

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1875

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 15, 1997

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1875.

This bill would require (1) a public hearing be held by the Department of Corrections (DOC) prior to its changing the security classification of a State correctional facility or discontinuing the operation of a security perimeter tower at that facility; (2) an economic impact analysis to be prepared prior to the public hearing; and (3) local governmental approval of such changes.

The bill would require the public hearing to be held at least 90 days in advance of the proposed action, and would require a Notice of Intent to hold a public hearing to be issued at least 15 days in advance of the public hearing. The DOC would be required to publish the Notice of Intent in at least three local newspapers, and would be required to give all persons the opportunity to provide testimony. Failure to comply with these requirements would prevent DOC from changing the security classification or discontinuing operation of a security perimeter tower at a State correctional facility.

The bill would require an economic impact statement be prepared prior to the public hearing, which would include the short and long term economic impact of the change in classification or discontinuance of a security perimeter tower of a State correctional facility, as well as a job impact analysis and a cost benefit analysis.

This bill would also require the commissioner to secure local governmental approval before undertaking any change in security classification of a State correctional facility or discontinuance of a security perimeter tower at that facility. Under the provisions of the bill, the commissioner would need the approval of the governing body of the municipality where the facility is located. In presenting its proposal for the change in security classification or discontinuance of a security perimeter tower, the commissioner is required to provide the governing body with information describing the proposal in detail; the projected number of inmates and a profile of the type of inmates to be housed in the facility; and the security measures the department proposes for the facility. The bill also requires the commissioner to

prepare and transmit to its host municipality an annual report on each State correctional facility that had a classification change or discontinuance of a security perimeter tower. The annual report is to detail escapes, attempted escapes, breaches in internal security, and such other incidents that disrupted or threatened to disrupt the tranquility of the facility. The report also would present a description of the department's reactions to those incidents, the effectiveness of those responses, and any proposals to prevent such incidents in the future.

The committee amendment is technical in nature.