

ASSEMBLY BUDGET COMMITTEE

Submission by Peter J. Barnes Jr., Chairman
New Jersey State Parole Board

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The New Jersey State Parole Board is New Jersey's lead reentry agency, and works to ensure ex-prisoners return to society as law-abiding citizens. As required by law, the appointed Parole Board Members and staff initiate and conduct more than 19,000 hearings per year, solicit input from victims, and decide parole matters.

Our sworn parole officers supervise more than 15,000 offenders statewide. In addition, we are New Jersey's primary law enforcement agency responsible for sex offender supervision. Our parole officers also are active partners with multiple Federal, State and local law enforcement agencies and task forces. While the number of parole hearings for State prison inmates has been relatively consistent over the past five years, the parole population has grown from 12,799 in Fiscal Year 2004 to the current total of 15,419.

Finally, our Community Programs Unit partners with government, non-profit and private agencies to connect ex-prisoners with vocational, mental health and related services, targeted to break the cycle and risk of crime. In planning for an ex-prisoner's successful reentry the State Parole Board subjects parolees to general supervision by sworn parole officers, to supervision with specialized conditions such as drug testing or Electronic Monitoring, or to treatment at a Day Reporting Center, Halfway Back residential facility or other community-based program.

The State Parole Board's reentry programs are an important investment for New Jersey's families, for two important reasons. First, research in New Jersey and nationwide indicates effective community-based reentry programs are associated with positive outcomes for recidivism (please see the Bibliography of this report for specific references).

Second, the numbers show that parole and reentry save money to New Jersey's taxpayers. It costs about \$3,506 per year to keep one individual under State Parole Board supervision, or about \$9.60 per day, with additional costs for those subject to community-based day-reporting or residential programs. By contrast it costs approximately \$36,000 per year to keep one individual in prison.

The Governor's Fiscal Year 2009 budget proposal for the State Parole Board builds on this proven success. The State Parole Board's proposed budget of \$105,276,000 will enhance public safety. It will put more parole officers on the streets, invest in effective reentry programs, and invest in proven methods for sex offender supervision.

This budget proposal will generate a significant net savings to the State, due to the proposed investment in Residential Assessment Centers (RACs) and expansion of the Halfway Back (HWB) program, to save taxpayer dollars that would otherwise be spent incarcerating non-violent, technical parole violators. As a result, this budget will generate a net reduction of \$2.2 million for the State of New Jersey in FY 2009, and an estimated net reduction of \$14 million in FY 2010.

With the exception of these two cost-saving investments, the State Parole Board's FY 2009 budget was lower than the previous budget, due to operational efficiencies our agency successfully identified.

However, the enactment on December 27, 2007 of S1979, legislation that passed unanimously in both houses of the Legislature to restrict certain sex offenders' access to the Internet, requires an expansion of our effective methods for sex offender supervision. These expenditures, representing a direct outgrowth of S1979, are described on Page 3 of this report under the heading, "Sex Offender Internet Monitoring."

Residential Assessment Centers (RACs)

The RAC proposal will put 12 more parole officers on the streets, and allow for the promotion of two parole officers to the rank of Sergeant, at a net savings of \$1.1 million in FY 2009 and a net savings of \$12 million the following fiscal year. Further savings may be realized through a decrease in recidivism, which would prevent costs related to property damage, victim injuries, the legal process and incarceration.

As proposed, two RACs will target non-violent, technical parole violators – parolees temporarily returned to custody for violations that did not lead to new criminal charges and did not create a substantial public safety threat. State Parole Board data shows most technical parole violators are returned to incarceration for failure to report to a parole officer, failure to obtain the officer's approval for a change of address, or drug-related technical violations that do not warrant new criminal charges.

Currently, technical violators are held in county jails prior to a parole revocation hearing and prior to any determination of the risk factors that led to their violation of the requirements of supervision.

