

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 415

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 24, 2021

SUMMARY

- Synopsis:

Requires reentry assistance to be provided to certain inmates who have served their maximum sentence.
- Type of Impact:

Annual State expenditure increase; potential long-term State cost savings.
- Agencies Affected:

Department of Corrections, Department of Community Affairs.

Office of Legislative Services Estimate

Fiscal Impact	Annual
State Cost Increase	Indeterminate
Potential Long-Term State Cost Decreases	Indeterminate

- The Office of Legislative Services (OLS) estimates that this bill will increase annual State expenditures by an indeterminate amount. The Department of Community Affairs (DCA) would need to contract with non-profit inmate reentry service providers to offer assistance to inmates who request reentry services upon completion of their maximum sentence. The Department of Corrections (DOC) is required to advise inmates on the assistance to which they may be entitled post release at least six months prior to their release date, which may increase the likelihood that inmates will avail themselves of the services. Annual costs to the State will vary based on the number of inmates that request and receive the services. According to data made available by the DOC, in the calendar year 2020, 6,330 inmates were discharged after serving the maximum term.
- Any costs of post-release services provided could potentially be offset by savings if the availability and receipt of those services reduces the rate of recidivism and re-incarceration of individuals who served their full sentences. Given a significant number of individuals newly eligible for reentry services, a significant reduction in the rate of re-incarceration among those eligible individuals could result in net savings over time.

BILL DESCRIPTION

The bill requires reentry assistance to be provided to certain inmates who have served the maximum term of incarceration.

Under current law, inmates incarcerated in a State correctional facility who do not participate in their own rehabilitation while incarcerated, or who have been denied release under the regular parole process, effectively serve the maximum sentence of imprisonment. These inmates, commonly referred to as “max-outs,” subsequently are released directly into the community without supervision or transitional services. Twice as many defendants max-out as are released on parole. Inmates who max-out are not entitled to services that are available to parolees, such as access to residential community release programs, known as halfway houses; drug treatment programs; residential programs; community resource centers; emergency housing placement; and other basic support services.

The provisions of the bill require reentry assistance to be provided to an inmate serving a maximum sentence, upon request of the inmate. The reentry assistance is to be provided by a non-profit inmate reentry service provider contracted by the Department of Community Affairs.

Under the bill, the Commissioner of Corrections is required to advise an inmate who is scheduled to be released following the maximum term of imprisonment of the assistance to which the inmate is entitled under the bill at least six months prior to the inmate’s release date. The commissioner also is required to provide the inmate with information concerning non-profit inmate reentry organizations contracted to provide reentry assistance, and provide contact information necessary to access available resources. The commissioner also is required to allow a non-profit service provider to communicate with an inmate who requests reentry services under the bill prior to the inmate’s release date in order assess the needs of the inmate.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will increase annual State expenditures by an indeterminate amount. The bill requires reentry assistance to be provided to an inmate serving a maximum sentence, upon request of the inmate. The reentry assistance is to be provided by a non-profit inmate reentry service provider contracted by the DCA. Annual State costs will vary based on the number of inmates that request and receive the services. According to data made available by the DOC, in the calendar year 2020, 6,330 inmates were discharged upon the expiration of their maximum sentence. According to some estimates, the cost of housing an inmate in a halfway house is approximately \$25,000 per year.

The bill also requires the DOC to advise an inmate who is scheduled to be released following the maximum term of imprisonment of the assistance to which the inmate is entitled under the bill at least six months prior to the inmate’s release date. The DOC is also required to provide the inmate with information concerning non-profit inmate reentry organizations contracted to provide reentry assistance, and provide contact information necessary to access available resources. This may result in an increase in administrative costs and time commitment of the DOC.

Over time, the bill may result in a reduction in State expenditures to the extent that receipt of post-release services reduces the rate of recidivism and re-incarceration. The OLS adds that not all of the individuals released at the conclusion of their custodial sentence may choose to take advantage of the services offered under the bill. The number of inmates who would request the services upon release cannot be reliably predicted due to lack of information.

According to information obtained from the DOC, the average annual per capita cost to house an inmate in a State prison facility during FY 2019 totaled \$50,191. However, the OLS notes that because the DOC is currently experiencing a reduction in the State-sentenced prison population, therefore, the savings from released inmates who avail reentry services and do not reoffend would amount to lower marginal cost of \$8.74 per day, or \$3,190 annually, per inmate for food, wages, and clothing.

Section: Judiciary

Analyst: Anuja Pande Joshi
Associate Research Analyst

Approved: Thomas Koenig
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.).