

ASSEMBLY, No. 53

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman KAVANAUGH

1 AN ACT to amend "An act concerning the confinement, transfer and
2 interim release of inmates in the several State correctional
3 institutions, providing preparole rehabilitative work opportunities
4 for inmates and supplementing Title 30 of the Revised Statutes,"
5 approved April 23, 1969 (P.L.1969, c.22).

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7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*

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10 1. Section 1 of P.L.1969, c.22 (C.30:4-91.1) is amended to read as
11 follows:

12 1. When a person has been convicted of an offense against the
13 State of New Jersey and has been committed for a term of
14 imprisonment by a court to an institution defined in R.S.30:1-7, and
15 when it appears to the satisfaction of the Commissioner of [Institutions
16 and Agencies] Corrections that the inmate should be transferred to an
17 institution or facility more appropriate for his needs and welfare or
18 that of other inmates or for the security of the institution, the
19 commissioner shall be authorized and empowered to designate the
20 place of confinement to which the inmate shall be transferred to serve
21 his sentence.

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23 2. Section 2 of P.L.1969, c.22 (C.30:4-91.2) is amended to read as
24 follows:

25 2. The commissioner or his duly authorized agent, may designate
26 as a place of confinement any available, suitable, and appropriate
27 institution or facility whether owned by the State or otherwise, and
28 may at any time transfer a person from one place of confinement to
29 another.

30 The word "facility" shall include private [nonprofit]
31 community-based residential treatment centers, whether nonprofit or
32 operated for profit, which provide for the care, custody, subsistence,

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 education, training and welfare of inmates.

2 Any such private [nonprofit] community-based residential treatment
3 center must be certified annually by the commissioner as a secure and
4 appropriately supervised place of confinement.

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6 3. This act shall take effect immediately.

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STATEMENT

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11 This bill amends existing law to provide that the Commissioner of
12 Corrections may place inmates in private community-based residential
13 treatment centers which are operated by profit-making entities.
14 Currently, the law only permits the commissioner to enter into
15 arrangements of this type with nonprofit organizations. This policy
16 limits the number of facilities available to accept inmates and prevents
17 the commissioner from placing inmates in worthwhile programs simply
18 because they are operated by profit-making companies

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23 _____
24 Allows placement of inmates in private community-based residential
treatment centers operated by profit-making entities.