

ASSEMBLY, No. 565

STATE OF NEW JERSEY

212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman SEAN T. KEAN

District 11 (Monmouth)

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District 10 (Monmouth and Ocean)

SYNOPSIS

Requires public hearing and security report before establishing, relocating, or expanding juvenile boot camps.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning siting of juvenile boot camps, amending P.L.
2 1997, c.81, and supplementing P.L.1995, c.330 (C.52:17B-181 et
3 seq.) and P.L.1975, c.291 (C.40:55D-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. (New section) a. Notwithstanding any other provision of law
9 to the contrary, no State agency or instrumentality, including but
10 not limited to the Juvenile Justice Commission, the Department of
11 Corrections and the Department of Military and Veterans Affairs,
12 shall establish, relocate, or expand a Stabilization and Reintegration
13 Program, hereinafter referred to as "SRP," or any other boot camp
14 style program without complying with the procedures set forth in
15 this section.

16 b. Prior to establishing, relocating, or expanding a SRP or any
17 other boot camp style program, the State agency or instrumentality
18 shall conduct at least one public hearing in the municipality of the
19 proposed site to provide an opportunity for public testimony on the
20 location of the site. The hearing shall be conducted at least 90 days
21 in advance of the proposed action. The agency or instrumentality
22 shall publish a Notice of Intent to hold the public hearing at least 15
23 days prior to the hearing. Publication of the Notice of Intent shall
24 be in accordance with subsection c. of this section.

25 c. A Notice of Intent to hold a public hearing on the siting of a
26 SRP or boot camp style program pursuant to subsection b. of this
27 section shall be published in at least one newspaper published and
28 circulating in the municipality of the proposed site. If there is no
29 newspaper published in the municipality, the notice shall be
30 published in a newspaper having a general circulation in the
31 municipality. Failure to comply with the requirements of this
32 subsection shall invalidate or delay any siting of a SRP or boot
33 camp style program.

34 d. The State agency or instrumentality shall prepare a report on
35 the security of the proposed site prior to a public hearing held
36 pursuant to subsection b. of this section. The report shall be
37 transmitted to the governing body of the municipality of the
38 proposed site and shall include a full analysis of whether the
39 proposed site can offer a secure setting for the SRP or boot camp
40 style program. The analysis shall take into consideration:

41 (1) The maximum number of youth the agency or
42 instrumentality plans to house in the program;

43 (2) The profile of the type of youth to be admitted into the
44 program;

45 (3) The agency's or instrumentality's security plans for the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 program, including but not limited to the intended ratio of staff to
2 youth, the specific measures that will be taken to deter the youth
3 from leaving the program without permission, the particular steps
4 that will be followed in such a situation, and such other actions,
5 programs or policies the agency or instrumentality may initiate in
6 order to assure the safety, well-being and tranquility of the residents
7 of the municipality; and

8 (4) Any other information the agency or instrumentality deems
9 relevant to the issue of the security of the proposed site.

10 For the purposes of this section:

11 "Boot camp style program" shall mean a specialized
12 rehabilitation program for young adults which utilizes military
13 techniques of regimentation and structured discipline complemented
14 with education, vocational training and counseling to develop and
15 foster positive attitudes and behavior, self-control, and self-respect.

16 "Stabilization and Reintegration Program" shall mean a program
17 established pursuant to P.L.1995, c.330 (C.52:17B-181 et seq.) and
18 known by the acronym of "SRP."

19

20 2. Section 4 of P.L.1997, c.81 (C.30:8-64) is amended to read as
21 follows:

22 4. a. The governing body of any county, by resolution or
23 ordinance, as appropriate, may establish and maintain a juvenile
24 offender rehabilitation program. Notwithstanding any other
25 provision of law to the contrary, no county shall establish, relocate,
26 or expand a juvenile or joint juvenile offender rehabilitation
27 program or any other boot camp style program without complying
28 with the procedures set forth in this section.

29 b. The governing bodies of two or more counties, in accordance
30 with the provisions of the "Interlocal Services Act," P.L.1973, c.208
31 (C.40:8A-1 et seq.), may establish and maintain a joint juvenile
32 offender rehabilitation program.

33 c. Prior to establishing, relocating, or expanding a juvenile or
34 joint juvenile offender rehabilitation program or any other boot
35 camp style program, the county shall conduct at least one public
36 hearing in the municipality of the proposed site to provide an
37 opportunity for public testimony on the location of the site. The
38 hearing shall be conducted at least 90 days in advance of the
39 proposed action. The county shall publish a Notice of Intent to hold
40 the public hearing at least 15 days prior to the hearing. Publication
41 of the Notice of Intent shall be in accordance with subsection d. of
42 this section.

