

SENATE, No. 415

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires Division of Parole to offer parole services to certain defendants who have served their maximum sentence.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning defendants who serve their maximum sentence
2 and supplementing P.L.1979, c.441.

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

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7 1. a. Notwithstanding any other provision of law to the contrary,
8 a defendant who has served the maximum term of imprisonment shall,
9 upon request, be offered the same assistance available to a defendant
10 released on parole pursuant to the procedures and standards set forth in
11 section 15 of P.L.1979, c.441 (C.30:4-123.59).

12 b. The Commissioner of Corrections shall advise a defendant who
13 has served the maximum term of imprisonment of the assistance to
14 which the defendant is entitled pursuant to subsection a. of this section
15 prior to the defendant's release from incarceration and provide contact
16 information necessary to access available resources.

17 c. The State Parole Board shall include in its annual report the
18 number of defendants who request services pursuant to subsection a.
19 of this section, a summary of the particular assistance received, and the
20 recidivism rates of these defendants.

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22 2. This act shall take effect on the first day of the fourth month
23 after enactment.

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STATEMENT

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28 This bill requires the Division of Parole to offer the same post-
29 release services to defendants who have served the maximum term
30 of incarceration that are provided to defendants who are released on
31 parole. Under the bill, these services are to be provided upon the
32 request of the defendant. The bill directs the Commissioner of
33 Corrections to advise these defendants of the availability of these
34 services and to provide the defendant with the appropriate contact
35 information.

36 The bill also requires the State Parole Board to include in its
37 annual report the number of defendants who request post-release
38 services pursuant to the provisions of this bill, a summary of the
39 particular assistance received, and the recidivism rates of these
40 defendants.

41 Under current law, defendants incarcerated in a State
42 correctional facility who do not participate in their own
43 rehabilitation while incarcerated, or who have been denied release
44 under the regular parole process, effectively serve the maximum
45 sentence of imprisonment. These inmates, commonly referred to as
46 “max-outs,” subsequently are released directly into the community
47 without any supervision or transitional services. Twice as many
48 defendants max-out as are released on parole. Defendants who

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1 max-out are not provided services that are available to parolees,
2 such as access to residential community release programs, known as
3 halfway houses; drug treatment programs; residential programs;
4 community resource centers; emergency housing placement; and
5 other basic support services. Studies indicate that parolees are less
6 likely to recidivate than max-outs because of the supervision they
7 receive after release.