

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: Yes

Annual Report of the New Jersey Criminal Sentencing and Disposition Commission 2019
<https://hdl.handle.net/10929/57490>

Annual Report of the New Jersey Criminal Sentencing and Disposition Commission 2022
<https://hdl.handle.net/10929/111656>

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Criminal justice bills signed." The Times, (Trenton, NJ), October 22, 2020: 013.

RWH/CL

P.L. 2020, CHAPTER 109, *approved October 19, 2020*
Assembly, No. 4371

1 AN ACT requiring cost savings study, establishing the “Corrections
2 Rehabilitation and Crime Prevention Fund,” and supplementing
3 Title 52 of the Revised Statutes.

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

7
8 1. a. The Commissioner of Corrections, in consultation with
9 the Chairman of the State Parole Board and the State Treasurer,
10 shall conduct a study to determine the fiscal impact of cost savings
11 that may be realized from the reduction of prison population due to
12 compassionate release and the elimination of mandatory minimum
13 terms of parole ineligibility for certain inmates.

14 b. The commissioner shall issue an annual report to the
15 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
16 19.1), to the Legislature setting forth the results of the study
17 required by subsection a. of this section.

18 c. The Commissioner of Corrections shall deposit any cost
19 savings realized pursuant to subsection a. of this section into a
20 special non-lapsing fund which shall be known as the “Corrections
21 Rehabilitation and Crime Prevention Fund.” Monies in the fund
22 shall be used to support recidivism reduction programs, including
23 community-based and prison-based programs, such as educational
24 and vocational training, and for other services to facilitate inmates’
25 successful reentry.

26
27 2. This act shall take effect immediately.

28
29

30 STATEMENT

31

32 This bill requires the Commissioner of Corrections, in
33 consultation with the Chairman of the State Parole Board, and the
34 State Treasurer to conduct a study to determine the fiscal impact of
35 cost savings from a reduction of prison population due to
36 implementation of legislation to create a compassionate release
37 program and eliminate mandatory minimum terms of parole
38 ineligibility for certain inmates.

39 In addition, this bill requires the commissioner to deposit any
40 savings into a special non-lapsing fund to be known as the
41 “Corrections Rehabilitation and Crime Prevention Fund,” with the
42 funds to be used to support recidivism reduction programs and other
43 services meant to facilitate inmates’ successful reentry.

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Requires cost savings study of compassionate release program
and elimination of mandatory minimum terms; establishes
“Corrections Rehabilitation and Crime Prevention Fund.”

ASSEMBLY, No. 4371

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 29, 2020

Sponsored by:

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman PEDRO MEJIA

District 32 (Bergen and Hudson)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

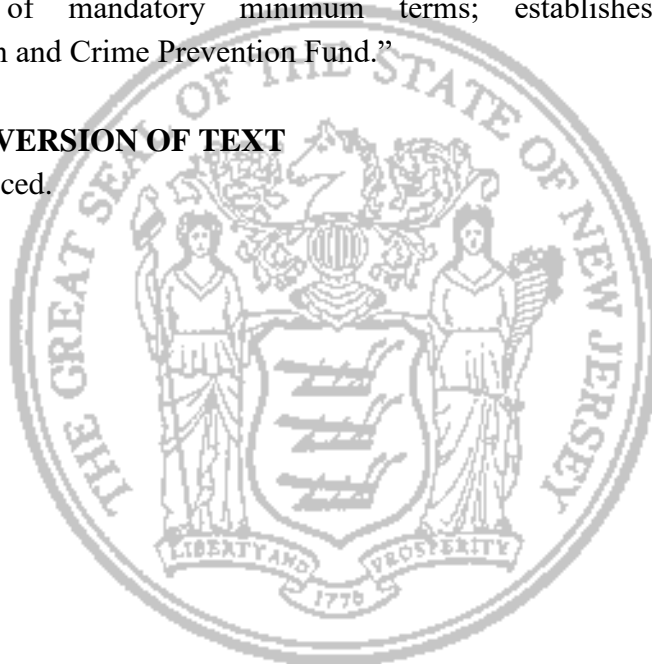
Assemblywomen Reynolds-Jackson, Sumter, Senators Scutari, Pou and Ruiz

SYNOPSIS

Requires cost savings study of compassionate release program and elimination of mandatory minimum terms; establishes "Corrections Rehabilitation and Crime Prevention Fund."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

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42 funds to be used to support recidivism reduction programs and other
43 services meant to facilitate inmates’ successful reentry.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4371

STATE OF NEW JERSEY

DATED: JULY 20, 2020

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 4371.