The RAC facilities will serve as a "triage unit" for parolees who have committed technical violations that fall short of new crimes. Immediately upon arrest by a parole officer, the technical violator will be held to a 14- to 30-day lockdown in one of the two proposed RACs. During this period, the State Parole Board will subject the parolee to an intensive barrage of clinical assessments, to determine the exact problems that led to the parolee's failure. This in turn will lead to recommendations as to which of the State Parole Board's many community-based reentry programs will be best suited to treat and address those problems.

The State Parole Board's community-based reentry programs have proven effective at reducing recidivism. We believe these programs will prove even more effective with a "triage unit" such as the RAC, to more effectively focus specific reentry resources on specific parolee risks and needs.

In FY 2007, approximately 2,365 parolees were sent back to prisons and jails for technical parole violations – not new crimes – at an estimated total cost of \$66.9 million. The RAC proposal would divert 720 of these individuals per year from entering a county jail, and ultimately from entering State prison, by using the clinical assessment. In addition, the 14- to 30-day lockdown will ensure that the time immediately after the parolee's arrest is spent in a productive manner to aid in reentry.

Costs of the RAC proposal include the expansion of Electronic Monitoring (EM) for supervision; hiring of additional parole officers; and costs associated with program beds and transportation. The RACs will be operated in a secure manner at existing facilities. They will not require new construction costs.

Halfway Back Expansion

The FY 2009 budget also includes a proposal to expand the Halfway Back program by 33 beds to enable an annual reduction of 100 county jail placements. This investment of \$800,000 will result in a net savings of \$1.1 million in FY 2009, and continued savings in FY 2010.

The Halfway Back program has proven effective in reducing recidivism. A recent State Parole Board study compared the re-incarceration rates of ex-prisoners three years after their release in 2004. The study found that individuals who left prison upon maxing out their sentence without parole supervision had a 46 percent re-incarceration rate; while parolees released to a residential Halfway Back facility had a 17 percent re-incarceration rate.

Sex Offender Internet Monitoring

As a direct outgrowth of S1979, legislation unanimously passed by the Legislature to restrict certain sex offenders' access to the Internet, the FY 2009 proposal requires an expansion of the State Parole Board's effective methods for sex offender supervision. Specifically required are the hiring of 12 additional parole officers and promotion of two officers to the rank of Sergeant, as well as additional polygraph testing equipment and related expenses.

The New Jersey State Parole Board has one of the largest sex offender caseloads in America: more than 4,600, with a net increase of about 45 new sex offenders each month. This is mainly due to the advent of Supervision for Life sentencing guidelines for sex offenders. Under State law, the vast majority of sex crimes committed on or after October 31, 1994 will result in lifetime supervision under the State Parole Board's

jurisdiction. Prior to the introduction of this mandate, sex offenders made up less than 5 percent of the agency's caseload. Today they make up nearly one third.

To meet the needs of this vitally important public safety responsibility, the State Parole Board has adopted the Containment Approach to sex offender supervision, based on guidelines recommended by the National Institute of Justice. The Containment Approach includes intensive parole supervision (including GPS monitoring of New Jersey's highest-risk sex offenders) and intelligence sharing with criminal justice agencies at the local, State and Federal levels. It includes sex offender-specific psychological treatment to help control sex offenders' impulsivity, and includes the recent addition, as of December 2007, of polygraph testing.

A March 22, 2008 Star-Ledger editorial described the State Parole Board's use of the Containment Approach as the "Right Path for Sex Offenders" and called our methods "proactive," "responsible," "comprehensive" and "sane ways to tackle the problem."

The following recent examples illustrate ways the Containment Approach intercepts violations by sex offenders under the State Parole Board's jurisdiction.

In Cumberland County, a parole officer became aware of warning signs regarding a sex offender. When the parole officer visited the sex offender's residence, a forensic search of the offender's personal computer indicated the sex offender had been downloading child pornography. The State Parole Board shared intelligence with the Cumberland County Prosecutor's Office and FBI on this investigation. The sex offender pleaded guilty to a Federal charge of Possession of Child Pornography and is pending sentencing. Upon completion of a sentence he will return to the community to resume his ongoing term of State Parole Board supervision for life.

