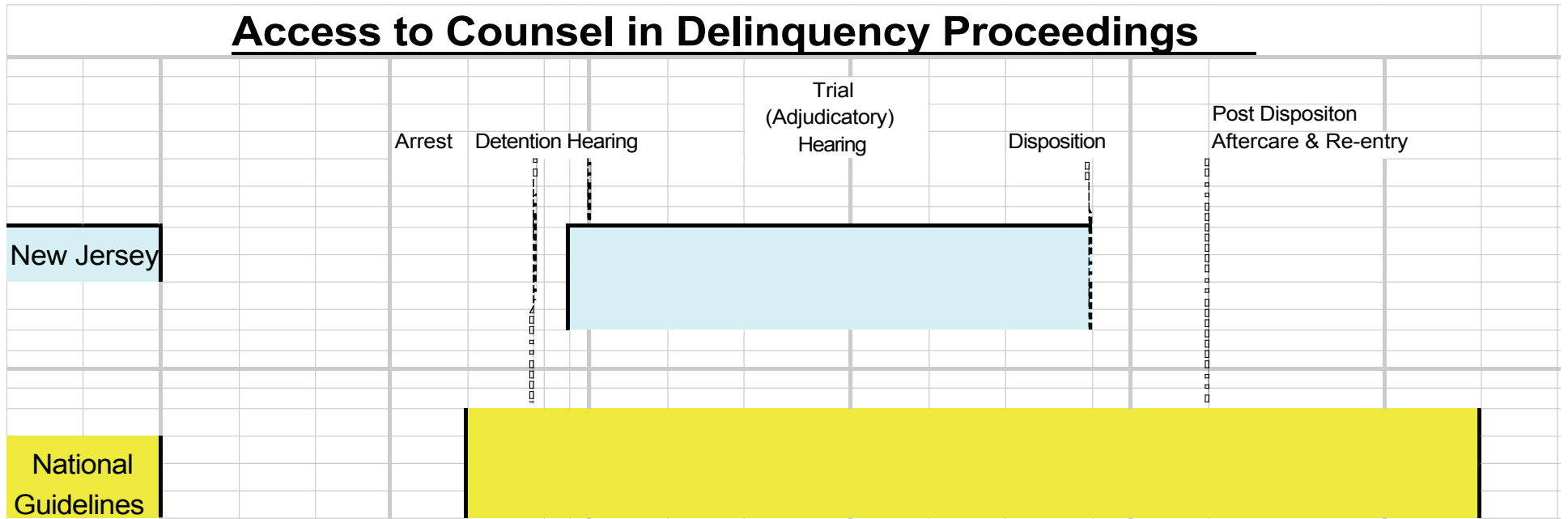


New Jersey Juvenile Indigent Defense Action Network

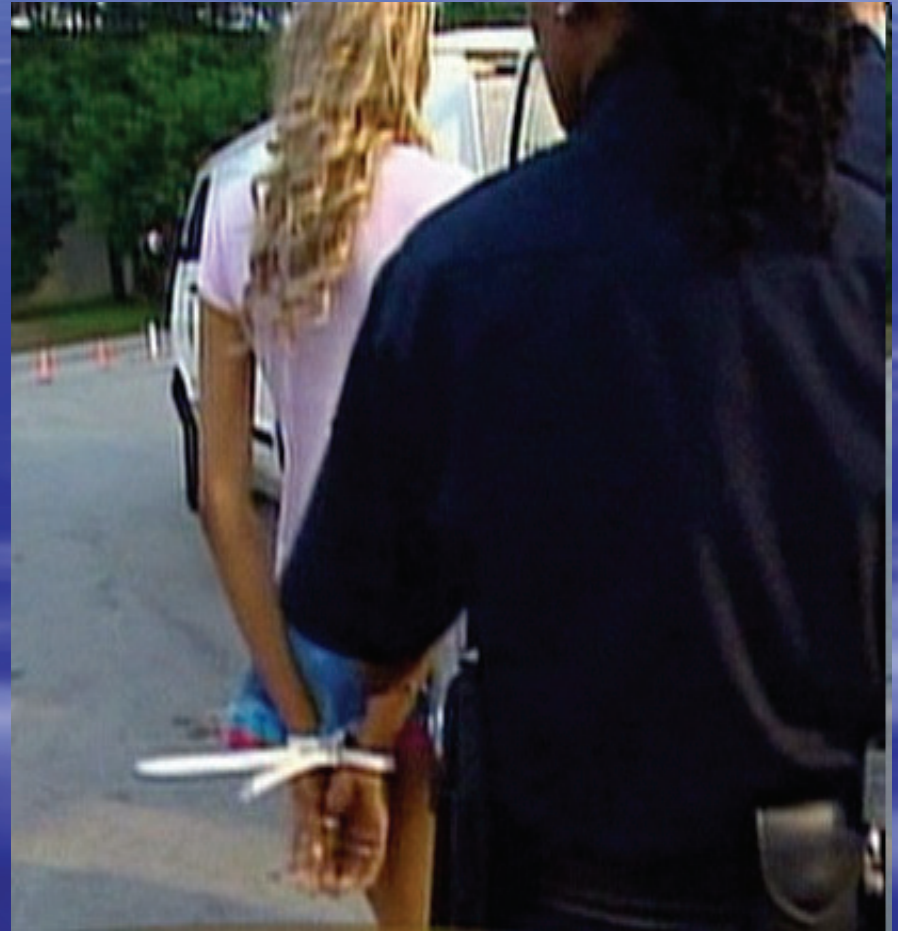
Sandra Simkins
January 18, 2010

Access to Counsel in Delinquency Proceedings



Gaps in Legal Representation of New Jersey Youth

