

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4785

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 18, 2021

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 4785.

As amended and reported by the committee, this bill expands the scope of reentry services and benefits currently available to inmates released from incarceration in State and county correctional facilities.

The State's Fair Release and Reentry Act of 2009 requires the Department of Corrections (DOC) to ensure inmates are provided within 10 days of their release from incarceration various documents, information, and other items to assist them in their reentry efforts, including non-driver identification cards and a two-week supply of prescription medicine. The amended bill revises the State reentry act to require the DOC to provide to inmates: the non-driver identification card at least 60 days prior to release; a 90-day supply of prescription medicine and two refills at least 10 days before release, unless the prescription medicine is suboxone, in which case a 90-day supply is required; and a benefits card approved for the purpose of obtaining benefits under the Medicaid, Supplemental Nutrition Assistance Program (SNAP), and Work First New Jersey programs 10 days before release.

The amended bill further requires an inmate's DOC identification card be accepted by all State, county, and municipal agencies and New Jersey nonprofit organizations for inmates to access reentry services for six months after the inmate is released.

Current law requires the DOC to ensure that an inmate is assisted in completing and forwarding for processing online applications for enrollment in Medicaid, SNAP, and Work First New Jersey 30 days before release; the Department of Human Services is required to accept and process these applications. The amended bill requires the DOC to additionally ensure inmates are assisted with obtaining any signatures or authorizations necessary to complete these applications. The address of the applicable Department of Community Affairs regional non-profit inmate reentry organization is to be used for any inmate who is unable to identify a residence at the time of application for benefits. All State, county, and municipal agencies are to accept the address for the purposes of establishing proof of residence to meet

any applicable eligibility requirements and accept an inmate's DOC identification card as proof of identity.

Under the amended bill, an inmate who appears to be eligible for benefits under the Work First New Jersey program based on the inmate's certification of income, resources, family composition, as well as other information available at the time of application, is to be deemed presumptively eligible for Work First New Jersey and immediate need for assistance for at least 45 days after release.

Current law requires the DOC to provide to the appropriate county welfare agency or board of social services, in advance of an inmate's release, the inmate's name, release date, and contact information, including a telephone number or an email address. The amended bill requires this information to also be forwarded to the applicable Department of Community Affairs (DCA) regional non-profit inmate reentry organization, unless the inmate opts out. The amended bill also requires county correctional facilities to provide this information to the county welfare agency or board of social services, as well as the DCA regional non-profit inmate reentry organization.

The amended bill extends the provisions of the State reentry act to also require inmates being released from county correctional facilities to be provided with these same documents, information, and items within 30 days of release. The non-driver identification card is to be provided to county inmates 10 days before release and is to be accepted by all State, county, and municipal agencies for six months after release and during a state of emergency. The county correctional facilities also are to provide to inmates assistances in completing applications for the Medicaid, SNAP, and Work First programs.

The amended bill authorizes counties to appoint a county reentry coordinator to evaluate the needs of inmates in county correctional facilities, and assist them in accessing services deemed necessary pursuant to the evaluation. The county reentry coordinator also is to assist the inmate in obtaining a non-driver identification card and ensure that the inmate is released during regular business hours and is provided with the required prescription medication. The coordinator is required to collect and analyze data related to the services provided; develop peer counseling programs; meet with community stakeholders to establish best practices in preparing inmates for release and identifying available county services; and make recommendations for successful reentry. The amounts deemed necessary to support the county reentry coordinators are to be annually appropriated.

In addition, the amended bill authorizes inmates released from State and county correctional facilities to use the address of a Department of Community Affairs nonprofit prisoner reentry program as a mailing address in an application for benefits under Medicaid, SNAP, and Work First New Jersey.

The bill further eliminates the provisions under current law which prohibit persons convicted of an offense involving the use, possession,

or distribution of a controlled dangerous substance from receiving Work First New Jersey benefits.

Finally, the amended bill requires the Governor to appoint an independent investigator to evaluate the DOC's compliance with the provisions of this bill, as well as with current law regarding student financial aid to incarcerated persons; the Dignity for Incarcerated Primary Caretaker Parents Act.; Earn Your Way Out Act; and required reentry services and benefits. The investigator has six months to issue a report of findings and conclusions to the Governor and the Legislature.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require the Commissioner of Corrections to provide to each inmate at least 60 days prior to release a copy of the inmate's birth certificate, rather than the current 10 day requirement;

(2) require a 30-day supply of prescription medication be supplied to the inmate, except if the prescription is for suboxone, a 90-day supply is required, rather than a two-week supply; this requirement is extended to the county correctional facility inmates;

(3) require the commissioner, in advance of an inmate's release, to provide the inmate's name, release date, and contact information, including a telephone number or an email address, to the applicable Department of Community Affairs non-profit inmate reentry organization approved by the Department of Community Affairs if the inmate does not opt out; as introduced, the bill required this information to be provided to the applicable regional non-profit inmate reentry organization and did not include the opt out provision;

(4) authorizes counties to appoint a county reentry coordinator and establishes an annual appropriation deemed necessary to cover the costs of the coordinator; and

(5) require the Governor to appoint an independent investigator to evaluate the commissioner's compliance with the provisions of this bill, as well as with current law regarding student financial aid to incarcerated persons; the Dignity for Incarcerated Primary Caretaker Parents Act.; Earn Your Way Out Act; and required reentry services and benefits; the investigator is to report findings and conclusions to the Governor and the Legislature six months from the bill's effective date.