

## CHAPTER 233

**AN ACT** establishing a supervised community reintegration program, supplementing Title 30 of the Revised Statutes, and amending P.L.1979, c.441.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.30:1B-47 Definitions relative to domestic violence.

1. As used in P.L.2021, c.233 (C.30:1B-47 et seq.):

“Abuser” means the named perpetrator of the domestic violence in the documentation provided pursuant to paragraph (3) of subsection a. of this section.

“Certified Domestic Violence Specialist” means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals.

“Designated domestic violence agency” means a countywide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined in the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the Department of Children and Families for the express purpose of providing those services.

C.30:1B-48 Supervised community reintegration program established.

2. a. There is hereby established in the Department of Corrections a supervised community reintegration program. The department shall consult with a Statewide domestic violence advocacy organization in the establishment and administration of the program. The purpose of the program is to foster the successful community reintegration of certain domestic violence victims who meet the following criteria:

(1) the inmate was convicted of crimes committed against the inmate’s abuser as defined in section 2 of P.L.2021, c.233 (C.30:1B-48);

(2) the inmate is serving a sentence of imprisonment and meets the eligibility criteria pursuant to rules and regulations established by the department for residential community programs;

(3) the inmate is found to present a low risk of re-offense; and

(4) the other requirements of this section are met.

b. An eligible inmate approved for participation in the program established pursuant to this section shall undergo a period of rehabilitative services, be required to agree to participate in the program, and gradually transition to supervision in the community, which may include assignment to a residential community release program and participation in a work release program.

c. The department may authorize the participation of an eligible inmate in the residential community release program in accordance with the requirements of section 3 of P.L.2021, c.233 (C.30:1B-49). An eligible inmate participating in the residential community release program shall remain in the custody of the Commissioner of Corrections and be subject to the department’s rules and regulations.

C.30:1B-49 Application by eligible inmate to participate in program.

3. a. An eligible inmate may apply to the Department of Corrections seeking participation in the residential community release program in a manner and form prescribed by the department. The application contain the following:

(1) the crime for which the inmate is serving a sentence of imprisonment was committed against the alleged abuser and no one else;

(2) the inmate has not been convicted of a crime of violence against a person other than the alleged abuser; and

(3) documentation that the inmate is a victim of domestic violence, including, but not limited to:

(a) a restraining order or other documentation of equitable relief issued to the inmate by a court of competent jurisdiction against the abuser;

(b) a police record documenting the domestic violence between the inmate and the abuser;

(c) documentation that the abuser has been convicted of one or more of the offenses enumerated in section 3 of P.L.1991, c.261 (C.2C:25-19);

(d) medical documentation of the domestic violence;

(e) certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency that the inmate is a victim of domestic violence; or

(f) other documentation or certification of the domestic violence provided by a social worker or other professional who has assisted the inmate in dealing with domestic violence or any sufficient documentary evidence that the inmate has been a victim of domestic violence by the abuser.

b. Prior to considering an eligible inmate's application to participate in the residential community release program, the Department of Corrections shall cause to be completed application review materials, including a psychological evaluation of the applicant, an objective risk assessment, and a summary of the applicant's conduct regarding the offense, history, and evidence of abuse, and classification of institutional record since conviction.

C.30:1B-50 Approval, admission to the program.

4. If the Department of Corrections finds that the requirements set out in sections 2 and 3 of P.L.2021, c.233 (C.30:1B-48 and C.30:1B-49) are met, the department may approve that inmate to be admitted to the residential community release program, and shall determine any special conditions of participation that shall apply.

C.30:1B-51 Notice to county prosecutor or Attorney General.

5. a. Pursuant to rules and regulations established by the Department of Corrections, at least 10 working days prior to final determination of an application for participation in the program, the department shall notify the appropriate county prosecutor or the Attorney General, if appropriate. The notice shall be given in the manner prescribed by the department and shall contain all information and documentation relating to the application as the department shall deem appropriate and necessary, as well as information on the program and the consideration process.

b. Upon receipt of the notice, the county prosecutor or Attorney General, as the case may be, may submit comments to the department.

c. The information contained in any notice given by the department pursuant to this section and the contents of any comments submitted by a recipient in response thereto shall be confidential and shall not be disclosed to any person who is not authorized to receive or review that information or those comments.

d. The department shall provide written notice of its decision to the county prosecutor or Attorney General, as the case may be.

Nothing in this subsection shall be construed to limit the authority of the department to address a violation of a condition for participation in the program, including through dismissal from the program for a violation of conditions or a failure to meet the requirements of the program.

C.30:1B-52 Rules, regulations.

6. The Department of Corrections, in accordance with the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), may promulgate rules and regulations to effectuate the purposes of this act.

7. This act shall take effect on the first day of the 13th month next following enactment.

Approved September 28, 2021.