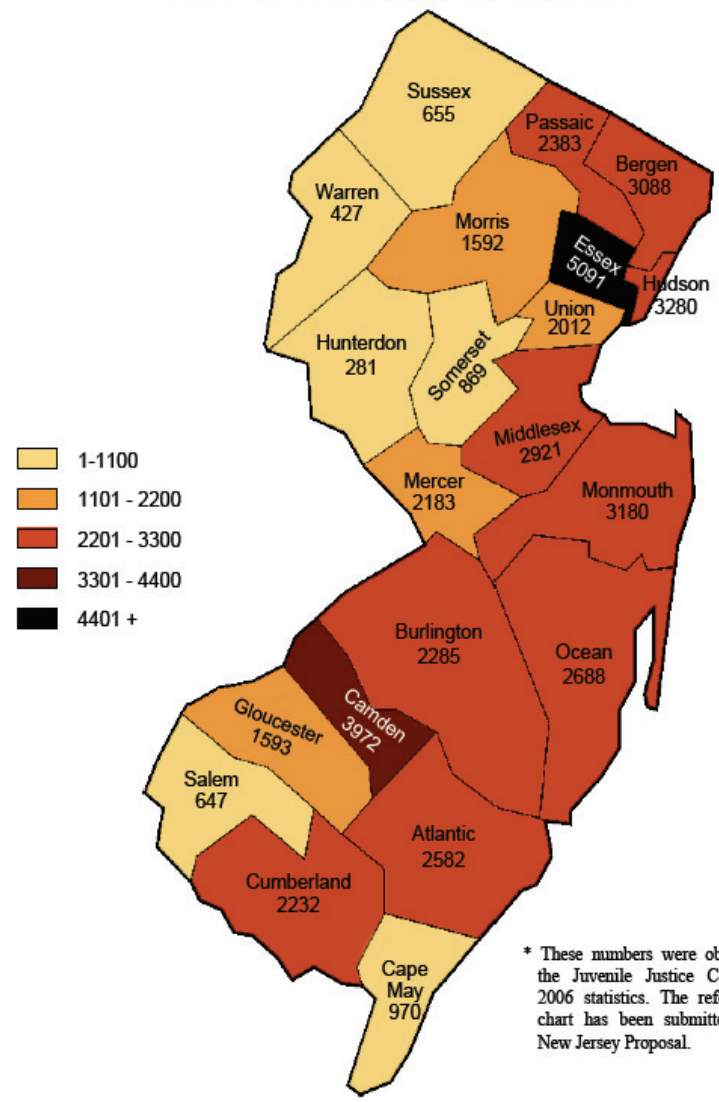
- Children often are not represented by counsel at initial detention hearings.
- Lack of post dispositional representation for children in JJC and other residential placements.
- Lack of specialized advocacy for children with special needs.