In a North Jersey county, police received tips that an individual was using library computers for questionable purposes. Local police suspected the individual was a sex offender under State Parole Board GPS monitoring. Our parole officers worked with local police and prosecutor's investigators, and learned the sex offender visited the library on multiple occasions with his wife, who would access the Internet for him. GPS tracking data confirmed that the sex offender was at the library at the times in question. The sex offender is now facing a criminal charge for violating the conditions of Community Supervision for Life.

In Atlantic County, the State Parole Board received an anonymous tip that a registered sex offender was using the Internet at a library. A parole officer was dispatched to conduct surveillance. When the parole officer determined the sex offender was using social networking sites (prior to enactment of S1979), the State Parole Board enlisted the help of the Atlantic County Prosecutor's Office Cyber Crimes Unit. Through their investigation, the sex offender was arrested and charged with Endangering the Welfare of a Child, Attempting to Lure a Child, and a Violation of Community Supervision for Life.

In Sussex County, GPS tracking data revealed that a sex offender was repeatedly staying at an address other than his registered address. The unauthorized address turned out to be the residence of his girlfriend, who had an infant in the home. This data was turned over to the Prosecutor's Office. The sex offender was investigated and charged with violations of Megan's Law for failing to stay at his approved address.

Budget Reductions

The State Parole Board's Fiscal 2009 proposal includes reductions in positions in the form of programmatic layoffs, elimination of funded vacancies and attrition. The proposal also includes efficiencies we have identified in various non-salary and special purpose accounts.

This proposal also includes a reduction in spending for the GPS monitoring of sex offenders. The Sex Offender Monitoring Act authorizes the State Parole Board to subject New Jersey's highest-risk sex offenders, including all Tier III offenders, to GPS monitoring. Based upon current and projected caseloads it is expected that GPS monitoring of sex offenders will not exceed 200 cases during Fiscal Year 2009, allowing for this reduction.

Ongoing Achievements: Reentry

In the year since the State Parole Board last testified before this Committee, we have achieved remarkable successes in accountability, efficiency, reentry and public safety.

The Parole Board Members' commitment to reentry and public safety extends beyond their responsibility of conducting parole hearings. Board Members have established Parole Accountability Conference Teams (PACTs). PACT meetings, held during evening hours on a monthly basis, enable parolees to discuss their successes, struggles and related reentry issues with the State Parole Board officials responsible for setting parole and reentry policy. The PACT groups also encourage positive attitudes among the parole population. Discussions held with parolees during PACT meetings have encouraged new policies. For example, these discussions helped inform the State Parole Board's decision to hold our contracted Day Reporting Center providers responsible for finding and developing employment opportunities for parolees, to aid in their successful reentry.

To enhance the State Parole Board's launch of Evidence-Based Practices (EBP) for supervision, we have committed to an enhanced use of graduated sanctions and rehabilitative community programming for technical (non-criminal) parole violations, as appropriate. We have committed to enhancing the enrollment of parolees into the Department of Labor and Workforce Development's One-Stop Operating System (OSOS), as well as the use of Case Plan Agreements holding parolees accountable for taking the steps necessary for successful reentry, and the use of LSI-R assessments of parolee risks and needs.

We have appointed the State Parole Board's "Job Czar" and Employment Resource Officers in Camden, Newark and Trenton, to increase the employment rates of parolees, cultivate relationships with potential employers, and generate job referrals for parolees. The Job Czar has identified union locals who have expressed interest in providing meaningful training and employment to parolees, through their apprenticeship programs. The Job Czar is working with our parole district offices in Camden, Newark and Trenton to identify parolees who meet the qualification requirements for union apprenticeships.

Our agency launched partnerships with the Department of Veterans Affairs and the Social Security Administration, to overcome obstacles that have kept parolees from providing the documents needed to obtain Veterans or Social Security assistance. By ensuring that qualified parolees receive the appropriate Federal assistance, these partnerships help ensure that State reentry resources are focused on those ex-offenders who truly need them.

These are just a few of the commitments the State Parole Board has made in support of "Another Chance," the reentry demonstration project created under Governor Corzine's Strategy for Safe Streets and Neighborhoods.