As reported by the committee, Assembly Bill No, 4371 requires the Commissioner of Corrections, in consultation with the Chairman of the State Parole Board, and the State Treasurer to conduct a study to determine the fiscal impact of cost savings resulting from a reduction of prison population due to implementation of legislation to create a compassionate release program and eliminate mandatory minimum terms of parole ineligibility for certain inmates.

In addition, this bill requires the commissioner to deposit any savings into a special non-lapsing fund to be known as the “Corrections Rehabilitation and Crime Prevention Fund,” with the funds to be used to support recidivism reduction programs and other services meant to facilitate inmates’ successful reentry.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4371

STATE OF NEW JERSEY

DATED: JULY 27, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4371.

This bill requires the Commissioner of Corrections, in consultation with the Chairman of the State Parole Board, and the State Treasurer to conduct a study to determine the fiscal impact of cost savings resulting from a reduction of prison population due to implementation of legislation to create a compassionate release program and eliminate mandatory minimum terms of parole ineligibility for certain inmates.

In addition, this bill requires the commissioner to deposit any savings into a special non-lapsing fund to be known as the "Corrections Rehabilitation and Crime Prevention Fund," with the funds to be used to support recidivism reduction programs and other services meant to facilitate inmates' successful reentry.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates that indeterminate, likely nominal, costs would be incurred for conducting a study to determine cost savings from reduction of prison population due to compassionate release or elimination of mandatory minimum terms.

The bill requires the Department of Corrections (DOC) to issue an annual report with the results of the study. The costs associated with this study would be largely for the reimbursement of necessary expenses, including but not limited to travel, office support staff, printing and other miscellaneous costs. State government agencies may incur indeterminate but nominal expenses if called upon to assist the DOC in its deliberations.

Following the study, the Commissioner of Corrections is required to deposit any savings from compassionate release or elimination of mandatory minimum terms of parole eligibility into a newly created fund. The costs involved with setting up the fund are likely to be negligible.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4371

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Senate Judiciary Committee reports favorably Assembly Bill No. 4371.

This bill would implement the reinvestment of cost savings related to certain criminal sentencing reforms based on Recommendation 8 of the first annual report of the New Jersey Criminal Sentencing and Disposition Commission (the CSDC), created by P.L.2009, c.81 (C.2C:48A-1 et seq.) but delayed in being constituted and actively reviewing the State's sentencing laws.

The bill would require the Commissioner of Corrections, in consultation with the Chair of the State Parole Board and the State Treasurer, to conduct a study to determine the fiscal impact of cost savings resulting from a reduction of the overall prison population due to any compassionate release program, such as the program currently proposed in Senate Bill No. 2594 and its counterpart, Assembly Bill No. 2370, as well as the elimination of mandatory minimum terms of parole ineligibility for certain inmates, such as the proposed eliminations in Senate Bill Nos. 2586 and 2593 and their counterparts, Assembly Bill Nos. 4369 and 4370, all of which are based on other recommendations from the CSDC. This study would be summarized by the commissioner in an annual report, which would be submitted to the Governor and Legislature.

Any cost savings realized as a result of the commissioner's study would be deposited into a special non-lapsing fund, referred to as the "Corrections Rehabilitation and Crime Prevention Fund." Monies from this fund would be used to support recidivism reduction programs and other services meant to facilitate inmates' successful reentry into society.

This bill as reported is identical to Senate Bill No. 2595, also reported today by the committee.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 4371
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JULY 29, 2020

SUMMARY

- Synopsis:** Requires cost savings study of compassionate release program and elimination of mandatory minimum terms; establishes “Corrections Rehabilitation and Crime Prevention Fund.”
- Type of Impact:** State expenditure increase.
- Agencies Affected:** Department of Corrections; State Parole Board; State Treasurer.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) anticipates that indeterminate, likely nominal, costs would be incurred for conducting a study to determine cost savings from reduction of prison population due to compassionate release or elimination of mandatory minimum terms.
- The bill requires the Department of Corrections (DOC) to issue an annual report with the results of the study. The costs associated with this study would be largely for the reimbursement of necessary expenses, including but not limited to travel, office support staff, printing and other miscellaneous costs. State government agencies may incur indeterminate but nominal expenses if called upon to assist the DOC in its deliberations.
- Following the study, the Commissioner of Corrections is required to deposit any savings from compassionate release or elimination of mandatory minimum terms of parole eligibility into a newly created fund. The costs involved with setting up the fund are likely to be negligible.

