ANALYSIS OF THE NEW JERSEY BUDGET

DEPARTMENT OF CORRECTIONS
STATE PAROLE BOARD

FISCAL YEAR 2010 - 2011

PREPARED BY OFFICE OF LEGISLATIVE SERVICES
NEW JERSEY LEGISLATURE • APRIL 2010
NEW JERSEY STATE LEGISLATURE

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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 (609-292-5526) or the Legislative Budget and Finance Office (609-292-8030).
DEPARTMENT OF CORRECTIONS AND STATE PAROLE BOARD

Fiscal Summary ($000)

<table>
<thead>
<tr>
<th></th>
<th>FY 2009</th>
<th>Adjusted FY 2010</th>
<th>Recommended FY 2011</th>
<th>Percent Change 2010-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Budgeted</td>
<td>$960,403</td>
<td>$1,146,855</td>
<td>$1,068,210</td>
<td>(6.9%)</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>175,116</td>
<td>15,937</td>
<td>12,859</td>
<td>(19.3%)</td>
</tr>
<tr>
<td>Other</td>
<td>62,103</td>
<td>54,050</td>
<td>51,790</td>
<td>(4.2%)</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$1,197,622</td>
<td>$1,216,842</td>
<td>$1,132,859</td>
<td>(6.9%)</td>
</tr>
</tbody>
</table>

TO THE READER

The Office of Legislative Services presents its analysis of the New Jersey Budget for Fiscal Year 2010-2011 in truncated form due to extraordinary time constraints. Unlike those of previous years, this year’s analysis is confined to a review of significant changes in appropriations and language provisions, respectively, recommended by the Governor. It also presents one or more background papers on selected topics pertinent to this agency’s mission. Discussion points, long a feature of annual OLS budget analyses, will be made available under separate cover and on the Internet, together with agency responses, from time to time as they are received.

Link to Website: http://www.njleg.state.nj.us/legislativepub/finance.asp

Office of Legislative Services
Legislative Budget and Finance Office
April 2010
The FY 2011 recommended appropriation for salaries and wages is down $37.46 million, 5.9 percent under FY 2010, including a $7 million savings for the reduction of shift overlap. According to the department shift overlap will be limited to only those posts which must have an overlap as well as for the prep time required in the Lieutenants’ contract. This change would eliminate line-ups and return operations to procedures that existed prior to FY 2007.

In addition, the following actions will generate savings in the department:

- The closure of the Civilly Committed Sexual Offender Unit in Kearny resulting in a reduction of 73 employees,
- The downsizing of the department’s central office and consolidation of administrative staff, resulting in the reduction of 60 employees,
- The elimination of 85 staff positions in recreation, social work, vocational education and other teaching titles.
- The elimination of 48 funded vacancies.
- The attrition of 10 Special Investigations staff.

According to the department, the recommendation for the salary accounts includes an increase of $600,000 for the hiring of 8 additional psychologists for the Civilly Committed Sexual Offender facilities in response to legal action brought by the residents.

The recommended FY 2011 reduction in this account includes a savings of $400,000 as a result of the reduction in inmate boot purchases. Current practice dictates that each inmate be issued boots upon arrival at the Central Reception and Assignment Facility (CRAF). A change in department policy would dictate that inmates would receive a pair of sneakers upon arrival at CRAF. Once they are assigned to an institution, only inmates with certain work detail assignments and other operational requirements will receive boots.
Significant Changes/New Programs ($000) (Cont’d)