43 d. A Notice of Intent to hold a public hearing on the siting of a
44 SRP or boot camp style program pursuant to subsection c. of this
45 section shall be published in at least one newspaper published and
46 circulating in the municipality of the proposed site. If there is no
47 newspaper published in the municipality, the notice shall be
48 published in a newspaper having a general circulation in the

1 municipality. Failure to comply with the requirements of this
2 subsection shall invalidate or delay any siting of a SRP or boot
3 camp style program.

4 e. The county shall prepare a report on the security of the
5 proposed site prior to a public hearing held pursuant to subsection c.
6 of this section. The report shall be transmitted to the governing
7 body of the municipality of the proposed site and shall include a full
8 analysis of whether the proposed site can offer a secure setting for
9 the juvenile or joint juvenile offender rehabilitation program or boot
10 camp style program. The analysis shall take into consideration:

11 (1) The maximum number of youth the county plans to house in
12 the program;

13 (2) The profile of the type of youth to be admitted into the
14 program;

15 (3) The county's security plans for the program, including but
16 not limited to the intended ratio of staff to youth, the specific
17 measures that will be taken to deter the youth from leaving the
18 program without permission, the particular steps that will be
19 followed in such a situation, and such other actions, programs or
20 policies the county may initiate in order to assure the safety, well-
21 being and tranquility of the residents of the municipality; and

22 (4) Any other information the county deems relevant to the issue
23 of the security of the proposed site.

24 For the purposes of this section "boot camp style program" shall
25 mean a specialized rehabilitation program for young adults which
26 utilizes military techniques of regimentation and structured
27 discipline complemented with education, vocational training and
28 counseling to develop and foster positive attitudes and behavior,
29 self-control, and self-respect.

30 (cf: P.L.1997, c.81, s.4)

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32 3. (New section) a. Notwithstanding any other provision of law
33 to the contrary, no municipality or private entity shall establish,
34 relocate, or expand a boot camp style program without complying
35 with the procedures set forth in this section.

36 b. Prior to establishing, relocating, or expanding a boot camp
37 style program, the municipality or private entity shall conduct at
38 least one public hearing in the municipality of the proposed site to
39 provide an opportunity for public testimony on the location of the
40 site. The hearing shall be conducted at least 90 days in advance of
41 the proposed action. The municipality or private entity shall
42 publish a Notice of Intent to hold the public hearing at least 15 days
43 prior to the hearing. Publication of the Notice of Intent shall be in
44 accordance with subsection c. of this section.

45 c. A Notice of Intent to hold a public hearing on the siting of a
46 SRP or boot camp style program pursuant to subsection b. of this
47 section shall be published in at least one newspaper published and
48 circulating in the municipality of the proposed site. If there is no

1 newspaper published in the municipality, the notice shall be
2 published in a newspaper having a general circulation in the
3 municipality. Failure to comply with the requirements of this
4 subsection shall invalidate or delay any siting of a SRP or boot
5 camp style program.

6 d. The municipality or private entity shall prepare a report on
7 the security of the proposed site prior to a public hearing held
8 pursuant to subsection b. of this section. The report shall be
9 transmitted to the governing body of the municipality of the
10 proposed site and shall include a full analysis of whether the
11 proposed site can offer a secure setting for the boot camp style
12 program. The analysis shall take into consideration:

13 (1) The maximum number of youth the municipality or private
14 entity plans to house in the program;

15 (2) The profile of the type of youth to be admitted into the
16 program;

17 (3) The municipality's or private entity's security plans for the
18 program, including but not limited to the intended ratio of staff to
19 youth, the specific measures that will be taken to deter the youth
20 from leaving the program without permission, the particular steps
21 that will be followed in such a situation, and such other actions,
22 programs or policies the municipality or private entity may initiate
23 in order to assure the safety, well-being and tranquility of the
24 residents of the municipality; and

25 (4) Any other information the agency or instrumentality deems
26 relevant to the issue of the security of the proposed site.

27 For the purposes of this section "boot camp style program" shall
28 mean a specialized rehabilitation program for young adults which
29 utilizes military techniques of regimentation and structured
30 discipline complemented with education, vocational training and
31 counseling to develop and foster positive attitudes and behavior,
32 self-control, and self-respect.

33

34 4. This act shall take effect immediately.

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STATEMENT

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39 This bill requires a public hearing to be held in the municipality
40 of the proposed site of a Stabilization and Reintegration Program,
41 juvenile or joint juvenile offender rehabilitation program, or other
42 juvenile boot camp style program at least 90 days prior to its
43 establishment, relocation, or expansion. The entity proposing the
44 site must publish a notice of the hearing at least 15 days in advance
45 of the hearing in at least one newspaper circulating in the proposed
46 municipality.

47 The bill also requires a security report to be transmitted to the
48 governing body of the municipality of the proposed site which

- 1 includes an analysis of whether the site can offer a secure setting
- 2 for the program. The analysis must consider the number anticipated
- 3 to be housed in the program, the expected profile of participants,
- 4 the entity's security plans, and any other information the entity
- 5 deems relevant to the issue of the security of the proposed site.