

April 10, 2019

Governor Phil Murphy
Office of the Governor
P.O. Box 001
Trenton, New Jersey 08625

Dear Governor Murphy:

We write, respectfully, for three reasons.

First, thank you again for your leadership in issuing [Executive Order No. 42](#) creating the Task Force for the Continued Transformation of Youth Justice in New Jersey (the “Task Force”). Representatives from three of our United Black Agenda Group organizations—Salvation and Social Justice, NAACP New Jersey State Conference, and the New Jersey Institute for Social Justice—appreciate the opportunity and take seriously the responsibility of serving on the Task Force.

Second, we oppose New Jersey’s plan to build a new youth prison in Newark on an [environmentally compromised](#) site near West Side High School, KIPP Rise Academy, and Speedway Academies without any community input. Curiously, we were informed about this plan on a Task Force emergency call convened by Kevin Brown—Executive Director of the Juvenile Justice Commission and the Task Force’s Chair—just days after the Task Force’s first meeting.

This plan to construct a new youth prison in Newark will be met with substantial community opposition. New Jersey cannot realize the youth justice transformation possible in this moment if it starts by building new youth prisons. We also oppose any plans by the state to move forward with the construction of two new youth prisons in the central and southern regions of New Jersey. As discussed more fully below, we urge you to commit substantial financial and other reparative and restorative investments into *building up Black children and communities*, not into building new youth prisons to incarcerate them.

Third, we urge you to stop any plans to build new youth prisons. Instead, as outlined in our vision document, [Investing in Kids, Not Prisons: The Urgency of Transformative Youth Justice Reform in New Jersey](#), which incorporates many of the Executive Order’s mandates, we urge you to empower the Task Force to issue its final written recommendations and take the following actions:



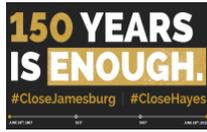
- (1) Develop a comprehensive action plan for addressing the state’s harmful youth incarceration racial disparities;
- (2) Create a youth justice transformation lockbox to fund effective community-based programs;
- (3) Develop a closure plan for Jamesburg, Hayes, and the state’s most secure youth prison—JMSF;
- (4) Conduct a comprehensive evaluation of the state’s current youth facilities to determine whether any can be closed or used to house young people transitioning from, or who would otherwise be sent to, Jamesburg, Hayes, and JMSF; and
- (5) Only as a last resort, and after comprehensive research and review that meaningfully incorporates community input, including on locations, repurpose or renovate existing structures to develop youth rehabilitation centers, if needed, that follow best practices (e.g., therapeutic, rehabilitative, child-centered, family focused, and filled with public workers trained in rehabilitative practices and trauma-informed care) and are located in the communities most impacted by youth incarceration.

New Jersey does not need any more youth prison beds. Our state has eleven non-secure youth [residential community homes](#), and these facilities are at [less than half capacity](#). Indeed, based on the average daily population numbers available in the most recent budget, and because our state’s youth prisons are also at less than half capacity, all but two of the young people estimated to be incarcerated in a youth prison in 2020 could be moved to an empty bed within a residential community home. While there are currently facility restrictions for certain young people (such as those who have been waived), such restrictions make it even more important that New Jersey takes the time necessary to review its own facilities before it begins building even more youth prisons with empty beds.

As you note in your [Executive Order](#), “although New Jersey is making significant strides, there is still significant work to be done.” New Jersey’s recent announcement, however, will reduce this potentially transformative opportunity to a mere construction project, where larger youth prisons are closed in favor of the construction of smaller ones, leaving the existing broken and racially discriminatory youth justice system intact. Indeed, continuing on this path will strip the Task Force of all the power you yourself bestowed upon it to achieve meaningful youth justice reform.

Under the current system, as you know, New Jersey has the worst Black to white [youth incarceration disparity rate](#) in the entire nation. A Black child in New Jersey is over 30 times more likely to be detained or incarcerated than a white child, even though [research shows](#) that Black and white kids commit most offenses at similar rates.

Incredibly, as of [March 29, 2019](#), in New Jersey, a state of more than 9 million people, only 18 white kids are committed to juvenile facilities. By contrast, 156 of committed youth are Black. These racial disparities illuminate the systemic racism facing New Jersey’s Black kids.



And yet, in 2019, New Jersey has deepened its investment in youth incarceration, spending a staggering \$289,287 to incarcerate each child in a state youth prison—an almost \$50,000 increase over 2018—and expects to spend the same amount in 2020. This substantial investment in youth incarceration is occurring even as the number of incarcerated youth is declining, going from an average daily population of 215 kids in 2018 to 188 in 2019, and the same number is estimated for 2020. New Jersey nevertheless plans to hire 35 more youth prison workers in 2020 to provide “institutional control and supervision,” bringing this worker total to 393.

New Jersey has not, however, increased its funding for the state/community partnership grant program, which provides county Youth Services Commissions with funds to support community-based programs (including prevention, diversion, and dispositional option programs) aimed to keep young people out of incarceration, for, at least, the past decade.

In your budget address, you noted, appropriately, that our state “[i]n every respect, . . . [must] commit to reforming our criminal justice system for the better,” and committed \$100 million to combat the opioid epidemic to prevent and “end our national addiction.”

But no such commitments have been made to the Black kids and communities devastated by New Jersey’s shameful youth justice system. Now is the time, Governor Murphy.

To begin to build a youth justice system that makes similar investments in *all* of our kids, we urge you to commit a \$100 million dollar investment into empowering the kids and communities most impacted by New Jersey’s failed youth justice system.

We also urge you to exercise bold leadership in stopping any plans to build new youth prisons and to, instead, empower the Task Force to carry out its important work and issue its final recommendations.

We look forward to your response and welcome the opportunity to meet with you in person to discuss these issues further as soon as possible.

Respectfully,

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President & CEO, New Jersey Institute for Social Justice

Reva Foster
Chairperson, NJ Black Issues Convention



Richard T. Smith
President, NAACP New Jersey State Conference

Elise Boddie
Board Member, New Jersey Institute for Social Justice

Rev. Eric Dobson
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Retha Onitiri,
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Andrea McChristian,
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