

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1254

with committee amendments

STATE OF NEW JERSEY

DATED: JULY 27, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1254 and with committee amendments.

As amended by the committee, Assembly Bill No. 1254 establishes geriatric parole for inmates 65 years of age or older who have served a minimum of one-third their sentence and for inmates 60 years of age or older who have served one-half of their sentence. The appropriate board panel reviewing a request for geriatric parole is to consider the inmate's risk to public safety. Inmates who are serving a sentence for a sex offense as defined in Megan's Law or for committing or attempting to commit the following offenses are not eligible for geriatric parole: murder, manslaughter, kidnapping, robbery, second degree arson, or terrorism. Additionally, inmates are not eligible for geriatric parole if serving a sentence for theft by deception, racketeering, or misapplication of entrusted property by a fiduciary in which the inmate caused the victim to suffer a loss of personal monetary savings as a result of fraud, misrepresentation, or violation of a fiduciary duty.

This amended bill requires the board panel to notify the appropriate sentencing court, county prosecutor or Attorney General, and any victim or member of the family of a victim who are entitled to notice regarding parole. The sentencing court, county prosecutor or Attorney General, and any victim or member of the family of a victim would be afforded the opportunity to submit comments to the board panel.

Under the amended bill, a denial of a request for geriatric parole does not preclude an inmate's eligibility for parole under current law.

COMMITTEE AMENDMENTS:

The committee amended the bill to also allow an inmate to be considered for geriatric parole if the inmate is 60 years of age or older and has served one-half of the inmate's sentence. As introduced, the bill allowed an inmate to be considered for geriatric parole only if the inmate was 65 years of age or older and had served one-third of the inmate's sentence.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill would result in: 1) an indeterminate annual decrease in expenditures for the Department of Corrections (DOC) from no longer housing and providing healthcare to certain geriatric inmates and 2) an indeterminate annual increase in expenditures for the State Parole Board from hearing more cases and supervising additional parolees.

The OLS lacks sufficient information to quantify the net fiscal impact on State expenditures of these two countervailing effects as it is not known how many inmates would be granted parole under the program and what it costs the State to provide healthcare to this population while in DOC facilities.