

ANALYSIS OF THE NEW JERSEY FISCAL YEAR 2001 - 2002 BUDGET



DEPARTMENT OF CORRECTIONS

PREPARED BY

OFFICE OF LEGISLATIVE SERVICES

NEW JERSEY LEGISLATURE

APRIL 2001

NEW JERSEY STATE LEGISLATURE

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

Robert E. Littell (R), 24th District (Sussex and parts of Hunterdon and Morris), *Chairman*
Peter A. Inverso (R), 14th District (Parts of Mercer and Middlesex), *Vice Chairman*
Martha W. Bark (R), 8th District (Parts of Atlantic, Burlington and Camden)
Wayne R. Bryant (D), 5th District (Parts of Camden and Gloucester)
Anthony R. Bucco (R), 25th District (Part of Morris)
Sharpe James (D), 29th District (Parts of Essex and Union)
Walter J. Kavanaugh (R), 16th District (Parts of Morris and Somerset)
Bernard F. Kenny, Jr. (D), 33rd District (Part of Hudson)
Joseph M. Kyrillos, Jr. (R), 13th District (Parts of Middlesex and Monmouth)

GENERAL ASSEMBLY BUDGET COMMITTEE

Leonard Lance (R), 23rd District (Warren and parts of Hunterdon and Mercer), *Chairman*
Joseph R. Malone, III (R), 30th District (Parts of Burlington, Monmouth and Ocean), *Vice Chairman*
Peter J. Biondi (R), 16th District (Parts of Morris and Somerset)
Francis J. Blee (R), 2nd District (Part of Atlantic)
Barbara Buono (D), 18th District (Part of Middlesex)
Steve Corodemus (R), 11th District (Part of Monmouth)
Marion Crecco (R), 34th District (Parts of Essex and Passaic)
Louis D. Greenwald (D), 6th District (Part of Camden)
Nellie Pou (D), 35th District (Part of Passaic)
Albio Sires (D), 33rd District (Part of Hudson)
Joel M. Weingarten (R), 21st District (Parts of Essex and Union)

OFFICE OF LEGISLATIVE SERVICES

Alan R. Kooney, *Legislative Budget and Finance Officer*
Allan Parry, *Assistant Legislative Budget and Finance Officer*

Glenn E. Moore, III, *Director, Central Staff*
John J. Tumulty, *Section Chief, Judiciary Section*

This report was prepared by the Judiciary Section of the Office of Legislative Services under the direction of the Legislative Budget and Finance Officer. The primary author was Anne C. Raughley

Questions or comments may be directed to the OLS Judiciary Section (Tel. 609 292-5526) or the Legislative Budget and Finance Office (Tel. 609 292-8030).

DEPARTMENT OF CORRECTIONS

Budget Pages..... C-8, C-13, C-16, C-21, C-27, D-87
to D-128, G-1 to G-2

Fiscal Summary (\$000)

	Expended FY 2000	Adjusted. Appropriation FY 2001	Recommended FY 2002	Percent Change 2001-02
State Budgeted	\$902,732	\$986,175	\$955,287	(3.1)%
Federal Funds	30,060	16,321	13,800	(15.4)%
<u>Other</u>	<u>56,301</u>	<u>54,063</u>	<u>50,293</u>	<u>(7.0)%</u>
Grand Total	\$989,093	\$1,056,559	\$1,019,380	(3.5)%

Personnel Summary - Positions By Funding Source

	Actual FY 2000	Revised FY 2001	Funded FY 2002	Percent Change 2001-02
State	8,978	9,298	10,052	8.1%
Federal	34	34	50	47.1%
<u>Other</u>	<u>457</u>	<u>430</u>	<u>462</u>	<u>7.4%</u>
Total Positions	9,469	9,762	10,564	8.2%

FY 2000 (as of December) and revised FY 2001 (as of September) personnel data reflect actual payroll counts. FY 2002 data reflect the number of positions funded.

Introduction

The Department of Corrections (DOC) is responsible for custody, care, discipline, training and treatment of persons committed to State correctional institutions, as well as for those individuals under community supervision or on parole. It provides rehabilitative programs, training and educational opportunities for its inmates. The department also cooperates with the other law enforcement agencies of the State to encourage a more unified system of criminal justice.

The Department has under its jurisdiction fourteen institutions: nine housing adult male offenders, one of which is dedicated to the treatment and rehabilitation of sex offenders; one housing adult female offenders; and three facilities housing youthful offenders.

Introduction (Cont'd)

The Office of Parole and Community Programs is responsible for supervising parolees in the community and those released to halfway houses. The State Parole Board, which determines when and under what conditions inmates are released on parole or returned to prison in the case of parole violations, operates independently of the Department of Corrections, but is included in the department's budget for organizational purposes.

Key Points

- ! As of January 31, 2001, there were 28,280 State sentenced inmates housed in State and county correctional facilities and halfway house placements. The department estimates that 40 more inmates will enter the State's prison system each month than will leave it during FY 2001. This represents a dramatic decrease in the growth of State sentenced prison inmates. Over the past several years, the net increase in number of inmates entering the correctional system totaled 125 inmates per month.
- ! According to the FY 2002 budget evaluation data, with an average projected population level of 23,688 inmates, the State prisons are expected to operate at 134 percent of their rated capacity of 17,618 bed spaces in FY 2002. The excess population is accommodated primarily through double bunking at various institutions and the conversion of other facility operating space to inmate bed spaces.

DIRECT STATE SERVICES

- ! The department's FY 2002 Direct State Services recommendation totals \$789.4 million, \$1 million or 0.1 percent more than the FY 2001 adjusted appropriation of \$788.4 million.
- ! A net savings of \$22.9 million is expected due to the implementation of a two-year staffing study conducted by the National Institute of Corrections. The FY 2002 recommendation provides for the addition of 296 staff members in order to maximize the department's operations. Of this number, 211 are custody staff positions and 85 are civilian positions. According to the Budget In Brief, this increase in staffing is expected to save a projected \$35 million in overtime costs (Budget In Brief page 102) for a net savings of \$22.9 million.
- ! The Integrated Information Systems Development program is recommended to receive \$17.6 million in FY 2002, a \$10.2 million increase over the FY 2001 appropriation. The increased funding would permit the expansion of the Offender Based Correctional Information System (OBCIS), which currently tracks an inmate upon entry into and movement throughout the entire correctional system, to include information about parolees including residence, supervision status, and indication if an active parole warrant is on file and with which agency it has been filed. It would also permit all parole officers to download/upload case data on laptop computers.
- ! The FY 2002 budget includes a \$19.6 million recommendation for additional mental health treatment services for inmates, an increase of \$1.8 million over the FY 2001 appropriation. In response to ongoing litigation, the department has developed a comprehensive plan to address the mental health needs of inmates under its jurisdiction.

Key Points (Cont'd)

- ! The sum of \$7.4 million is recommended in FY 2002 to provide funding for a 150-bed annex to the Civilly Committed Sexual Offender facility at Rahway Camp, a satellite facility of East Jersey State Prison. Prior to December, 2000, the department housed approximately 150 general population inmates at Rahway Camp. Effective January 2001, these inmates were relocated to comparable custody settings within the department and the Rahway Camp began operating as an annex to the Civilly Committed Sex Offender Facility in Kearny. The facility has a capacity of 150 beds, and are in addition to the 150 beds currently in use at the Kearny unit. Both the Kearny Unit and Rahway Camp are operated under the jurisdiction of the Adult Diagnostic and Treatment Center, Avenel. As of March 15, 2001, 145 of the 300 total available civilly committed sex offender bed spaces were filled.
- ! A new appropriation of \$4 million is recommended for Southern State Correctional Facility to provide partial-year funding for the operation of the new 352-bed minimum security facility. The facility, which received \$11.1 million in Federal Violent Offender Incarceration/Truth in Sentencing (VOI/TIS) funding, is expected to begin accepting inmates in mid-FY 2002. Funding would support 161 new positions.
- ! A new appropriation of \$3 million is recommended in FY 2002 for a program of release notification. Funding would support 54 positions throughout the department and would establish an intake processing system at each institution, provide a formal discharge planning system for the pre-release review of all offenders scheduled for release, and develop a structured release processing and notification system for all institutional releases with particular emphasis on sex offenders.
- ! The FY 2002 recommendation includes a new appropriation of \$1.225 million for an additional 15 Institutional Parole Counselor positions to process caseloads, track and monitor each case, determine parole eligibility and complete other pre-parole related case management functions.
- ! The FY 2002 recommendation includes a new appropriation of \$3 million for the operating costs of the new 180-bed expansion of the Stabilization Reintegration facility on the grounds of the New Lisbon Development Center and funded under the Albert C. Wagner Correctional Facility budget. The department received \$10.7 million in capital funding in FY 2001 for the construction of these bed spaces, increasing the total capacity to 300 beds.
- ! An appropriation of \$164,000 is recommended in FY 2002 to permit the department to expand its canine unit from 6 to 10 staff members. The additional funding would provide for one new canine patrol to be established at each of two prisons, Bayside State Prison and the Vroom Central Reception and Assignment Facility.

GRANTS-IN-AID

- ! Grants-in-Aid funding is recommended to decrease from \$165.0 million in FY 2001 to \$143.7 million in FY 2002, a 12.9 percent reduction. The entire reduction of \$21.3 million is in the Purchase of Services for Inmates Incarcerated in County Penal Facilities account due to a reduction in the number of State sentenced inmates in the county prisons from 3,737 in FY 2001 to 3,271 in FY 2002.

Key Points (Cont'd)

CAPITAL PROJECTS

- ! The FY 2002 budget recommendation includes \$22.2 million for capital projects, a decrease of \$10.5 million below the FY 2001 level of \$32.7 million. Proposed work includes data processing upgrades, water treatment plant upgrade, fire safety code compliance, roof repair and replacement, deferred maintenance and critical repairs.

- ! A recommendation of \$6 million is included in the Interdepartmental Accounts portion of the FY 2002 budget to provide the first year of debt service for the construction of the permanent civilly committed sex offender facility.

Background Papers

- ! Overtime p. 34
- ! Prison Population Growth p. 37

Program Description and Overview

The Department of Corrections (DOC) is responsible for custody, care, discipline, training and treatment of persons committed to State correctional institutions for crimes committed within the State's boundaries. It provides rehabilitative programs, training and educational opportunities for its inmates in an effort to prepare them for their eventual release and reintegration into their communities. The department also cooperates with the other law enforcement agencies of the State to encourage a more unified system of criminal justice.

The department has under its jurisdiction fourteen institutions: nine housing adult male offenders, one of which is dedicated to the treatment and rehabilitation of sex offenders; one housing adult female offenders; and three facilities housing young adult offenders.

The Department of Corrections is also responsible for monitoring State sentenced offenders who are placed under community supervision and into halfway houses, for those convicted but participating in various forms of alternatives to incarceration, and for those released on parole after serving their court imposed sentences. The State Parole Board, which determines when and under what conditions inmates are released on parole or returned to prison in the case of parole violations, operates independently of the Department of Corrections, and is included in the department's budget for organizational purposes. Senate Bill No. 2026 (2R), which as of April 10, 2001 had passed both houses and is pending action by the Governor, would transfer the Bureau of Parole from the Department of Corrections to the State Parole Board.

