SYNOPSIS
Decreases the penalty for certain parole violations.

CURRENT VERSION OF TEXT
As introduced.
AN ACT decreasing the penalty for certain parole violations and
supplementing P.L.1979, c.441 (C.30:4-123.45 et seq.).

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

1. a. If an appropriate board panel revokes parole and returns
an adult parolee to custody, the future parole eligibility date shall be
no more than nine months from the date of that adult parolee’s
return to custody when one of the following parole violations is the
basis for return to custody pursuant to subsection b. of section 16 of
P.L.1979, c.441 (C.30:4-123.60):
   (1) failure to report to the parole officer assigned to supervise
the parolee, as implemented by regulation, provided that the inmate
is declared by the district parole supervisor or designated
representative of the commission, as appropriate, to be missing
from parole supervision;
   (2) failure to comply with any special condition of parole
imposed pursuant to regulation promulgated by the Department of
Corrections; or
   (3) failure to refrain from the use of a controlled dangerous
substance or controlled dangerous substance analog as defined in
N.J.S.2C:35-2, provided that a two-member parole board panel
determines, in its discretion, that the inmate is addicted to that
controlled dangerous substance or analog.

b. The future parole eligibility date under subsection a. of this
section may be increased or decreased by up to three months in the
case of an adult parolee if, in the opinion of the appropriate board
panel, the circumstances of the parole violation and the
characteristics and past record of the parolee warrant an adjustment.

2. This act shall take effect immediately.

STATEMENT

This bill decreases the penalty for certain parole violations
committed by an adult parolee.

Under the bill, the term of re-incarceration for certain “technical”
parole violations by a parolee who is 26 year of age or older would
be reduced from 12 months to 9 months. Currently, only young
adult parolees, ages 18 to 25, are subject to re-incarceration for a
period of nine months for certain parole violations.

Under current Department of Corrections regulations, adult
parolees may have their parole revoked and be sentenced to 12
months re-incarceration if they fail to:
   (1) report to their parole officer;
   (2) comply with a special condition of parole; or
(3) refrain from using a controlled dangerous substance or analog (CDS).

This 12-month period may be increased or decreased by up to three months in the case of an adult inmate if, in the opinion of a two-member board panel, the circumstances of the parole violation and the characteristics and past record of the adult inmate warrant an adjustment.

Under the bill, the period of re-incarceration would be reduced from 12 to nine months for failure to report to the parole officer or for failure to comply with a special condition of parole. The period also would be reduced for failure to refrain from using a CDS if a two-member board panel determines the parolee is addicted to the CDS.