

1 CHAIRMAN WALTON: Thank you very much.

2 Mr. Beyer.

3 MR. BEYER: Thank you, Mr. Chairman and
4 Commissioners. I just want to say I am flattered and
5 honored to be here with you and to sit at this table with
6 these other prestigious folks.

7 One of the things that I feel very good about is
8 that the Commission, you have all recognized the importance
9 of the juvenile component. I came up through the adult
10 system as a manager, I ran a state prison, I was an
11 assistant commissioner, I was a, and continue to be, a
12 member of the ACA and that has inspired me to get to the
13 point of where I am. When I moved over to juvenile, I got a
14 whole new respect for what we are talking about today. I
15 think the fact that I came from the adult world and saw what
16 happened and have worked very hard with other dedicated,
17 committed folks in the field to try and do the very best for
18 adults, but while we were doing that, I can now say it's the
19 very reason why I want to work very hard for the young
20 people so that the young people don't have to go on to the
21 adult system. What we really try to do, we in the juvenile
22 system, is to make responsible adult citizens as opposed to
23 having them graduate to being adult inmates, and ultimately
24 that's what we don't want to happen, we don't want them to
25 go on to the system.

1 I'm here today representing the Council of
2 Juvenile Correctional Administrators. CJCA is a national,
3 non-profit organization committed to the improvement of
4 juvenile correctional services and practices. We serve to
5 unite the nation's juvenile correctional chief executives to
6 promote and aid advancements within juvenile justice. I'm
7 also the Executive Director of the New Jersey Juvenile
8 Justice Commission, which is responsible for approximately
9 2,000 male and female juveniles in secured care, residential
10 and day programs, and those juveniles currently completing
11 their terms of parole. I have, as I said, a working
12 understanding of both systems, and I sit here today with an
13 appreciation for both worlds.

14 As I listened to the testimony of the young people
15 who spoke first, I was saying that -- to my heart -- that it
16 was hard not to be touched by those words, to listen to kids
17 in our system and what they have gone through, and that's
18 where I want to start. Safety in our business is the
19 cornerstone for all of our facilities, whether it be adult
20 or juvenile. But I guess in juvenile there is even a
21 greater pressing issue because they're kids. We like to
22 think that we treat our kids like they are our own, and what
23 you want for the -- what you want for your own kids at home
24 is the way you should want to treat your kids who you are
25 responsible for. So, when you start to talk about their

1 welfare and the possibility of sexual abuse and how
2 difficult and how horrifying that could be, that's where
3 this all has to start.

4 It is incumbent upon us, we who run the system, we
5 who are the managers, we who are the leaders, to do what we
6 have to do to ensure a safe system. We do that first by
7 promoting safety for the staff, because the staff, if they
8 are going to do their job correctly and be responsible for
9 the people they are responsible for, we have to make them
10 feel safe. And once they feel safe, then you have a heck of
11 a lot better chance of making sure that the people they are
12 responsible for are going to feel safe, and those are our
13 kids. We shouldn't have to listen to a child, now an adult,
14 but a child who was once a child, talk about those
15 experiences the way they would. We wouldn't allow our own
16 children to be treated that way, and we should be as
17 outraged about it to hear of anybody who is in a system.
18 And, so, that's where it has to start; it has to start with
19 the managers taking a position that we have zero tolerance
20 to anything less than a safe and secure facility, and when
21 the safety starts with all those things that line up
22 underneath it, including sexual inappropriateness between
23 kid on kid, kid with staff, staff on kid, it has to be zero
24 tolerance. And you could stand on your head, but unless
25 somebody takes a definitive role and says this is the way

1 it's going to be and this is what will not be tolerated, it
2 won't stop, or it will stop once the message gets out, once
3 you start firing some people, letting them know that this is
4 unacceptable in the world that we're in. And I'd like to
5 tell you on behalf of CJCA, that is the way we are -- we
6 have been and are going. We have a tool, performance-based
7 standard, which helps us find out exactly how we're doing,
8 measure how we're doing individually as states, and to see
9 how we're doing compared to other states. And we use that
10 tool to see just how well we're doing, and if we're not
11 doing, it allows us to see what we can do better to help do
12 what we do in protecting the kids and doing it better.

