

30:4-123.54

LEGISLATIVE HISTORY CHECKLIST

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NJSA: 30:4-123.54

LAWS OF: 1997 **CHAPTER:** 217

BILL NO: A23

SPONSOR(S): DeSopo

DATE INTRODUCED: February 20, 1997

COMMITTEE: ASSEMBLY: Law & Public Safety

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
Second reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: March 13, 1997

SENATE: June 26, 1997

DATE OF APPROVAL: August 19, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: Yes

HEARINGS: No

Report mentioned instatments:

974.90 New Jersey. Parole Study Commission.

P959 Report..December, 1996. Trenton, 1996.

1996a [see especially pp.28-31]

For newspaper clippings--see Legislative History of L1997 C214

KBP:pp

[Passed Both Houses]

[Second Reprint]

ASSEMBLY, No. 23

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 20, 1997

By Assemblymen DeSOPO, TALARICO, Blee, Assemblywoman Crecco, Assemblyman Geist, Assemblywoman Heck, Assemblymen LeFevre, Kramer, Azzolina, O'Toole, Zecker, Senators Kosco, Scott, Sinagra, Inverso, Matheussen, McGreevey and Baer

1 AN ACT concerning the parole decision making process and amending
2 P.L.1979, c. 441.

3

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

6

7 1. Section 10 of P.L.1979, c.441 (C.30:4-123.54) is amended to
8 read as follows:

9 10. a. At least 120 days but not more than 180 days prior to the
10 parole eligibility date of each adult inmate, a report concerning the
11 inmate shall be filed with the appropriate board panel, by the staff
12 members designated by the superintendent or other chief executive
13 officer of the institution in which the inmate is held.

14 b. (1) The report filed pursuant to subsection a. shall contain
15 preincarceration records of the inmate, ²[including any psychological
16 reports prepared in connection with any court proceedings.]² state the
17 conduct of the inmate during the current period of confinement,
18 include a complete report on the inmate's social, physical and mental
19 condition, ²[including any preparole psychological evaluations.]²
20 include an investigation by the Bureau of Parole of the inmate's parole
21 plans, and present information bearing upon the likelihood that the
22 inmate will commit a crime under the laws of this State if released on
23 parole. ²[In addition, the report shall include an objective risk
24 assessment. The risk assessment, which shall be in a form prescribed

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALP committee amendments adopted March 3, 1997.

² Senate SLP committee amendments adopted June 16, 1997.

1 by the board pursuant to rule and regulation, shall consist of both
2 static and dynamic factors which may assist the board panel in
3 determining whether the inmate shall be certified for parole and, if
4 paroled, the level of supervision the parolee may require. In addition
5 to the information otherwise gathered for and incorporated in the pre-
6 parole report, the assessment shall include evaluations of the inmate's
7 ability to function independently, the inmate's educational and
8 employment background, the inmate's family and marital history, and
9 such other information and factors as the board may deem appropriate
10 and necessary.】 The preincarceration records of the inmate contained
11 in the report shall include any psychological reports prepared in
12 connection with any court proceedings.²

13 (2) At the time of sentencing, the prosecutor shall notify any victim
14 injured as a result of a crime of the first or second degree or the
15 nearest relative of a murder victim of the opportunity to present a
16 statement for the parole report to be considered at the parole hearing
17 or to testify to the parole board concerning his harm at the time of the
18 parole hearing. Each victim or relative shall be responsible for
19 notifying the board of his intention to submit such a statement and to
20 provide an appropriate mailing address.

21 The report may include a statement concerning the continuing
22 nature and extent of any physical harm or psychological or emotional
23 harm or trauma suffered by the victim, the extent of any loss of
24 earnings or ability to work suffered by the victim and the continuing
25 effect of the crime upon the victim's family. At the time public notice
26 is given that an inmate is being considered for parole pursuant to this
27 section, the board shall also notify any victim or nearest relative who
28 has previously contacted the board of the availability to provide a
29 statement for inclusion in the parole report or to present testimony at
30 the parole hearing.

