

SENATE, No. 2382

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED DECEMBER 17, 2012

Sponsored by:

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

SYNOPSIS

Requires DOC oversight of placement of pre-trial county inmates in halfway houses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning county correctional inmates and supplementing
2 chapter 8 of Title 30 of the Revised Statutes.

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

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7 1. The Legislature finds and declares that:

8 a. Certain counties in this State are placing county inmates
9 awaiting trial in residential community release programs meant for
10 State sentenced inmates who are transitioning from incarceration
11 back into society rather than placing the inmates in the respective
12 county jail;

13 b. Some of the county inmates who are placed in the residential
14 community release programs are charged with serious offenses
15 which has raised concerns for the safety of the public and for other
16 inmates placed in the residential community release programs;

17 c. There are comprehensive regulations already in place for the
18 Department of Corrections' oversight of county work release
19 programs, including programs for inmate employment, vocational
20 training, and family care; and

21 d. In the interest of public safety, it is therefore necessary for
22 the Department of Corrections to implement similar comprehensive
23 regulations for the oversight of the placement of pre-trial county
24 inmates in the residential community release programs.

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26 2. a. The Commissioner of Corrections, pursuant to the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.), shall adopt and enforce rules and regulations for the
29 placement of a county inmate against whom a criminal charge is
30 pending and for which there is no final disposition in a residential
31 community release program facility prior to sentencing.

32 b. The rules and regulations promulgated pursuant to
33 subsection a. of this section shall include, but not be limited to,
34 establishment of criteria that a pre-trial county inmate shall meet in
35 order to be eligible for placement in a residential community release
36 program, including the nature or degree of the criminal charges
37 pending against the inmate.

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39 3. This act shall take effect on the first day of the fourth month
40 following enactment.

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STATEMENT

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45 This bill requires the Department of Corrections to oversee the
46 placement of pre-trial county inmates in residential community
47 release programs, also known as halfway houses.

1 Specifically, under the provisions of this bill, the Department of
2 Corrections is required to adopt and enforce rules and regulations
3 for the placement of a pre-trial county inmate in a halfway house.
4 The regulations must include the establishment of criteria that a pre-
5 trial county inmate must meet in order to be eligible for
6 participation, including the nature or degree of the criminal charges
7 pending against the inmate.

8 This bill is in response to testimony heard by the Assembly Law
9 and Public Safety Committee on July 23, 2012 concerning oversight
10 and accountability of this State's halfway houses.

11 Safety concerns were raised about certain counties housing
12 county inmates awaiting trial in halfway houses meant for State-
13 sentenced inmates transitioning from incarceration back into
14 society. Some of these county inmates in the halfway houses were
15 charged with serious offenses. This bill addresses these concerns
16 and requires the Department of Corrections to oversee the
17 placement of these inmates in halfway houses.