

ASSEMBLY, No. 1238

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman AZZOLINA and Assemblywoman J. SMITH

1 AN ACT concerning progressive time credits for prisoners and
2 amending R.S.30:4-140.

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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. R.S.30:4-140 is amended to read as follows:
8 30:4-140. [For] a. Except as provided in subsection b. of this
9 section, for every year or fractional part of a year of sentence imposed
10 upon any person committed to any State correctional institution for a
11 minimum-maximum term there [shall] may be remitted to him from
12 both the maximum and minimum term of his sentence, for continuous
13 orderly deportment the progressive time credits indicated in the
14 schedule herein. When a sentence contains a fractional part of a year
15 in either the minimum or maximum thereof, then time credits in
16 reduction of such fractional part of a year shall be calculated at the
17 rate set out in the schedule for each full month of such fractional part
18 of a year of sentence. No time credits shall be calculated as provided
19 for herein on time served by any person in custody between his arrest
20 and the imposition of sentence. In case of any flagrant misconduct the
21 board of managers may declare a forfeiture of the time previously
22 remitted, either in whole or in part, as to them shall seem just.

Table with 3 columns: A, B, C. Row 1: Schedule. Row 2: Progressive Credits for Minimum and Maximum Sentences in Years (days). Row 3: Credits for Each Full Month of Fractional Part of a Year in Excess of Column A (days). Row 4: 1, 72, 7.

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	Schedule		
2	A	B	C
3		Progressive Credits	Credits for Each
4		for Minimum and	Full Month of
5	Minimum and	Maximum Sentences	Fractional Part of
6	Maximum Sentences	in Years	a Year in Excess of
7	in Years	(days)	Column A (days)
8			
9	2	156	8
10	3	252	8
11	4	348	8
12	5	444	8
13	6	540	8
14	7	636	10
15	8	756	10
16	9	876	10
17	10	996	10
18	11	1,116	10
19	12	1,236	11
20	13	1,368	11
21	14	1,500	11
22	15	1,632	11
23	16	1,764	11
24	17	1,896	12
25	18	2,040	12
26	19	2,184	12
27	20	2,328	12
28	21	2,472	12
29	22	2,616	13
30	23	2,772	13
31	24	2,928	13
32	25	3,084	15
33	26	3,264	15
34	27	3,444	15
35	28	3,624	15
36	29	3,804	15
37	30	3,984	16

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39 Any sentence in excess of 30 years shall be reduced by time credits  
40 for continuous orderly deportment at the rate of 192 days for each  
41 such additional year or 16 days for each full month of any fractional  
42 part of a year. Nothing herein contained shall be deemed to limit or  
43 affect a convict's eligibility for parole consideration as provided for in  
44 section 10, chapter 84, P.L.1948, as amended, in any situation where  
45 the sentence or consecutive sentences imposed upon a convict shall  
46 exceed 25 years.

1     b. A person committed to a State correctional institution for a crime  
2 committed while in possession of a firearm, machine gun or assault  
3 firearm shall not have progressive time credits remitted to him.  
4 (cf: P.L.1957, c.27, s.1)

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6     2. This act shall take effect immediately.

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STATEMENT

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11     Currently, any person sentenced to a State correctional institution  
12 is entitled to progressive or good behavior credits for continuous  
13 orderly deportment. Under the provisions of the bill, inmates  
14 sentenced to a State prison for a crime committed while in possession  
15 of a firearm, machine gun or assault firearm would not be awarded  
16 good behavior credits. The bill would also make awarding good  
17 behavior credits permissive and not mandatory.

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Prohibits awarding good behavior credits to certain inmates.