31 The board shall notify such person at his last known mailing
32 address.

33 c. A copy of the report filed pursuant to subsection a. of this
34 section, excepting those documents which have been classified as
35 confidential pursuant to rules and regulations of the board or the
36 Department of Corrections, shall be served on the inmate at the time
37 it is filed with the board panel. The inmate may file with the board
38 panel a written statement regarding the report, but shall do so within
39 105 days prior to the primary parole eligibility date.

40 d. Upon receipt of the public notice pursuant to section 1 of
41 P.L.1979, c.441 (C.30:4-123.45), a county prosecutor may request
42 from the parole board a copy of the report on any adult inmate
43 prepared pursuant to subsection a. of this section, which shall be
44 expeditiously forwarded to the county prosecutor by the parole board
45 by mail, courier, or other means of delivery. Upon receipt of the
46 report, the prosecutor has 10 working days to review the report and

1 notify the parole board of the prosecutor's comments, if any, or notify
2 the parole board of the prosecutor's intent to provide comments. If
3 the county prosecutor does not provide comments or notify the parole
4 board of the prosecutor's intent to provide comments within the 10
5 working days, the parole board may presume that the prosecutor does
6 not wish to provide comments and may proceed with the parole
7 consideration. Any comments provided by a county prosecutor shall
8 be delivered to the parole board by the same method by which the
9 county prosecutor received the report. The confidentiality of the
10 contents in a report which are classified as confidential shall be
11 maintained and shall not be disclosed to any person who is not
12 authorized to receive or review a copy of the report containing the
13 confidential information.

14 e. Any provision of this section to the contrary notwithstanding,
15 the board shall by rule or regulation modify the scope of the required
16 reports and time periods for rendering such reports with reference to
17 county penal institutions.
18 (cf: P.L.1985, c.44, s.2)

19

20 2. Section 8 of P.L.1979, c.441 (C.30:4-123.52) is amended to
21 read as follows:

22 8. a. If the appropriate board panel determines that an adult inmate
23 has seriously or persistently violated specifically defined institutional
24 rules or has engaged in conduct indictable in nature while incarcerated,
25 the inmate's parole eligibility date may be increased pursuant to a
26 schedule developed by the board. In developing such schedule,
27 particular emphasis shall be placed on the severity of the inmate's
28 conduct. The board shall deduct from the scheduled penalty any loss
29 of commutation time imposed by the Department of Corrections
30 pursuant to R.S.30:4-140.

31 b. If the appropriate board panel determines that an adult inmate
32 has made exceptional progress, as evidenced by documented
33 participation and progress in institutional or community educational,
34 training or other programs, the inmate's parole eligibility date may be
35 decreased, except that no parole eligibility date shall be set below the
36 primary parole eligibility date without the consent of the sentencing
37 court, which need not conduct a hearing and in no case shall a parole
38 eligibility date be set below any judicial or statutory mandatory
39 minimum term, including any parole eligibility date set pursuant to
40 section 23 of this act.

41 c. The appropriate board panel shall annually monitor the progress
42 of each adult inmate and provide the inmate with a written statement
43 of any changes in his parole eligibility.

44 d. At any time while an inmate is committed to the custody of the
45 Commissioner of Corrections, the appropriate board panel¹ or the
46 Parole Board¹ may require, as often as it deems necessary, that inmate

1 to undergo an in-depth preparole psychological evaluation ¹conducted
2 by a psychologist employed by the Parole Board or, where appropriate
3 after consultation with the Department of Corrections, by a
4 psychologist at the Adult Diagnostic and Treatment Center. ¹ to
5 provide current and accurate information to assess the inmate's
6 suitability for parole.

7 ²e. Prior to the parole eligibility date of each adult inmate, an
8 objective risk assessment shall be performed by board staff. The risk
9 assessment, which shall be in a form prescribed by the board pursuant
10 to rule and regulation, shall consist of both static and dynamic factors
11 which may assist the board panel in determining whether the inmate
12 shall be certified for parole and, if paroled, the level of supervision the
13 parolee may require. In addition to the information otherwise
14 gathered for and incorporated in the pre-parole report, the assessment
15 shall include evaluations of the inmate's ability to function
16 independently, the inmate's educational and employment background,
17 the inmate's family and marital history, and such other information and
18 factors as the board may deem appropriate and necessary. ²

