

ASSEMBLY, No. 317

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

**By Assemblywoman BARK and Assemblyman MALONE**

1 AN ACT concerning the release on parole of certain offenders and  
2 supplementing P.L.1979, c.441 (C.30:4-123.45 et seq.).  
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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. a. Notwithstanding any other provision of law to the contrary  
8 and except as otherwise provided in subsection b. of this section,  
9 whenever the New Jersey State Parole Board, in accordance with the  
10 provisions of N.J.S.2A:168-14, shall consider whether to permit any  
11 person convicted of an offense in another state to be placed on  
12 probation or released on parole within the State of New Jersey, the  
13 board shall, at least 30 days prior to the granting of such permission,  
14 notify the chief law enforcement officer of the municipality and the  
15 prosecutor of the county wherein the probationer or parolee seeks  
16 permission to reside. Should either the chief law enforcement officer  
17 of the municipality or the county prosecutor object to the residency of  
18 the probationer or parolee, as the case may be, he shall file his  
19 objections in writing with the board during that 30 day period. The  
20 board shall give all due consideration to any such objections before  
21 granting that probationer or parolee permission to reside in that  
22 community.

23 b. If the person being considered for placement on probation or  
24 released on parole within the State of New Jersey under the provisions  
25 of N.J.S.2A:168-14 was convicted of one of the following offenses:  
26 murder, manslaughter, aggravated sexual assault, sexual assault,  
27 aggravated assault, aggravated criminal sexual contact, kidnapping,  
28 endangering the welfare of a child by engaging in sexual conduct  
29 which would impair or debauch the morals of that child, luring or  
30 enticing a child for the purpose of committing a criminal offense, or  
31 any other offense involving serious bodily injury or an attempt to  
32 commit any of the aforementioned offenses, the board shall, at least 60  
33 days prior to granting any such permission, give written notice to the  
34 chief law enforcement officer of the municipality and the prosecutor  
35 of the county wherein the probationer or parolee seeks permission to

1 reside. Should either the chief law enforcement officer of the  
2 municipality or the county prosecutor object to the residency of the  
3 probationer or parolee, as the case may be, he shall file his objections  
4 in writing with the board during that 60 day period. The board shall  
5 give all due consideration to any such objections before granting that  
6 probationer or parolee permission to reside in that community.

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8 2. This act shall take effect on the first day of the second month  
9 following enactment.

### 10 STATEMENT

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14 This bill would require the State Parole Board to notify certain local  
15 law enforcement officials whenever it agrees to permit, in accordance  
16 with the interstate compact on probation and parole, the relocation of  
17 an out-of-state probationer or parolee to New Jersey.

18 Under the provisions of the bill, the board is required to give the  
19 chief law enforcement officer of the municipality and the prosecutor  
20 of the county wherein the out-of-state probationer or parolee proposes  
21 to reside in New Jersey, a 30 day notice before granting the offender  
22 permission to relocate. During that 30 day period, either the chief law  
23 enforcement officer or the county prosecutor may file written  
24 objections to the relocation with the board. The bill requires the board  
25 to give all due consideration to those objections before granting the  
26 probationer or parolee permission to relocate in that community or  
27 county.

28 If the out-of-state offender was convicted of a violent crime, the bill  
29 requires the board to give the chief law enforcement officer and the  
30 county prosecutor a 60 day notice before granting the probationer or  
31 parolee permission to relocate. A conviction of one of the following  
32 crimes would trigger this 60 day notice requirement: murder,  
33 manslaughter, aggravated sexual assault, sexual assault, aggravated  
34 assault, aggravated criminal sexual contact, kidnapping, endangering  
35 the welfare of a child by engaging in sexual contact which would  
36 impair or debauch the morals of that child, luring or enticing a child  
37 for the purpose of committing a criminal offense, or any other offense  
38 involving serious bodily injury or an attempt to commit any of the  
39 aforementioned offenses.

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44 Establishes a notification procedure of certain out-of-state  
45 probationers and parolees relocated under interstate compact.