

ASSEMBLY, No. 998

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen MORAN and CONNORS

1 AN ACT concerning certain correctional facilities and supplementing  
2 Title 30 of the Revised Statutes.

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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. No State correctional institution or satellite facility shall be  
8 constructed, established or expanded without the approval of the  
9 governing body of both the municipality and the county wherein that  
10 institution or facility is located. The governing body of a municipality  
11 shall grant approval by ordinance. The governing body of a county  
12 shall grant approval by ordinance or resolution, as appropriate.

13 Whenever the Department of Corrections proposes the  
14 construction, establishment or expansion of a State correctional  
15 institution or satellite facility, it shall submit to the governing body of  
16 the affected municipality and county:

17 a. A detailed description of the proposed construction,  
18 establishment or expansion;

19 b. The maximum number of inmates the department plans to house  
20 in the proposed project;

21 c. A profile of the type of inmate to be housed in the proposed  
22 project;

23 d. A detailed overview of the department's security plans for the  
24 proposed project, including but not limited to, the intended ratio of  
25 correctional officers to inmates; the specific measures, electronic and  
26 non-electronic, that will be taken to deter inmate escapes; the  
27 particular steps to be followed by the department in reacting to any  
28 inmate escape; and such other actions, programs or policies the  
29 department may initiate in order to assure the safety, well being and  
30 tranquility of the residents of the municipality and county; and

31 e. Such other information as the department deems necessary so  
32 that the governing body may make an informed decision concerning  
33 the construction, establishment or expansion.

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35 2. The Commissioner of Corrections shall annually prepare and,

1 commencing January 15th next following enactment, transmit to the  
2 governing body of each municipality and county wherein there is  
3 located a State correctional institution or satellite facility a report  
4 detailing any escapes, attempted escapes, breaches in internal security,  
5 or other such incidents which disrupted, or threatened to disrupt, the  
6 tranquility of that correctional institution or satellite facility. The  
7 report also shall detail the manner in which the department reacted to  
8 each of those incidents; the effectiveness of those responses; and any  
9 proposals or programs the department is adopting, or considering for  
10 adoption, to prevent such incidents in the future and to preserve and  
11 protect the safety and well being of the residents of the municipality  
12 and county where that institution or facility is located.

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14 3. This act shall take effect immediately.

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#### STATEMENT

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19 This bill would require the Department of Corrections (DOC) to  
20 secure local approval before undertaking any construction or  
21 expansion project involving a State prison or any satellite facility.

22 Under the provisions of the bill, no State correctional institution or  
23 satellite facility may be constructed, established, or expanded without  
24 the approval of the governing body of both the municipality and the  
25 county in which it is located. In presenting its proposal for  
26 construction or expansion, the DOC is to provide the governing bodies  
27 with information describing in detail the proposed facility; the  
28 projected number of inmates and a profile of the type of inmates to be  
29 housed in the facility; and the security measures the department  
30 proposes for the facility.

31 The bill also requires the DOC to prepare and transmit an annual  
32 report on each State correctional facility to its host municipality and  
33 county. The annual report is to detail escapes, attempted escapes,  
34 breaches in internal security, and such other incidents that disrupted  
35 or threatened to disrupt the tranquility of the facility. The report also  
36 is to present a description of the department's reactions to those  
37 incidents, the effectiveness of those responses, and any proposals to  
38 prevent such incidents in the future.

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Requires local approval as condition for prison siting or expansion.