

ASSEMBLY, No. 2902

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1997

By Assemblyman GUSCIORA and Assemblywoman TURNER

1 AN ACT requiring the operators of certain facilities under contract  
2 with the Department of Corrections to provide information in  
3 certain cases and supplementing chapter 4 of Title 30 of the  
4 Revised Statutes.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:

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9 1. The chief operating officer, or his designee, of any private  
10 facility under contract with the Department of Corrections to provide  
11 general custody and care services or specialized residential treatment  
12 services for inmates sentenced to the custody of the Commissioner of  
13 Corrections shall:

14 a. Notify the law enforcement agency of the municipality wherein  
15 the facility is located whenever an inmate escapes from that facility or  
16 other such serious security breach occurs. Notification shall be made  
17 within one hour of the time the escape or other such security breach  
18 is discovered and shall be made in a manner prescribed by the  
19 commissioner;

20 b. Prepare and make available on a quarterly basis statistical  
21 information relating to escapes, attempted and successful, from the  
22 facility. The information shall be made available in a manner  
23 prescribed by the commissioner and may include, but not be limited to,  
24 publication in a newspaper circulating within the municipality wherein  
25 the facility is located. In addition, the information shall be available  
26 during regular business hours to residents of the municipality;

27 c. In the case of an escape or other such security breach, and at the  
28 same time notice thereof is being given pursuant to subsection a. of  
29 this section, disclose all relevant information relating to the escapee's  
30 criminal history and background to the local law enforcement agency.

31 As used in this section, "facility" means a residential center which  
32 is operated by a private entity, regardless of whether it is organized or  
33 incorporated as a for profit or nonprofit entity, pursuant to a contract  
34 with the Department of Corrections to provide for the care, custody,  
35 subsistence, treatment, education, training or welfare of inmates  
36 sentenced to the custody of the Commissioner of Corrections.

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill would require the operators of private prison and treatment  
7 facilities who are under contract with the Department of Corrections  
8 to provide housing or care for inmates to give notice to the local law  
9 enforcement agency whenever one of those inmates escapes. The bill  
10 specifies that this notice must be given within one hour of the  
11 discovery of the escape. At the same time, the operators are to  
12 disclose all relevant information relating to the escapee's criminal  
13 history and background to the local police. Finally, the bill mandates  
14 that the operators of these facilities prepare and make available on a  
15 quarterly basis a statistical report relating to escapes, both attempted  
16 and successful. This information is to be published in a newspaper that  
17 circulates in the municipality. The information also is to be made  
18 available to residents of the community during regular business hours.

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24 Requires operators of private facilities housing inmates under contract  
with DOC to notify local police of any escape.