor of CDRA's critical focus on deterrence within the context of current drug problems, and suggest that a desirable degree of flexibility already exists under the Act.⁷

Assessing the Use of DEDR Penalties. The new drug law's provision for mandatory monetary penalties for juveniles has been especially controversial among juvenile justice representatives. These DEDR penalties were reportedly designed with two important purposes in mind. First, as a form of punishment, they were meant to have a deterrent effect both on the juvenile who must pay it and on other potential future drug offenders. Secondly, the money collected was to be dedicated to fund the municipal Alliance groups – the statewide network of grass roots anti-drug efforts.

One focus of concern is the potential negative consequences of requiring youths to pay large sums of money as a penalty for adjudication on drug charges. Some have argued that this might cause a family hardship, lead to violations of probation (VOPs) and potential incarceration, or induce youths to deal drugs or commit other offenses to secure the needed money. There is also concern that widespread noncompliance with the penalty, with no further sanctions by the court, may contribute to undermining the authority of the Judiciary. Preliminary analysis by the Commission indicated that VOPs were not resulting solely from failure to pay the DEDR penalty, nor were juveniles likely to be incarcerated for failure to pay. No direct evidence was provided that the cash penalty led to further offending.

But are juveniles paying the DEDR penalty? Information provided by Juvenile Probation Services (cumulative from July, 1987 through November, 1990) reveals that statewide compliance by juveniles is low, especially in the more urbanized counties. Specifically (in all but incarcerated cases), DEDR assessments total

\$7,052,175, an average of \$912 per case. Of that, \$1,327,287 has been collected, an average of \$172 per case and only 19% of total dollars assessed. Juveniles account for only 6% of all DEDR dollars collected. In

Juveniles have paid only 19% of their assessed DEDR penalty dollars.

addition, compliance varies greatly by county, ranging from lows in Salem (0%), Mercer and Essex (4%), Hudson (6%), Camden (11%) and Passaic counties (14%) to highs in Hunterdon and Somerset (70%), Cape May (67%) and Warren (65%).

Due to concerns over the potential consequences and effectiveness of the monetary DEDR penalty for juveniles, some proposals have been made to modify the legal provision. One, put forth by the Department of Law and Public Safety's Division of Criminal Justice, would make it allowable, as a last resort, for truly indigent defendants to perform community or "reformatory" service in lieu of paying their DEDR penalty entirely in cash.⁸ The term "reformatory service" might include participation in GED equivalency, job training programs or various drug or other treatment programs aimed at enhancing social skills. A second, proposed by the Commission, would allow judges the discretion to order juveniles to perform "reformatory service" in substitution for all or part of the cash penalty.

Where Do We Go From Here? As recent policy statements have made clear, we have far to go to effectively handle the large number of juvenile drug cases entering the juvenile system. One critical need, highlighted in the 1990 Judicial Conference's **Final Report**, was the need for better assessment. The courts clearly require better information on juveniles coming before them.

Clearly, there is also a need to increase the number of drug treatment options available for juveniles, primarily indigent youths. A current problem is that delinquent youths are often judged inappropriate for placement in available treatment slots. Programs that provide alternatives to incarceration are also sorely needed.

Beyond the question of quantity, there is the issue of "quality" as well. We need to better understand how effective current programs are, and for which types of cases. Fortunately, the Department of Health has promised some activity in this direction and is undertaking a major evaluation study that will examine how various drug treatment approaches (i.e., the

Everyone agrees that we need better assessment and more good programs to deal with the drug problem.

therapeutic community and the chemical dependency counseling models) compare in efficiency and effectiveness.

Last, but not least, there is a critical need to identify and develop appropriate and effective dispositional strategies targeted directly for juvenile drug dealers. These often serious offenders have entered the system in increasing numbers in recent years. Unfortunately, little is known about the dispositional strategies that work best with these offenders.

Notes

1. New Jersey Department of Law and Public Safety, Drug and Alcohol Use Among New Jersey High School Students, 1990, New Jersey, 1990.
2. Note also that the New Jersey survey does not give an adequate picture of substance use for two groups of juveniles – truants and dropouts, two groups known to use drugs at a higher rate than the "typical" high school student.
3. 1990 Judicial Conference Supreme Court Task Force on Drugs and the Courts, Final Report, Supreme Court of New Jersey, Trenton, 1991, p.6.
4. *Ibid.*, p. 46.

5. If juvenile drug arrests continue to decline as they have the last two years, the increased burden on the juvenile justice system is likely to subside.
6. 1990 Judicial Conference Task Force on Drugs and The Courts, Final Report, Supreme Court of New Jersey, Trenton, 1991, pp. 51-52. Note that mandatory incarceration is utilized solely for adults and any juveniles who may be transferred to the adult system for these offenses.
7. Department of Law and Public Safety, Division of Criminal Justice, A Law Enforcement Response to Certain Criticisms of the CDRA, Department of Law and Public Safety, Trenton, 1990.
8. *Ibid.*, pp. 60-64.