BILL DESCRIPTION

This bill requires the Commissioner of Corrections, in consultation with the Chairman of the State Parole Board and the State Treasurer to conduct a study to determine the fiscal impact of cost savings from a reduction of prison population due to implementation of legislation to

create a compassionate release program and eliminate mandatory minimum terms of parole ineligibility for certain inmates.

In addition, this bill requires the commissioner to deposit any savings into a special non-lapsing fund to be known as the “Corrections Rehabilitation and Crime Prevention Fund,” with the funds to be used to support recidivism reduction programs and other services meant to facilitate inmates’ successful reentry.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that indeterminate, likely nominal, costs would be incurred for conducting a study to determine cost savings from reduction of prison population due to compassionate release or elimination of mandatory minimum terms. The DOC is required to issue an annual report with the results of the study. The costs associated with this study would be largely for the reimbursement of necessary expenses, including but not limited to travel, office support staff, printing and other miscellaneous costs. State government agencies may incur indeterminate but nominal costs if called upon to assist the commission in its deliberations.

Section: Judiciary

Analyst: Anuja Pande Joshi
Assistant Research Analyst

Approved: Frank W. Haines III
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2595

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 22, 2020

Sponsored by:

Senator SANDRA B. CUNNINGHAM
District 31 (Hudson)

Co-Sponsored by:

Senators Scutari, Pou and Ruiz

SYNOPSIS

Requires cost savings study of compassionate release program and elimination of mandatory minimum terms; establishes “Corrections Rehabilitation and Crime Prevention Fund.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

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SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2595

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Senate Judiciary Committee reports favorably Senate Bill No. 2595.

This bill would implement the reinvestment of cost savings related to certain criminal sentencing reforms based on Recommendation 8 of the first annual report of the New Jersey Criminal Sentencing and Disposition Commission (the CSDC), created by P.L.2009, c.81 (C.2C:48A-1 et seq.) but delayed in being constituted and actively reviewing the State's sentencing laws.

The bill would require the Commissioner of Corrections, in consultation with the Chair of the State Parole Board and the State Treasurer, to conduct a study to determine the fiscal impact of cost savings resulting from a reduction of the overall prison population due to any compassionate release program, such as the program currently proposed in Senate Bill No. 2594 and its counterpart, Assembly Bill No. 2370, as well as the elimination of mandatory minimum terms of parole ineligibility for certain inmates, such as the proposed eliminations in Senate Bill Nos. 2586 and 2593 and their counterparts, Assembly Bill Nos. 4369 and 4370, all of which are based on other recommendations from the CSDC. This study would be summarized by the commissioner in an annual report, which would be submitted to the Governor and Legislature.

Any cost savings realized as a result of the commissioner's study would be deposited into a special non-lapsing fund, referred to as the "Corrections Rehabilitation and Crime Prevention Fund." Monies from this fund would be used to support recidivism reduction programs and other services meant to facilitate inmates' successful reentry into society.

This bill as reported is identical to Assembly Bill No. 4371, also reported today by the committee.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2595
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: AUGUST 31, 2020

SUMMARY

- Synopsis:** Requires cost savings study of compassionate release program and elimination of mandatory minimum terms; establishes “Corrections Rehabilitation and Crime Prevention Fund.”
- Type of Impact:** State expenditure increase.
- Agencies Affected:** Department of Corrections; State Parole Board; State Treasurer.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) anticipates that indeterminate, likely nominal, costs would be incurred for conducting a study to determine cost savings from reduction of prison population due to compassionate release or elimination of mandatory minimum terms.
- The bill requires the Department of Corrections (DOC) to issue an annual report with the results of the study. The costs associated with this study would be largely for the reimbursement of necessary expenses, including but not limited to travel, office support staff, printing and other miscellaneous costs. State government agencies may incur indeterminate but nominal expenses if called upon to assist the DOC in its deliberations.
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BILL DESCRIPTION

This bill requires the Commissioner of Corrections, in consultation with the Chairman of the State Parole Board and the State Treasurer to conduct a study to determine the fiscal impact of cost savings from a reduction of prison population due to implementation of

legislation to create a compassionate release program and eliminate mandatory minimum terms of parole ineligibility for certain inmates.

