

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 415

STATE OF NEW JERSEY

DATED: JULY 28, 2020

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 415.

As reported by the committee, this bill requires the Division of Parole to offer the same post-release services to defendants who have served the maximum term of incarceration that are provided to defendants who are released on parole. Under the bill, these services are to be provided upon request of the defendant. The bill directs the Commissioner of Corrections to advise these defendants of the availability of these services and to provide them with appropriate contact information.

The bill also requires the State Parole Board to include in its annual report the number of defendants who request post-release services pursuant to the provisions of this bill, a summary of the particular assistance received, and the recidivism rates of these defendants.

Under current law, defendants incarcerated in a State correctional facility who do not participate in their own rehabilitation while incarcerated, or who have been denied release under the regular parole process, effectively serve the maximum sentence of imprisonment. These inmates, commonly referred to as “max-outs,” subsequently are released directly into the community without supervision or transitional services. Twice as many defendants max-out as are released on parole. Defendants who max-out are not entitled to services that are available to parolees, such as access to residential community release programs, known as halfway houses; drug treatment programs; residential programs; community resource centers; emergency housing placement; and other basic support services. Studies indicate that parolees are less likely to recidivate than max-outs because of the supervision they receive after release.

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.