19 (cf: P.L.1979, c.441, s.8)

20
21 3. Section 11 of PL.1979, c.441 (C.30:4-123.55) is amended to
22 read as follows:

23 11. a. Prior to the parole eligibility date of each adult inmate, a
24 designated hearing officer shall review the reports required by section
25 10 of **[this act]** P.L.1979, c.441 (C.30:4-123.54), and shall determine
26 whether there is a basis for denial of parole in the preparole report or
27 any risk-assessment prepared in accordance with the provisions of
28 subsection ²[b. of section 10 of P.L.1979, c.441 (C.30:3-123.54)] ² e.
29 of section 8 of P.L.1979, c.441 (C.30:4-123.52) ², or the inmate's
30 statement, or an indication, reduced to writing, that additional
31 information providing a basis for denial of parole would be developed
32 or produced at a hearing. If the hearing officer determines that there
33 is no basis in the preparole report, the risk-assessment, or the inmate's
34 statement for denial of parole and that there is no additional relevant
35 information to be developed or produced at a hearing, he shall at least
36 60 days prior to the inmate's parole eligibility date recommend in
37 writing to the assigned member of the board panel that parole release
38 be granted.

39 b. If the assigned member of the board panel or in the case of an
40 inmate sentenced to a county penal institution, the assigned member
41 concurs in the hearing officer's recommendation, he shall certify parole
42 release pursuant to section 15 of **[this act]** P.L.1979, c.441 (C.30:4-
43 123.59) as soon as practicable after the eligibility date and so notify
44 the inmate and the board. In the case of an inmate sentenced to a
45 county penal institution the board shall certify parole release or deny
46 parole as provided by this section, except with regard to time periods

1 for notice and parole processing which are authorized by or otherwise
2 adopted pursuant to subsection g. of section 7 of P.L.1979, c.441
3 (C.30:4-123.51). If the designated hearing officer does not
4 recommend release on parole or if the assigned member does not
5 concur in a recommendation of the designated hearing officer in favor
6 of release, then the parole release of an inmate in a county penal
7 institution shall be treated under the provisions of law otherwise
8 applicable to an adult inmate. In the case of an inmate sentenced to a
9 county penal institution, the performance of public service for the
10 remainder of the term of the sentence shall be a required condition of
11 parole, where appropriate.

12 c. If the hearing officer or the assigned member determines that
13 there is a basis for denial of parole, or that a hearing is otherwise
14 necessary, the hearing officer or assigned member shall notify the
15 appropriate board panel and the inmate in writing of his determination,
16 and of a date for a parole consideration hearing. The board panel shall
17 notify the victim of the crime, if the crime for which the inmate is
18 incarcerated was a crime of the first or second degree, or the victim's
19 nearest relative if the crime was murder, as appropriate, who was
20 previously contacted by the board and who has indicated his intention
21 to the board to testify at the hearing, of the opportunity to testify or
22 submit written statements at the hearing. Said hearing shall be
23 conducted by the appropriate board panel at least 30 days prior to the
24 eligibility date. At the hearing, which shall be informal, the board
25 panel shall receive as evidence any relevant and reliable documents or
26 in person testimony, including that of the victim of the crime or the
27 members of the family of a murder victim if the victim or a family
28 member so desires. If a victim of a crime or the relative of a murder
29 victim chooses not to testify personally at the hearing, the victim or
30 relative may elect to present testimony to a senior hearing officer
31 designated by the board panel. The senior hearing officer shall prepare
32 a report or a transcript of the testimony for presentation to the board
33 panel at the hearing. All such evidence not classified as confidential
34 pursuant to rules and regulations of the board or the Department of
35 Corrections shall be disclosed to the inmate and the inmate shall be
36 permitted to rebut such evidence and to present evidence on his own
37 behalf. The decision of the board panel shall be based solely on the
38 evidence presented at the hearing.

39 d. At the conclusion of the parole consideration hearing, the board
40 panel shall either (1) certify the parole release of the inmate pursuant
41 to section 15 of this act as soon as practicable after the eligibility date
42 and so notify the inmate and the board, or (2) deny parole and file with
43 the board within 30 days of the hearing a statement setting forth the
44 decision, the particular reasons therefor, except information classified
45 as confidential pursuant to rules and regulations of the board or the
46 Department of Corrections, a copy of which statement shall be served

1 upon the inmate together with notice of his right to appeal to the
2 board.