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services Other Than Personal</td>
<td>$157,826</td>
<td>$154,812</td>
<td>($3,014)</td>
<td>(1.9%)</td>
<td>D-72</td>
</tr>
<tr>
<td>The FY 2011 recommendation for this account includes a reduction of $3.1 million for savings generated in the inmate medical services accounts. These savings are a result of decreased costs in mental health pharmaceuticals and inpatient hospitalization.</td>
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</tr>
<tr>
<td><strong>ALL OTHER FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional Care and Treatment</td>
<td>$7,748</td>
<td>$7,243</td>
<td>($505)</td>
<td>(6.5%)</td>
<td>D-73</td>
</tr>
<tr>
<td>The FY 2011 recommendation for Institutional Care and Treatment, All Other Funds represents funding awarded to the institutions under the State Facilities Education Act of 1979 (SFEA) (P.L. 1979, c.207). Funds for this program are provided through the Department of Education and based on annual pupil count that is conducted on the last school day prior to October 16th for the following school year. Eligible student offenders are 20 years of age or younger on July 1, enrolled in education programs, and not yet possessing a 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.</td>
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<tr>
<td><strong>SYSTEM WIDE PROGRAM SUPPORT</strong></td>
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<tr>
<td>Grants in Aid</td>
<td></td>
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</tr>
<tr>
<td>Purchase of Service for Inmates Incarcerated in County Penal Facilities</td>
<td>$30,036</td>
<td>$6,524</td>
<td>($23,512)</td>
<td>(78.3%)</td>
<td>D-75</td>
</tr>
<tr>
<td>Although Executive Order #106 which authorized the Department of Corrections to house State Sentenced prison inmates in the county jails in order to alleviate overcrowding in the State’s prisons 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 State has entered into contracts with eighteen of the State’s twenty-one counties to house these inmates at various reimbursement rates.</td>
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<tr>
<td>As a matter of policy, the department is seeking to reduce the number of inmates housed in the county jails in FY 2011. To accomplish this, the FY 2011 Budget in Brief notes that that the department’s bed-spaces will be increased by double bunking, eliminating certain specialized units, shifting the security levels of certain units and increasing the use of community programs (pg.39). In addition, The FY 2010 appropriation included $8.3 million in one-time funding to temporarily house inmates from Riverfront State Prison which was closed during FY 2010 until</td>
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</tr>
</tbody>
</table>
they could be transferred to existing beds within the State prison system. Funding is not required during FY 2011 for this purpose.

The FY 2011 budget recommendation anticipates an average daily population of 191 inmates housed in the county jails, 980 fewer inmates than the average daily population of 1,171 in FY 2010.

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of Community Services</td>
<td>$61,495</td>
<td>$64,554</td>
<td>$3,059</td>
<td>5.0%</td>
<td>D-75</td>
</tr>
</tbody>
</table>

The recommended appropriation would fund the placement of 2,720 inmates in community based alternative to incarceration programs, 22 fewer inmates than the average daily population housed in community bed spaces during FY 2010. A new language provision recommended on page D-73 of the FY 2011 budget would permit the department to transfer funding from its institutions to the Purchase of Community Services account in order to accommodate the transfer of eligible inmates from the institutions to less expensive community bed spaces.

**STATE AID AND GRANTS**

**Essex County – County Jail Substance Abuse Programs**

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$18,525</td>
<td>$10,000</td>
<td>($8,525)</td>
<td>(46.0%)</td>
<td>D-75</td>
</tr>
</tbody>
</table>

This program, which was previously budgeted in the Department of Human Services, Division of Addiction Services budget was transferred to the Department of Corrections during FY 2010. The FY 2011 recommendation represents a 46 percent reduction under the FY 2010 adjusted appropriation. This State Aid appropriation defrays the county’s cost of diverting county inmates to private residential treatment facilities. It is unclear what the impact of this reduction would be on the provision of substance abuse programs to county inmates.

**Union County Inmate Rehabilitation Services**

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$3,900</td>
<td>$0</td>
<td>($3,900)</td>
<td>(100.0%)</td>
<td>D-75</td>
</tr>
</tbody>
</table>

This program which was previously budgeted in the Department of Human Services, Division of Addiction Services budget was transferred to the Department of Corrections during FY 2010 and is not recommended for continuation in FY 2011. This State Aid appropriation defrayed the county’s cost of diverting county inmates to private residential treatment facilities. It is unclear what the impact of this reduction would be on the provision of inmate substance abuse programs to county inmates.

**FEDERAL FUNDS**

**Institutional Program Support**

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$13,233</td>
<td>$10,378</td>
<td>($2,855)</td>
<td>(21.6%)</td>
<td>C-19</td>
</tr>
</tbody>
</table>
The department anticipates funding for ten federally funded programs in FY 2011. Two programs funded during FY 2010, the Prison Rape Elimination Grant ($300,000), Byrne Victim Services – Federal Economic Stimulus ($877,000), are not expected to receive funding FY 2011. Federal funds for the following programs are anticipated in FY 2011:

