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RWH/JA

P.L.2017, CHAPTER 23, *approved February 10, 2017*

Assembly, No. 2619

1 **AN ACT** concerning access to drug treatment programs in State
2 correctional facilities and supplementing Title 30 of the Revised
3 Statutes.

4

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

7

8 1. a. Notwithstanding any rules or regulations to the contrary,
9 no person incarcerated in a State correctional facility shall be
10 denied access to participation in a drug treatment program which
11 operates within a State correctional facility if the denial is based
12 solely on that person having any detainer or open charge issued
13 against him which precludes eligibility for full minimum custody
14 status.

15 b. The Commissioner of Corrections shall promulgate rules and
16 regulations, pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the
18 purposes of this act.

19

20 2. This act shall take effect on the first day of the fourth month
21 next following enactment, but the commissioner may take such
22 anticipatory administrative action in advance thereof as shall be
23 necessary for the implementation of this act.

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STATEMENT

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28 This bill provides that an inmate in a State correctional facility
29 who is otherwise eligible for drug treatment cannot be denied
30 access to a drug treatment program operating in a State correctional
31 facility based solely on that inmate having any detainer or open
32 charge issued against him.

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36 treatment program, an inmate is required to meet certain eligibility
37 criteria pursuant to regulations of the Commissioner of Corrections.

38 One of the requirements is that an inmate be classified at "full
39 minimum custody status." An inmate is excluded from "full
40 minimum custody status" if he has any detainers or open charges,
41 from any jurisdiction, issued against him. While detainers and
42 open charges are sometimes disposed of while a person is
43 incarcerated, inmates are often unsuccessful in having these matters

1 resolved. As a result, they are barred from receiving drug treatment
2 during the terms of their custodial sentences.

3 The purpose of this bill is to allow an inmate in need of drug
4 treatment to have access to it, regardless of any detainer or open
5 charge, provided he is otherwise eligible and the treatment is
6 available. Under the bill, an inmate with a detainer or open charge
7 would only be eligible for drug treatment programs which operate
8 in State correctional facilities.

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11

12

13 Requires that certain inmates with detainers be provided access
14 to drug treatment programs.

ASSEMBLY, No. 2619

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Assemblywoman ELIZABETH MAHER MUOIO

District 15 (Hunterdon and Mercer)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Co-Sponsored by:

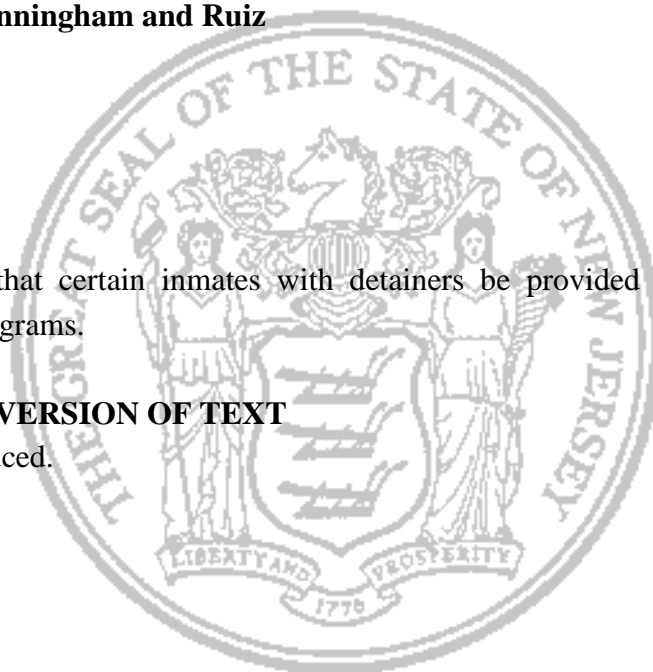
Senators Cunningham and Ruiz

SYNOPSIS

Requires that certain inmates with detainees be provided access to drug treatment programs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/20/2016)

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36 treatment program, an inmate is required to meet certain eligibility
37 criteria pursuant to regulations of the Commissioner of Corrections.

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40 minimum custody status" if he has any detainers or open charges,
41 from any jurisdiction, issued against him. While detainers and
42 open charges are sometimes disposed of while a person is
43 incarcerated, inmates are often unsuccessful in having these matters
44 resolved. As a result, they are barred from receiving drug treatment
45 during the terms of their custodial sentences.

46 The purpose of this bill is to allow an inmate in need of drug
47 treatment to have access to it, regardless of any detainer or open
48 charge, provided he is otherwise eligible and the treatment is

A2619 GUSCIORA, WIMBERLY

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- 1 available. Under the bill, an inmate with a detainer or open charge
- 2 would only be eligible for drug treatment programs which operate
- 3 in State correctional facilities.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2619

STATE OF NEW JERSEY

DATED: JUNE 6, 2016

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2619.

This bill provides that an inmate in a State correctional facility who is otherwise eligible for drug treatment cannot be denied access to a drug treatment program operating in a State correctional facility based solely on that inmate having any detainer or open charge issued against him.

In order to participate in the drug treatment available as part of the residential community release program, the mutual assistance program, or the therapeutic community substance abuse disorder treatment program, an inmate is required to meet certain eligibility criteria pursuant to regulations of the Commissioner of Corrections.