Additionally, the department is responsible for housing offenders who have completed their term of incarceration but who have been classified as sexually violent predators and are considered to be a danger to the public and have been involuntarily committed to a State operated facility. While the Department of Corrections is responsible for housing and providing security for these individuals, the Department of Human Services is responsible for treatment services.

Department's Budget Growth

The Department of Corrections' budget is largely governed by the number of inmates that are committed to its care. The number of inmates and their length of stay are determined primarily by statutes which prescribe the penalties for various crimes, and the courts which hand down these penalties during the sentencing process. On the other end of the process, the Parole Board determines if and when an inmate who becomes eligible for parole should be released prior to the completion of the inmate's full sentence.

The FY 2002 Direct State Services and Grant-in-Aid recommended budgets of \$933 million is 2 percent less than the FY 2001 adjusted appropriation for these accounts. While the Direct State Services appropriation of \$789 million is \$1 million more than the FY 2001 adjusted appropriation, the Grants-In-Aid appropriation of \$144 million is \$21 million, or 13 percent less than the FY 2001 adjusted appropriation. This reduction is due, primarily to the decreasing number of inmates housed in county correctional facilities.

Historically, the Department of Corrections has required sizable mid-year supplemental appropriations so that the department could meet its salary and county payment obligations through the end of the fiscal year. However, according to the department's FY 2001 second quarter spending plan, no supplemental appropriation is anticipated in the current fiscal year. Rather, the spending plan projects a net departmental surplus of \$45.8 million, of which \$7 million is in the Direct State Services accounts and \$38 million is Grants-in-Aid spending. The major portion of the Grants-in-Aid surplus (\$24.5 million) can be attributed to the decreasing population of State

Program Description and Overview (Cont'd)

sentenced inmates housed in the county jails.

New and Expanded Programs

Civilly Committed Sex Offender Unit

The Sexually Violent Predator Act (P.L. 1998 c.71) established a civil procedure for the involuntary commitment of sexually violent predators who:

- ! Have been convicted, adjudicated delinquent or found not guilty by reason of insanity for commission of a sexually violent offense, or have been charged with a sexually violent offense but found to be incompetent to stand trial; and
- ! Suffer from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for control, care and treatment.

The Department of Corrections is responsible for the operation of any facility designated for the custody, care and treatment of sexually violent predators. The Division of Mental Health Services in the Department of Human Services is to provide or arrange for treatment which would be tailored to address the specific needs of sexually violent predators.

To meet this mandate, the Department of Corrections has changed the mission of the Rahway Camp, a satellite facility of East Jersey State Prison. Prior to December, 2000, the department housed approximately 150 general population inmates within this facility. Effective January 2001, these general population inmates were relocated to comparable custody settings within the department and the Rahway Camp began operating as an annex to the Civilly Committed Sex Offender Facility in Kearny. The facility has a capacity of 150 beds, and are in addition to the 150 beds currently in use at the Kearny unit, resulting in a total of 300 available beds.

Both the Kearny Unit and Rahway Camp are operated under the jurisdiction of the Adult Diagnostic and Treatment Center, Avenel. As of April 5, 2001, a total of 146 civilly committed sex offender bed spaces were filled at the Kearny Unit. All of the Rahway Camp bed spaces were vacant. The department is currently in the process of preparing to transfer 50 individuals from the Kearny unit to the Rahway Camp annex. Because these residents have completed their time of incarceration with the Department of Corrections, they are considered "residents" and are not included in the department's inmate population count.

The FY 2002 budget recommends \$7.9 million for the operation of the Civilly Committed Sexual Offender Facility in Kearny. Another \$7.4 million in operating funding is recommended for the annex at Rahway Camp.

Information provided by the Office of Management and Budget indicates that funding totaling \$6 million is recommended in the Interdepartmental Accounts budget recommendation to provide the first year of debt service for the construction of the permanent civilly committed sex offender facility.

Program Description and Overview (Cont'd)

Northern Region Pre-Release Center Closing

The Northern Region Pre-Release Center in Secaucus was closed on November 30, 2000 pursuant to a court order (County of Hudson v. Terhune et al.) filed October 3, 2000. The general population inmates housed at the facility have been relocated to other comparable custody settings in the department. Of the \$4.7 million which had been appropriated to this facility in FY 2001, a balance of \$2.3 million in unspent funding was transferred to the Adult Diagnostic and Treatment Center for the operation of the Civilly Committed Sexual Offender Facility - Annex, a new 150 bed facility.

Southern State Correctional Facility Expansion

A new appropriation of \$4 million is recommended for the Southern State Correctional Facility to provide partial-year funding for the operation of the new 352-bed minimum security facility. The facility is anticipated to begin accepting inmates in mid-FY 2002. Funding would support 161 positions.

Costing \$13.8 million to construct, the facility received \$11.1 million in Federal Violent Offender Incarceration/Truth-in-Sentencing (VOI/TIS) funding. This funding has been earmarked by the Federal government for the construction of additional bed spaces for those inmates convicted and incarcerated under State Truth-in-Sentencing statutes. The \$2.7 million balance of the construction costs was acquired by the transfer of funds from other capital construction accounts within the department, including \$1.4 million from the Permanent Secure Housing Construction account which was authorized by FY 2001 budget language.(Appropriations Handbook p. B-49).

Stabilization Reintegration Facility Expansion

The FY 2002 recommendation includes a new appropriation of \$3 million for the operating costs of the new 180-bed expansion of the Stabilization Reintegration facility for young adults on the grounds of the New Lisbon Development Center and funded under the Albert C. Wagner Correctional Facility budget. The department received \$10.7 million in capital funding in FY 2001 for the construction of these bed spaces, increasing the total capacity of the facility from 120 to 300 beds. Funding would support 22 new custody and 62 new civilian positions.

Integrated Information Systems Development

The Integrated Information Systems Development program is recommended to receive \$17.6 million in FY 2002, a \$10.2 million increase over the FY 2001 appropriation. In addition, an \$800,000 capital appropriation is also recommended for this purpose. The major portion of the Direct State Services funding increase (\$9.8 million) and all of the Capital Construction funding is for the Parole Case Management Initiative. The Offender Based Correctional Information System (OBCIS) was designed as an inmate inventory and information system that tracks an inmate upon entry into, and movement throughout the entire correctional system. The increased funding would permit the expansion to information about parolees including residence, supervision status, and indication if an active parole warrant is on file and with which agency it has been filed. It would also permit all parole officers to download/upload case data on laptop computers for swifter access to parolee data.

Program Description and Overview (Cont'd)

Enhanced Drug Treatment -- Process Outcome Study

The FY 2002 budget recommends a new appropriation of \$115,000 to track participants' progress in drug treatment programs beginning with institutional treatment programs and to establish a database for long-term study follow-up. Funding would provide for 2 new positions and data processing support.

Parole and Release Issues

The FY 2002 recommendation includes \$1.2 million for an additional 15 Institutional Parole Counselor positions to process caseloads, track and monitor each case, determine parole eligibility and complete other pre-parole related case management functions. According to the Budget in Brief the current caseload of parole counselors ranges from 950 to over 1,500 individuals depending upon the institution. An additional 7 staff members would provide related administrative and clerical support to ensure that all records are accounted for and the system is maintained, while 6 staff members would develop, document, test and verify new system applications and enhancements designed to ensure accurate parole eligibility date calculation as well as strengthen existing business processes. (Budget in Brief pg. 104).

In addition, an appropriation of \$3 million is recommended in FY 2002 for a new program of release notification. Program funding would support 54 positions and would:

- ! Establish an intake processing system for the review and verification of all commitment information at the time offenders are received in to the adult system and its facilities.
- ! Establish a formal discharge planning system for the pre-release review of all offenders scheduled for release to the community.
- ! Develop a structured release processing and notification system for all institutional releases with a particular emphasis on sex offenders.

Canine Unit

An appropriation of \$164,000 is recommended in FY 2002 to permit the department to expand its canine unit from 6 to 10 staff members. Two additional dogs would be provided and one canine patrol would be established at each of two prisons, Bayside State Prison and the Vroom Central Reception and Assignment Facility. The canine units would provide services such as:

- 1) Enhancing perimeter patrols;
- 2) Searching institutional cells for contraband;
- 3) Assisting the Roving Drug Interdiction Unit in searching for illegal narcotics in institutions and halfway houses;
- 4) Providing custody escort of inmates considered "high risk";
- 5) Assisting in searches in escape situations; and
- 6) Assisting parole officers in searches for contraband.

Program Description and Overview (Cont'd)

Anticipated Savings

In response to a two-year staffing study conducted by the National Institute of Corrections, the FY 2002 recommendation provides for the addition of 296 staff members in order to maximize the department's operations. This includes 211 custody and 85 civilian staff positions. The cost of hiring the additional staff totals \$12.1 million as follows: \$9.3 million for staff; \$1.3 million for COLA; and \$1.5 million for shift change costs due to the elimination of contractual shift overlap. According to the Budget In Brief, this increase in staffing, along with other initiatives, would result in a projected \$35 million in savings in overtime costs (Budget In Brief page 102), for a net savings of \$22.9 million.

Grants-In-Aid Funding

The FY 2002 budget recommendation for the Purchase of Services for Inmates Incarcerated in County Penal Facilities is \$72.8 million, \$21.3 million less than the FY 2001 adjusted appropriation of \$94.1 million. Although Executive Order #106, authorizing the State to place inmates in county facilities, expired in March 1998, the Department of Corrections continues to house State inmates beyond the capacity of State institutions within these counties at various reimbursement rates agreed upon between the State and the host counties. The reduced funding level reflects the decreasing number of State sentenced inmates housed in County correctional facilities. The FY 2002 recommendation is based on the actual inmate population through October 2000, and a projected population growth of 40 more inmates entering the correctional system than leaving it each month. The funding reduction also reflects the expected level of expenditure in this account for FY 2001.

The governor's budget includes \$62.5 million for the Purchase of Community Services in FY 2002, the same level of funding as the FY 2001 adjusted appropriation for this account. Budget evaluation data indicate that this level of funding would support 3,240 beds in community based settings in FY 2002. The average daily population of filled bed spaces in the community programs totaled 2,740 in FY 2001.

Capital Funding

Pay-as-you-go capital funding totaling \$22 million is recommended in FY 2002 for various repair and renovation projects. Proposed work includes data processing upgrades, water treatment plant upgrade, fire safety code compliance, roof repair and replacement, and deferred maintenance and critical repairs.

While the Department of Corrections has been receiving capital funding over the past several years for various construction projects, the department has been simultaneously working on a facilities master plan which is intended to provide information about the short term and long term construction needs of the department based upon population growth and the status of its current infrastructure. To date, the plan is not available

Program Description and Overview (Cont'd)

Inmate Population Growth -- Five Year Trends

The following table displays the growth in average daily population of individuals incarcerated and in other alternative programs from FY 1996 to FY 2001.

