

**State of New Jersey
Juvenile Justice Commission
County Proposals to Change Detention Facility Utilization**

Under the provisions of N.J.S.A. 2A:4a-37(b), the Juvenile Justice Commission (Commission) is responsible for approving all places where juveniles may be placed in detention. The Commission implements that authority through regulations found at N.J.A.C. 13:92-4.1, which state “a detention facility must obtain Commission approval of a written implementation proposal that has been signed-off by all relevant entities prior to:

1. Any shared or additional use of a facility;
2. Any closure of a facility or portion thereof;
3. Any renewal of a shared services agreement; and
4. Any transfer of juveniles except for routine transfer for operational purposes.”

This document establishes standards and procedures to be followed by County Juvenile Detention Facilities and the Commission when considering the closure and/or consolidation of a detention facility. It also includes a template that must be followed by counties when preparing the written implementation plans required as part of a closure or consolidation proposal.

Written implementation plans must be submitted by each county involved in the closure and consolidation, including all closing/sending and receiving facilities. The process of preparing, submitting, reviewing, revising, and approving implementation plans typically takes several months, given the complex and multi-faceted nature of detention operations, and the multiple parties involved in the process. Completing the written implementation plan is a first step in the process, as a review of each plan typically leads to additional questions or requests for supporting documentation from the Commission. Closure and consolidation cannot proceed until all implementation plans from each involved county have been approved by the Commission; counties should anticipate these timelines when planning for closure and consolidation.

Note that this implementation plan template must be completed in its entirety for instances of detention facility closure and/or consolidation. If a county is contemplating any other change in detention facility utilization, contact the Commission directly to determine whether an abbreviated version of this template is acceptable and meets regulatory requirements.

An implementation proposal that is complete and in compliance with the requirements of this template may be approved, unless it is determined by the Commission that the proposed plan:

1. Is unclear or facially inconsistent;
2. Fails to comply with any requirements of State or Federal law pertaining to the detention of juveniles;
3. Proposes a course of action not conducive to the welfare of juveniles or to the best interests of the State, as determined by the Commission;
4. Will lead to the receiving facility exceeding the maximum population capacity assigned by the Commission;

5. Fails to provide adequate staff at the receiving facility to safely accommodate the additional juveniles;

Or the Commission determines:

6. The population of a detention center has been artificially increased or decreased, or otherwise manipulated, in order to meet plan objectives or obtain plan approval;
7. The receiving facility has significant outstanding compliance concerns from previous JJC inspections; or
8. The plan will otherwise compromise the safety or security of the receiving detention facility.

Please note that all inter-county and other transfers of juveniles to and from a detention facility are subject to continued monitoring and approval by the Commission.

****Sending counties must complete Section “A” (pages 3-6)**

****Receiving counties must complete Section “B” (pages 7-10)**

Section A: TO BE COMPLETED BY SENDING COUNTIES ONLY

Submit a written implementation plan that minimally addresses the following elements:

1A. Provide a clear explanation of the need to be addressed by the proposed action, include:

- What is the proposed change?
- Why is the county proposing the change?
- What local factors or conditions make the change necessary?
- How does the proposed change meet the need described?

2A. Provide a description of all policy actions considered and rejected in favor of the proposed plan, including why the proposed plan best meets the need identified above. The description should provide details regarding:

- What other remedies were considered in meeting the need described? Why were they rejected in favor of this change?
- Which local key actors were involved in making the decision for the change?
- Which local key actors were consulted in making the final determination to submit this proposal?
- What were the major comments/questions/concerns raised by the local key actors, and how were those comments/questions/concerns addressed?

3A. Historical stability of average daily facility population:

- Over the past two years, what has been the facility's total population trends?
- How many admissions has the facility had during this time?
- Has the trend gone up or down?
- What was the county's length of stay during this time?
- Has the trend gone up or down?
- For each year, what was the highest and lowest total daily count?
- For each year, what was the highest/lowest average daily population?
- If applicable, how many admissions to 60-day commitment programs have there been during this timeframe?
- Based on these trends, what is the counties prediction of population trends? Why?

4A. Assessments supporting the need to acquire the number of beds identified in the implementation plan:

- How many beds will the county acquire from the receiving facility?
- How did the county determine the number of contracted beds needed? Please be specific in terms of what factors were considered in making this determination.
- Who has the county consulted in making this determination?
- What is the proposed arrangement for the purchase of beds?
- Will beds be held specifically for the sending county, or will both counties have access to all the beds?

5A. Contingency plans for possible additional beds:

- If unexpected increases in population or issues with specific residents occur, and cannot be accommodated by receiving county, what is the contingency plan?
- What additional facilities will the sending county contract with?
- What are the barriers to this plan?
- How will the county overcome these potential barriers?

6A. Answer the following questions regarding estimated costs:

- What is the current operating budget of your detention facility by line item?
- What is the proposed operating budget under the new plan by line item?
- Are any cost savings expected to be achieved through the proposed change? If yes, explain.
- Will any cost savings be redistributed in the county to address the needs of juveniles?
- Describe how the county plans to use cost savings achieved as a result of the consolidation.