- The Justice and Mental Health Collaboration Program is projected to receive $200,000 in FY 2011, the same level of funding as received in FY 2010.
- Counterterrorism Prison Intelligence grant is projected to receive $400,000 in FY 2011, a decrease of $484,000 under the FY 2010 adjusted appropriation of $884,000.
- The State Criminal Alien Assistance program is anticipated at $6.1 million in FY 2011, the same level of funding as received in FY 2010.
- The National Institute of Justice Grant for Corrections Research–Escape Study grant is projected at $300,000 in FY 2011, a decrease of $895,000 from the FY 2010 adjusted appropriation of $1.195 million.
- The Promoting Responsible Fatherhood grant is projected at $395,000 in FY 2011, the same level of funding as received in FY 2010.
- The Inmate Vocational Certifications grant is projected to receive $100,000 in FY 2011, $300,000 less than the FY 2010 adjusted appropriation of $400,000.
- The Communications Upgrade – US Department of Commerce grant is projected to receive $1 million in FY 2011, the same level of funding as received in FY 2010.
- The Central Communications Upgrade – US Department of Homeland Security grant is projected to receive $1 million in FY 2011, the same level of funding as received in FY 2010.
- Project INSIDE funding is expected to be $386,000 in FY 2010, the same level of funding as received in FY 2010.

OTHER FUNDS

Institutional Program Support

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$282</td>
<td>$385</td>
<td>$103</td>
<td>36.5%</td>
<td>D-75</td>
</tr>
</tbody>
</table>

The FY 2011 recommendation reflects grants from the Nicholson Foundation as follows:

- New funding for Mentoring Children of Incarcerated Parents is anticipated to total $78,000 in FY 2011. The program helps locate mentors for children of women incarcerated in the Edna Mahan Correctional Facility for Women. The aim of the program is to minimize the negative impact on the children of their mothers’ incarceration by connecting the children to supportive adult role models in the community. A DOC social worker works with all incoming inmates to determine if they have children between 4 and 18 years old who could benefit from mentoring. Information about the children whose mothers express interest is given to the Northwest Community Action Program, which coordinates the mentoring services.
- The Re-entry grant would increase by $20,000 from $135,000 to $155,000 in FY 2011. Funding provides for the hiring of social workers to prepare and submit applications six months prior to an offender’s release date for Supplemental Security Income/Social Services.
Security Disability Insurance (SSI/SSDI), food stamps, and Veterans (VA) benefits. They will also assist with any follow-up requests from SSA and VA during the application process. They assist offenders who are disabled, chronically mentally ill, and/or elderly. They work to develop and implement comprehensive discharge plans for offenders and focus on successful attachment of the returning offender to needed treatment along with appropriate housing and other necessary support services in the community.

PAROLE
Salaries and Wages $41,778 $38,681 ($3,097) (7.4%) D-78

The recommended reduction in the Parole Board’s FY 2011 salaries account reflects the following:

- $2.437 million in attrition savings, $1.5 million of which is savings for 2011 attrition and $937,000 for the annualized savings of attrition obtained during FY 2010.
- $184,000 in savings resulting from the elimination of funded vacancies.
- $150,000 in savings as a result of the reallocation of personnel among the Parole Board offices to reduce overtime expenditures.
- $326,000 in overtime savings within the Division of Parole.

SPECIAL PURPOSE
Payments to Inmates Discharged from Facilities $500 $0 ($500) (100.0%) D-78

No funding is recommended for payments to inmates discharged from DOC facilities in FY 2011. In light of the State’s current fiscal crisis the decision was made to eliminate financial aid for parolees. The amount of financial aid provided varied depending upon the individual parolee’s needs.

Supervision, Surveillance, and Gang Suppression Program $1,489 $1,480 ($9) (.6%) D-78
Sex Offender Management Unit $9,582 $9,282 ($300) (3.1%) D-78
Satellite based Monitoring of Sex Offenders $2,672 $2,619 ($53) (2.0%) D-78
Parole Violator Assessment and Treatment Program $3,394 $3,382 ($12) (.4%) D-78
TOTAL $17,137 $16,763 ($374) (2.2%)
Significant Changes/New Programs ($000) (Cont’d)

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FEDERAL FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parole</td>
<td>$725</td>
<td>$500</td>
<td>($225)</td>
<td>(31.0%)</td>
<td>D-79</td>
</tr>
<tr>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>OTHER FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration and Support Services</td>
<td>$235</td>
<td>$0</td>
<td>($235)</td>
<td>(100.0%)</td>
<td>D-79</td>
</tr>
<tr>
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<td></td>
</tr>
<tr>
<td><strong>CENTRAL PLANNING, DIRECTION AND MANAGEMENT</strong></td>
<td>$655</td>
<td>$0</td>
<td>($655)</td>
<td>(100.0%)</td>
<td>D-80</td>
</tr>
</tbody>
</table>

The recommended FY 2011 reductions in these programs represent overtime savings.

