

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 489 and 685**

STATE OF NEW JERSEY

DATED: MAY 20, 1996

The Assembly Judiciary Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 489 and 685.

This substitute incorporates the recommendations of the New Jersey's Supreme Court's "Committee to Review the Conrad Jeffrey Matter" which issued a report dated October, 1995 which recommended that information concerning the psychological make-up and behavior of the defendant should be included in the criminal record of the defendant. This substitute would require the preparole report and the presentence report to include information concerning the defendant's psychiatric background.

With regard to parole reports, this substitute would require that the report include information concerning any history of civil commitment or other disposition which arose out of charges suspended pursuant to N.J.S.2C:4-6, including records of the disposition of those charges and any acquittals by reason of insanity pursuant to N.J.S.2C:4-1. Under N.J.S.2C:4-6, a defendant found mentally incompetent to stand trial may have the charges against him suspended while he is either committed to a psychiatric institution, placed in an out patient setting or released. After a period of time, if the defendant does not become competent to stand trial the court may dismiss the charges. In addition the substitute requires the parole report to include a complete psychiatric evaluation of the inmate.

The substitute would also require that presentence reports include information concerning any history of civil commitment or other disposition, which arose out of charges suspended pursuant to N.J.S.2C:4-6, including the records of the disposition of those charges, and any acquittal by reason of insanity pursuant to N.J.S.2C:4-1, including the records of the disposition of those charges. The substitute would also require all presentence reports to include a medical history of the defendant and a complete psychiatric evaluation of the defendant. In addition, the substitute would authorize the court, after the presentence investigation has been made, to order additional psychiatric and medical testing of the defendant.