

**SENATE, No. 2381**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED DECEMBER 17, 2012

**Sponsored by:**

**Senator ROBERT M. GORDON**

**District 38 (Bergen and Passaic)**

**SYNOPSIS**

Sets forth procedures for transporting inmates housed in residential community release programs.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the transportation of inmates and  
2 supplementing chapter 4 of Title 30 of the Revised Statutes.

3

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

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7 1. a. For the purposes of this act:

8 “Disciplinary violations” means any of the following acts  
9 committed by an inmate after that inmate has been assigned to, and  
10 is living at, a residential community release program:

11 (1) charges by law enforcement authorities for any violation of  
12 the law;

13 (2) charges by a law enforcement officer or evidence of violation  
14 of any statute governing the use of a controlled dangerous substance  
15 or controlled substance analog;

16 (3) using or possessing alcohol or a controlled dangerous  
17 substance or controlled substance analog;

18 (4) refusing to engage in the work required by the residential  
19 community release program, or to adhere to a program or housing  
20 unit assignment;

21 (5) traveling outside of the jurisdiction of the State of New  
22 Jersey;

23 (6) engaging in sexual acts on the premises of the residential  
24 community release program; and

25 (7) any of the prohibited acts enumerated under Title 10A of the  
26 New Jersey Administrative Code which are subject to disciplinary  
27 action and sanction by a disciplinary hearing officer or adjustment  
28 committee within the Department of Corrections and result in the  
29 immediate transfer of an inmate from a residential community  
30 release program to a correctional facility within the Department of  
31 Corrections; and

32 “Residential community release program” means an assessment  
33 and treatment center, a halfway house, or a substance use disorder  
34 treatment program operating under the authority of the Department  
35 of Corrections, or any non-profit or for-profit subcontractor thereof  
36 that operates a residential community release program under the  
37 authority of the Department of Corrections.

38 b. The Department of Corrections shall be responsible for  
39 making the arrangements necessary for the initial transportation of  
40 an inmate from a correctional facility to a residential community  
41 release program. The initial transportation of an inmate from a  
42 correctional facility to the residential community release program  
43 shall be provided by a corrections officer or other law enforcement  
44 officer.

45 c. Except as provided under subsection d. of this section, after  
46 an inmate has been assigned to, and is living at, a residential  
47 community release program, the inmate shall be transported in  
48 accordance with internal management procedures established by the

1 residential community release program that are approved by the  
2 Department of Corrections.

3 d. Any inmate who commits a disciplinary violation as defined  
4 under subsection a. of this section or who violates the internal rules  
5 of the residential community release program and, as a result, is  
6 prohibited from leaving the premises of the residential community  
7 release program without supervision shall be transported to and  
8 from the residential community release program, when necessary,  
9 by a corrections officer or other law enforcement officer.

10 e. The costs of transporting inmates pursuant to this section  
11 shall be borne by the residential community release program,  
12 including all costs to the department or other law enforcement  
13 agency that is expended on the transportation of inmates provided  
14 by a corrections officer or other law enforcement officer.

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16 2. This act shall take effect immediately.

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#### STATEMENT

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21 This bill sets forth the procedures for transporting inmates to and  
22 from residential community release programs. Under the provisions  
23 of the bill, the initial transportation of an inmate from a correctional  
24 facility to the residential community release program would be  
25 provided by a corrections officer or other law enforcement officer.

26 After the initial transportation, the bill sets forth separate  
27 transportation procedures for inmates who have committed a  
28 disciplinary violation while living at the halfway house and, as a  
29 result, are prohibited from leaving the premises without  
30 supervision. Inmates who have committed a disciplinary violation,  
31 and are prohibited from leaving the premises without supervision,  
32 are to be transported by a corrections officer or other law  
33 enforcement officer. Inmates who have not committed a  
34 disciplinary violation may be transported in accordance with  
35 internal management procedures established by the residential  
36 community release program that are approved by the Department of  
37 Corrections.

38 Finally, the bill provides that the residential community release  
39 program is responsible for all costs associated with the  
40 transportation of inmates provided under the bill's provisions.