**FEDERAL FUNDS**
Parole $725 $500 ($225) (31.0%) D-79

The FY 2011 recommendation provides funding for one program and the elimination of two programs as follows:

- The Prisoner Re-Entry Initiative is anticipated to receive $500,000 in FY 2011, the same amount received in FY 2010.
- The Prisoner Re-Entry Initiative Grant – Mercer County, which received $200,000 in FY 2010 will not be continued in FY 2011.
- The Offender Workforce Development Specialist Training program, which received $25,000 during FY 2010 will not be continued in FY 2011.

**OTHER FUNDS**
Administration and Support Services $235 $0 ($235) (100.0%) D-79

The Nicholson Foundation Re-Entry and Access to programs grant which received $235,000 is not anticipated to be continued in FY 2011.

**CENTRAL PLANNING, DIRECTION AND MANAGEMENT**
Affirmative Action and Equal Employment Opportunity $655 $0 ($655) (100.0%) D-80

No funding is recommended for affirmative action and equal employment opportunity in FY 2011. It is anticipated that the functions served by this office would be performed by current DOC personnel staff.

**FEDERAL FUNDS**
Adult Basic Skills $1,142 $1,188 $46 4.0% D-81

The FY 2010 recommendation anticipates funding for three programs as follows:

- The department is expected to receive $26,000 for indirect costs for the Title 1 Neglected and Delinquent program, the same level of funding as in FY 2010.
### Significant Changes/New Programs ($000) (Cont’d)

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Adj. Approp. FY 2010</th>
<th>Recomm. FY 2011</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>Budget Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Basic Skills</td>
<td>$1,003,000</td>
<td>$1,049,000</td>
<td>$46,000</td>
<td>4.4%</td>
<td>G-1</td>
</tr>
<tr>
<td>Perkins – Vocational Education</td>
<td>$159,000</td>
<td>$159,000</td>
<td>$0</td>
<td>0%</td>
<td>G-1</td>
</tr>
</tbody>
</table>

- The Adult Basic Skills program anticipates the receipt of $1.003 million in FY 2011, an increase of $46,000 over the FY 2010 adjusted appropriation of $957,000.
- The Perkins – Vocational Education program anticipates the receipt of $159,000 in FY 2011, the same level of funding as in FY 2010.

### REVOLVING FUNDS

| State Use | $18,750 | $17,100 | ($1,650) | (8.8%) | G-1 |

The Bureau of State Use Industries operates self-sustaining work-training projects in the institutions. Products manufactured in the State Use Industries program are sold only to tax supported agencies, institutions, and units of State, county and municipal governments both within and outside of New Jersey. Products manufactured by inmate labor cannot be sold in competition with the products of free enterprise on the open market. The FY 2011 recommendation represents a reduction of $1.65 million under the FY 2010 adjusted appropriation. This reduction reflects the slowdown of orders in the current market environment and the anticipated continued reduced order flow as the State and local governments continue to control spending.
Significant Language Changes

<table>
<thead>
<tr>
<th>Civilly Committed Sexual Offender Program</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deletion</td>
<td></td>
</tr>
</tbody>
</table>

In order to permit flexibility and ensure the appropriate levels of services to the civilly committed, appropriated 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 Civilly Committed Sexual Offender-Annex in Kearny is anticipated to close during FY 2010 and its residents are scheduled to be moved to a site at East Jersey State Prison where the main facility housing civilly committed sexual offenders is located. This language is no longer necessary.

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<table>
<thead>
<tr>
<th>Purchase of Community Services</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Addition</td>
<td></td>
</tr>
</tbody>
</table>

A portion of the total amount appropriated in the Detention and Rehabilitation various institutional accounts is available for transfer to the Purchase of Community Services account or to other programs that reduce the number of inmates housed in State facilities, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

The FY 2011 language would permit the department to transfer funding from its institutions to the Purchase of Community Services account in order to accommodate the transfer of eligible inmates from the institutions to less expensive community bed spaces.
## Significant Language Changes (Cont’d)

### Information Systems

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>The unexpended balance at the end of the preceding fiscal year in the Integrated Information Systems account is appropriated to provide funding for the cost of upgrading the Department of Corrections' Correctional Management Information System, subject to the approval of the Director of the Division of Budget and Accounting, the expenditures of which shall directly improve the Department’s ability to collect fines, restitutions, penalties, surcharges, or other debts owed by inmates.</td>
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</tbody>
</table>

**Explanation**

FY 2010 language permitting the department to carry forward funds in the Integrated Information Systems account to continue the upgrade of the department’s Correctional Management Information System has not been recommended for continuation in FY 2011. According to the department, the anticipated carry forward balance in this account totals less than $10,000.

