

ASSEMBLY, No. 1523

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1996

By Assemblyman GARRETT

1 AN ACT concerning siting of correctional facilities and supplementing  
2 chapter 1B of 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. a. Before establishing any juvenile, youth or adult correctional  
8 facility or increasing the residential capacity of an existing facility, the  
9 Department of Corrections shall conduct a public hearing in the  
10 municipality where that facility is located. The hearing shall afford  
11 residents of the area and other interested persons an opportunity to  
12 receive information and present their views regarding the proposed  
13 project. The hearing shall take place at least six months prior to the  
14 beginning of any construction, renovation or expansion of the facility.

15 b. The department shall ensure that the public hearing is publicized  
16 throughout the municipality and county where the correctional facility  
17 is located. At least six weeks before the hearing, the department shall  
18 (1) notify by certified mail, return receipt requested, the governing  
19 bodies of the municipality where the facility is located, all contiguous  
20 municipalities, and the county; and (2) advertise the meeting in  
21 newspapers of general circulation in the municipality and county where  
22 the facility is located.

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24 2. Sixty days following enactment of this act, the department shall  
25 provide to the appropriate committees of the Legislature and other  
26 interested persons an inventory of its correctional facilities and the  
27 inmate population of each facility. One year following enactment of  
28 this act, and annually thereafter, the department shall provide to the  
29 appropriate committees of the Legislature and other interested persons  
30 an inventory of its correctional facilities, the inmate population of each  
31 facility, and a detailed report on its compliance with this act.

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33 3. Notwithstanding the provisions of P.L.1972, c.45 (C.59:2-1 et  
34 seq.) or any other law to the contrary, a private citizen shall have  
35 standing to sue for compliance with this act.

1       4. This act shall take effect immediately.

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STATEMENT

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6       This bill will insure that local residents receive adequate advance  
7 notice and have an opportunity to express their views before the  
8 establishment or expansion of a correctional facility in their area. It  
9 would require the Department of Corrections to sponsor a public  
10 hearing on the project in the municipality in which it plans to establish  
11 or expand a juvenile, youth or adult correctional facility. The  
12 department would be required to hold the hearing at least six months  
13 before the start of any construction, renovation or expansion of a  
14 facility. The department also would be required to adequately  
15 publicize the meeting in the municipality and county of the facility and  
16 in contiguous municipalities.

17       The bill further requires the department to report within 60 days,  
18 and annually thereafter, to the appropriate committees of the  
19 Legislature and other interested persons an inventory of its  
20 correctional facilities and the inmate population of each facility. Also,  
21 private citizens are authorized by the bill to sue for compliance with  
22 its provisions.

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27       Requires DOC to hold public hearing when siting correctional facility.