One of the requirements is that an inmate be classified at “full minimum custody status.” An inmate is excluded from “full minimum custody status” if he has any detainers or open charges, from any jurisdiction, issued against him. While detainers and open charges are sometimes disposed of while a person is incarcerated, inmates are often unsuccessful in having these matters resolved. As a result, they are barred from receiving drug treatment during the terms of their custodial sentences.

The purpose of this bill is to allow an inmate in need of drug treatment to have access to it, regardless of any detainer or open charge, provided he is otherwise eligible and the treatment is available. Under the bill, an inmate with a detainer or open charge would only be eligible for drug treatment programs which operate in State correctional facilities.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2619

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 2016

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 2619.

As reported by the committee, this bill provides that an inmate in a State correctional facility who is otherwise eligible for drug treatment cannot be denied access to a drug treatment program operated in a State correctional facility solely based on a detainer or open charge issued against that inmate.

In order to participate in the drug treatment available as part of the residential community release program, the mutual assistance program, or the therapeutic community substance abuse disorder treatment program, an inmate is required to meet certain eligibility criteria pursuant to Department of Corrections' regulations.

One of the requirements is that an inmate be classified at "full minimum custody status." An inmate is excluded from "full minimum custody status" if there are any detainers or open charges, from any jurisdiction, issued against the inmate. While detainers and open charges may be disposed of while the inmate is incarcerated, inmates often are unsuccessful in resolving these matters. Consequently, they are barred from receiving drug treatment during the terms of their custodial sentences.

According to the sponsor, the purpose of this bill is to allow an inmate in need of drug treatment to have access to it, regardless of any detainer or open charge, provided the inmate otherwise is eligible and the treatment is available. Under the bill, an inmate with a detainer or open charge would only be eligible for drug treatment programs which are operated in State correctional facilities.

As reported by the committee, Assembly Bill No. 2619 is identical to Senate Bill No. 2409, also reported by the committee on this same date.

SENATE, No. 2409

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 23, 2016

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Co-Sponsored by:

Senators Cunningham and Ruiz

SYNOPSIS

Requires that certain inmates with detainees be provided access to drug treatment programs.

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As introduced.



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Governor Chris Christie Takes Action On Pending Legislation

Friday, February 10, 2017

Tags: [Bill Action](#)



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[Governor's Statement Upon Signing Assembly Bill No. 333 \[pdf 30KB\]](#)

Trenton, NJ – Governor Chris Christie announced that he has taken action on the following legislation:

BILL SIGNINGS:

A-333/S-2300 (Singleton, Quijano, Caputo, Taliaferro, Green, Caride, Houghtaling/Stack, Beck) – w/STATEMENT - Ensures project deadline fairness, enhances transparency, and establishes foreclosure protection and mortgage relief program for certain Superstorm Sandy-impacted homeowners

A-544/S-385 (Pinkin, Lagana, Mazzeo, Mukherji, Houghtaling/Stack, Barnes) - Requires annual notice of assessment on property to contain bolded notice of filing deadline for appeal

A-1668/S-354 (Schaer, Jasey, Johnson, Zwicker, Giblin, Downey, Wimberly/T. Kean) - Establishes New Jersey Commission on Higher Education and Business Partnerships

A-1945/S-1243 (Coughlin, Sumter, Wimberly/Vitale, Cunningham) - Requires AG and county prosecutor to provide notification on website concerning persons indicted or prosecuted for crimes under certain circumstances

A-2199/S-744 (Singleton, Holley, Rodriguez-Gregg, Downey/Beach, Turner) - Establishes veterans' preference for affordable housing in certain housing projects

A-2228/S-2489 (DeAngelo, Lagana, Pinkin, McKnight, Benson/Cruz-Perez, Van Drew) - Includes all disabled veterans in NJT discount program for senior citizens and persons with disabilities

A-2514/S-2178 (DeAngelo, Pinkin, Tucker, Space, Phoebus/Beach, Oroho) - Permits local units of government to enter into shared services agreements with federal military installations located in the State

A-2517/S-2008 (DeAngelo, Andrzejczak, Tucker, Conaway, Land/Beach, Allen) - Provides preference to certain employers applying for workforce development grants

A-2619/S-2409 (Gusciora, Wimberly, Holley, Muoio, Chiaravalloti, Sumter/Vitale, Cruz-Perez) - Requires that certain inmates with detainers be provided access to drug treatment programs

A-3267/S-2519 (Singleton, Webber, Holley, Mukherji, Lampitt, Wimberly, Houghtaling/Vitale) - Provides for voluntary contributions by taxpayers on gross income tax returns to support autism programs

A-3333/S-1509 (Singleton, Mukherji, Oliver, Muoio, Houghtaling/Turner, Cruz-Perez) - Establishes microenterprise training program and assistance for microentrepreneurs; gives priority status to projects involving microenterprises under Neighborhood Revitalization Tax Credit Program

BILLS VETOED:

A-756/S-2046 (Moriarty, Coughlin, Mukherji, Benson/Cruz-Perez) – CONDITIONAL - Regulates use of motor vehicle payment assurance devices

A-4189/S-2670 (Gusciora, Muoio, Mukherji, Pintor Marin, Chiaravalloti, Wimberly/Van Drew, Turner) – CONDITIONAL - Extends duration of first five designated UEZs for two additional years; specifies permissible use of

UEZ funds; requires DCA Commissioner to assess and issue report on UEZ program

Press Contact:

Brian Murray
609-777-2600



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Office of the Governor
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Trenton, NJ 08625
609-292-6000

SENATE, No. 2409

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