

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 338

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 1997

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 338 (1R) with amendments.

Senate Bill No. 338 (1R), as amended, amends several sections of Title 2C of the New Jersey Statutes that mandate minimum terms of imprisonment without eligibility for parole for certain offenses. The purpose of the amendments is to require persons sentence for a mandatory minimum term to serve at least three-fifths of their sentences before parole eligibility. Under current law, mandatory minimum terms, in general, are set by the court at between one third and one half of the sentence imposed.

In addition, the bill changes parole eligibility dates. Under the bill, an inmate convicted of a crime of the first or second degree involving violence must serve 85% of the sentence imposed by the court before parole eligibility. In all other cases, inmates must serve one-half of the sentence imposed before parole eligibility. This provision in the bill would apply only to inmates sentenced for offenses committed on or after the effective date of the bill if enacted. Under current law, a criminal defendant sentenced to a term of imprisonment in a State correctional facility is eligible for parole after serving one-third of the sentenced imposed, unless a specific term of parole ineligibility is imposed; this one-third minimum may be reduced further by good time and work credits.

This bill, if enacted would take effect effect on the 30th day following the approval by the voters of the "Correctional Facilities Construction Bond Act of 1996," now pending before the Legislature as Senate Bill No.295 of 1996.

COMMITTEE AMENDMENTS

The committee amended the bill to complete a reference and to clarify wording.

FISCAL IMPACT

The enactment of this bill will result in increases in the length of stays for incarcerated inmates. The total cost to the State to support this increase, based on information provided by the Department of Corrections, is under review at this time. It is noted that the average cost to house an inmate in a State institution is about \$26,000 per year. If it becomes necessary to construct additional bed spaces for these inmates, it would cost about \$95,000 per maximum security bed space and \$50,000 per medium security bed space.