### Re-Entry Case Management Services

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>The amounts hereinabove appropriated for Re-Entry Case Management Services shall be expended consistent with the recommendations in the final report of the Governor’s Task Force on Mental Health.</td>
<td></td>
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</tbody>
</table>

**Explanation**

The FY 2010 language requiring the Re-Entry Case Management Services program to adhere to recommendations made in the final report of the Governor’s Task Force on Mental Health issued March 31, 2005 has not been recommended in FY 2011. The task force was authorized under Governor Codey’s Executive Order Number 1 in 2004. The task force report recommended jail diversions for offenders suffering with mental illness, community based transitional care programs for special needs inmates, re-entry case management, and the establishment and expansion of training and specialized probation and parole caseloads. The language was removed so as not to limit the new administration’s spending in this area.
Significant Language Changes (Cont’d)

<table>
<thead>
<tr>
<th>Riverfront State Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deletion</td>
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</tbody>
</table>


To permit flexibility with regard to the closure of Riverfront State Prison, the amounts hereinabove appropriated in the various institutions may be transferred to items of appropriation of other institutions, subject to the approval of the Director of the Division of Budget and Accounting.

**Explanation**

The FY 2010 language permitted the department to transfer funding among facilities to wherever needed within the State prison system to allow the department to coordinate an orderly flow of inmates from the Riverfront State Prison which was scheduled for closure to other facilities. Riverfront State Prison was closed during FY 2010. This language is no longer necessary.
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 has under its jurisdiction 13 institutions: eight 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. 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 one of two State operated facilities. 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.

In addition to the state-run institutions, the Department of Corrections houses inmates in county jails and in various alternatives to incarceration. These placements serve two functions, to ease the overcrowded conditions within the State operated facilities, and to provide various treatment and educational services to State sentenced inmates to help ease the transition back to society at the end of the inmate’s term of incarceration.

From the late 1980’s through the late 1990’s, the number of criminals housed within the State’s correctional system grew at a steady pace. This growth peaked in 1999. By 2001, the State prison population had decreased by 11 percent and has remained relatively stable, with moderate fluctuations since then as can be seen on the following chart.

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

1 Riverfront State Prison was closed during the summer of 2009, and the inmates transferred to other facilities within the State prison system.
The preceding chart tracks the State prisons' population from the late 1980's through 2009. On December 31, 1987, the Department of Corrections housed 15,945 adult and young adult State sentenced inmates in State and county correctional facilities and in various community based halfway house facilities. On December 31, 1999, the high point in the State prison population, the number of State sentenced inmates totaled 30,818 adult and young adult inmates in State and county correctional facilities and community placements. On December 31, 2009 the State sentenced prison population totaled 25,389 inmates, 5,429 inmates fewer than the number housed in 1999, a decline of about 18 percent.

The growth during the 1990’s was due primarily to the enactment of various laws aimed at securing a safer environment for New Jersey's population through new and longer sentences for various drug offenses, drug related criminal activity and violent crimes. In addition, minimum mandatory 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.

The reductions can be attributed to the fact that many inmates who had been sentenced under the mandatory minimum sentences statutes began to reach the end of their terms of incarceration and were paroled. In addition, increases in State Parole Board staff permitted the Parole Board to expand its alternatives to incarceration programs, to implement new programs and to reduce the backlog of inmates awaiting parole hearings. The Statewide expansion of the Drug Court program and the Judiciary’s Intensive Supervision program as well as various parole programs have also contributed to the reduction in the State prison population. The recent enactment of P.L.2009, c.330, which requires that certain inmates be given a six-month term of supervised parole in substitution of the final six months of incarceration, should accommodate a further reduction in the State sentenced prison population in the near term. Inmates serving mandatory minimum terms are not eligible for this early parole provision.