13 You can add staff. You can have ombudsmen who can
14 be your eyes and ears out there who can go and talk to the
15 kids and find out what's going on. You could have the
16 Office of Investigations or Internal Affairs to make sure
17 that things that you have put out in policy are, in fact,
18 being complied with, your policies and procedures have to be
19 intact and well written and understood, and you have to walk
20 and talk around your business so people see who you are,
21 know who you are, and understand what it is that you expect.

22 People will get away with things if you allow them to get
23 away with it. That goes back to the issue of what is
24 tolerated and what is not tolerated. It is a commitment.
25 It is a commitment that we feel very -- very, very concerned

1 about.

2 I had asked at one of our recent meetings, Allen
3 Beck, who is doing research on this, had come to talk to us,
4 and we had talked and heard about the study on the
5 comparison of the adult system and the juvenile system, and
6 our findings were that the juvenile system had higher rates
7 of sexual activity between the kids and the staff. And one
8 of the things I just want to point out, because I came from
9 the adult system, this is not to take anything from the
10 adult system, but we do have extra measures that we are
11 responsible for. There are a lot of watchdog agencies that
12 juvenile agencies have that the slightest situation that
13 comes up we have to report to that, we have extra layers of
14 reporting, child advocacy groups, public defenders, things
15 that are inherent to our system, perhaps more so than in the
16 adult system. And that's understandable because they're
17 kids and we're trying to turn kids' lives around.

18 I want to talk a little bit about the survey
19 because I know it is part and parcel about what we are
20 doing. Dr. Beck, Chief of the Corrections Unit for the
21 Department of Justice, did come to New Jersey, he did
22 discuss the implementation of PREA. His willingness to
23 listen was reflected in a comment to a letter of thanks that
24 he had sent to me and I had put into my testimony. In
25 short, he understands the challenges presented and the need

1 to talk to kids while minimizing the risk of further trauma,
2 and as such, he has supported an age-appropriate version of
3 the questionnaire for younger respondents and a toned-down
4 version for older respondents. I can't underscore that
5 enough. If you look at that survey or the questions that
6 are being asked of kids, you know, a kid could look like
7 he's twenty-eight years old but he could act like he's eight
8 years old, and you cannot just take a book by its cover.
9 You've really got to be concerned. And Allen Beck maybe
10 walked into the room with the group of boys and then later
11 with the group of girls that we had, and what he first saw
12 when he walked in and the way -- and the way he felt when he
13 first walked in and the way he felt when he walked out were
14 two different extremes. Once you walk and talk and are with
15 the kids and you see who we're dealing with, you can't help
16 but be touched by who they are and where they are and how
17 you have to respond to them. Please, please, be sensitive
18 to this issue. The kids -- I'm not making excuses for them.
19 Some kids have done some terrible things. But we don't
20 want to re-traumatize kids in our effort to do the right
21 thing for them. And this is the right thing. We don't want
22 to see kids hurt, or re-hurt, or make their lives any more
23 difficult. We want to give them the support so they can
24 walk out of our place as productive, successful human beings
25 who will go on to be productive, successful human beings.

1 And there's a lot of folks in the juvenile system who are
2 trying to do just that. I speak on behalf of my colleagues,
3 and I want you to know that we are really committed to this.

4 In New Jersey, for instance, you're not allowed to
5 call one of our residents an inmate, because if you call a
6 kid an inmate long enough, guess what happens? They start
7 to believe they're inmates. The kids, children, residents,
8 or students, that's what you're allowed. And, so, we like
9 to think of this subject matter as about the kids and not
10 inmates. It hurt me to hear the kids talk about their
11 experiences as inmates because ultimately that's not what
12 you want them to finally be.

13 We really hope that we'll be able to work
14 together. On behalf of CJCA, on behalf of New Jersey, I am,
15 again, thrilled to be here. I look forward to working in
16 any way possible. We take this issue that seriously. And I
17 really thank you very much for giving me an opportunity to
18 speak on behalf of CJCA and the juvenile administrators.

19 CHAIRMAN WALTON: Thank you very much for your
20 heartfelt testimony. I can assure you that we take very
21 seriously the treatment of juveniles. Myself having been in
22 the juvenile system three times when I was growing up,
23 appreciate that juveniles can turn their lives around and be
24 productive citizens in American society. So, thank you very
25 much for your testimony.