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**GLENN A. GRANT, J.A.D.**  
Acting Administrative Director of the Courts

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June 24, 2013

Frank Belluscio, Acting Deputy Executive Director  
New Jersey School Boards Association  
413 State Street  
PO Box 909  
Trenton NJ 08606-0909

Re: Invitation to Speak with the New Jersey School Boards Association  
School Security Task Force

Dear Mr. Belluscio:

Thank you for inviting me to speak with the New Jersey School Boards Association's School Security Task Force (Task Force) about the memorandum of agreement between school districts and law enforcement. The New Jersey Judiciary is supportive of the community's involvement in school safety and the participation of all segments of our government in ensuring the safety of our children. Notwithstanding that support, the primary issues that the task force is charged with addressing, as set forth in your letter, are not within the judiciary's role or jurisdiction. Given that fact, I am uncertain whether my testimony before the Task Force would be helpful. Accordingly, in lieu of an appearance, I offer you the following comments on this important subject.

You asked about the court's perspective on the types of student offenses that law enforcement should become involved in. That question would best be directed to the Office of the Attorney General and the local county prosecutors since prosecutors are entrusted with deciding which cases should result in charges being filed against a juvenile. The judiciary's role is to ensure a fair and just resolution of these matters once they are presented to the court.

Since juvenile court is primarily a court of rehabilitation, part of the court's role in ensuring a just resolution is to balance accountability and rehabilitation. We recognize that the safety of the community is of primary importance and that the juvenile justice system is an essential tool in this regard. Efforts to enhance safety through removal of the juvenile from the community and from school require a more nuanced approach to juvenile justice. In New Jersey community safety can be obtained through the use of graduated intervention strategies, reserving removal of the juvenile from the community through detention and incarceration for only the most egregious cases.

This balancing involves utilization of multiple strategies such as early intervention, prevention strategies, alternatives to incarceration, and, as a last resort, incarceration. Removal can set in motion a set of unintended consequences that ultimately leave the community less safe and the juvenile more likely to become involved with the juvenile justice system and, later, the criminal justice system.

One of the main intervention strategies is an effort to prevent juveniles from entering the juvenile justice system in the first place. One method for accomplishing this is through the use of Family Crisis Intervention Units (FCIUs). The FCIUs were established in 1985 to deal with issues of truancy, runaways, family conflict matters, and, more recently, involvement in human trafficking, including prostitution. These types of issues do not rise to the level of a formal delinquency charge. The New Jersey Administrative Code (N.J.A.C. 6A:16-7.8) provides for the school district in those instances to make a referral to the court program prescribed by the Administrative Office of the Courts, specifically the FCIUs in cases of truancy. We urge the schools and law enforcement to establish and maintain relationships with their respective FCIUs to have a full understanding of the role they play in matters being diverted from the court.

This strategy of trying to identify the least intrusive enforcement methodology is also utilized in how we address juvenile delinquency complaints. We urge law enforcement to consider curbside and stationhouse adjustments whenever possible. The judiciary, when presented with a juvenile charged with an offense, considers the juvenile's past history, the circumstances surrounding the incident, the age of the juvenile, and a host of other factors in deciding whether to detain or to release the juvenile and how to handle the complaint. The least intrusive approach generally provides the most desired outcome for the juvenile, the family, and the community.

In 2004, the Annie E. Casey Foundation selected New Jersey as a Juvenile Detention Alternatives Initiative (JDAI) site. As part of this initiative, we have learned that we can maintain children safely in the community, while also recognizing that in certain cases, detention and long-term incarceration will be necessary for those juveniles who truly are a threat to our communities. By implementing consistent and uniform evidence-based procedures, we can, at the same time, affect the disparate treatment of minorities. The JDAI journey, which focuses on detaining only the most serious offenders, has taught us that we can drastically decrease our detention population while still maintaining public safety.

Last year, members of the judiciary were invited to a National Leadership Summit on School Justice Partnerships: Keeping Kids in School and Out of Court (Summit). A major goal of the Summit was to hold children accountable for misbehaviors and to reserve extreme measures, such as school suspension and arrest, for only the most serious cases. School engagement is an excellent crime prevention strategy. While policies such as zero-tolerance often result in out-of-school suspension or expulsion from school, research has established that youth who are disconnected from their familiar school environments, whether through suspension, expulsion, arrest, or dropping out, are undeniably at greater risk of following a path to crime and prison.

The recent shootings in Newtown, Connecticut and other locations shocked the nation and the world. Those tragic events have intensified the focus on identifying ways to increase school safety. I do recognize that those incidents were not necessarily a direct result of any

school disciplinary actions or policy. They have, however, drawn attention to the need for heightened awareness and vigilance.

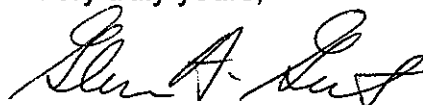
School safety depends on constant vigilance through a collaborative partnership between the public and private sectors, including all of government mental health agencies, law enforcement, the courts, schools, community organizations and parents. We encourage local schools and law enforcement to strengthen relationships with respective Family Crisis Units. We also encourage school officials to maintain strong contacts with the members of our Probation Divisions for those students who may be on Probation. We can make our communities safer through effective preventative and intervention strategies while minimizing the negative impact of students' involvement with the juvenile justice system, limiting such involvement to those cases involving the most egregious conduct or the greatest threat to community safety.

The courts' reliance on well-developed collaborative graduated intervention strategies with the executive branches at the state, county and local levels has served the children of this state well. The strategy of using the least intrusive method of dealing with juvenile delinquency ensures the safety of the community while providing the greatest opportunity for a juvenile's life-long success.

In 2014, the Judiciary will be sponsoring workshops at our annual Family Division Training Conference that will focus on best practices for handling education and school-related issues for children and families involved in the child welfare and/or juvenile justice systems. This will be another opportunity to collaboratively with all of the stakeholders to develop better outcomes for the youth we serve.

Thank you for allowing me to share the viewpoint of the Judiciary on the important work of your Task Force. If I can be of further assistance, please let me know.

Very truly yours,



Glenn A. Grant, J.A.D.

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