

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 381

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 18, 2021

The Assembly Appropriations Committee reports favorably Senate Bill No. 381 (2R), with committee amendments.

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.

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.

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.

As amended and reported by the committee, Senate Bill No. 381(2R) is identical to Assembly Bill No. 720 (1R) which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that the definition of "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 (DCPP) and is under contract with the Department of Children and Families, instead of the DCPP as originally provided in the bill, for the express purpose of providing those services.

The committee amendments also clarify that the documentation an inmate is to provide a residential community program proving that the inmate is a victim of domestic violence is to include, but not be limited to, the information enumerated in the bill.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill would result in a marginal State net expenditure increase, as annual cost increases will outweigh nominal savings. Due to the small number of offenders who are likely eligible to be reintegrated into the community under the bill, the savings generated as a result of reduced housing costs would be minimal to the Department of Corrections (DOC). DOC data indicate that the marginal cost per day to provide inmates with food, wages, and clothing totals approximately \$8.74 per inmate. Furthermore, these savings are likely to be offset by housing inmates in community settings such as residential community release programs or halfway houses per the provisions of the bill.

Given a lack of information, the OLS is unable to project the estimated cost to the DOC for supervising offenders who are reintegrated into the community under the bill. Similarly, the costs attributable to the Attorney General and county prosecutors for any additional administrative responsibilities are not known. The costs would be determined based on the number of inmates likely to be eligible for the program.