

FISCAL NOTE TO
ASSEMBLY, No. 563
STATE OF NEW JERSEY

DATED: JULY 9, 1996

Assembly Bill No. 563 of 1996 clarifies the applicability of P.L.1994, c.129 which provides that the inmates of the Adult Diagnostic and Treatment Center (ADTC) are to be eligible for "good behavior" credits only if they fully cooperated with and participated in the center's treatment programs. This bill provides that P.L.1994, c.129 apply to all present and future inmates of the ADTC, rather than only to those admitted after the law's effective date of October 31, 1994.

The Department of Corrections states that the bill would generate a small increase in population, as a longer length of stay would result for those who previously would have earned commutation credits despite not participating in therapy.

According to the department, there are two groups of inmates who would be affected by the bill: those who refuse all treatment, and those who are "marginally participating" in treatment. Currently, there are about 40 inmates who refuse all treatment. The number of inmates who "marginally participate" in treatment would depend on the definition or set of procedures yet to be developed to identify those inmates who do not "fully cooperate".

The department states that it is expected that a large percentage of inmates not currently participating in treatment or marginally participating would attempt to avoid the loss of credits sanctioned by the bill by participating in or giving the appearance of participating in the treatment.

The department notes that the median term for ADTC inmates is 11 years. After earning good time credits, inmates are eligible for parole after 7 years. For any inmate who does not participate in treatment, his length of stay would increase by about 4 years. At an average annual operating cost of \$30,000 per year to house an inmate at the ADTC, it would cost the State an additional \$120,000 for every inmate who refuses treatment.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.