Average Daily Population: FY 1996-2001

<u>State Institution</u>	<u>FY 1996</u>	<u>FY 2001</u>	<u>Change + or (-)</u>
New Jersey	1,848	1,856	8
Vroom CRAF	643	1,116	473
East Jersey	2,402	2,441	39
South Woods	0	3,322	3,322
Bayside	2,360	2,380	20
Southern State	1,520	1,662	142
Mid State	605	625	20
Riverfront	1,105	1,137	32
Edna Mahan	879	1,140	261
Northern State	3,012	2,714	(298)
ADTC, Avenel	737	755	18
Garden State	1,822	1,903	81
Wagner	1,530	1,547	17
Mountainview	1,838	1,295	(543)
Total State Institution Avg Daily Population	20,301	23,893	3,592
<u>Other Incarceration</u>			
County Placements	5,508	3,737	(1,771)
<u>Alternatives to Incarceration</u>			
Halfway House	765	2,740	1,975
Electronic Monitoring	0	300	300
Intensive/Surveil Supervision	550	1,150	600
Intensive Supervision	834	1,217	383
High Impact Diversion	0	600	600
Parolee Drug Treatment	0	400	400
Day Reporting Centers	0	350	350
Adult Offender Boot Camp	0	120	120
Halfway Back	0	100	100
Total Alternatives to Incarceration	2,149	6,977	4,828
TOTAL AVG DAILY POPULATION	27,958	34,607	6,649

Program Description and Overview (Cont'd)

From FY 1996 to FY 2001, the population housed within the State's institutions increased from 20,301 inmates to 23,893 inmates, an 18 percent increase. The number of State sentenced inmates housed in the county correctional facilities has decreased during this period, from 5,508 inmates in FY 1996 to 3,737 inmates in FY 2001, a 32 percent decrease. Although the Department of Corrections operated a variety of alternatives to incarceration in FY 1996, it has greatly expanded the use of alternatives to incarceration as a method to deal with the continuous growth of the State prison inmate population over the past five years. In FY 1996, the average daily population of State sentenced inmates housed in department-sponsored alternatives to incarceration totaled 2,149 inmates. In FY 2001 this number increased to 6,977 inmates, a 225 percent increase. On an annual basis, this increase represents an average increase of 27 percent per year.

Not included in this tally is the number of former inmates incarcerated for committing sexually violent offenses and civilly committed after completing their term of incarceration. They are not included in the department's total inmate count because these individuals have completed their terms of incarceration, and are no longer State sentenced inmates. Rather, they are classified as residents of the Civilly Committed Sexual Offender Facility and the Civilly Committed Sexual Offender Facility -- Annex. As of April 5, 2001, there were 146 civilly committed sexual offenders housed by the Department of Corrections. Treatment services are provided to these inmates by the Department of Human Services.

Inmate Population Growth -- Current

While the five year trend portrays a dramatic growth in the State sentenced prison population, in more recent history, the Department of Corrections' inmate population has begun to level off, and to experience a slight decline in numbers. According to the budget recommendation, the State prison system is projected to house an average daily population of 23,688 inmates in FY 2002, 205 inmates less than in FY 2001. This can be attributed to a variety of factors, including:

- ! Many inmates who had been sentenced under the mandatory minimum sentence statutes are beginning to reach the end of their terms of incarceration and may be paroled.
- ! The increase in Parole Board and Division of Parole staff has permitted the Parole Board to reduce the backlog of inmates awaiting parole hearings and to parole a larger number of inmates.
- ! The expansion of the State's various alternatives to incarceration has diverted potential inmates from the State prison population into other venues such as intensive supervision, drug court treatment, halfway houses, adult offender boot camp and electronic monitoring.

While the growth in the State prison population has begun to slow, the department's institutional population still exceeds the rated capacity of its facilities. The projected FY 2002 population of 23,688 is 34 percent greater than the prison system's rated capacity of 17,618 bed spaces. In FY 1996, the department's rated capacity was 14,144 beds. From FY 1996 to FY 2002, the increase in capacity is 25 percent, an average annual increase of 3.7 percent.

Program Description and Overview (Cont'd)

FY 2002 budget evaluation data indicate that in addition to the institutional population in State facilities, the county jails will house an average daily population of 3,271 State sentenced offenders in FY 2002. Of this number, 69 will be awaiting placement in a State institution. The remaining 3,202 inmates will be housed in the counties under county contract and county assistance agreements (Budget page D-91).

In addition, about 7,500 offenders will participate in various alternatives to incarceration in FY 2002. This includes: Community-based halfway house placement (3,240); Electronic Monitoring (300); Intensive Surveillance/Supervision (1,150); Intensive Supervision (1,217); High Impact Diversion (600); Day reporting centers (350); Young Adult Offender Boot Camp (120); Halfway Back (100) and Drug Courts. An additional 400 parolees are expected to participate in the Parolee Drug Treatment program in FY 2002 in an effort to help them remain out of prison.

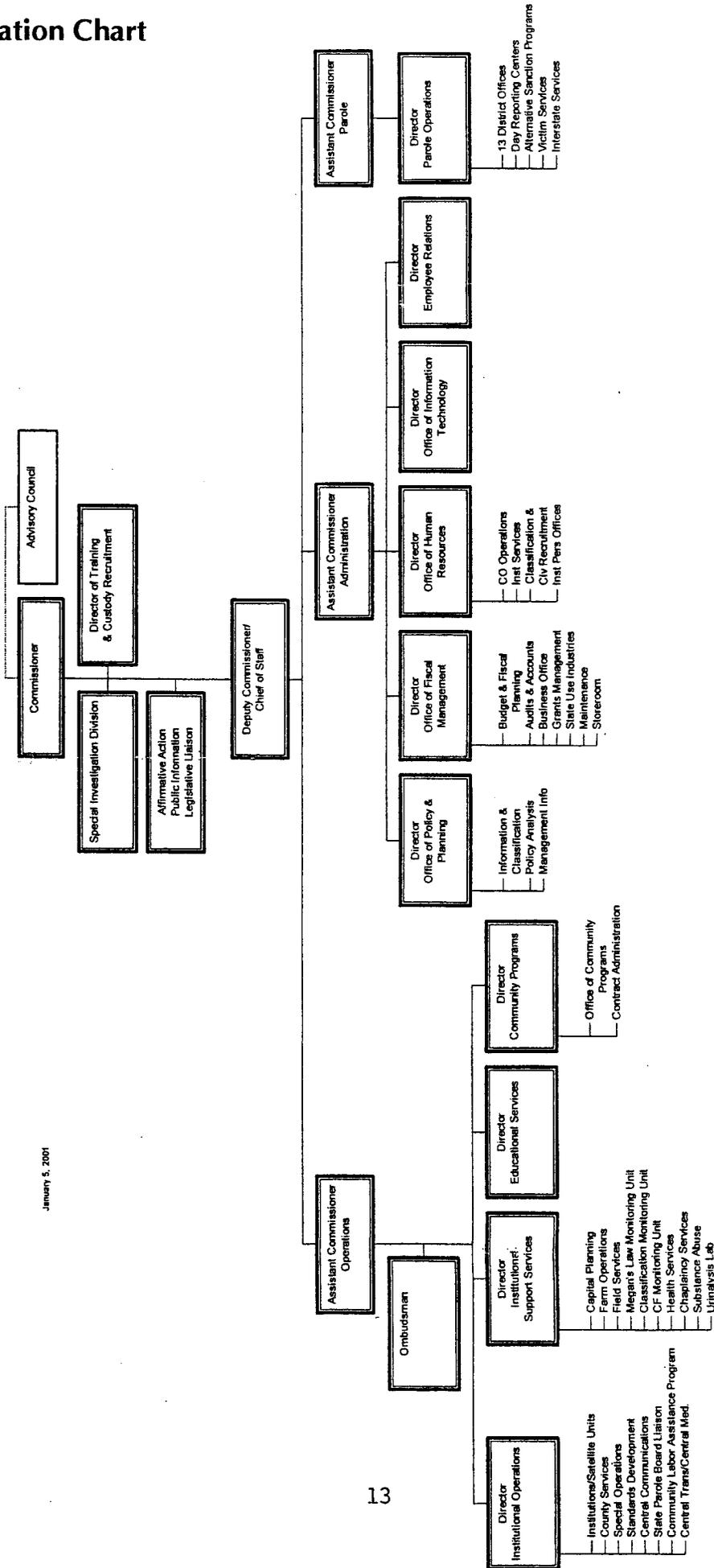
County Jails

In FY 2002 County jails are expected to house approximately 9.5 percent of the total State sentenced average daily population. In exchange, counties are reimbursed by the State at a daily rate after the 15th day of incarceration. Although Executive Order #106, authorizing the State to place State sentenced inmates in county correctional facilities, expired in March 1998, the Department of Corrections continues to house State inmates beyond the capacity of State institutions within these counties at various reimbursement rates agreed upon between the State and the host counties. According to the department's Policy Analysis and Planning Unit's report on Residents, Admissions and Releases, as of December 2000, there were 3,225 State sentenced inmates housed in county correctional facilities. The budgeted amount for FY 2001 is 3,737 inmates and the recommended amount for FY 2002 is 3,271 inmates.

Because the counties represent the overflow of State sentenced prison inmates, the number housed in the counties is largely dependent upon the number of admissions processed each month offset by the number of releases and paroles granted, and is subject to monthly fluctuations.

Organization Chart

State of New Jersey
Department of Corrections



January 5, 2001

Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 2000	Adj. Approp. FY 2001	Recom. FY 2002	Percent Change	
				2000-02	2001-02
General Fund					
Direct State Services	\$744,873	\$788,434	\$789,386	6.0%	0.1%
Grants-In-Aid	147,857	165,040	143,699	(2.8)%	(12.9)%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	10,002	32,701	22,202	122.0%	(32.1)%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$902,732	\$986,175	\$955,287	5.8%	(3.1)%
Property Tax Relief Fund					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
Casino Revenue Fund	\$0	\$0	\$0	0.0%	0.0%
Casino Control Fund	\$0	\$0	\$0	0.0%	0.0%
State Total	\$902,732	\$986,175	\$955,287	5.8%	(3.1)%
Federal Funds	\$30,060	\$16,321	\$13,800	(54.1)%	(15.4)%
Other Funds	\$56,301	\$54,063	\$50,293	(10.7)%	(7.0)%
Grand Total	\$989,093	\$1,056,559	\$1,019,380	3.1%	(3.5)%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 2000	Revised FY 2001	Funded FY 2002	Percent Change	
				2000-02	2001-02
State	8,978	9,298	10,052	12.0%	8.1%
Federal	34	34	50	47.1%	47.1%
All Other	457	430	462	1.1%	7.4%
Total Positions	9,469	9,762	10,564	11.6%	8.2%

FY 2000 (as of December) and revised FY 2001 (as of September) personnel data reflect actual payroll counts. FY 2002 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	39.1%	38.7%	38.7%	----	----
------------------------	-------	-------	-------	------	------

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
--------------------	---------------------------------	----------------------------	--------------------------	---------------------------	------------------------

**DIRECT STATE
SERVICES****SYSTEM WIDE
PROGRAM SUPPORT**

Salaries and Wages	\$27,012	\$28,128	\$1,116	4.1%	D-91
--------------------	----------	----------	---------	------	------

In FY 2001 a total of \$3.5 million in State funding was deducted from the System Wide custody salary account and replaced by Federal State Criminal Alien Assistance Program (SCAAP) funding. In FY 2002, the deduction is allocated to various institutional custody salary accounts. The increase in this account is partially offset by reduced overtime costs which are accrued as a result of hiring additional custody staff.