**Offender Characteristics**

Over time, the makeup of the State sentenced prison population has gradually shifted from violent crimes to drug offenses. For example on 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. Twenty three years later, in January, 2010 drug offenders accounted for 27 percent of the total prison population, the proportion of violent offenders declined to 51 percent, and those convicted of other offenses totaled 22 percent of the inmate population.

The following chart illustrates to makeup of the State sentenced prison population by offense.
Mandatory Minimum Sentences

During the 1980's and into the 1990's, the Legislature's efforts to reduce and punish crime in New Jersey included enacting statutes 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 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 time and work credits earned while incarcerated and the parole process.

The preceding chart illustrates that since 1987, the number of inmates serving mandatory minimum terms generally grew at a greater pace than the total number of inmates in
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the correctional population. In 1987, about 44 percent of the state’s total adult population were serving mandatory minimum terms. By 2009 this proportion increased to 71 percent of the total inmate population. Because of this increasing proportion of inmates serving mandatory minimum sentences, several bills have been introduced relaxing mandatory terms.

Departmental Strategies for Bed Space Expansion

The Department of Corrections has used a variety of techniques to accommodate the State’s growing inmate population. From 1986 to the present, the department constructed additional bed spaces in existing institutions and opened new institutions, increasing the its rated capacity from 10,889 bed spaces in FY 1986 to 16,152 bed spaces in FY 2010.

The department succeeded in housing inmates in excess of each facility's rated capacity 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 rated capacity and projected to grow from 11,163 inmates in FY 1986 (2.5 percent over rated capacity) to 21,715 inmates in FY 2011 (34.44 percent over rated capacity). The following chart illustrates the continuing gap between the department's rated capacities and its population.

![Capacity v. Population](chart.png)

Source: State of New Jersey Annual Budget Recommendations.

Alternative Housing Options

As a result of the department’s growing population, over the years the number of inmates has exceeded the original design capacities of DOC’s facilities. Nevertheless, the department continued to require additional secure housing for its population. In response, DOC enlisted county jails and expanded its use of community based halfway house and treatment facilities and various alternatives to incarceration. Recent trends show the
department placing more reliance on halfway house alternatives than on county facilities as a housing option. County jails have remained an important facet of the department's overall housing strategy because this is where the overflow of State sentenced prison inmates are housed at any given time. The number of inmates housed in the counties has been 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.

In December, 1986, while the Department of Corrections had a total of 14,346 inmates, 11,937 of them, or 83 percent, were housed in State facilities. Of the remaining number, 2,244 (16 percent) were housed in county facilities and 165 (1 percent) were housed in community settings (which includes both community based treatment centers and alternatives to incarceration). In December, 2009, the number of State sentenced inmates totaled 25,389. The number housed in State facilities totaled 21,165 inmates, comprising 83 percent of the prison population, the same percentage of inmates housed in State operated facilities as in 1986. The number of county placements declined to 1,274 (5 percent), and the number of community placements totaled 2,950 (12 percent). In FY 2011, the State plans to greatly reduce the county jail population, projecting an average daily population of 191 inmates in the county jails. To accomplish this, the FY 2011 Budget in Brief notes that the department’s bedspaces will be increased by double bunking, eliminating certain specialized units, converting certain units from minimum to medium security and increasing the use of community programs

The following charts illustrate the shift in the use of county facilities and the department's increasing reliance on community based alternatives to incarceration.

### Population Distribution

**December 1986**

- **83%** Total Inmates Housed in State Facilities
- **16%** Total Inmates Housed in Counties
- **1%** Total Inmates Housed in Community Settings

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

New Jersey’s adult and young adult State prison population steadily increased through the 1980’s and into the 1990’s. Commencing with the year 2000, the stress of prison population growth abated as inmate populations decreased, providing some relief to the Department of Corrections. Over this same period, the makeup of the prison population has changed from primarily violent offenders to primarily non-violent offenders with an increasing number of drug offenders. The FY 2009 closure of Riverfront State Prison has highlighted the State’s focus on reducing the State prison population in favor of the lower cost alternatives to incarceration and expanded parole programs. The FY 2011 budget anticipates that the State will further reduce the county jail population, by increasing the number of institutional bed spaces through double bunking, eliminating specialized units, continuing to expand community bed spaces and increasing parole opportunities. While the overall State prison population has remained relatively stable since 2000, albeit with slight fluctuations, future inmate population trends will influence policy decisions and the need for the allocation of resources in oncoming years.
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Individuals wishing information and committee schedules on the FY 2011 budget are encouraged to contact:

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