3 e. Upon request by the hearing officer or the inmate, the time
4 limitations contained in ~~sections~~ section 10 of P.L.1979, c.441
5 (C.30:4-123.54) and ~~11~~ this section may be waived by the
6 appropriate board panel for good cause.

7 f. Notwithstanding the provision of any other law to the contrary,
8 if an inmate incarcerated for murder is recommended for parole by the
9 assigned board member or the appropriate board panel, parole shall
10 not be certified until a majority of the full parole board, after
11 conducting a hearing, concurs in that recommendation. The board
12 shall notify the victim's family of that hearing and family members shall
13 be afforded the opportunity to testify in person or to submit written
14 statements. The provisions of this subsection shall not apply to an
15 inmate who has his parole revoked and is returned to custody pursuant
16 to the provisions of section 19 of P.L.1979, c.441 (C.30:4-123.63).
17 (cf: P.L.1993, c.222, s.1)

18

19 4. This act shall take effect immediately ¹; except that
20 notwithstanding the provisions of subsection ²[b. of section 10 of
21 P.L.1979, c.441 (C.30:4-123.54)]e. of section 8 of P.L.1979, c.441
22 (C.30:3-123.52)² . no objective risk assessment shall be ²[included in
23 any report]² required ²[under the provisions of subsection a. of
24 section 10 of P.L.1979, c.441 (C.30:4-123.54)]² until the first day of
25 the sixth month following enactment¹.

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30 _____
31 Authorizes preparation of inmate risk-assessment and psychological
evaluations for Parole Board use.

1 relative may elect to present testimony to a senior hearing officer
2 designated by the board panel. The senior hearing officer shall prepare
3 a report or a transcript of the testimony for presentation to the board
4 panel at the hearing. All such evidence not classified as confidential
5 pursuant to rules and regulations of the board or the Department of
6 Corrections shall be disclosed to the inmate and the inmate shall be
7 permitted to rebut such evidence and to present evidence on his own
8 behalf. The decision of the board panel shall be based solely on the
9 evidence presented at the hearing.

10 d. At the conclusion of the parole consideration hearing, the board
11 panel shall either (1) certify the parole release of the inmate pursuant
12 to section 15 of this act as soon as practicable after the eligibility date
13 and so notify the inmate and the board, or (2) deny parole and file with
14 the board within 30 days of the hearing a statement setting forth the
15 decision, the particular reasons therefor, except information classified
16 as confidential pursuant to rules and regulations of the board or the
17 Department of Corrections, a copy of which statement shall be served
18 upon the inmate together with notice of his right to appeal to the
19 board.

20 e. Upon request by the hearing officer or the inmate, the time
21 limitations contained in sections section 10 of P.L.1979, c.441
22 (C.30:4-123.54) and [11] this section may be waived by the
23 appropriate board panel for good cause.

24 f. Notwithstanding the provision of any other law to the contrary,
25 if an inmate incarcerated for murder is recommended for parole by the
26 assigned board member or the appropriate board panel, parole shall
27 not be certified until a majority of the full parole board, after
28 conducting a hearing, concurs in that recommendation. The board shall
29 notify the victim's family of that hearing and family members shall be
30 afforded the opportunity to testify in person or to submit written
31 statements. The provisions of this subsection shall not apply to an
32 inmate who has his parole revoked and is returned to custody pursuant
33 to the provisions of section 19 of P.L.1979, c.441 (C.30:4-123.63).
34 (cf: P.L.1993, c.222, s.1)

35
36 4. This act shall take effect immediately.

37
38
39 STATEMENT

40
41 This bill implements three recommendations of the Governor's
42 Study Commission on Parole.