In addition, this bill requires the commissioner to deposit any savings into a special non-lapsing fund to be known as the “Corrections Rehabilitation and Crime Prevention Fund,” with the funds to be used to support recidivism reduction programs and other services meant to facilitate inmates’ successful reentry.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that indeterminate, likely nominal, costs would be incurred for conducting a study to determine cost savings from reduction of prison population due to compassionate release or elimination of mandatory minimum terms. The DOC is required to issue an annual report with the results of the study. The costs associated with this study would be largely for the reimbursement of necessary expenses, including but not limited to travel, office support staff, printing and other miscellaneous costs. State government agencies may incur indeterminate but nominal costs if called upon to assist the commission in its deliberations.

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Approved: Frank W. Haines III
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This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Sentencing Reform Legislation

10/19/2020

Governor Urges Passage of Remainder of Criminal Sentencing and Disposition Commission Bill Package

TRENTON – Governor Phil Murphy today signed three bills (A2370, A4371, and A4373) which together establish a compassionate release program for certain inmates, require a cost savings study of compassionate release programs and elimination of mandatory minimum terms, establish a "Corrections Rehabilitation and Crime Prevention Fund," and add a defendant's youth to the list of permissible mitigating factors a court may consider when sentencing a defendant.

"Our administration has been committed to criminal justice reform since day one, and we have taken many steps to address the wide disparities present in our justice system," **said Governor Murphy**. "I am proud to sign these three bills today, which will further our commitment to sentencing reform."

"However, it is imperative that we also enact existing legislation that implements the recommendations of the Criminal Sentencing and Disposition Commission to eliminate certain mandatory minimum terms of imprisonment for offenses specified by the Commission, allow the mandatory minimum reforms to apply retroactively, and allow for the resentencing of some inmates. We have made great progress on remaking our criminal justice system into one that reforms people instead of breaking them, but there is still much to be done. I look forward to working with advocates and our partners in the Legislature to see through the adoption of the rest of this critical bill package."

"Today the Governor has signed three important bills into law," **said former Chief Justice Deborah Poritz, Chair of the Criminal Sentencing and Disposition Commission**. "I urge the swift enactment of the Commission's other recommendations, including the elimination of mandatory minimums as specifically identified by the Commission in its initial report."

"The New Jersey Department of Corrections is proud to be part of the bi-partisan Criminal Sentencing Disposition Committee and seeing the committee's recommendations to right-size disparities in the judicial system come to fruition," **said New Jersey Department of Corrections Commissioner Marcus O. Hicks, Esq.** "Together with my committee members, we will continue to explore opportunities that support the well-being of all those in state custody while balancing public safety."

Primary sponsors for A2370 include Assemblymembers Gary S. Schaer and Verlina Reynolds-Jackson, and Senator Sandra B. Cunningham.

"Under our current medical parole system, very few of our gravely ill inmates meet the strict eligibility requirements. Our justice system is more than crime and punishment, it seeks to balance penalty with rehabilitation. By expanding upon what already exists we can show true compassion to those with profound medical needs and those suffering terminal illness," **said Assemblyman Gary Schaer and Assemblywoman Verlina Reynolds-Jackson in a joint statement**. "The financial realities of providing extensive medical care has burdened our already overcrowded prison system. Creating clear guidelines with this compassionate release program will allow us to reduce capacity, and alleviate financial strains while getting medically vulnerable residents the care they need outside of prison. Our treatment of those within our prisons is a reflection of our humanity. As we work to reduce the spread of COVID-19 we bear responsibility for protecting the vulnerable within our prison system. Ensuring the ongoing safety of our communities must include steps to preserve those who are incarcerated. Every life is valuable and is worth defending. "

A2370 implements Recommendation #7 from the Criminal Sentencing and Disposition Commission's November 2019 report. It would repeal New Jersey's existing medical parole statute and replace it with "compassionate release," under which an incarcerated person may be released from prison if the person is suffering from a terminal medical condition or permanent physical incapacity. Under current law, an inmate is eligible for medical parole if two physicians determine that he suffers from either (1) a terminal illness with six months or less to live, or (2) a permanent physical incapacity rendering him unable to perform activities of basic daily living and requiring 24-hour care.

