

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4235

with Assembly Floor Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: JULY 30, 2020

Assembly Bill No. 4235 (1R) requires public health emergency credits to be awarded to certain inmates during a public health emergency and requires the entry of a “no contact” order upon release of an inmate who is awarded credits.

These Assembly amendments: clarify that public health emergency credits are to be awarded if a declared emergency results in the substantial modification of department-wide correctional facility operations; clarify that public health emergency credits awarded under the bill will reduce an inmate’s mandatory minimum term; provide that the provisions related to victim notification by the prosecutor or Attorney General are permissive, rather than mandatory; provide that a “no contact” order prohibiting an inmate or juvenile, as appropriate, from having any contact with an identifiable victim will be entered in each case in which there is an identifiable victim of the crime for which the inmate or juvenile is serving a sentence; require the court to include in the “no contact” order information concerning the procedures for filing a petition to dissolve the order; replace any references to months with the appropriate corresponding number of days; clarify that public health emergency credits are not to be awarded to any inmate who has been deemed a repetitive and compulsive sex offender, regardless of whether the person is in treatment; modify the provisions of the bill which relate to juveniles in the custody of the Juvenile Justice Commission (JJC) to provide that a juvenile who is awarded credits under the bill, and whose scheduled release date is less than 45 days following the effective date of the bill, is to be released within 45 days, but not later than 50 days, after the effective date of the bill in order to enable the JJC to devise and implement a release plan for the juvenile and arrange for services to be provided to the juvenile upon release; and provide that the bill is to take effect on the 16th day next following enactment.