

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 720

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 15, 2021

The Assembly Women and Children Committee reports favorably and with committee amendments Assembly Bill No. 720.

As amended by the committee, As amended by the committee, the bill provides that the Department of Corrections (DOC) is to establish a supervised community reintegration program for eligible domestic violence victims following incarceration for crimes they committed against their abusers. As defined in the bill “abuser” means the named perpetrator of the domestic violence in documentation an inmate is to provide in order to participate in the program.

As amended, the bill provides that the DOC is to consult with a Statewide domestic violence advocacy organization in the establishment and administration of the program.

To be eligible for the program, the victim-inmate is required to: be serving a sentence of imprisonment and meet DOC requirements for residential community programs; submit documentation that the inmate is a victim of domestic violence; submit documentation identifying the abuser; and be found to present a low risk of re-offense. Inmates approved for participation in the program are to agree to participate in the program, undergo rehabilitative services, and gradually transition to supervision in the community, which may include being assigned to a residential community release program or participating in a work release program.

The victim-inmate is to apply to the DOC to participate in the program. The DOC is to conduct a psychological evaluation of the inmate and an objective risk assessment. The DOC also is required to complete a summary of the inmate’s conduct in relation to the offense, history and evidence of abuse, and institutional classification while incarcerated.

As amended by the committee, at least 10 working days prior to final determination of an inmate-victim’s application for program participation, the DOC is to give notice to the county prosecutor or to the Attorney General, as appropriate. The county prosecutor or the Attorney General is authorized to submit comments to the DOC. The DOC is required to provide written notice to the county prosecutor or Attorney General of its decision regarding approval of the victim-inmate’s participation in the program.

The DOC may remove from the program any victim-inmate who violates a condition of participation in the program.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, Assembly Bill No. 720 is identical to Senate Bill No. 381(1R) which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments provide that the DOC is to consult with a Statewide domestic violence advocacy organization in the establishment and administration of the supervised community reintegration program.

The committee amendments revise certain terminology used in the bill for the purposes of maintaining consistency.

The committee amended the bill to provide that the program is to be administered by the DOC, not the Parole Board.

The committee amendments include the reintegration program as a component of the DOC's residential community release program.

The committee amendments clarify that the DOC is to give notice to the county prosecutor or to the Attorney General, as appropriate of the victim-inmate's participation in the program at least 10 working days prior to final determination of an inmate-victim's application for program participation, instead of at least 30 days prior to commencing its review, as originally provided in the bill.

The committee amendments clarify that victim notification is within the purview of the prosecutor.

The committee amended the bill to change the effective date from immediately to approximately one year following the effective date.

The committee amendments also make technical changes to the bill that address statutory structure.