43 First, the bill requires the preparation of a risk-assessment
44 evaluation for inmates eligible for consideration for parole. This risk
45 assessment is to be included as part of the preparole report which is
46 used by the Parole Board to evaluate whether an inmate should be

1 released on parole. The document, which is to be organized and
2 presented in a form prescribed by the board, is to contain evaluations
3 of both static and dynamic criteria, and is to include information
4 relating to the inmate's criminal history, conduct during confinement,
5 education and family background, and any other information the board
6 may deem necessary and appropriate. Using such risk-assessments
7 should help the board by providing an objective instrument that can be
8 used to project more reliable appraisals of the likelihood of a particular
9 inmate's risk of failure on parole and for assessing the level of
10 supervision needed for individual parolees.

11 Second, the bill permits parole board panels to require an inmate to
12 undergo in-depth preparole psychological evaluations, as often as the
13 panels deems necessary, to provide the panel with current and accurate
14 information to assess an inmate's suitability for parole. Currently,
15 under a federal district court ruling, the board only may request that
16 an inmate undergo a psychological evaluation prior to a parole
17 hearing. The bill also requires that these evaluations be included in the
18 inmate's preparole report.

19 Third, the bill requires all psychological reports prepared in
20 connection with any court proceedings to be included in the preparole
21 report required under current law. This would include reports such as
22 those used to determine a defendant's fitness to stand trial, raise and
23 rebut a defense at trial, support plea negotiations or demonstrate
24 mitigating factors at sentencing. The commission's report states that
25 these reports are to supplement any psychological evaluations
26 otherwise required by the board, assist the Parole Board in
27 determining when parole of an inmate is not appropriate, and thus
28 provide "greater protection to the community."

29

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33 Authorizes preparation of inmate risk-assessment and psychological
34 evaluations for Parole Board use.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 23

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 23 with Assembly committee amendments.

Assembly Bill No. 23 implements three recommendations of the Governor's Study Commission on Parole by amending three sections of the "Parole Act of 1979" (P.L.1979, c.441; C.30:4-123.45 et seq.).

First, the bill amends the law to require the preparation of a risk assessment evaluation for inmates eligible for consideration for parole. This risk assessment is to be included as part of the preparole report which is used by the Parole Board to evaluate whether an inmate should be released on parole. The document, which is to be organized and presented in a form prescribed by the board, is to contain evaluations of both static and dynamic criteria, and is to include information relating to the inmate's criminal history, conduct during confinement, education and family background and any other information the board may deem necessary and appropriate. Using such risk assessments should help the board by providing an objective instrument that can be used to project more reliable appraisals of the likelihood of a particular inmate's risk of failure on parole and for assessing the level of supervision needed for individual parolees.

Second, the bill permits parole board panels to require an inmate to undergo in-depth preparole psychological evaluations as often as the panels deems necessary, to provide the panel with current and accurate information to assess an inmate's suitability for parole. Currently, under a federal district court ruling, the board only may request that an inmate undergo a psychological evaluation prior to a parole hearing. The bill also requires that these evaluations be included in the inmate's preparole report.

Third, the bill requires all psychological reports prepared in connection with any court proceeding to be included in the preparole report required under current law. This would include reports such as those used to determine a defendant's fitness to stand trial, raise and rebut a defense at trial, support plea negotiations or demonstrate mitigating factors at sentencing. The commission's report states that these reports are to supplement any psychological evaluations otherwise required by the board and assist the Parole Board in determining when parole of an inmate is not appropriate, thus

providing "greater protection to the community."

The committee, at the sponsor's request, amended the bill to specify that the psychological evaluations an appropriate board panel or the Parole Board requires of an inmate under this bill are to be conducted by a psychologist employed by the Parole Board or, where appropriate after consultation with the Department of Corrections, by a psychologist at the Adult Diagnostic and Treatment Center.

The committee also amended the bill to postpone for six months the requirement that an objective risk assessment be included in each inmate's preparole report. It is the committee's understanding that such a temporary delay is necessary because the Department of Corrections is still in the process of developing not only the form of the assessment, but also the specific items to be incorporated within it.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 23

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 1997

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 23 (1R).

This bill implements three recommendations of the Governor's Study Commission on Parole by amending three sections of the "Parole Act of 1979" (P.L.1979, c.441; C.30:4-123.45 et seq.).