This bill would keep the prognosis requirements for eligibility, but additionally require DOC to notify an inmate's attorney when an inmate is diagnosed with a "grave medical condition," defined as having twelve months or less to live or having been unable to perform activities of basic daily living for the prior three months. This change would allow the inmate's attorney to prepare a petition for the inmate's compassionate release before his or her condition deteriorates to the point of being unable to complete the process. If a released person is subsequently found to no longer be so debilitated or incapacitated as to be physically incapable of committing a crime or poses a threat to public safety, the individual may be returned to DOC custody after a hearing.

Primary sponsors for A4371 include Assemblymembers Annette Chaparro, Gordon M. Johnson, and Pedro Mejia, and Senator Sandra B. Cunningham.

"New Jersey's prison population increased by 278% between 1975 and 2015. Mass incarceration has shattered the lives of thousands of people across our state. Alarming racial disparities and mandatory minimums have exacerbated the problem. Between high rates of recidivism and mandatory minimum sentences keeping individuals incarcerated, the State has also shouldered a large economic burden. The cost to keep a person behind bars is estimated to be \$50,000 per year," **said Assemblywoman Chaparro, Assemblyman Johnson, and Assemblyman Pedro Mejia in a joint statement.** "Reform is long overdue. The fiscal study required under this law will give us a clear picture of the real cost savings of a compassionate release program and the elimination of certain mandatory minimums for parole, and guide us in focusing our efforts to help formerly incarcerated residents re-enter society and build their futures."

"No one should have to spend the final months of their life inside a prison cell. By implementing a compassionate release program we can allow more individual to live out their last days someplace that is comfortable to them, surrounded by friends and family," **said Senator Cunningham.** "Not only is this the right thing to do, but we expect it will also save the state significant amounts of money in medical costs."

A4371 implements Recommendation #8 from the Criminal Sentencing and Disposition Commission's November 2019 report. It would require DOC, in consultation with Treasury and the State Parole Board, to annually report to the Governor and Legislature the results of a study examining any cost savings that may be realized from compassionate release and mandatory minimum reforms. Since the proposed reforms are likely to result in shorter prison terms for certain low-risk offenders, the Commission believes the reduction may generate cost savings to the State over the long-term.

The bill would require any cost savings to be deposited into a newly created "Corrections Rehabilitation and Crime Prevention Fund," which would be used to support recidivism reduction programs (e.g., educational and vocational training) and for other services to facilitate inmates' successful reentry in society.

Primary sponsors for A4373 include Assemblymembers William W. Spearman, Angelica M. Jimenez, and Adam J. Taliaferro, and Senators Nellie Pou, and Shirley Turner.

"The social, emotional and mental maturity of a youthful defendant is complex and nuanced. That very fact makes it critical for the age of a defendant to be factored by the court in criminal culpability. Young people are impressionable and particularly susceptible to peer pressure. More broadly, when placed in the wrong correctional environments and without appropriate interventions, they are more likely to reoffend," **said Assemblyman William Spearman, Assemblywoman Angelica Jimenez, and Assemblywoman Adam Taliaferro in a joint statement.** "The goal, first and foremost, is to ensure our justice system always treats our young people with compassion. Allowing the courts to consider age as a mitigating factor would align juvenile sentencing with best practices that stem from neurological evidence and prevent disproportionately harsh sentencing. Ultimately, our young people must have the opportunity to grow and redefine themselves beyond their wrongdoing."

"As we continue to address historically biased criminal sentencing practices, we must also consider those now currently serving severe, decades-long sentences that were saddled on them as juveniles," **said Senator Pou.** "We cannot right every wrong, but when we build a better future and restructure policies for criminal sentencing moving forward, we cannot forget those still living with the sentencing missteps of the past. These sentencing reforms represent a small, though crucial piece of the greater effort to build a safer, fairer and more just New Jersey."

"All too often people make mistakes in their youth which follow them for the rest of their lives," **said Senator Turner.** "By allowing judges to consider the age of defendants, up to age 26, we can help to ensure the sentencing of children and young adults takes into account their level of maturity when they committed the crime, so can be given a second chance to turn their lives around."

