

FISCAL NOTE TO
ASSEMBLY, No. 1437
STATE OF NEW JERSEY

DATED: DECEMBER 27, 1996

Assembly Bill No. 1437 of 1996 requires the Department of Corrections to establish the "People's Prison" program at any correctional facility where certain hardcore offenders are incarcerated, whether the facility is minimum, medium or maximum security.

Any person who is convicted for a first offense of murder or manslaughter, aggravated assault, kidnaping, aggravated sexual assault, sexual assault or robbery, which resulted in bodily injury to another person, of being a drug kingpin, or of manufacturing or dispensing a controlled dangerous substance would serve a minimum of one-fifth of the sentence imposed in the People's Prison. For any subsequent offense, the full sentence would be served in the People's Prison.

The People's Prison would stress a highly structured and regimented daily routine, which includes rigorous discipline and physical labor. Inmates would perform no less than 10 hours per day of physical labor on or off site. An inmate who refuses to participate in physical labor would be confined to his cell. There are to be no televisions, radios, compact disc or tape players, electronic games or other entertainment devices, computers, candy bars, visitors except for legal counsel, smoking or telephone privileges, or furloughs. Recreational activities would be limited to one half-hour each day; the use of exercise equipment and games would be permitted only during that half-hour period. Inmates would be expected to adhere to a strict standard of discipline within the program. An inmate who does not comply with the rules and regulations of the People's Prison may be denied parole. An inmate who complies with the rules and regulations would have his sentence reduced one half-day for each day of compliance. However, an inmate in the program would not be paroled unless he could read, write and perform arithmetic at a sixth grade level.

The bill requires the Department of Corrections to submit to the Governor and the Legislature an annual report describing and assessing the operation and effectiveness of the People's Prison program.

The Department of Corrections states that the bill would not increase sentences, but would change the conditions under which current sentences are served. It would make it necessary to isolate People's Prison participants from the general inmate population in each institution and to increase educational resources. However, without a

provision for learning disabilities and other learning impediments, the inclusion of the stipulation that an inmate be able to read, write, and perform arithmetic at a sixth grade level in order to be eligible for parole would increase length of stay and increase the need for bed spaces. It is not certain how much of an impact this requirement would have on the department .

The department states that the separation of inmates would entail making alterations to some existing facilities, and/or fully converting other institutions. The extent and cost of this conversion is not known and would require an intensive study of each facility's design and the number of inmates who would have to be accommodated. Even with the elimination of the cost and treatment and other privileges enumerated in the bill, the additional cost of facility alterations may offset any anticipated savings in this area.

The department notes that staffing patterns would need to be adjusted in order to ensure that appropriate diagnostic testing, instructional services and clerical support services are sufficient to provide the services mandated by the bill. An additional 17 teachers, and 14 clerk stenographers would be required at a salary and fringe benefits cost of about \$1.2 million.

The department also states that it is not possible to project the potential impact that the bill will have on the amount of funding required to purchase the additional educational materials and supplies. The need for these items is determined needs of the pupils. Additional factors which would impact on the quantity of materials required are inmate length of stay, individual rates of academic growth, and the number of hours per day that is devoted to academic activities.

The Office of Legislative Services concurs but adds that if an inmate's length of stay is increased as a result of this bill, it would cost \$26,000 for each additional year that the inmate is housed.

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