First, the bill amends the law to require the preparation of a risk assessment evaluation for inmates eligible for consideration for parole. This risk assessment is to be used by the Parole Board to evaluate whether an inmate should be released on parole. The document, which is to be organized and presented in a form prescribed by the board, is to contain evaluations of both static and dynamic criteria, and is to include information relating to the inmate's criminal history, conduct during confinement, education and family background and any other information the board may deem necessary and appropriate. Using such risk assessments should help the board by providing an objective instrument that can be used to project more reliable appraisals of the likelihood of a particular inmate's risk of failure on parole and for assessing the level of supervision needed for individual parolees.

Second, the bill permits parole board panels to require an inmate to undergo in-depth preparole psychological evaluations, as often as the panels deem necessary, to provide the panels with current and accurate information to assess an inmate's suitability for parole. Currently, under a federal district court ruling, the board only may request that an inmate undergo a psychological evaluation prior to a parole hearing. The bill also requires that these evaluations be included in the inmate's preparole report.

Third, the bill requires all psychological reports prepared in connection with any court proceeding to be included in the preparole report required under current law. This would include reports such as those used to determine a defendant's fitness to stand trial, raise and rebut a defense at trial, support plea negotiations or demonstrate mitigating factors at sentencing. The commission's report states that these reports are to supplement any psychological evaluations

otherwise required by the board and assist the Parole Board in determining when parole of an inmate is not appropriate, thus providing "greater protection to the community."

The bill specifies that the psychological evaluations an appropriate board panel or the Parole Board requires of an inmate under this bill are to be conducted by a psychologist employed by the Parole Board or, where appropriate, after consultation with the Department of Corrections, by a psychologist at the Adult Diagnostic and Treatment Center.

The committee adopted an amendment to clarify that the Parole Board, rather than the Department of Corrections, is to perform the risk assessment. The other committee amendment is technical in nature.

As amended and released by the committee, this bill is identical to Senate Bill No. 2204, which also was amended and released by the committee on this date.

974.901
G61



OFFICE OF THE GOVERNOR NEWS RELEASE

PO BOX-004

CONTACT: Jayne O'Connor
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TRENTON, NJ 08625

RELEASE: TUESDAY
Aug. 19, 1997

Governor Strengthens the New Jersey Parole System

Gov. Christie Whitman today signed a series of parole bills that will toughen standards for inmate release, limit the use of certain credits given to criminals, mandate psychological testing for some inmates eligible for parole and allow crime victims to testify during parole hearings.

“Our new parole laws will better protect our families, give victims more control and keep violent criminals behind bars where they belong,” Gov. Whitman said. “These bills will work hand-in-hand with other crime-fighting laws we have put on the books which are helping to tell the right story about crime and punishment: crime is down and punishment is up.”

The Governor signed the bills at ceremonies at police headquarters in Jersey City in Hudson County and Washington Township police headquarters in Gloucester County.

“The legislation that I signed today culminates the work that began when I created the Study Commission on Parole two years ago,” the Governor said. “In the past, we had a system that better protected lethal felons than it did law-abiding families. Today, we are changing our parole statutes to shift the balance back where it belongs -- on the side of public safety.”

The new legislation allows the state Parole Board greater discretion and more control during parole hearings.

For example, the board can now examine an inmate’s entire record at all parole hearings to determine whether that person would present a danger to the public’s safety. Previously, if an inmate was denied parole during an initial hearing, the only information about that criminal that could be used during subsequent hearings was what the inmate’s behavior was since his or her prior hearing. An inmate’s full record was not allowed to be considered.

The Governor also established a Parole Advisory Board to review supervision issues, develop and implement drug and alcohol treatment programs and comment on all other inmate issues when requested by the Commissioner of Corrections.

Victims of crime and the families of murder victims now will not only have input into the Parole Board’s determination of whether to grant parole, but also into the special conditions of that parole. The board can now impose special conditions to parole based on a victim’s request such as

prohibiting the parolee from entering the victim's home, school or place of business or placing restraints against the parolee from harrassing or stalking the victim..

Several of the bills being signed today will amend the Parole Act of 1979 by implementing recommendations made in the Governor's Study Commission on Parole.