A4373 implements Recommendation #5 from the Criminal Sentencing and Disposition Commission's November 2019 report. It would add a criminal defendant's youth to the list of permissible mitigating factors a court may consider when sentencing a defendant. Current law provides 13 mitigating factors that the court may consider when sentencing a defendant. The only mitigating factor related to the age of a youthful defendant permits the court to consider whether the defendant's conduct was substantially influenced by another, more mature person. Under this bill, the court would be permitted broadly to consider as a mitigating factor whether a defendant was under the age of 26 when an offense was committed.

Numerous advocacy organizations including NOBLE, the REFORM Alliance, the National Action Network, the Latino Action Network, and Communities in Cooperation played critical roles in this legislation at every step of the process.

"These important bills will benefit all New Jerseyans and their families, especially those in marginalized communities," said **Jiles H. Ship, President of the National Organization of Black Law Enforcement Executives, New Jersey Chapter**. "The commission's vision for a fairer criminal justice system garnered unanimous consensus from the various professionals who work daily in the criminal justice system. Together, these reforms can change people's lives and makes New Jersey safer for everyone, which ultimately saves taxpayer dollars."

"Overly harsh sentences waste lives and money, with no public safety benefit," said **Jessica Jackson, Chief Advocacy Officer, for the REFORM Alliance**. "These measures are rooted in the fact that people are more than their worst day and deserve a second chance. This legislation represents a giant step forward for justice in New Jersey."

"I am writing this letter for the strict purpose of showing my upmost support on behalf of the three laws being signed today," said **Reverend Steffie Bartley, Northeastern Regional Director for the National Action Network**. "Not only will many people benefit from this, but they will also be given a second chance at life. I am happy to not only be apart but to witness this change for the better with the reform of our Judicial system. Although, I am excited about this, I also want to encourage that the change does not stop here, there are still many laws in place that need to be dismantled. I encourage we continue to work on getting these bills passed and I look forward to seeing this reform happen."

"I have been a criminal justice reform advocate for over 20 years, statewide and I have seen New Jersey evolve," said **Cuqui Rivera, Criminal Justice Reform Chair at the Latino Action Network**. "New Jersey leads the way in criminal justice reforms above the country. It is impressive that we have been able to achieve so much. I am proud of New Jersey and this administration for getting to this place. This is hard stuff to work through and we applaud this administration for doing the right thing, not necessarily the popular thing. It is also important that we see the entire sentencing reform package through. The Senate must pass currently stalled legislation that adopts more of the Criminal Sentencing and Disposition Commission's recommendations, including those to eliminate certain mandatory minimums, allow the Department of Corrections to make more inmates eligible for parole, and to allow for resentencing of some inmates."

"Considering the enormity of the problems with the prison systems of America adversely impacting people of color, New Jersey is making progress in remedying some of the ineffectiveness practices of the prison system," said **Reverend Dr. Pamela Jones, Director of Communities in Cooperation**. "More so, the answer to prison reform is at both the state and the local government levels where fairness begins. Governor Murphy's positioning provides monumental progress for New Jersey as a major influencer of prison reforms nationally while the implementation of supportive release is a vital component of the restorative process."

This Week in New Jersey: October 23, 2020

10/23/2020



Governor Murphy Nominates Dr. Angelica Allen-McMillan as Commissioner of the New Jersey Department of Education

Governor Phil Murphy announced his nomination of Dr. Angelica Allen-McMillan, Ed.D., as the next Commissioner of the New Jersey Department of Education.

“From day one, I pledged to select a Commissioner of Education with experience in public education. We fulfilled that promise through the nomination of Dr. Repollet, and maintain that promise today,” said Governor Murphy. “A product of New Jersey’s public schools, Angelica has worked at all levels of education and knows exactly what our teachers and students need to succeed. She is an exemplary educator and I’m confident she is the leader we need to carry our school communities through the remainder of this pandemic and beyond.”

“I’d also like to thank outgoing Interim Commissioner Kevin Dehmer for his tireless service during an unprecedented time for the Department and our state,” continued Governor Murphy. “He’ll continue to serve the DOE as CFO and Assistant Commissioner and will work alongside Angelica to advance an agenda that puts our students’ health, achievement, and well-being first, and maintains our state’s reputation as home to the nation’s best public education system.”

“I am a proud product of New Jersey’s magnificent public education system and I have dedicated my career to ensuring

that the children of this state continue to get the type of education I received,” said incoming Acting DOE Commissioner Dr. Angelica Allen-McMillan. “I am extremely proud the Governor has put his faith in me to continue New Jersey’s tradition of educational excellence.”