7A. Contract administration, quality assurance, ongoing contract and fiscal monitoring:

- What is the per diem rate and what factors were included in establishing the rate?
- Does this per diem rate include the costs of medical, mental health, and all other services to be provided?
- Who will be monitoring the contract, in terms of contractual and fiscal obligations between the counties?
- If a contractual problem occurs, what is the process for problem solving?
- Who will be the day to day contact person for operational issues?

8A. Provide a detailed projected timeline for implementation, include:

- What is the timeline for the implementation of the change, e.g., timelines for vetting and signing the contract, as well as operationally closing a facility, including but not limited to reducing staff and ceasing admissions?
- What is the timeline for notifying staff, parents, and youth?

9A. Describe how the county will ensure access to family, shelter care, legal services, community providers and local support groups:

Family

- What methods will be used to notify families that their children will be moved?
- What plans does the county have for ensuring that the families of detained youth will have access to regular visits and communication with their child?
- What arrangements have been made for transportation of parents/guardians?
- How and when will the parents be notified regarding the options available for transportation?
- What accommodations are there for parent/child visits?
- Who has the county consulted with in devising this plan?
- What are the barriers to implementing this plan?
- How will the county address these barriers?

Shelter Care

- What are the county's plans for providing shelter care?
- What are the barriers to these plans?
- How will the county address these barriers?

Counsel

- What plan does the county have for ensuring access to counsel, particularly to public defenders?
- What role has the public defender's office played in the development of this plan?
- Who have you spoken to regarding the impact of this closure on the public defender's office (include name and title)?
- What are the potential barriers to implementing this plan?
- How will the county address these barriers?

Commitment Program

- Is your facility approved for a 60-day commitment program or do you otherwise utilize another facility's 60-day commitment program?
- Will your county utilize a 60-day commitment program once this plan is implemented? If so, where?

Community Providers/Local Support Groups

- What plan does the county have for ensuring detained youth maintain a connection to their local communities through access to community providers and local support groups?
- Who has the county consulted with in developing this plan?
- Which community providers have agreed to visit youth in their new facilities?
- What are the potential barriers to the plan and how does the county plan to address these barriers?

10A. Educational services and access to local school district resources:

- What is the plan for providing educational services under the proposed change?
- How, if at all, would current educational services be different under the proposed change?
- What are the potential barriers to providing educational services as a result of this change? In your answer, please also address any anticipated Department of Education compliance issues.
- How will the county address these potential barriers/issues?
- How will the county ensure that juveniles have access to and maintain a connection with their local school district?
- What are the barriers to this plan?
- How will the county address these barriers?

11A. Plans for the transportation of juveniles to and from court, outside services, and interviews:

- Describe the county's current transportation services.
- What is the county's plan for providing transportation to and from court, outside services, interviews and medical trips?
- Who will be responsible for the transportation?
- Who will be responsible for providing supervision if a youth is admitted to the hospital?
- What is the estimated cost per year?
- How will that cost be paid?

12A. Describe the implementation plan's anticipated impacts upon court resources, including case processing time, calendar delays, adjournments, together with a proposed course of action to remedy any negative impacts. Include:

- What is the anticipated impact of the proposed change upon court resources, including impacts on case processing time, calendar days, adjournments, etc?
- What is the county's plan for addressing these impacts?
- Is the county considering video conferencing? If so, how and when would it be used?
- Are both the sending and receiving counties video conferencing equipment compatible?
- Who is responsible for the cost of videoconferencing?
- Who has the county consulted with in developing this plan?
- What are the potential barriers to implementing this plan?
- How will the county address these barriers?

13A. Describe the implantation plan's anticipated impacts upon detention alternative programs together with a proposed course of action to remedy any negative impacts. Include:

- Does the county currently operate detention alternative programs? If so, is it managed by detention center staff or by another agency or organization?
- Describe the anticipated impacts of the proposed change on detention alternative programs.
- What is the county's plan to address these impacts?
- What are the barriers to this plan?
- How will the county address these barriers?

14A. Explain the impact the change will have on law enforcement resources, specifically addressing transportation of juveniles to detention facilities from municipal or other lockup facilities:

- How have local law enforcement entities been notified of this proposed change?
- How might the proposed change impact law enforcement entities?
- What is the anticipated impact upon the transportation of juveniles from municipal police departments or other lock up facilities to the receiving detention centers?
- What is the county's plan for addressing these potential issues?
- Who has the county consulted in developing this plan?
- What are the barriers to implementing this plan?
- How will the county address these barriers?

Section B: TO BE COMPLETED BY RECEIVING COUNTIES ONLY

A written implementation plan shall minimally address the following elements:

1B. Provide a clear explanation of the need to be addressed by the proposed action, include:

- What is the proposed change?
- Why is the county proposing the change?
- What local factors or conditions make the change necessary?
- How does the proposed change meet the need described?