**Special Purpose:
Perimeter Security
Enhancements - Canine
Unit**

	\$0	\$164	\$164	—	D-91
--	-----	-------	-------	---	------

The FY 2002 recommendation would permit the department to expand its canine unit from 6 to 10 staff members. Two additional dogs would be provided allowing for the establishment of one new canine patrol at each of two prisons, Bayside State Prison and the Vroom Central Reception and Assignment Facility. The canine unit provides services such as: enhanced perimeter patrols; institutional cell searches for contraband; roving drug interdiction unit search assistance for illegal narcotics in institutions and halfway houses; provision of custody escort for inmates considered high risk; search assistance in escape situations; parole officer assistance in contraband search.

**Integrated Information
Systems Development**

DIRECT STATE SERVICES	\$7,441	\$17,624	\$10,183	136.9%	D-91
----------------------------------	---------	----------	----------	--------	------

CAPITAL CONSTRUCTION	\$0	\$800	\$800	—	D-93
---------------------------------	-----	-------	-------	---	------

TOTAL	\$7,441	\$18,424	\$10,983	147.6%	
--------------	---------	----------	----------	--------	--

Direct State Services funding totaling \$7.441 million is recommended in FY 2002 for continuation of the System 36 conversion to Department of Corrections Management Information System(DOCMIS) and the Master Lease payments associated with this conversion.

The major portion of the Direct State Services funding increase (\$9.821 million) and all of the Capital Construction funding for the Integrated Information Systems Development is for the Parole Case Management Initiative. The new Offender Based Correctional Information System (OBCIS) was designed as an inmate inventory and information system that tracks an inmate upon entry into,

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
--------------------	---------------------------------	----------------------------	--------------------------	---------------------------	------------------------

and movement throughout the entire correctional system. The increased funding would permit the expansion to information about parolees including residence, supervision status, and indication if an active parole warrant is on file and with which agency it has been filed. It would also permit all parole officers to download/upload case data on laptop computers.

The balance of the Direct State Services increase (\$362,000) would fund the salaries of seven positions associated with the Parole Eligibility Date initiative to be phased in during FY 2002.

**Additional Mental
Health Treatment
Services**

	\$17,799	\$19,559	\$1,760	9.9%	D-92
--	----------	----------	---------	------	------

As a result of ongoing litigation (C.F. vs. Terhune), the department has developed a comprehensive plan to address the mental health needs of inmates under its jurisdiction. According to the department, the FY 2002 recommendation provides full year funding for this program including the costs associated with the program's implementation.

**Expand Custody Recruit
Training**

	\$2,140	\$1,291	(\$849)	(39.7)%	D-92
--	---------	---------	---------	---------	------

The recommended decrease in funding for the expansion of custody recruit training reflects the elimination of one-time equipment costs for the program funded in FY 2001 but not required in FY 2002.

**Enhanced Drug
Treatment - Process
Outcome Study**

	\$0	\$115	\$115	—	D-92
--	-----	-------	-------	---	------

The FY 2002 recommendation would provide funding to track participants' progress in drug treatment programs beginning with institutional treatment programs and establish a database for long-term study follow-up. Funding would support 2 new positions.

**Release Notification -
Discharge Planning**

	\$0	\$3,026	\$3,026	—	D-92
--	-----	---------	---------	---	------

The FY 2002 recommendation would provide funding for a new program of release notification. Program funding would support 54 positions and would:

- Establish an intake processing system for the review and verification of all commitment information at the time offenders are received into the adult system and its facilities;
- Establish a formal discharge planning system for the pre-release review of all offenders scheduled for release to the community; and

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
--------------------	---------------------------------	----------------------------	--------------------------	---------------------------	------------------------

- Develop a structured release processing and notification system for all institutional releases with a particular emphasis on sex offenders.

GRANTS-IN-AID

**Purchase of Service for
Inmates Incarcerated in
County Penal Facilities**

\$94,129	\$72,788	(\$21,341)	(22.7)%	D-92
-----------------	-----------------	-------------------	----------------	-------------

Although Executive Order #106 expired in March 1998, the Department of Corrections continues to house State inmates in county penal facilities at various reimbursement rates agreed upon between the State and the counties. The FY 2002 recommendation is based on the actual inmate population through August 2000, and a projected population growth of 40 more inmates entering the correctional system than leaving it each month. The funding reduction also reflects the over funding in this account for FY 2001. Therefore, the department anticipates that it will spend \$73 million in FY 2002 to house State sentenced inmates in the counties, \$21 million less than the amount appropriated in FY 2001.

FEDERAL FUNDS

**Institutional Program
Support**

\$14,472	\$11,855	(\$2,617)	(18.1)%	D-93
-----------------	-----------------	------------------	----------------	-------------

The FY 2001 adjusted appropriation includes an appropriation of \$14 million for the State Criminal Alien Assistance Program (SCAAP), and \$472,000 for the Inmate-Network-Skills in Developing Employment (INSIDE) program. According to the Department of Corrections, the department received \$12.9 million in federal SCAAP funding in FY 2001, not the \$14 million anticipated.

SCAAP partially reimburses the States for the cost of housing illegal immigrant offenders in State corrections facilities. The amount awarded each year is based on state-provided information concerning the number of illegal aliens housed in state facilities. The reimbursements are dependent upon the amount of funds appropriated by the Federal Government, the number of jurisdictions submitting applications for the funds, and the number of illegal aliens identified by the various jurisdictions. The FY 2002 budget recommendation reflects a \$2.1 million decrease below the FY 2001 appropriation level of \$14 million for this program and is due to a modification in the method which the Federal Bureau of Justice Assistance used to calculate the amount of funding to be awarded to each state.

In addition to the reduction in funding for State Criminal Alien Assistance Program, the State anticipates the completion of the Federal IN-SIDE program grant program on June 30, 2001. This three-year program, which was funded at an annual level of \$472,000, initiated a system of vocational training and college programs for incarcerated individuals who are below the age of 25 and within five years of parole. No funding is recommended in FY 2002.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
DIRECT STATE SERVICES SALARIES AND WAGES					
New Jersey State Prison	\$46,522	\$43,454	(\$3,068)	(6.6)%	D-95
Vroom Central Reception and Assignment Facility	\$24,583	\$22,756	(\$1,827)	(7.4)%	D-97
East Jersey State Prison	\$41,429	\$37,354	(\$4,075)	(9.8)%	D-99
South Woods State Prison	\$51,625	\$51,835	\$210	0.4%	D-101
Bayside State Prison	\$38,051	\$33,537	(\$4,514)	(11.9)%	D-103
Southern State Correctional Facility	\$31,250	\$31,366	\$116	0.4%	D-105
Mid-State Correctional Facility	\$14,071	\$14,299	\$228	1.6%	D-107
Riverfront State Prison	\$22,517	\$21,786	(\$731)	(3.2)%	D-108
Edna Mahan Correctional Facility for Women	\$24,339	\$23,370	(\$969)	(4.0)%	D-110
Northern State Prison	\$52,114	\$45,974	(\$6,140)	(11.8)%	D-112
Adult Diagnostic and Treatment Center, Avenel	\$15,719	\$15,832	\$113	0.7%	D-114
Garden State Youth Correctional Facility	\$28,535	\$26,552	(\$1,983)	(6.9)%	D-117
Albert C. Wagner Youth Correctional Facility	\$29,738	\$27,553	(\$2,185)	(7.3)%	D-119
Mountainview Youth Correctional Facility	\$25,616	\$24,723	(\$893)	(3.5)%	D-121
TOTAL	\$446,109	\$420,391	(\$25,718)	(5.8)%	

The recommended decrease for the institutional salary accounts in FY 2002 reflects a total savings of \$35 million in overtime expenditures. The savings were made possible by filling vacant custody

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2001</u>	<u>Recomm.</u> <u>FY 2002</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
--------------------	---------------------------------------	----------------------------------	--------------------------------	---------------------------------	------------------------------

staff positions; adding custody staff to fill positions otherwise filled on an overtime basis; adding civilian staff to fill positions formerly covered by higher paid custody staff; and other initiatives implemented to reduce overtime costs. A total of 296 additional positions are recommended, of which 211 are custody staff positions and 85 are civilian positions. This staffing increase is the result of a two-year staffing study conducted by the National Institute of Corrections to maximize the department's operations. The cost of hiring the additional staff totals \$12.1 million for a net savings of \$22.9 million.

EAST JERSEY STATE PRISON

Materials and Supplies	\$7,205	\$6,695	(\$510)	(7.1)%	D-99
-------------------------------	----------------	----------------	----------------	---------------	-------------

The FY 2002 reduction represents costs attributed to the inmates of the recently vacated Rahway Camp facility at East Jersey State Prison. Since Rahway Camp is temporarily housing civilly committed sexual offenders, funding for Rahway Camp's portion of the East Jersey State Prison budget is recommended to be transferred to the Civilly Committed Sexual Offender Facility - Annex account at the Adult Diagnostic and Treatment Center, Avenel.

Northern Region Pre-Release Center

	\$4,674	\$0	(\$4,674)	(100.0)%	D-99
--	----------------	------------	------------------	-----------------	-------------

The Northern Region Pre-Release Center in Secaucus was closed on November 30, 2000 pursuant to a court order (County of Hudson v. Terhune et al.) filed October 3, 2000. The general population inmates housed at the facility have been relocated to other comparable custody settings in the department. Funding for this facility has been transferred to the Civilly Committed Sexual Offender Facility - Annex at the Adult Diagnostic and Treatment Center.

Special Purpose:**State Match - Edward****Byrne Drug Treatment**

Grant	\$355	\$89	(\$266)	(74.9)%	D-101
--------------	--------------	-------------	----------------	----------------	--------------

Federal funding for the Therapeutic Community Drug Program at South Woods State Prison which serves 488 inmates and is funded through the Byrne grant will be fully expended as of September 30, 2001. This grant has expired and cannot be renewed. The FY 2002 recommendation represents the State cash match for this grant for the first three months of FY 2002.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
BAYSIDE STATE PRISON ALL OTHER FUNDS Institutional Care and Treatment	\$458	\$0	(\$458)	(100.0)%	D-103

The FY 2002 recommendation represents funding allotted to the Bayside State Prison under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. No funding is recommended for FY 2002 as a result of the consolidation of SFEA eligible inmates into designated institutions.

**SOUTHERN STATE
CORRECTIONAL
FACILITY
Special Purpose:
New Expanded Bed
spaces**

\$0	\$4,037	\$4,037	—	D-105
------------	----------------	----------------	----------	--------------

This new appropriation is recommended for the Southern State Correctional Facility to provide partial-year funding for the operation of the new 352-bed minimum security facility. The facility, which received \$11.1 million in Federal Violent Offender Incarceration/Truth in Sentencing (VOI/TIS) funding, is expected to begin accepting inmates in mid-FY 2002. Funding would support 161 new positions.

**ALL OTHER FUNDS
Institutional Care and
Treatment**

\$111	\$0	(\$111)	(100.0)%	D-105
--------------	------------	----------------	-----------------	--------------

The FY 2002 recommendation represents funding allotted to the Southern State Correctional Facility under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. No funding is recommended for FY 2002 as a result of the consolidation of SFEA eligible inmates into designated institutions.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2001</u>	<u>Recomm.</u> <u>FY 2002</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
Administration and Support Services	\$1,039	\$97	(\$942)	(90.7)%	D-105

According to the Department of Corrections, due to an oversight, the FY 2002 recommended appropriation eliminates the non-salary costs of commissary operations. The correct appropriation should be \$1.1 million, which includes both salary and non-salary expenses

**MID-STATE
CORRECTIONAL
FACILITY
ALL OTHER FUNDS
Institutional Care and
Treatment**

	\$132	\$0	(\$132)	(100.0)%	D-107
--	-------	-----	---------	----------	-------

The FY 2002 recommendation represents funding allotted to the Mid-State Correctional Facility under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. No funding is recommended for FY 2002 as a result of the consolidation of SFEA eligible inmates into designated institutions.

