

SENATE, No. 1484

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1996

By Senators KOSCO, LITTELL and Rice

1 AN ACT concerning certain youthful offenders and amending  
2 P.L.1995, c.330.

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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. Section 3 of P.L.1995, c.330 (C.52:17B-183) is amended to  
8 read as follows:

9 3. As used in this act:

10 a. "Commission" means the Juvenile Justice Commission in, but  
11 not of, the Department of Law and Public Safety established pursuant  
12 to P.L.1995, c.284 (C.52:17B-169 et seq.).

13 b. "Commissioner" means the Commissioner of the Department  
14 of Corrections.

15 c. "Juvenile offender" means a person at least 14 years old at the  
16 time of disposition who has been adjudicated delinquent for an act  
17 which, if committed by an adult, would constitute a crime, excluding  
18 an adjudication for any act which would constitute a crime of the first  
19 degree or a crime under chapter 14 of Title 2C of the New Jersey  
20 Statutes.

21 d. "Youthful offender" means a person between 18 and 26 years  
22 of age who has been convicted of a crime [of the third or fourth  
23 degree or convicted of a crime of the second degree but sentenced  
24 pursuant to paragraph (2) of subsection f. of N.J.S.2C:44-1 to a term  
25 appropriate to a crime of the third degree], excluding any person  
26 convicted of:

27 (1) a crime of the first degree;

28 (2) a crime under chapter 14 of Title 2C of the New Jersey  
29 Statutes;

30 (3) [or convicted of any] a crime which requires the imposition of  
31 a mandatory term of imprisonment without eligibility for parole, unless  
32 the person has less than one year of the mandatory portion of the  
33 sentence remaining; or

34 (4) a crime of the second degree under any of the following:

**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 N.J.S.2C:11-4, N.J.S.2C:12-1, N.J.S.2C:13-1, N.J.S.2C:15-1,  
2 N.J.S.2C:18-2 or N.J.S.2C:39-4 for possession of a weapon with the  
3 purpose of using it unlawfully against the person of another.

4 (cf: P.L.1995, c.330, s.3)

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6 2. This act shall take effect immediately.

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9 STATEMENT

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11 This bill would expand the number of youthful offenders who would  
12 be eligible for participation in the "Stabilization and Reintegration  
13 Program" established by P.L.1995, c.330.

14 Under the statute, the Department of Corrections may assign  
15 certain offenders between the ages of 18 and 26 to the "SRP," which  
16 consists of both a highly structured residential program of physical  
17 exercise, work, education and psychological counseling, and an  
18 intensive follow-up program of "after-care" involving work  
19 opportunities and vocational training.

20 Currently, only certain youthful offenders who have been convicted  
21 of third or fourth degree crimes are eligible to participate in the "SRP"  
22 program. The statute prohibits the participation of all offenders  
23 convicted of crimes of the first and second degree (except for those  
24 second degree offenders sentenced as third degree offenders pursuant  
25 to N.J.S.A.2C:44-1), all persons convicted of sexual assault and  
26 criminal sexual contact, and all persons convicted of crimes requiring  
27 the imposition of mandatory terms of imprisonment.

28 Under the bill, eligibility for the program would be broadened to  
29 include more persons convicted of second, third and fourth degree  
30 crimes, including those crimes involving the imposition of mandatory  
31 terms of imprisonment if the offender has no more than one year  
32 remaining in the mandatory portion of his sentence.

33 The bill, like current law, would still bar all sex offenders from  
34 participating in the program. The bill also provides that only those  
35 second degree offenders who were convicted of non-violent crimes are  
36 eligible to participate.

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42 Broadens the pool of youthful offenders eligible for participation in the  
"Stabilization and Reintegration Program."