

(Revised Statutes, section 30:4-85.)

STATE OF NEW JERSEY

INTRODUCED MARCH 8, 1948

By Mr. LEWIS

Referred to Committee on Institutions and Agencies

An Act concerning the confinement of inmates in the several penal and correctional institutions in this State, and amending section 30:4-85 of the Revised Statutes.

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

1 1. Section 30:4-85 of the Revised Statutes is hereby amended to read as
2 follows:

3 30:4-85. Any inmate of any correctional institution as classified in sec-
4 tion 30:1-7 of this Title may be transferred to any other such correctional in-
5 stitution by order of the commissioner directing such transfer, either upon
6 the application of the chief executive officer or upon the initiative of the com-
7 missioner.

8 No inmate of the State Home for Boys or the State Home for Girls shall
9 be transferred to the State Prison, unless convicted of a crime punishable by
10 imprisonment in such prison.

11 Any inmate of the State Home for Boys over the age of sixteen years
12 may be transferred from such home to the reformatory at Annandale or the
13 reformatory at Rahway, and any inmate of the State Home for Girls, over
14 the age of sixteen years, may be transferred from such home to the women's
15 reformatory at Clinton.

16 Any inmate of a correctional institution for males, as classified in sec-
17 tion 30:1-7 of this Title, over the age of twenty-one years, may be trans-
18 ferred to the State Prison if it shall appear that such inmate cannot prop-
19 erly be confined in such institution and that his transfer will operate for the
20 general benefit and welfare of the inmate population of the institution from
21 which he is to be transferred; provided, however, that the inmate shall have
22 been convicted of a crime punishable by imprisonment in the State Prison.

23 The commissioner may also contract, under the direction of the State
24 Board, and in behalf of any institution where an inmate to be transferred
25 may be, with the various governing bodies of counties in this State for the
26 amount to be paid for maintenance of inmates of correctional institutions to
27 be maintained in such county institutions, after transfer thereto by order of
28 the commissioner, for such amounts as may be approved by the State House
29 Commission, and such payments shall be taken from and paid out of the ap-
30 propriation made annually for the maintenance of such person or persons in
31 the State institution from whence he is or shall be transferred, and the com-
32 missioner shall have power to make such transfer in such cases as in the case
33 of other transfers provided for in this section. Such transfers shall be made
34 in accordance with the formally adopted rules of the State Board.

35 Persons transferred shall be subject to rules, regulations and discipline
36 of the institution in which they are confined, except in so far as they conflict
37 with the rules and regulations of the State Board.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to clarify existing language and permit the transfer of inmates from the reformatories at Annandale and Rahway to the State Prison provided that they have attained the age of twenty-one years and have been convicted of a crime punishable by imprisonment in the State Prison. This

is not novel legislation for it will be observed that the second paragraph of section 30:4-85, Revised Statutes, now permits transfer of inmates from the State Home for Boys to the State Prison if convicted of a crime punishable by imprisonment in the State Prison.

On many occasions, inmates have been committed to the reformatories at Annandale and Rahway who give evidence by their conduct that they are not fit subjects for confinement therein and require confinement in an institution having greater maximum security facilities, such as the State Prison. The continued presence of such inmates in the reformatories at Annandale and Rahway operates to the detriment and harm of the remaining inmates.

ASSEMBLY AMENDMENT TO

SENATE, No. 241

STATE OF NEW JERSEY

ADOPTED MAY 10, 1948

Amend page 2, section 1, line 18, after "appear" insert " , to the satisfaction of the commissioner after recommendation by a special classification review board appointed by the State Board from among members of the department central office staff,".

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16 Any inmate of a correctional institution for males, as classified in sec-
17 tion 30:1-7 of this Title, over the age of twenty-one years, may be trans-
18 ferred to the State Prison if it shall appear that such inmate cannot prop-
19 erly be confined in such institution and that his transfer will operate for the
20 general benefit and welfare of the inmate population of the institution from
21 which he is to be transferred; *provided, however,* that the inmate shall have
22 been convicted of a crime punishable by imprisonment in the State Prison.

23 The commissioner may also contract, under the direction of the State
24 Board, and in behalf of any institution where an inmate to be transferred
25 may be, with the various governing bodies of counties in this State for the
26 amount to be paid for maintenance of inmates of correctional institutions to
27 be maintained in such county institutions, after transfer thereto by order of
28 the commissioner, for such amounts as may be approved by the State House
29 Commission, and such payments shall be taken from and paid out of the ap-
30 propriation made annually for the maintenance of such person or persons in
31 the State institution from whence he is or shall be transferred, and the com-
32 missioner shall have power to make such transfer in such cases as in the case
33 of other transfers provided for in this section. Such transfers shall be made
34 in accordance with the formally adopted rules of the State Board.

35 Persons transferred shall be subject to rules, regulations and discipline
36 of the institution in which they are confined, except in so far as they conflict
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19 missioner after recommendation by a special classification review board ap-
20 pointed by the State Board from among members of the department central
21 office staff, that such inmate cannot properly be confined in such institution
22 and that his transfer will operate for the general benefit and welfare of the
22A inmate population of the institution from which he is to be transferred;
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