

ASSEMBLY, No. 1293

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman GREENWALD

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

3
4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6
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.

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

30

31 Any sentence in excess of 30 years shall be reduced by time credits
 32 for continuous orderly department at the rate of 192 days for each
 33 such additional year or 16 days for each full month of any fractional
 34 part of a year. Nothing herein contained shall be deemed to limit or
 35 affect a convict's eligibility for parole consideration as provided for in
 36 section 10, chapter 84, P.L.1948, as amended, in any situation where
 37 the sentence or consecutive sentences imposed upon a convict shall
 38 exceed 25 years.

39 b. A person committed to a State correctional institution for a crime
 40 of the first or second degree shall not have progressive time credits
 41 remitted to him.

42 (cf: P.L.1957, c.27, s.1)

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44 2. This act shall take effect immediately.

STATEMENT

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Under the provisions of N.J.S.A.30:4-140, a person sentenced to a State correctional institution is entitled to progressive time credits for continuous orderly deportment. This bill provides that a person incarcerated for a first or second degree crime would not be awarded these "good time" credits. A crime of the first degree is punishable by a term of imprisonment of up to 10 to 20 years, or a fine of up to \$100,000, or both. A crime of the second degree is punishable by a term of imprisonment of up to five to ten years, or a fine of up to \$100,000, or both.

The bill would also give correctional institutions more discretion in granting "good time" credits to other inmates, by providing that such credits "may" be remitted for continuous orderly deportment, rather than "shall" be remitted (as provided by current law).

Prohibits "good time" credits for all inmates convicted of first and second degree crimes; allows prison officials more discretion in granting such credits to other inmates.