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Governor Murphy Signs Sentencing Reform Legislation

Governor Phil Murphy signed three bills (A2370, A4371, and A4373) which together establish a compassionate release program for certain inmates, require a cost savings study of compassionate release programs and elimination of mandatory minimum terms, establish a "Corrections Rehabilitation and Crime Prevention Fund," and add a defendant's youth to the list of permissible mitigating factors a court may consider when sentencing a defendant.



“Our administration has been committed to criminal justice reform since day one, and we have taken many steps to address the wide disparities present in our justice system,” said Governor Murphy. “I am proud to sign these three bills today, which will further our commitment to sentencing reform.”

“However, it is imperative that we also enact existing legislation that implements the recommendations of the Criminal Sentencing and Disposition Commission to eliminate certain mandatory minimum terms of imprisonment for offenses specified by the Commission, allow the mandatory minimum reforms to apply retroactively, and allow for the resentencing of some inmates. We have made great progress on remaking our criminal justice system into one that reforms people instead of breaking them, but there is still much to be done. I look forward to working with advocates and our partners in the Legislature to see through the adoption of the rest of this critical bill package.”

“Today the Governor has signed three important bills into law,” said former Chief Justice Deborah Poritz, Chair of the Criminal Sentencing and Disposition Commission. “I urge the swift enactment of the Commission’s other recommendations, including the elimination of mandatory minimums as specifically identified by the Commission in its initial report.”

“The New Jersey Department of Corrections is proud to be part of the bi-partisan Criminal Sentencing Disposition Committee and seeing the committee’s recommendations to right-size disparities in the judicial system come to

fruition,” said New Jersey Department of Corrections Commissioner Marcus O. Hicks, Esq. “Together with my committee members, we will continue to explore opportunities that support the well-being of all those in state custody while balancing public safety.”

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Governor Murphy Signs Legislation Requiring Public Health Emergency Credits To Be Awarded to Certain Inmates and Parolees During a Public Health Emergency

Governor Phil Murphy signed legislation (S2519) which requires public health emergency credits to be awarded to certain inmates and parolees during a public health emergency. The legislation includes certain exclusions and prohibits inmates or parolees to contact their victims upon their release.



“Since the beginning of the COVID-19 pandemic, our administration has worked tirelessly to save as many lives as possible and to stem the spread of COVID-19,” said Governor Murphy. “Since March, the population in State correctional facilities has decreased by nearly 3,000 people (16%), including more than 1,200 people who were released under Executive Order 124. This dramatic reduction has allowed for critical social distancing as part of the fight against COVID-19.

“Thanks to the efforts of our correctional leadership, the COVID-19 positivity rate among our incarcerated population is at an impressive low of 0.09%. But the threat of COVID-19 is still present,” continued Governor Murphy. “Reducing our prison population will undoubtedly further our mission to combat COVID-19. This law further reduces the prison population to allow for even more social distancing.”