**RIVERFRONT STATE
PRISON
FEDERAL FUNDS
Institutional Care and
Treatment**

	\$136	\$53	(\$83)	(61.0)%	D-109
--	-------	------	--------	---------	-------

Riverfront State Prison received funding for 2 federal programs in 2001: Improving America's Schools Act of 1994 (IASA), and Basic Skills and English as a Second Language. The IASA program provides supplementary educational services in the basic skills areas to eligible students demonstrating the greatest need. Eligible students constitute those under the age of 21 and not possessing a high school diploma or equivalent. No funding was recommend for this program in FY 2002, a \$65,000 decrease.

The Basic Skills and English as a Second Language program receives funding on a competitive basis. The award is \$53,000 in FY 2002, an \$18,000 reduction below the FY 2001 appropriation.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2001</u>	<u>Recomm.</u> <u>FY 2002</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
ALL OTHER FUNDS					
Institutional Care and Treatment	\$335	\$0	(\$335)	(100.0)%	D-109

The FY 2002 recommendation represents funding allotted to the Riverfront State Prison under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. No funding is recommended for FY 2002 as a result of the consolidation of SFEA eligible inmates into designated institutions.

**ADULT DIAGNOSTIC
AND TREATMENT
CENTER, AVENEL**

**Special Purpose:
Civilly Committed
Sexual Offender
Facility - Annex**

\$0	\$7,386	\$7,386	—	D-115
-----	---------	---------	---	-------

The FY 2002 recommendation would provide operating funds for a 150-bed annex to the Civilly Committed Sexual Offender facility at Rahway Camp, a satellite facility of East Jersey State Prison. Prior to December, 2000, the department housed approximately 150 general population inmates at Rahway Camp. Effective January 2001, these inmates were relocated to comparable custody settings within the department and the Rahway Camp began operating as an annex to the Civilly Committed Sex Offender Facility in Kearny. The facility has a capacity of 150 beds, and are in addition to the 150 beds currently in use at the Kearny unit. Both the Kearny Unit and Rahway Camp are operated under the jurisdiction of the Adult Diagnostic and Treatment Center, Avenel. As of April 5, 2001, the department housed 146 civilly committed sex offenders.

The FY 2002 budget recommends \$7.9 million for the operation of the Civilly Committed Sexual Offender Facility in Kearny.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2001</u>	<u>Recomm.</u> <u>FY 2002</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
GARDEN STATE YOUTH CORRECTIONAL FACILITY					
ALL OTHER FUNDS					
Institutional Care and Treatment	\$3,732	\$3,270	(\$462)	(12.4)%	D-117

The FY 2002 recommendation represents funding allotted to the Garden State Youth Correctional Facility under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. The funding decrease reflects the decreasing number of inmates eligible for this program.

ALBERT C. WAGNER
YOUTH
CORRECTIONAL
FACILITY

Special Purpose:

New Expanded Bed spaces	\$0	\$3,050	\$3,050	—	D-119
----------------------------	-----	---------	---------	---	-------

During FY 2002, the department will begin assignments to the new 180 bed expansion of the Stabilization Reintegration facility on the grounds of the New Lisbon Development Center. The FY 2002 recommendation would provide operating costs for the facility.

CAPITAL
CONSTRUCTION

Boot Camp Expansion	\$10,700	\$0	(\$10,700)	(100.0)%	D-119
---------------------	----------	-----	------------	----------	-------

The FY 2001 appropriation provided for an increase of the bed space capacity of the existing Boot Camp for young male offenders on the grounds of the New Lisbon Developmental Center by 180 beds, increasing the total capacity to 300 beds. Funding supports design and construction costs. The scope of work includes the increase in beds and the installation of the additional support and program space required to accommodate the increased population. The program is currently in the design stage. Funding is not recommended in FY 2002.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
Sewage Treatment Plant Expansion	\$2,400	\$0	(\$2,400)	(100.0)%	D-119

The Albert C. Wagner Correctional Facility received \$2.4 million in FY 2001 for the expansion of its sewage treatment plant. It is anticipated that the design contract for this project will be awarded in April, 2001. No funding is recommended for this purpose in FY 2002.

Upgrade Water Treatment Plant	\$0	\$2,625	\$2,625	—	D-119
----------------------------------	-----	---------	---------	---	-------

In FY 2000, the department received \$1.422 million for the upgrade of the water treatment plant which supplies water for both the Albert C. Wagner Correctional Facility and the Garden State Youth Correctional Facility. The upgrade was required as a result of the increasing population at both facilities. The original Scope of Work prepared for the project noted the need for the installation of a new well and treatment system; the replacement of two existing water towers and the replacement of the water distribution piping system. However, more work is required than originally proposed. The FY 2000 appropriation will be used to design the entire project and fund Phase 1 construction. The FY 2002 recommendation represents the balance of funds required to complete the project.

ALL OTHER FUNDS
**Institutional Care and
Treatment**

	\$1,380	\$1,091	(\$289)	(20.9)%	D-119
--	---------	---------	---------	---------	-------

The FY 2002 recommendation represents funding allotted to the Albert C. Wagner Youth Correctional Facility under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. The funding decrease reflects the decreasing number of inmates eligible for this program.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
MOUNTAINVIEW YOUTH CORRECTIONAL FACILITY					
CAPITAL CONSTRUCTION					
Replace Steam Line, Condensate Lines and Traps	\$665	\$0	(\$665)	(100.0)%	D-121

The FY 2001 recommendation provided for the design and replacement of steam lines used for the heating and domestic hot water systems, including approximately 350 steam traps. Recently, the replacement of high pressure steam lines yielded a significant improvement in costs. According to the department, replacement of the balance of the system, along with the new steam traps would greatly increase efficiency and produce a significant cost reduction. The department is currently awaiting the "Scope of Work" report. No funding is recommended in FY 2002.

Electrical Service Update	\$433	\$0	(\$433)	(100.0)%	D-121
--------------------------------------	--------------	------------	----------------	-----------------	--------------

The FY 2001 recommendation would fund the design of a new electrical distribution system for Housing Units 1, 2, 3, 4, 7, 9, and 10. Due to the poor condition of the electrical service in the cottages, many inmates use batteries for small appliances such as clocks, etc. These batteries are often used as weapons by the inmates. The installation of an upgraded electrical service will eliminate the need for batteries and take away the threat of harm to both inmates and staff. The system implementation is estimated to cost an additional \$4.6 million. The department requested \$5.9 million to undertake this upgrade. The department is currently finalizing the "Scope of Work" for the project.

ALL OTHER FUNDS					
Institutional Care and Treatment	\$2,422	\$1,990	(\$432)	(17.8)%	D-122

The FY 2002 recommendation represents funding allotted to the Mountainview Youth Correctional Facility under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. The funding decrease reflects the decreasing number of inmates eligible for this program.

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
STATE PAROLE BOARD					
Special Purpose					
Parole Board					
Enhancements	\$0	\$1,225	\$1,225	—	D-125

The FY 2002 recommendation includes funding for an additional 15 Institutional Parole Counselor positions to process caseloads, track and monitor each case, determine parole eligibility and complete other pre-parole related case management functions. An additional 7 staff would provide related administrative and clerical support, and 6 staff would provide for the development, testing, and verification of new system applications and enhancements designed to ensure accurate parole eligibility date calculation and strengthen existing business processes. (Budget in Brief pg. 104).

**CENTRAL PLANNING
AND MANAGEMENT****CAPITAL
CONSTRUCTION**

New 350-Bed Dormitory Unit	\$2,303	\$0	(\$2,303)	(100.0)%	D-127
---------------------------------------	---------	-----	-----------	----------	-------

The FY 2002 appropriation provides funding for the site adaptation of a new 350-bed conventionally constructed minimum security dormitory housing unit similar to the one located at the Southern State Correctional Facility. A design consultant has been selected by the department, and it is anticipated that design work would begin in April, 2001. Funding is not recommended in FY 2002.

Maple Hall Renovations, Ancora	\$3,000	\$0	(\$3,000)	(100.0)%	D-127
---	---------	-----	-----------	----------	-------

The FY 2001 appropriation provided for the construction of necessary renovation required to enable occupancy of the building by 200 minimum custody inmates in a dormitory setting. This work includes, but is not limited to, an upgrade of the plumbing, electric, environmental and fire safety systems. According to the department, the project was canceled as a result of community opposition, and the funding will be used for unbudgeted emergency repairs. These repairs include the improvement of Bayside's water supply system (\$700,000), upgrade of Bayside's wastewater treatment plant (\$1.6 million), and replacement of Riverfront's facility systems computer (\$700,000). Funding is not recommended in FY 2002.

Fire Safety Code Compliance	\$0	\$7,275	\$7,275	—	D-127
--	-----	---------	---------	---	-------

The FY 2002 recommendation would provide the necessary repairs, renovations and installation of required fire safety devices in order to comply with the New Jersey Uniform Fire Safety Code. The FY 2002 recommendation is the second installment in a seven year project costing an estimated

Significant Changes/New Programs (\$000)(Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2001</u>	<u>Recomm. FY 2002</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
--------------------	---------------------------------	----------------------------	--------------------------	---------------------------	------------------------

total of \$22.6 million. The recommended amount would support projects at Bayside State Prison, Garden State Youth Correctional Facility, Adult Diagnostic and Treatment Center, Avenel and the Central office in FY 2002.

Critical Repairs	\$6,000	\$2,002	(\$3,998)	(66.6)%	D-127
-------------------------	----------------	----------------	------------------	----------------	--------------

The FY 2002 recommendation would provide funds for critical repairs and renovations at various institutions. Due to the lack of funding in the past and the age of the various institutions, numerous facilities have deteriorated to the point of requiring immediate repair. The recommended amount would continue to address these deficiencies.

Roof Replacements/ Repairs	\$1,000	\$4,500	\$3,500	350.0%	D-127
---------------------------------------	----------------	----------------	----------------	---------------	--------------

The FY 2002 recommendation would permit the department to continue its long term program of repairing the roofs at several institutions. Many of the facility roofs have been leaking for a number of years and are beyond repair. Six facilities are currently undergoing roof repair projects: Adult Diagnostic and Treatment Center, Avenel; Riverfront State Prison; Garden State Youth Correctional Facility; East Jersey State Prison; Edna Mahan Correctional Facility for Women; and Mid-State Correctional Facility.

Security Improvements	\$1,000	\$0	(\$1,000)	(100.0)%	D-127
------------------------------	----------------	------------	------------------	-----------------	--------------

The FY 2001 appropriation provided security improvements at Northern and New Jersey State Prisons. The department is currently finalizing the "Scope of Work" for the project. Funding is not recommended in FY 2002.