New Jersey JIDAN Goals

- Provide youth with counsel at initial detention hearings.
- Increase attorney involvement in post dispositional representation.
- Implement model programs to effectuate change.

**2006
Number of Juvenile Cases Filed***



* These numbers were obtained from the Juvenile Justice Commission's 2006 statistics. The referenced JJC chart has been submitted with the New Jersey Proposal.

NJ JIDAN Representation at Initial Detention Hearing Project

NJ Statewide Public Defender's Leadership and Vision

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graph TD; A[NJ Statewide Public Defender's Leadership and Vision] --> B[Training Increased Education and awareness of importance of representation]; B --> C[Local County Juvenile Defenders restructured resources to ensure representation];
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Training
Increased Education
and awareness
of importance of
representation

Local County Juvenile Defenders restructured resources to ensure representation

New Jersey
JIDAN

Post Disposition Representation Project

Access to Counsel

Post Disposition is Critical

- To prevent of institutional abuse
- To improve system accountability
 - Ensure that what the judge ordered for the child is actually happening
 - To improve the transition back to the community

The New York Times

January 15, 2010

Sentenced To Abuse

A shocking new study by the Justice Department's Bureau of Justice Statistics surveyed more than 9,000 young people in custody and found that more than 12% reported being sexually abused one or more times.

The New York Times

August 6, 2007

Psychiatric Center for Teenagers is Mired in Patient Accusations of Rape

A widely respected residential **psychiatric treatment center for teenagers** in Manhattan acknowledged yesterday that it was cooperating with law-enforcement authorities who have **charged three former employees with sexually assaulting girls** at the center in recent years.

The Washington Post

April 5, 2007

In Texas, Scandals Rock Juvenile Justice System

Joseph Galloway is days away from walking out of a Texas juvenile detention center where he has been **held for years beyond his original sentence** -- and where at age 15, he said, he **endured sexual assaults** by a corrections officer and a fellow inmate.

Baltimore Sun

January 27, 2007

Judge orders 3 removed from juvenile facility after teen being restrained dies

At least **four youths** at a private residential program for juvenile offenders have independently told their lawyers that they **witnessed staff members sit on a struggling Isaiah Simmons for three hours Tuesday until he passed out and died**, Maryland's chief public defender said last night.

The Sunbury Daily Item

August 15, 2008

Woman confesses to sexual encounter at juvenile detention center

It was not known Friday if a **former employee** of a juvenile detention center who confessed to having sex with an inmate the same age as her son will be allowed to remain a part of Danville's football boosters association.

Baltimore Sun

March 7, 2007

Report shows sex abuse at youth lockups not unusual

In all: **40 allegations of staff sexual conduct with incarcerated teenagers** at the West Texas lockup between January 2000 and October 2006.

AMERICAN-STATESMAN

March 7, 2007

Report shows sex abuse at youth lockups not unusual

The mother's warning to Texas Youth Commission officials in early 2003 now seems eerily prophetic.

"My son is being molested and now, because he has tried to get help from other staff, he is being harassed."

U.S. News & World Report

July 2004

“Juvenile justice facilities across the nation **are in a dangerously advanced state of disarray,** with violence an almost everyday occurrence and rehabilitation the exception rather than the rule. **Abuse of juvenile inmates by staff is routine.”**

Miami Herald

2003

“ [The] Florida Department of Juvenile Justice workers and supervisors included about 350 ex-felons and persons with arrest records, including four superintendents and four assistant superintendents of juvenile detention facilities

DOJ

Office of Justice Programs
Bureau of Justice Statistics
Special Report
January 2010