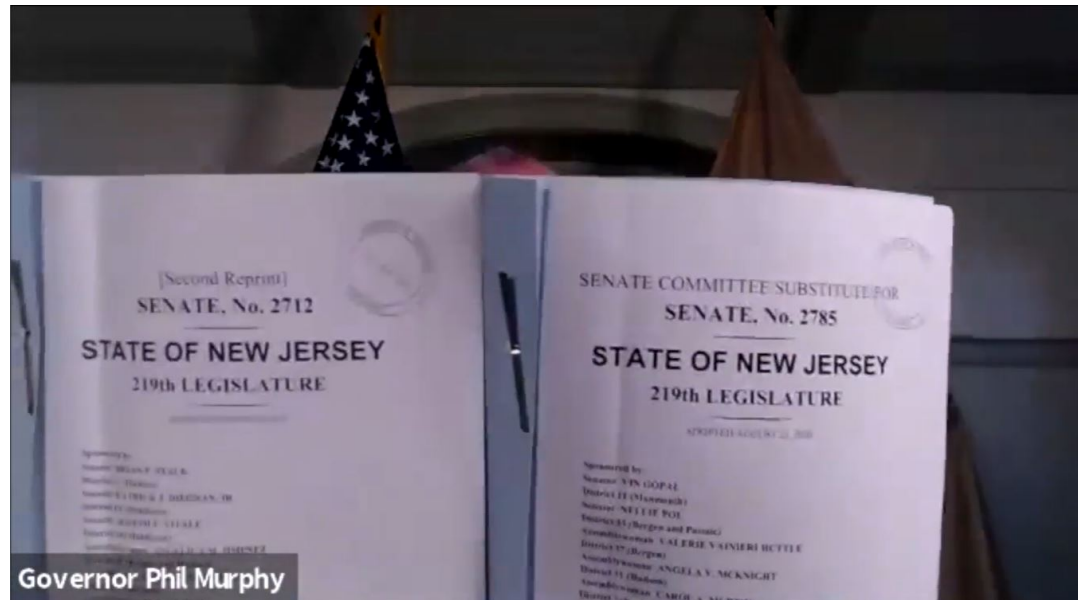
“The New Jersey Department of Corrections has taken numerous steps, grounded in public health guidance, to ensure staff safety and the safety of those in the state's custody during this unprecedented pandemic,” said New Jersey Department of Corrections Commissioner Marcus O. Hicks, Esq. “These measures, including E.O. 124 providing for the release of certain offenders, combined with paroles and individuals completing their sentences, has decreased our population by more than 2,800. The Department will continue to lend support and take action in furtherance of public health and public safety.”

“The State Parole Board recognizes Governor Murphy and the New Jersey State Legislature for their commitment in creating a safe, healthy, and sustainable parolee release program,” said New Jersey State Parole Board Chairman Samuel J. Plumeri, Jr. “This law takes into consideration those serving their sentences in our state prisons as well as those within the communities that they will return to.”

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Governor Murphy Signs Legislation Requiring Reforms to Long-Term Care Industry

Governor Phil Murphy signed two bills (S2712 and S2785) ordering reforms to the long-term care industry. The bills implement recommendations from the Manatt Health Report, released on June 3, 2020.



S2712 requires minimum direct care staff-to-resident ratios in New Jersey long-term care facilities. Additionally, the legislation will establish the Special Task Force on Direct Care Workforce Retention and Recruitment. S2785 requires long-term care facilities to institute policies that prevent social isolation of residents, addressing issues experienced by LTC residents and their families as a result of prohibitions and limitations on visitation during the COVID-19 pandemic.

"Sadly, too many nursing homes are run by companies more interested in making money than protecting patients," said Governor Murphy. "These long-sought reforms will help bring accountability to the industry and protect residents, staff, and family members with a loved one living in a long-term care facility. I am proud to have worked with our partners in organized labor, health care advocates, and legislative sponsors to finally implement safe staffing ratios in our nursing homes, as well as other long overdue reforms."

"Staff caring for our most vulnerable residents in long-term care settings are the backbone of these facilities," said Health Commissioner Judith Persichilli. "As a nurse, I know there is no more important role than as a caregiver and all of those working in these facilities are healthcare heroes. We have to support this workforce and give them an opportunity to grow and advance in their careers, so it is not only a more rewarding job, but also results in improved care."

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Governor Murphy, Congressman Norcross Announce New Workforce Development Programs from Coronavirus Relief Fund

Governor Phil Murphy and Congressman Donald Norcross announced \$14 million in additional Coronavirus Aid Relief and Economic Security (CARES) Act funding to develop workforce development programs. The programs are designed to help businesses impacted by COVID-19 replenish their workforce and help jobless residents learn new skills that lead to successful reemployment.



“As this pandemic continues to threaten our public health, we must work to ensure that a stronger, fairer, and more resilient New Jersey emerges on the other side of COVID-19,” said Governor Murphy. “With today’s announcement, we are investing in opportunities for job training in our workforce that will reignite and grow our economy.”

“The Coronavirus pandemic has upended our economy, but we will recover by working together,” said Congressman Norcross. “Using federal CARES Act funding, New Jersey is helping workers and businesses get back on their feet. These workforce programs will help employers provide skill-building opportunities and on the job training, connecting New Jerseyans with the services they need to get the job they deserve.”

“The need is everywhere,” said Labor Commissioner Robert Asaro-Angelo. “We all know of businesses that are struggling or have closed, and workers who have been laid off or have had their hours drastically reduced as a result of the pandemic. We are grateful for the opportunity to use these funds to turn lives around and help our state recover economically.”

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