

LEGISLATIVE HISTORY OF R.S.30:4-140  
(Deductions of sentence time for good behavior; calculation  
of time credits; effect on eligibility for parole)

L.1918 - chap.147 - §306 - p.365

Feb.28, 1918 - S15 (Committee on Revision and Amendment  
of Laws): committee substitute with senate amendments  
became chap.147 of 1918.

No statement §15

See other copies  
for materials.

L.1957 - chap.27 - §1 - p.52

Jan.24, 1957 - A177, Vervae

Mar.25 - Passed Assembly

Apr.22 - Passed Senate

Apr.29 - Approved

Not amended during passage.  
Statement on bill (enclosed).  
No hearings or reports located.

This is an amendment to L.1918 - chap.147

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Encl.

ASSEMBLY, No. 177

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1957

By Assemblyman VERVAET

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning the reduction of minimum-maximum sentences to State correctional institutions by credits for good behavior, and amending section 30:4-140 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. Section 30:4-140 of the Revised Statutes is amended to read as fol-  
2 lows:

3 30:4-140. For every *year or fractional part of a year of sentence im-*  
4 *posed upon* [month of faithful performance of assigned labor by] any per-  
5 *son* [convict] committed to any State correctional institution for a mini-  
6 *imum-maximum term* [the State Prison] there shall be remitted to him from  
7 both the maximum and minimum term of his sentence [2 days, and in addi-  
8 tion,] for [every month of] continuous orderly deportment [, 2 days, and  
9 for every month of manifest effort of self-improvement and control, 2 days]  
10 the progressive time credits indicated in the schedule herein. When a sen-  
11 tence contains a fractional part of a year in either the minimum or maximum  
12 thereof, then time credits in reduction of such fractional part of a year shall  
13 be calculated at the rate set out in the schedule for each full month of such  
14 fractional part of a year of sentence. No time credits shall be calculated as

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

15 provided for herein on time served by any person in custody between his  
 16 arrest and the imposition of sentence. [In any month in which a convict  
 17 shall have merited and received punishment no remission of sentence shall  
 18 be made, and] In case of any flagrant misconduct the board of managers  
 19 may declare a forfeiture of the time previously remitted, either in whole or  
 20 in part, as to them shall seem just. [On the recommendation of the principal  
 21 keeper and moral instructor, there shall be remitted 2 additional days per  
 22 month to every convict who for 12 months preceding shall have merited the  
 23 same by continuous good conduct, and for each succeeding year of uninter-  
 24 rupted good conduct the remittance shall be progressively increased at the  
 25 rate of 1 day per month for that year.]

*Schedule*

	<i>A</i>	<i>B</i>	<i>C</i>
	<i>Minimum and Maximum Sentences in Years</i>	<i>Progressive Credits for Minimum and Maximum Sentences in Years (days)</i>	<i>Credits for Each Full Month of Fractional Part of a Year in Excess of Column A (days)</i>
26	<i>1</i>	<i>72</i>	<i>7</i>
27	<i>2</i>	<i>156</i>	<i>8</i>
28	<i>3</i>	<i>252</i>	<i>8</i>
29	<i>4</i>	<i>348</i>	<i>8</i>
30	<i>5</i>	<i>444</i>	<i>8</i>
31	<i>6</i>	<i>540</i>	<i>8</i>
32	<i>7</i>	<i>636</i>	<i>10</i>
33	<i>8</i>	<i>756</i>	<i>10</i>
34	<i>9</i>	<i>876</i>	<i>10</i>
35	<i>10</i>	<i>996</i>	<i>10</i>
36	<i>11</i>	<i>1,116</i>	<i>10</i>
37	<i>12</i>	<i>1,236</i>	<i>11</i>
38	<i>13</i>	<i>1,368</i>	<i>11</i>
39	<i>14</i>	<i>1,500</i>	<i>11</i>
40	<i>15</i>	<i>1,632</i>	<i>11</i>

41	16	1,764	11
42	17	1,896	12
43	18	2,040	12
44	19	2,184	12
45	20	2,328	12
46	21	2,472	12
47	22	2,616	13
48	23	2,772	13
49	24	2,928	13
50	25	3,084	15
51	26	3,264	15
52	27	3,444	15
53	28	3,624	15
54	29	3,804	15
55	30	3,984	16

56 *Any sentence in excess of 30 years shall be reduced by time credits for*  
57 *continuous orderly deportment at the rate of 192 days for each such addi-*  
58 *tional year or 16 days for each full month of any fractional part of a year.*  
59 *Nothing herein contained shall be deemed to limit or affect a convict's*  
60 *eligibility for parole consideration as provided for in section 10, chapter 81,*  
61 *P. L. 1948, as amended, in any situation where the sentence or consecutive*  
62 *sentences imposed upon a convict shall exceed 25 years.*

1 2. This act shall take effect 90 days after date of enactment.

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### STATEMENT

This bill is designed to provide for more uniformity in the application of the principle of reducing the sentence of prisoners in confinement for good behavior. The statute as presently drawn results in considerable inequity and it is deemed desirable and necessary to make provision in the statute for the exact credits that may be anticipated on each individual sentence or series of consecutive sentences.

It is felt that this information will be beneficial to the courts that impose the sentences for it facilitates and simplifies the method of calculating good behavior credits so that each court will be informed of the maximum time credits in reduction of sentence and thus may impose a term of years consistent with the offense in the light of such reduction of the sentence.

The proposed statute should eliminate much tension and discontent among the inmates resulting from the lack of uniformity in the present schedule.

The bill is recommended by the State Parole Board and the State Board of Control of Institutions and Agencies.