

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 381

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 21, 2020

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 381.

As amended and reported by the committee, Senate Bill No. 381 establishes a supervised community reintegration program in the Department of Corrections (DOC) for eligible domestic violence victims following incarceration for crimes they committed against their abusers.

To be eligible for the program, the victim-inmate is required to be serving a sentence of imprisonment and meet DOC requirements for residential community programs; submit documentation identifying the abuser; and be found to present a low risk of re-offense. Inmates approved for participation in the program are to agree to participate in the program, undergo rehabilitative services, and gradually transition to supervision in the community, which may include being assigned to a residential community release program or participating in a work release program.

The victim-inmate is to apply to the DOC to participate in the program. The DOC is to conduct a psychological evaluation of the inmate and an objective risk assessment. The DOC also is required to complete a summary of the inmate's conduct in relation to the offense, history and evidence of abuse, and institutional classification while incarcerated.

At least 10 working days prior to commencing its review of an inmate-victim's application for program participation, the DOC is to give notice to the county prosecutor or to the Attorney General, as appropriate. The county prosecutor or the Attorney General is authorized to submit comments to the DOC. The DOC is required to provide written notice to the county prosecutor or Attorney General of its decision regarding approval of the victim-inmate's participation in the program.

The DOC may remove from the program any victim-inmate who violates a condition of participation in the program.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) provide that the program is to be administered by the DOC, not the Parole Board;

(2) include the reintegration program as a component of the DOC's residential community release program (halfway house);

(3) clarify that victim notification is within purview of prosecutor;
and

(4) change the effective date from immediately to one year following the effective date.