ALL OTHER FUNDS

Administrative and Support Services	\$1,851	\$1,099	(\$752)	(40.6)%	D-128
--	----------------	----------------	----------------	----------------	--------------

The FY 2001 recommendation represents funding allotted to the Office of Education Services under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979 c. 207). At the institutional level, funding provides instruction in academic content areas as well as in living skills in the prison environment. At the central office level, funds provide coordination of all child study team services, specialized services, and all program level services of a system-wide nature.

Funds for this program are generated based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible students are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing high school diploma or equivalent. Funds are distributed proportionally based on each facility's pupil count after adjustments are made for central office educational support services, various special services and other contingencies. The anticipated grant would provide funds for 197 authorized positions throughout the department.

Language Provisions

2001 Appropriations Handbook

2002 Budget Recommendations

p. B-36

In addition to the amount appropriated hereinabove for the Civilly Committed Sexual Offender Facility, the Commissioner of Corrections may transfer up to \$4,938,000 from the Kearny Unit account in the Adult Diagnostic and Treatment Center, Avenel budget, subject to the approval of the Director of the Division of Budget and Accounting.

No comparable language.

Explanation

The FY 2001 language, permitted the department to transfer \$4.9 million in funding from the Kearny Unit to the Civilly Committed Sexual Offender Facility. The Kearny Unit became the temporary site for the Civilly Committed Sexual Offender Facility until a permanent facility could be identified and prepared for resident admissions. The FY 2002 recommendation for this facility has been shifted to the Adult Diagnostic and Treatment Center portion of the budget. No language is required in FY 2002.

2001 Appropriations Handbook

2002 Budget Recommendations

p. B-36

In addition to the sums appropriated hereinabove for Video Conferencing, the Commissioner of the Department of Corrections, with the approval of the Director of the Division of Budget and Accounting, shall transfer or credit to this account, an amount up to \$200,000 from other appropriations in the department to reflect savings in central transportation operations due to the use of video conferencing equipment.

No comparable language.

Explanation

The FY 2001 language permitted the department to transfer up to \$200,000 in savings generated in the central transportation accounts from the use of video conferencing technology to the Video Conferencing account. Any savings generated by this technology has been incorporated into the FY 2002 transportation account. The language is no longer required.

Language Provisions (Cont'd)

2001 Appropriations Handbook2002 Budget Recommendations

p. B-36

Notwithstanding any other law to the contrary, the amount hereinabove appropriated for Purchase of Services is funded from the Drug Enforcement and Demand Reduction Fund in an amount not to exceed \$1,9000,000, subject to the approval of the Director of the Division of Budget and Accounting.

No comparable language.

Explanation

The FY 2001 language permits Drug Enforcement Demand Reduction Fund (DEDR) funding, up to \$1.9 million, to support the Purchase of Community Services program. This program provides housing for prospective pre-release inmates in community based contracted residential and contracted secure treatment facilities. This language is not recommended for FY 2002.

2001 Appropriations Handbook2002 Budget Recommendations

p. B-37

In addition to the sums appropriated hereinabove for Materials and Supplies for Administration and Support Services, the Commissioner of Corrections, with the approval of the Director of the Division of Budget and Accounting, may transfer or credit to these accounts, an amount up too \$544,000 from other appropriations to reflect savings from electric deregulation.

No comparable language.

Explanation

As a result of the deregulation of the energy industry, the State expected to accrue department-wide electric cost savings of \$544,000. As the entire \$544,000 reduction is taken from the New Jersey State Prison fuel and utilities account, the recommended budget language permitted the department to transfer funds from other institutional accounts within the department that had actually realized the savings, back to the New Jersey State Prison account. This language is not recommended for FY 2002. Any savings adjustment is included in the appropriate institutional accounts in FY 2002.

Language Provisions (Cont'd)

2001 Appropriations Handbook

2002 Budget Recommendations

D-115

No comparable language.

In order to permit flexibility and ensure the appropriate levels of services to the civilly committed, amounts may be transferred between the Civilly Committed Sexual Offender Facility and the Civilly Committed Sexual Offender Facility - Annex accounts, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

The recommended language permits the department to shift funding between the Civilly Committed Sexual Offender Facility and the Civilly Committed Sexual Offender Facility - Annex accounts, subject to the approval of the Director of the Division of Budget and Accounting. Currently, both facilities are serving as temporary locations for the housing of civilly committed sex offenders. Until a permanent facility is established, funding may be shifted between sites as the need arises.



2001 Appropriations Handbook

2002 Budget Recommendations

p. B-49

Of the unexpended balances in the Permanent Secure Housing Construction Account, \$6,700,000 is transferred as follows; \$1,400,000 to Southern State Correctional Facility for the 352 Bed Minimum Unit, \$850,000 for Wastewater Treatment Plant Upgrade at Bayside, \$900,000 for Maple Hall Renovations at Ancora and \$3,550,000 for Juvenile Justice Commission Community Programs for Fire Safety Projects.

No comparable language.

Explanation

FY 2001 language providing for transfer of funding from the Permanent Secure Housing Construction Account to various facilities throughout the department has not been recommended for FY 2002.



Discussion Points

1. In an effort to reduce overtime expenditures, recent contract negotiations included the elimination of shift overlap. Shift overlap provided for post coverage during the change of shifts when the outgoing shift conducts a "head count" of all inmates and the incoming shift staffs the various posts. The outgoing shift also briefs the incoming shift on pertinent activities and events that have occurred

! *Question:* How does the exchange of information now occur between corrections officers of consecutive shifts concerning events occurring at each shift? How much has overtime been reduced as a result of eliminating shift overlap?

2. An appropriation of \$164,000 is recommended in FY 2002 to permit the department to expand its canine unit from 6 to 10 staff members. The additional funding would provide for one new canine patrol to be established at each of two prisons, Bayside State Prison and the Vroom Central Reception and Assignment Facility.

! *Question:* Are the canine patrols a supplement to existing security measures at the institutions where they are assigned, or do they replace other security measures? How many canine units does the department currently employ? Where are these canine units assigned?

3. In an effort to relieve the stress on the State's prisons facilities the Department of Corrections has been expanding its alternatives to incarceration. Increased parole supervision, halfway houses and electronic monitoring are all included in this alternative category.

! *Question:* Have any studies been conducted on the recidivism rate of those inmates participating in alternatives to incarceration vs. those who are housed in State operated facilities? If so, please summarize the results. How does the department assure security to the community in which these programs are located? What other avenues are being explored to alleviate prison overcrowding?

4. The FY 2002 recommendation includes an appropriation of \$1.225 million which provides funding for an additional 15 Institutional Parole Counselor positions to process caseloads, track and monitor each case, determine parole eligibility and complete other pre-parole related case management functions.

! *Question:* What is the current backlog of cases eligible for parole and awaiting processing? What is the current parole counselor caseload? How will the addition of these positions impact upon the caseload and parole backlog?

5. A new appropriation of \$3 million is recommended in FY 2002 for a program of release notification. Funding would support 54 positions and would establish an intake processing system at all institutions, a formal discharge planning system for the pre-release review of all offenders scheduled for release and to develop a structured release processing and notification system for all institutional releases with particular emphasis on sex offenders.

! *Question:* What role does the Central Reception and Assignment Facility (CRAF) play in the intake processing portion of this program? How do these duties interface with the current responsibilities of CRAF? What is the department's current system for release notification?

Discussion Points (Cont'd)

6. P.L. 1998, c.72 provides that for any sex offender whose sentence is greater than seven years, the department would first confine that offender to a facility other than the Adult Diagnostic and Treatment Center, Avenel (ADTC). For those sex offenders who have less than seven years left of their sentence, only those sex offenders who are amenable to and willing to participate in treatment are sentenced to the ADTC. All others are sentenced and placed within the general population.

! *Question:* What impact has this shift had on the population growth of the ADTC? How has this affected ADTC treatment services and costs? Where are the inmates who are not housed at the ADTC located? What provisions, if any, are made to assure the safety of sex offenders inmates housed within the general population?

7. Federal funding for the Therapeutic Community Drug Program at South Woods State Prison which serves 488 inmates and is funded through the Byrne grant will be fully expended as of September 30, 2001. This grant has expired and cannot be renewed. The FY 2002 recommendation of \$89,000 represents the State cash match for this grant for the first three months of FY 2002.

! *Question:* How does the department plan to address the drug treatment needs of program participants after the expiration of this funding?

8. The Grants-in-Aid Account, Purchase of Services for Inmates Incarcerated in County Penal Facilities, is recommended to be reduced by \$21.3 in FY 2002 due to a reduction in the number of State sentenced inmates in the county prisons from 3,737 in FY 2001 to 3,271. Certain counties have indicated a need to reduce staff and close facilities because of the decreasing numbers of State sentenced inmates which they are housing.

! *Question:* How does the department determine which counties it sends State sentenced inmates to? Please provide a summary of the number of inmates currently housed in each county, and the reimbursement rate paid for each.

9. Information provided by the Office of Management and Budget indicates that funding totaling \$6 million is recommended in the Interdepartmental Accounts budget recommendation to provide the first year of debt service for the construction of the permanent civilly committed sex offender facility.

! *Question:* What are the total projected costs of the facility? How many bed spaces will be provided? When does the department anticipate that construction of this facility will begin? When is the anticipated completion date?

10. In FY 2001 \$3 million was appropriated for renovation work required to enable occupancy of Maple Hall, a facility accommodating 200 minimum custody inmates in a dormitory setting. According to the department's second quarter spending plan, this project was canceled, and the funding will be used for unbudgeted emergency repairs.

! *Question:* Why has this project been canceled? Where will the 200 minimum custody inmates who were to be housed in this facility be located? Please itemize the repairs that have been or will be undertaken with this funding.

Discussion Points (Cont'd)

11. The FY 2002 budget recommends \$2 million for critical repairs and renovations at various institutions. Due to the lack of funding in the past and the age of the various institutions, numerous facilities have deteriorated to the point of requiring immediate repair.

! *Question:* What is the total estimated amount of funding required to address deferred maintenance issues within the department? Due to the advanced age and deteriorated state of many of the State prison facilities, would it be more cost effective to replace rather than to renovate, any of these facilities? Which facilities would be affected? Would it be more cost effective to house inmates in county facilities rather than continue to house them in deteriorated facilities in need of repair?

12. The FY 2002 budget recommends \$9.8 million for the Parole Case Management Initiative. The new Offender Based Correctional Information System (OBCIS) was designed as an inmate inventory and information system that tracks an inmate upon entry into, and movement throughout the entire correctional system. The increased funding would permit the expansion to information about parolees including residence, supervision status, and indication if an active parole warrant is on file and with which agency it has been filed. It would also permit all parole officers to download/upload case data on laptop computers.

! *Question:* Is the FY 2002 recommendation the total cost of the Parole Case Management Program upgrade? If not, what is the total projected cost? Please discuss each of the components of this program, and the cost for each. What is the estimated completion date of this system upgrade?

13. DOC inmates maintain a connection with their families through the use of pay telephones provided by the department. The State receives a certain commission from AT&T in exchange for managing the system.

! *Question:* Please discuss the services that AT&T provides to the State in the operation of this program. How much revenue was generated for the State under this program in FY 2000 and FY 2001? Is this revenue retained by the Department of Corrections for DOC programs? If so, for what purposes is the revenue used?