Throughout her administration Gov. Whitman has enacted strong laws such as: Megan's Law; Three Strikes; Joan's Law; the Law Enforcement Officers' Protection Act; and the No Early Release Act which forces violent criminals to serve at least 85 percent of their sentence.

Attached is a list of bills signed by the Governor today.

###

Bills Gov. Whitman signed in Jersey City:

- ***More information available to the Parole Board***
The bill changes the standard that the Parole Board uses when determining whether an inmate should be paroled. It allows the Parole Board to weigh information in an inmate's record when considering the inmate's parole eligibility at second and subsequent hearings. It also prohibits the use of good time and work credits to accelerate a future parole eligibility date after an initial denial of parole. The bills A-21 / S-339 were sponsored by Assembly Members James W. Holzapfel (R-Monmouth / Ocean) and Marion Crecco (R-Essex / Passaic) and Senators Robert J. Martin (R-Essex / Morris / Passaic), Raymond J. Zane (D-Salem / Cumberland / Gloucester), Andrew R. Ciesla (R-Monmouth / Ocean) and John J. Matheussen (R-Camden / Gloucester).
- ***Medical parole***
The bill establishes special medical parole for certain inmates who are terminally ill or severely incapacitated. The bills, A-22 / S-2001, were sponsored by Assembly members James W. Holzapfel (R- Monmouth / Ocean) and Charlotte Vandervalk (R-Bergen) and Senators Andrew R. Cisela (R-Monmouth / Ocean) and John J. Matheussen (R-Camden / Gloucester).
- ***Establishment of Parole Advisory Board***
The bill establishes a Parole Advisory Board that will be in, but not of, the Bureau of Parole. The board would review and comment on supervision issues, the development and implementation of drug and alcohol treatment programs for parolees, and any issues requested by the Commissioner of Corrections. The advisory board may make recommendations to the Commissioner of Corrections, the Parole Board, the Governor and the Legislature. It will also sponsor conferences with criminal justice administrators and community members. The bills, A-25 / S-2203, were sponsored by Assembly Members Joseph Azzolina (R-Middlesex/Monmouth) and Francis J. Blee (R-Atlantic) and Senator Louis F. Kosco (R-Bergen).
- ***Criminals' psychological makeup to be evaluated***
The bill requires that pre-parole and pre-sentence reports include the disposition of prior charges filed against a potential parolee that were suspended due to mental incompetence. It also requires that some defendants and inmates undergo psychological examinations and permits the state to obtain reimbursement from defendants, inmates and health insurers. The bills, A-489 / 685, were sponsored by Assembly members Joel Weingarten (R-Essex / Union), Kevin J. O'Toole (R-Essex / Union) and Charles Zisa (D-Bergen).

Bills Gov. Whitman signed in Washington Township

- ***Risk-assessment evaluations enhanced***
The bill implements three recommendations of the Governor's Study Commission on Parole by amending three sections of the Parole Act of 1979. It establishes risk assessment evaluations for inmates eligible for parole, allows the boards to mandate in-depth psychological evaluations to assess an inmate's suitability for parole, and requires that all psychological reports are prepared in connection with any court proceeding to be included in the pre-parole report required under current law. The bills, A-23 / S-2204, were sponsored by Assembly members Carmine DeSopo (R-Burlington/Camden) and Guy F. Talarico (R-Bergen) and Senator Louis F. Kosco (R-Bergen).
- ***Victims and families of victims to have input***
The bill allows victims and the families of murder victims to have input not only in the Parole Board's determination of whether to grant parole, but also into the special conditions of parole. The bill strengthens the rights of crime victims in the parole process. The bills, A-24 / S-1949, were sponsored by Assembly Members George F. Geist (R-Camden / Gloucester) and Rose Heck (R-Bergen) and Senator John P. Scott (R- Bergen / Essex / Passaic).
- ***Organizational changes to Parole Board***
The bill provides for organizational changes to the State Parole Board. It establishes a vice-chairman and permanent alternate member on the board. The bills, A-26 / S-2202, were sponsored by Assembly members Kevin J. O'Toole (R-Essex / Union) and Barbara Wright (R-Mercer / Middlesex) and Senator Louis F. Kosco (R-Bergen).