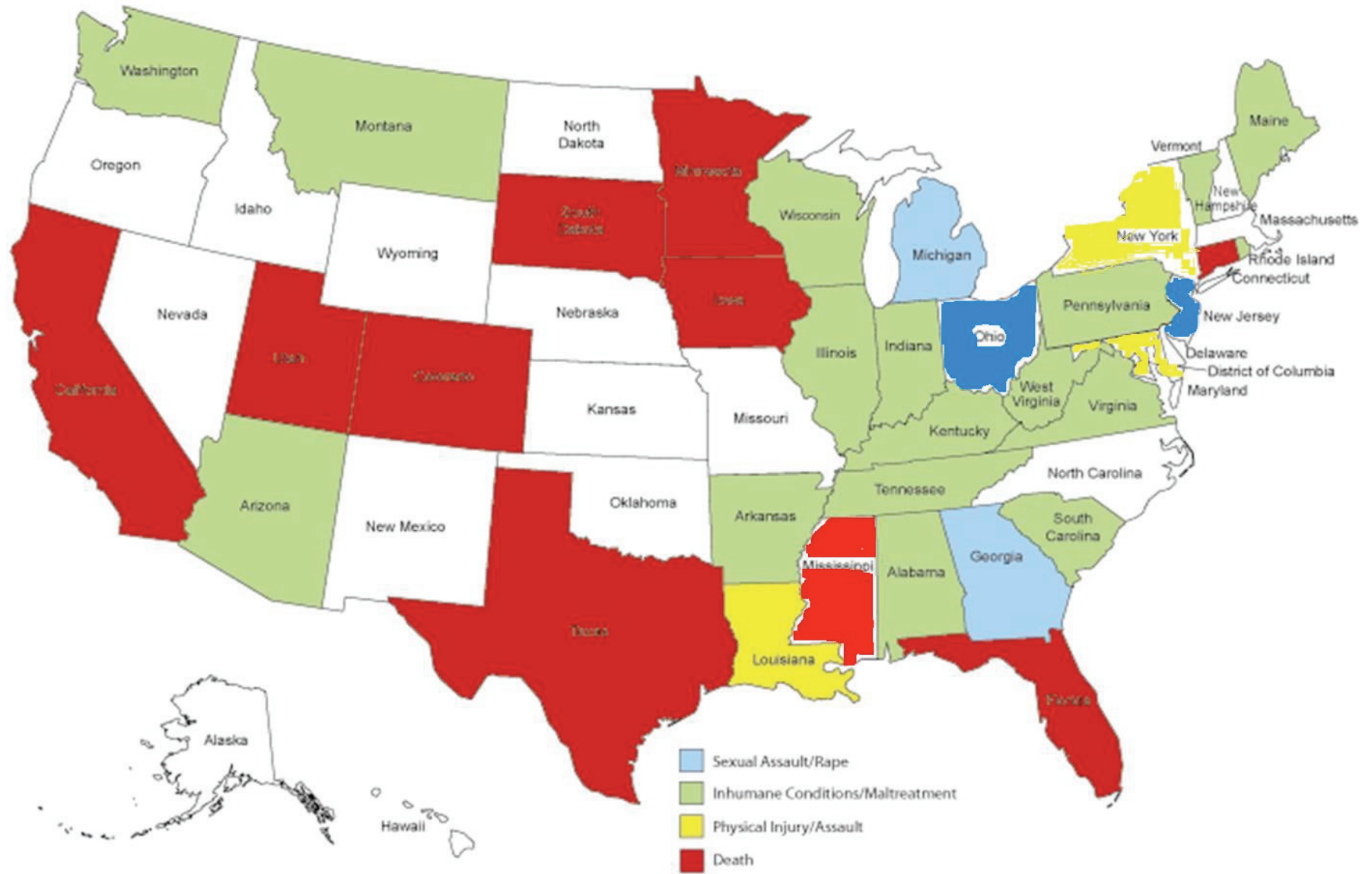
Sexual Victimization in Juvenile Facilities Reported by Youth, 2008-2009

**An estimated 12% of youth in state juvenile facilities
and large non state facilities reported experiencing one
or more incidents of sexual victimization**

13 Facilities were identified as high rate

6 facilities had a victimization rate of 30% or more

Institutional Abuse In Juvenile Facilities



JUVENILE DELINQUENCY GUIDELINES

Improving Court Practice in Juvenile Delinquency Cases

NATIONAL COUNCIL OF JUVENILE
AND FAMILY COURT JUDGES



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES
est. 1937



Office of Juvenile Justice and
Delinquency Prevention

National Council of Juvenile and Family Court Judges

Key principal #13 of these guidelines states:

- *Juvenile delinquency court judges should ensure effective post-disposition review is provided to each delinquent youth as long as the youth is involved in any component of the juvenile justice system.*

National Council of Juvenile and Family Court Judges

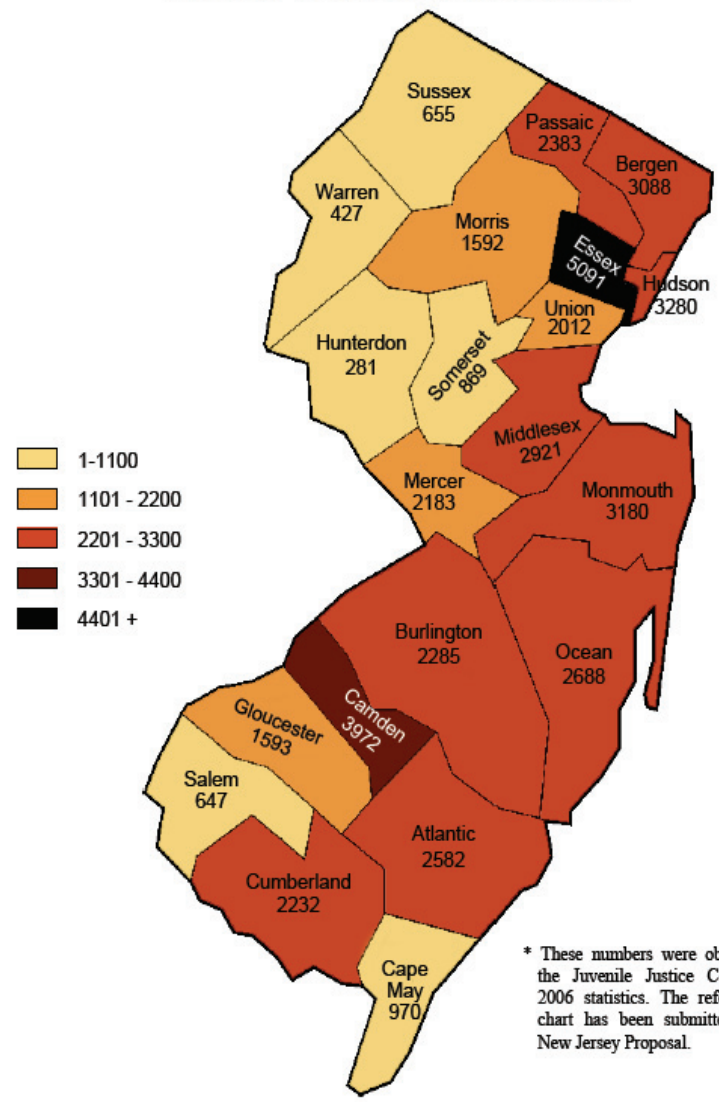
“post disposition reviews should happen not less than every 90 days”

New Jersey Juvenile Justice Statistics

Who are the kids sent to placement?

- Over 39% of children committed to juvenile facilities had history of DYFS involvement.
- 63% of children residing in Juvenile Justice Commission (JJC) facilities have a DSM IV diagnosis.
- Approximately 57% of the in JJC custody were eligible to receive special education services.

**2006
Number of Juvenile Cases Filed***



* These numbers were obtained from the Juvenile Justice Commission's 2006 statistics. The referenced JJC chart has been submitted with the New Jersey Proposal.

Why Essex and Camden?

- In Camden, which has been ranked the most dangerous city in the country, 1 in 3 children are arrested before the age of 18. Account for approx 1/3 of kids in placement.
- Newark's children account for 14.5% of JJC placements.



NJ JIDAN Post Disposition Project



“He who passively accepts evil is as much involved in it as he who helps to perpetrate it. He who accepts evil without protesting against it is really cooperating with it.”

Martin Luther King Jr.

Do What you Can

With what you have

Where you are

Theodore Roosevelt

Never Give Up

Never Give Up

Never Give Up

Winston Churchill