Background Paper: Overtime

Budget Pages.... C-8, C-13, C-16, C-21, C-27, D-87 to D-128, G-1 to G-2

Overtime is a major ongoing issue facing the Department of Corrections. Because of the nature of custody supervision, all posts must be filled in order to assure adequate security to the institution and to the community at large. Therefore, when a post stands empty as a result of position vacancy, illness, vacation or any other leave, that post must still be covered by trained custody staff. In the past, the department has addressed this issue by employing its current staff on an overtime basis.

Overtime has been divided into three categories: regular overtime, holiday overtime and shift overlap. Regular overtime is used to cover vacant posts as a result of position vacancies or temporary leave. Holiday overtime is budgeted to cover time taken by corrections officers during any State holiday. Shift overlap, which provides for overtime payments for an extra 20 minutes per day, is being eliminated by the Department of Corrections. Formerly a part of the correctional officers' negotiated contract, the most recent contract eliminated shift overlap. The department is currently in the process of negotiating with the correction officers supervisors in an effort to obtain similar contractual terms with this group. Holiday overtime is not controllable by the Department of Corrections. Regular overtime is.

A 1997 OLS audit of the Department of Corrections' overtime program noted that the department calculates the number of custody staff required to cover all authorized posts for each shift through a method called a "post trick analysis". The audit states:

We found that department-wide the post trick requirements exceeded the actual staffing by nearly 500 officers. As a result, many correctional facilities find that they do not always have enough correctional officers to cover their essential posts and must call in officers to work regular overtime. Over 70 percent of regular overtime can be directly attributed to correctional officer staffing below the post trick analysis requirements.

The audit report further noted that while on the surface it appears that the solution to the problem of increasing overtime expenses could be found by hiring additional custody staff, this action would not result in reduced overall expenses. Rather, the audit report notes:

because of the cost of employee benefits, contractual allowances and guarantees, and the actual time an officer is at a post, it is actually less expensive to pay custodial officer premium rate overtime than hire additional staff. . . .By keeping staff count low, scheduling inefficiency could be eliminated because all available staff, as well as overtime staff, would only be in essential posts.

The audit also notes that "overtime, when paid for necessary post coverage, is actually an efficient mechanism." It does not, however, note potential difficulties inherent in the department's reliance on excess overtime such as decreased efficiency and increased risk of mistakes caused by fatigued and inattentive staff. The audit did discuss various ways in which overtime could be better managed to restrain both its use and its costs.

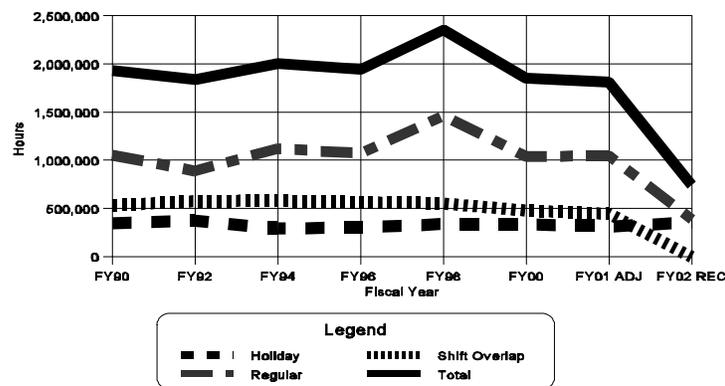
The following graphs illustrate the growth in overtime hours and expenditures for the Department of Corrections since FY 1990. As shown in the graphs, the department's custody staff

Background Paper: Overtime (Cont'd)

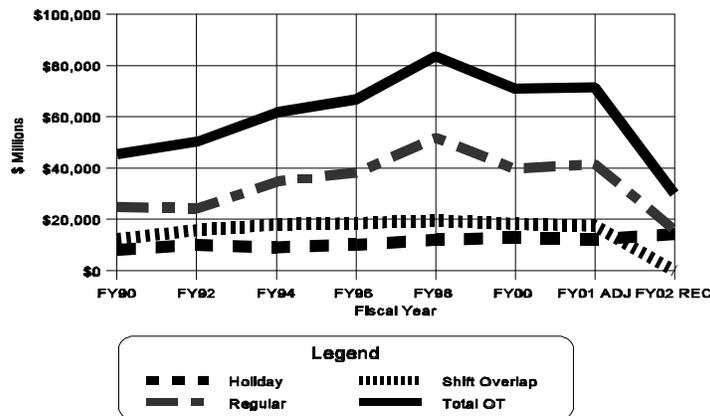
worked 1.94 million overtime hours in FY 1990 at a cost of \$45.4 million. While fluctuating over the years, the number of overtime hours worked in FY 2000 was slightly less, at 1.85 million overtime hours, costing \$71.0 million. The rise in overtime hours and expenditures over this time period can be explained by the negotiated salary increases for this staff. The FY 1998 "spike" in overtime shown in the charts is largely due to additional overtime hours as a result of a lockdown of Bayside State Prison after the fatal stabbing of a corrections officer in FY 1998.

Over the same time period, the average daily institutional population of the Department of Corrections increased from 15,253 inmates in FY 1990 to 23,697 inmates in FY 2000 and the department opened three additional facilities, the Vroom Central Reception and Assignment Facility (FY 1996), the South Woods State Prison (FY 1997) and a boot camp for young adult offenders (FY 1997).

Overtime Hours



Overtime Expenditures



Background Paper: Overtime (Cont'd)

In FY 2001, department custody staff are expected to work 1.81 million overtime hours at a cost of \$71.5 million. The FY 2002 recommendation totals 742,000 hours, costing \$30 million. Included in the FY 2002 reduction is the elimination of shift overlap, saving \$17.7 million (449,000 hours), and a reduction of \$25 million (661,000 hours) in regular overtime.

According to the department, a variety of initiatives have been implemented over the years in an effort to reduce its overtime expenditures or to keep its growth in check. These initiatives include:

- ! More closely monitoring the use of sick leave to reduce sick leave abuse;
- ! Paying custody staff for overtime worked and eliminating compensatory time off;
- ! Hiring civilian personnel to permit the custody staff who are currently performing non-custody functions to return to custody posts;
- ! Hiring additional custody staff to fill posts which were formerly filled on an overtime basis;
- ! Reducing and eventually eliminating shift overlap for custody staff;
- ! "Right sizing" custody staff to better reflect the custody needs of each institution allowing for the transfer of excess staff to positions which were formerly staffed on an overtime basis;
- ! Reducing visiting hours;
- ! Eliminating inmate food and gift packages from the outside; and
- ! Standardizing the inmate uniform, eliminating the use of clothing and personal objects obtained from outside the prison.

While the latter two practices were instituted primarily to eliminate contraband from entering the State's correctional facilities, they have also had the added effect of reducing the amount of custody staff overtime required to inspect items prior to distribution to the inmates.

Background Paper: Prison Population Growth

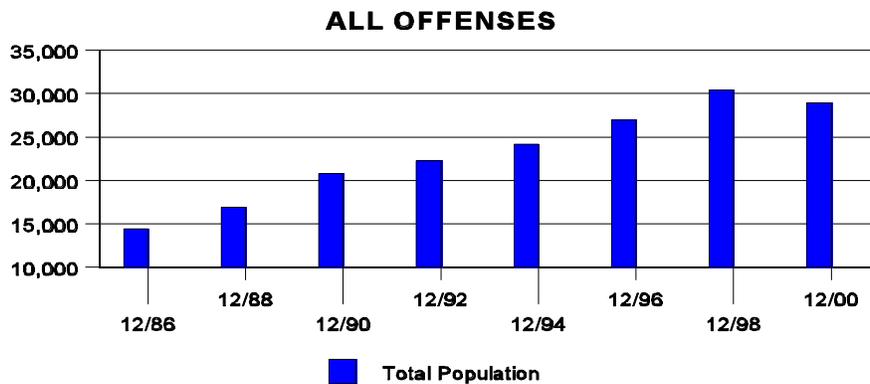
Budget Pages... C-8, C-13, C-16, C-21, C-27, D-87 to D-128, G-1 to G-2

INTRODUCTION

Over the past decade, the number of criminals housed within the State's correctional system has grown at a steady pace. This is due primarily to the enactment of various legislative initiatives aimed at securing a safer environment for New Jersey's population resulting in new and longer sentences for various drug offenses, drug related criminal activity and violent crimes. In addition, mandatory minimum sentences imposed on several offenses required longer prison stays for convicted offenders. Finally, statutes mandating stiffer parole eligibility criteria served to keep offenders incarcerated longer, swelling the State prison population. Recent trends in inmate population growth within the department have shown a slight decline in the number of State sentenced prison inmates. It is uncertain whether this decline is the result of a definite shift of population growth trends, or a temporary reprieve in prison population growth.

The Department of Corrections (DOC) has attempted to accommodate its growth through a variety of ways. New construction, increasing the capacity of its standing facilities, expanding the number of bed spaces in community treatment centers and the expanding the number and types of alternatives to incarceration have all be used to alleviate over crowding and to find space for the State's offender population.

INMATE POPULATION GROWTH



Source: New Jersey Department of Corrections, "Residents, Admissions and Releases" report, issued monthly by the DOC Division of Policy Analysis and Planning.

The preceding graph tracks population growth in the State prisons during the 1980's through 2000 (calendar years). For example, on December 31, 1986, the Department of Corrections housed 14,346 adult and young adult State sentenced inmates in State and county correctional facilities as well as in various community based halfway house facilities. By December 31, 1998, the number of State sentenced inmates more than doubled, to 30,434 adult and young adult inmates in State and county correctional facilities and community placements.

Recent trends in total inmate growth have shown a slight decline in the number of State sentenced prison inmates. On December 31, 2000, the number of inmates housed by the State totaled 28,976, totaling 1,458 less than the number housed in December of 1998. This reduction

Background Paper: Prison Population Growth (Cont'd)

can be attributed to the fact that many inmates who had been sentenced under the mandatory minimum sentences statutes are beginning to reach the end of their terms of incarceration and may be paroled. In addition, the increase in Parole Board and Division of Parole staff has permitted the Parole Board to reduce the backlog of inmates awaiting parole hearings.

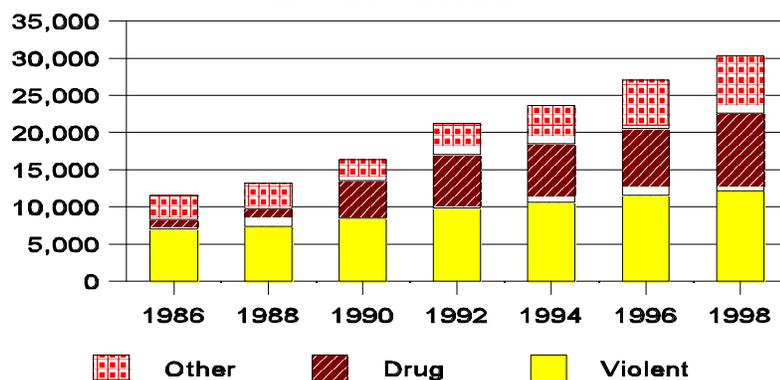
Offender Characteristics

From 1986 through 1998, the State sentenced prison population increased by a total of 112 percent or an average annual increase of 6.47 percent. Over this time, an increasing percentage of adult and young adult inmates are those sentenced for drug offenses.