Ongoing Achievements: Law Enforcement Partnerships

Consistent with Governor Corzine's Strategy for Safe Streets and Neighborhoods, we are enhancing the level to which our sworn parole officers share intelligence with other law enforcement partners.

For example, during the past year we have launched Police-Parole Partnerships with the municipalities of Irvington, Camden and Trenton, and we plan to expand these partnerships into a statewide model. Under these partnerships, our parole officers and municipal police officers team up to engage in joint field operations, including street patrols and related missions. They also engage in direct data sharing. This helps hold parolees accountable for their reentry, and serves as a vital resource for law enforcement investigations. These partnerships create no new or additional costs to the taxpayers of the municipalities or the State of New Jersey.

We are also expanding the parole officers' partnerships with law enforcement agencies including the FBI. We have launched partnerships between each State Parole Board district office and local field offices of the FBI, for intelligence-sharing and street gang suppression issues.

In addition, this July, Captain Steven Tallard of our Sex Offender Management Unit will become the first parole officer from New Jersey to attend the prestigious FBI National Academy (FBINA) in Quantico, Virginia. He will join a group of law enforcement officers from around America and the world, chosen to receive specialized training and bring that knowledge back to their respective agencies, to train their fellow officers and enhance the agencies' law enforcement standards. This 10-week training is fully funded

by the Federal government. Participation in the FBINA is by invitation only, through a nomination process.

The State Parole Board's Street Gang Unit members provide gang education and recognition training for municipal police departments, healthcare professionals, universities and public schools. The unit has partnered with the New Jersey Hospital Association to launch a statewide violence prevention effort for emergency room professionals. Participants learn to read tattoos and other signs of possible gang membership, and determine whether individuals should be separated within the hospital due to possible membership in rival factions. The training allows hospital officials to prevent violence and address the street gang presence in New Jersey, while continuing to provide for all patients. The Street Gang Unit also provides Gang Resistance Education and Training (GREAT) for elementary school students.

We have overhauled the training provided to new parole officer recruits, by moving the training for our 2008 recruit class to the Somerset County Police Academy. For the first time, new parole officer recruits are being trained alongside municipal police officer candidates during a 24-week training program that will culminate this June. Reflecting the increasing demands placed on the Division of Parole in areas such as criminal investigations, gang suppression, sex offender supervision, homeland security and various task force assignments, the parole officer recruits are being trained to secure crime scenes, secure and transport evidence, prepare criminal complaints and testify in criminal proceedings. Each of these new training components has been provided to New Jersey's current parole officers in in-service training. The agency will reap great dividends by providing this training to new recruits and all future parole officers.

Ongoing Achievements: Accountability and Efficiency

We have involved all levels of senior management in inspecting the process and operations of our Community Programs Division and our third-party contract providers of day-reporting and residential reentry services. As a result of our expanded monitoring of all contracted programs, the State Parole Board has secured favorable reconciliations of invoices from contract providers, totaling \$40,000.

Additionally, we have reorganized our Special Investigations Unit into the new Office of Professional Standards, to take on the responsibilities of quality assurance and investigations into our contracted services, and ensure ever-greater accountability for New Jersey's taxpayers.

The State Parole Board's Information Certification Unit (ICU) completed an unprecedented audit of sentencing and parole release data in 80,000 inmate cases at 13 institutions. The audit included a thorough review of inmates' parole eligibility data, by searching several databases and sorting through the complexities of concurrent sentences, consecutive sentences, and the ways sentencing laws changed since many inmates were first incarcerated. With this audit complete, the ICU began the next phase of its existence, as the unit responsible for maintenance and verification of all parole

eligibility data for New Jersey inmates and parolees. This will enhance the State Parole Board's ability to meet statutorily mandated timetables for parole hearings.

With the Governor's and the Legislature's continued support, the New Jersey State Parole Board intends to continually enhance its successes in protecting New Jersey's public safety, and helping ex-prisoners make sustainable, positive contributions to society.