

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 2722

### STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 24, 2021

#### SUMMARY

- Synopsis:** Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Department of Corrections.

#### Department of Corrections Estimate

Fiscal Impact	Annually
State Expenditure Increase	\$30,255,609

- The Office of Legislative Services (OLS) concurs with the Department of Corrections (DOC) that this bill will increase State expenditures. The DOC estimates that a 30-minute shift overlap would cost approximately \$30.3 million to the State. The bill would require the Commissioner of the DOC to institute a shift overlap of a 30-minute duration in each of the 13 correctional facilities in the State for the purpose of information dissemination between correctional police officers beginning and ending their shifts.

#### BILL DESCRIPTION

As amended and reported by the committee, Assembly Bill No. 2722 requires the Commissioner of Corrections to institute a 30-minute shift overlap in each of the 13 correctional facilities in this State for the purpose of information dissemination between correctional police officers beginning and ending their shifts.

Under the program of shift overlap established in the amended bill, a correctional police officer whose shift has ended would be required to remain at his or her post for 30 minutes after the end of the shift to report what happened during that shift to the incoming officer.

Shift overlap enhances the safety and well-being of the officers and inmates in correctional facilities by allowing for the sharing of information between incoming and outgoing officers, particularly on issues such as gang activities and contraband.

According to the Assembly Prison Gang Violence Task Force final report, issued December 12, 2006, the Department of Corrections historically provided for shift overlap periods of up to 30 minutes, but gradually reduced these periods until they were ultimately phased out altogether due to budget constraints.

According to the sponsor, this has resulted in increased danger to inmates and correctional police officers, increased use of institutional lockups and search details, and decreased morale among correctional police officers.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Executive Branch has not submitted a formal fiscal note on this bill. However, the Department of Corrections has indicated informally that the estimated, annual cost for a 30-minute shift overlap would be approximately \$30.3 million. The DOC estimate is based on 5,464 correctional police officers with different hourly rates ranging from \$52.25 for senior officers and \$77.79 for correctional police lieutenants. The per facility cost estimate varies for the 13 correctional facilities, from approximately \$4.2 million for New Jersey State Prison to approximately \$1.3 million for Mid-State Correctional Facility.

	Senior Correctional Police Officer	Correctional Police Sergeant	Correctional Police Lieutenant	Total
Average Custody FTE Filled(a/oFY21- PP26)	4,735	468	261	5,464
Annual Overlap Hours				101.50
Total Hours by Rank	480,603	47,502	26,492	554,596
Hourly Overtime Rate (a/o FY21-PP26)	\$52.25	\$64.91	\$77.79	
Projected Annual Overlap Cost	\$25,111,481	\$3,083,355	\$2,060,774	\$30,255,609

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concurs with the DOC estimate. To provide context, in response to a fiscal note request for Senate bill 2687 of the 2007/2008 session, the DOC noted that in FY2007, a daily shift overlap period of 15 minutes was implemented for designated shift overlap post assignments, with a total appropriation of \$12,685,875. Increasing the shift overlap time to 30 minutes as mandated by this bill would more than double the expense with inflation factored in.

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                         *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).