As of December 31, 1986, a total of 11 percent of the State prison population were drug offenders. Another 61 percent were convicted of violent crimes, while the remaining 28 percent were convicted of all other types of crimes. By December 31, 1998 the number of drug offenders in the State prisons consisted of 33 percent of the total population, while the number of violent criminals numbered 41 percent. Those convicted crimes other than violent or drug related offenses constituted 26 percent of the total prison population.

POPULATION GROWTH

BY OFFENSE



Source: New Jersey Department of Corrections "Offender Characteristics Report", issued annually by the DOC division of Policy Analysis and Planning.

The preceding chart illustrates that, between 1986 and 1998, the inmate population of convicted drug offenders increased by an average of 17.63 percent per year, or 602 percent over 12 years. Over this same period, the growth in the number of violent criminals and in the number of individuals convicted of other offenses increased at a rate that more closely mirrors the annual rate of the total prison population growth (6.47 percent). Specifically, the growth in the violent offender population increased by an average of 4.16 percent per year, or 63 percent in total, while the population of all other incarcerated offenders increased by an average of 7.03 percent per year, or 126 percent in total.

Statutory Changes

During the 1980's and into the 1990's, legislation was enacted imposing mandatory minimum sentences on individuals convicted of criminal offenses. Under a mandatory minimum term, an inmate must serve a specified minimum amount of time in prison before becoming eligible

Background Paper: Prison Population Growth (Cont'd)

for parole. Prior to the enactment of these laws, convicted offenders generally served from one-third to one-half of the sentence imposed due to a combination of time and work credits earned while incarcerated and the parole process.

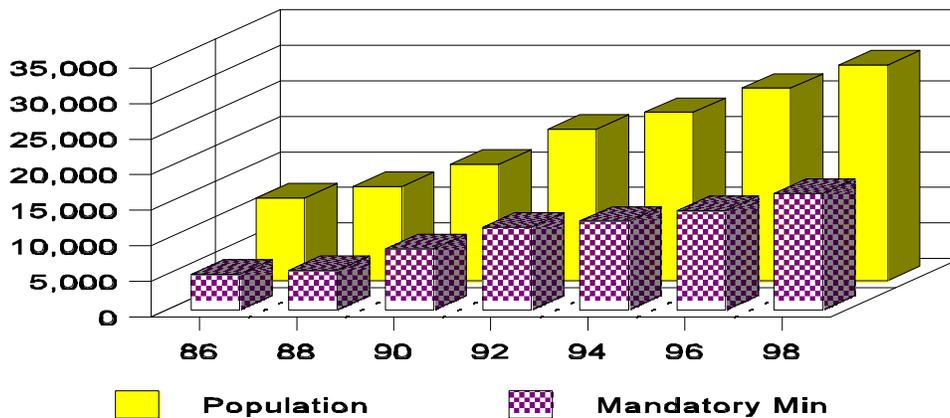
The "Comprehensive Drug Reform Act of 1986" (N.J.S.A. 2C:35-1 et seq.), a major statute concerning drug offenses, provides that offenders convicted of crimes involving the manufacture, distribution, dispensing or possession of controlled dangerous substances, or of employing a juvenile in a drug distribution scheme, would be subject to mandatory minimum sentences before becoming eligible for parole. Also, P.L. 1987, c. 101(N.J.S.A. 2C:35-7), identifies the area falling within 1,000 feet of school property as a drug free school zone. Offenders convicted under the provisions of this act would also be sentenced to mandatory minimum terms before becoming eligible for parole.

In addition to mandatory minimum sentences imposed by the drug statutes, statutes providing for mandatory minimum sentences for the commission of violent crimes were enacted. P.L. 1981, c. 31(N.J.S.A. 2C:43-6) provides for a mandatory minimum term of imprisonment for offenses which were committed with the use of a firearm.

Further enhanced penalty statutes include P.L. 1990, c. 32 (N.J.S.A. 2C:43-6) which provides a mandatory minimum sentence for individuals convicted of "possessing a machine gun or assault firearm with intent to use it against the person or another", or for an offender who uses a machine gun or assault firearm during the commission of a crime. P.L. 1993, c.219(N.J.S.A. 2C:43-6) extends the mandatory minimum statute to provide that a person causing bodily injury while eluding capture must serve a minimum sentence before becoming eligible for parole.

The "Persistent Offender Accountability Act" (Three Strikes) (P.L. 1995, c.126, N.J.S.A. 2C:43-7) provides for life imprisonment without parole and extended terms for repeat offenders. The "No Early Release Act" (P.L. 1997, c.117, N.J.S.A. 2C:43-7.2) provides that an individual convicted of a violent crime of the first or second degree must serve a minimum of 85 percent of the sentence imposed before becoming eligible for parole.

Mandatory Minimum Term



Source: New Jersey Department of Corrections "Offender Characteristics Report", issued annually by the DOC division of Policy Analysis and Planning.

Background Paper: Prison Population Growth (Cont'd)

The preceding graph illustrates that since 1986, the number of inmates serving mandatory minimum terms has continued to grow at a greater pace than the total number of inmates in the correctional population. For example, in FY 1986, about 42 percent of the state's total adult population were serving mandatory minimum terms. By FY 1996, this number increased to 51 percent of the total inmate population.

Departmental Strategies for Bed Space Expansion

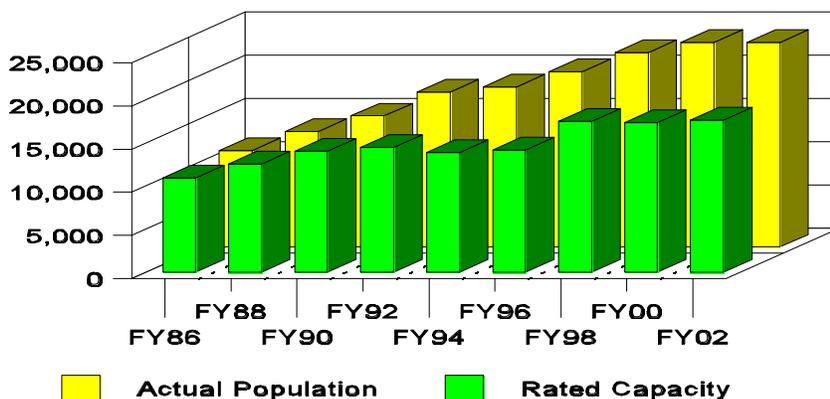
The Department of Corrections has used a variety of techniques in an attempt to accommodate the State's growing inmate population. Between FY 1986 and FY 2000, the department constructed additional bed spaces in existing institutions and opened new institutions, increasing the department's rated capacity from 10,889 bed spaces in FY 1986 to 17,328 bed spaces in FY 2000, a 59 percent increase.

Further, the department succeeded in housing more inmates at each facility than their rated capacities by double bunking inmates in some cells, and converting space originally intended for administrative, recreational, and other purposes to inmate living space. In this way, the institutional population has surpassed its rated capacity of 11,163 inmates in FY 1986 (2.5 percent over rated capacity) to 23,679 inmates in FY 2000 (36.7 percent over rated capacity).

In FY 2002, the department's rated capacity is expected to total 17,618 bed spaces, while at the same time, these facilities are anticipated to house an average daily population of 23,688 inmates (34.5 percent over rated capacity).

The following graph illustrates the gap between the department's rated capacities and its population. This graph also portrays the recent leveling off in the population growth.

Capacity vs. Population



Source: State of New Jersey Annual Budget Recommendations

Alternative Housing Options

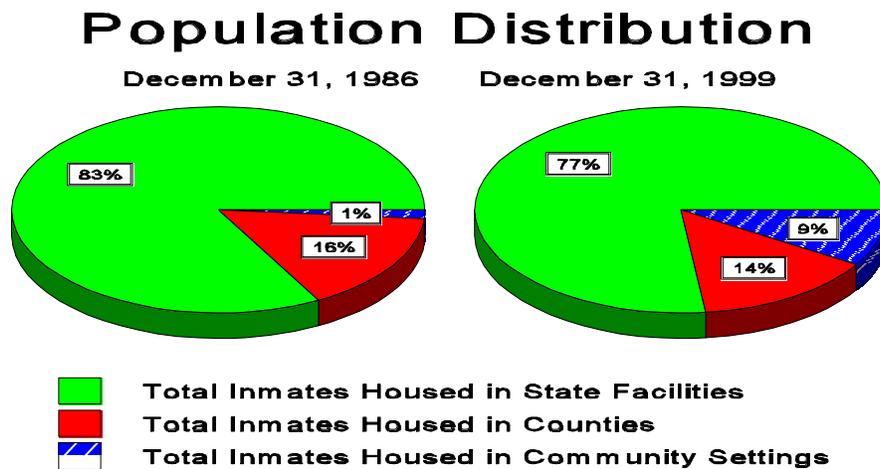
While increasing the number of bed spaces within many institutions has increased their populations beyond the original design capacities, the department continued to be faced with the need to acquire secure housing for its growing population. Consequently, DOC enlisted county

Background Paper: Prison Population Growth (Cont'd)

jails and expanded its use of community based halfway house and treatment facilities and various alternatives to incarceration.

In December, 1986, the Department of Corrections had a total of 14,346 inmates, of which 11,937 were housed in State facilities. Of the remaining number, 2,244 were housed in county facilities and 165 were housed in community setting (which includes both community based treatment centers and alternatives to incarceration). By, December, 1999, the number of State sentenced inmates totaled 30,818, of which 23,792 were housed in State operated facilities. The number of county placements increased to 4,328, and the number of community placements totaled 2,698.

The following graph demonstrates the growth in the use of county facilities and the department's increasing use of community based alternatives to incarceration.



Source: New Jersey Department of Corrections, "Residents, Admissions and Releases" report, issued monthly by the DOC Division of Policy Analysis and Planning.

Summary

In sum, New Jersey's adult and young adult State prison population has steadily increased over the past decade. This growing population consisted primarily of drug offenders who were subject to stiffer penalties imposed by the newly enacted drug statutes, and those offenders who were subject to the mandatory minimum sentences for serious crimes which were passed during this time. In addition, stricter parole eligibility requirements were put in place, lengthening the amount of time that inmates must serve before being released on parole.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services provides nonpartisan assistance to the State Legislature in the areas of legal, fiscal, research, bill drafting, committee staffing and administrative services. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House. The Executive Director supervises and directs the Office of Legislative Services.

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature. The Legislative Budget and Finance Officer collects and presents fiscal information for the Legislature; serves as Secretary to the Joint Budget Oversight Committee; attends upon the Appropriations Committees during review of the Governor's Budget recommendations; reports on such matters as the committees or Legislature may direct; administers the fiscal note process and has statutory responsibilities for the review of appropriations transfers and other State fiscal transactions.

The Office of Legislative Services Central Staff provides a variety of legal, fiscal, research and administrative services to individual legislators, legislative officers, legislative committees and commissions, and partisan staff. The central staff is organized under the Central Staff Management Unit into ten subject area sections. Each section, under a section chief, includes legal, fiscal, and research staff for the standing reference committees of the Legislature and, upon request, to special commissions created by the Legislature. The central staff assists the Legislative Budget and Finance Officer in providing services to the Appropriations Committees during the budget review process.

Individuals wishing information and committee schedules on the FY 2002 budget are encouraged to contact:

Legislative Budget and Finance Office
State House Annex
Room 140 PO Box 068
Trenton, NJ 08625

(609) 292-8030

Fax (609) 777-2442