2B. A description of all policy options considered and rejected in favor of the proposed action, including why the proposed action best meets the need identified above. The description should provide details regarding:

- What other remedies were considered in meeting the need described? Why were they rejected in favor of this change?
- Which local key actors were involved in making the decision for the change? Which local key actors were consulted in making the final determination to make this proposal?
- What were the major comments/questions/concerns raised by the local key actors, and how were those comments/questions/concerns addressed?

3B. Historical stability of average daily facility population:

- Over the past two years, what has been the facility's total population trends?
- How many admissions has the facility had during this time?
- Has the trend gone up or down?
- What was the county's length of stay during this time?
- Has the trend gone up or down?
- For each year, what was the highest and lowest total daily count?
- For each year, what was the highest/lowest average daily population?
- If applicable, how many admissions to 60-day commitment programs have there been during this timeframe?
- Based on these trends, what is the county's prediction of population trends? Why?

4B. Answer the following questions regarding estimated costs:

- What is the current operating budget of your detention facility by line item?
- What is the proposed operating budget under the new plan by line item?
- What are the proposed revenues to be achieved by the proposed change?
- How will the revenues be redistributed in the county to address the needs of juveniles, i.e., supporting community-based diversions, after care services; or services to be offered at the detention facility, etc.?

5B. Contract administration, quality assurance, ongoing contract and fiscal monitoring:

- What is the per diem rate and what factors were included in establishing the rate?
- Does the per diem rate include the costs of medical, mental health, and all other services to be provided?
- Who will be monitoring the contract, in terms of contractual and fiscal obligations between the counties?

- If a contractual problem occurs, what is the process for problem solving?
- Who will be the day to day contact person for operational issues?

6B. Provide a detailed projected timeline for implementation, including:

- What is the timeline for the implementation of the change, e.g., timelines for vetting and signing the contract, hiring staff, accepting admissions, etc.?

7B. Describe how the county will ensure access to family, shelter care, legal services, community providers and local support groups:

Family

- What plan does the county have for ensuring that the families of detained children will have access to regular visits and communication with their child?
- What arrangements have been made for transportation of parents/guardians?
- What accommodations are there for parent/child visits?
- Who has the county consulted with in devising this plan?
- What are the barriers to implementing this plan?
- How will the county address these barriers?

Counsel

- What plan does the county have for ensuring access to counsel, particularly to public defenders?
- What role has the public defender's office played in the development of this plan?
- What are the potential barriers to implementing this plan?
- How will the county address these barriers?

Commitment Program

- Is your facility approved for a 60-day commitment program?
- If so, will the County/s you are consolidating with utilize your 60-day commitment program once this plan is implemented?

Community Providers/Local Support Groups

- What plan does the county have for ensuring detained youth maintain a connection to their local communities through access to community providers and local support groups?
- Who has the county consulted with in developing this plan?
- Will your facility allow community providers from the sending county to visit youth?
- What are the potential barriers to the plan and how does the county plan to address these barriers?

8B. Plans for the transportation of juveniles to and from court, outside services, and interviews:

- Describe the county's current transportation services.
- What is the county's plan for providing transportation to and from court, outside services, interviews and medical trips?
- Who will be responsible for the transportation?
- What is the estimated cost per year?

- How will that cost be paid?

9B. Educational services and access to local school district resources:

- Describe current educational services provided, including current teacher to student ratios.
- What is the plan for providing educational services under the proposed change?
- How, if at all, would current educational services be different under the proposed change?
- What are the potential barriers to providing educational services as a result of this change? In your answer, please also address any anticipated Department of Education compliance issues.
- How will the county address these potential barriers/issues?
- How will the county ensure that juveniles have access to and maintain a connection with their local school district?
- What are the barriers to this plan?
- How will the county address these barriers?

10B. Operational requirements:

- Outside of the specific operational needs already addressed in this document, are there any additional operational impacts to your facility as a result of this change?
- What happens if there are issues with specific residents that cannot be accommodated by your facility? Where does the juvenile go and who is responsible?

11B. Medical and Mental Health Services:

- Describe the current provisions of medical, mental health and psychiatric services available to detained youth.
- How will medical, mental health and psychiatric services be provided under the proposed change?
- Which county is responsible for arranging care? Who will pay for medical/mental health care?
- Is there a contract with an outside agency to provide treatment or does facility staff provide treatment?
- Who is responsible for the security of a juvenile when admitted to the hospital?
- Who is responsible for providing court ordered assessments?
- What are the potential barriers to carrying out medical/mental health services under the proposed change?
- How will the counties address these barriers?

12B. Adequate social service:

- Describe the current provisions of social services (number of social workers, and hours).
- How will social services be provided under the proposed change?
- Will additional social service providers be hired under the proposed change, if so, how many?
- What are the potential barriers to providing adequate social services under the proposed change?
- How will counties address these barriers?

13B. Adequacy of custody supervision:

- What is the current number of custody staff assigned to your facility?
- What is the current staffing pattern for each shift?
- Under the proposed change, will additional custody staff be hired? If so, how many?
- Will the county be hiring staff from the sending county?
- What are the potential barriers to providing adequate custody staffing under the proposed change?
- How will the county address these barriers?