

52:17B-183

LEGISLATIVE HISTORY CHECKLIST
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(Youthful offenders)

NJSA: 52:17B-183

LAWS OF: 1997 CHAPTER: 55

BILL NO: S1484

SPONSOR(S): Kosco and others

DATE INTRODUCED: September 19, 1996

COMMITTEE: ASSEMBLY: Law & Public Safety

SENATE: Law & Public Safety

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

DATE OF PASSAGE: ASSEMBLY: February 20, 1997

SENATE: December 19, 1996

DATE OF APPROVAL: April 1, 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: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

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52:17B-183
1997
CHAPTER 55
S1484
KOSCO AND OTHERS
SEPTEMBER 19, 1996
FEBRUARY 20, 1997
DECEMBER 19, 1996
APRIL 1, 1997
YES
YES
NO
NO
NO
NO
NO
NO

[First Reprint]
SENATE, No. 1484

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1996

By Senators KOSCO, LITTELL and Rice

1 AN ACT concerning certain youthful offenders and amending
2 P.L.1995, c.330.

3

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

6

7 1. Section 3 of P.L.1995, c.330 (C.52:17B-183) is amended to
8 read as follows:

9 3. As used in this act:

10 a. "Commission" means the Juvenile Justice Commission in, but not
11 of, the Department of Law and Public Safety established pursuant to
12 P.L.1995, c.284 (C.52:17B-169 et seq.).

13 b. "Commissioner" means the Commissioner of the Department of
14 Corrections.

15 c. "Youthful offender" means a person at least 14 years old at the
16 time of disposition who has been adjudicated delinquent for an act
17 which, if committed by an adult, would constitute a crime, excluding
18 an adjudication for any act which would constitute a crime of the first
19 degree or a crime under chapter 14 of Title 2C of the New Jersey
20 Statutes.

21 d. "Youthful offender" means a person between 18 and ¹**[26]** 30¹
22 years of age who has been convicted of a crime **[of the third or fourth**
23 **degree or convicted of a crime of the second degree but sentenced**
24 **pursuant to paragraph (2) of subsection f. of N.J.S.2C:44-1 to a term**
25 **appropriate to a crime of the third degree]**, excluding any person
26 convicted of:

27 (1) a crime of the first degree;

28 (2) a crime under chapter 14 of Title 2C of the New Jersey
29 Statutes;

30 (3) [or convicted of any] a crime which requires the imposition of
31 a mandatory term of imprisonment without eligibility for parole, unless

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 Senate SLP committee amendments adopted November 7, 1996.

1 the person has less than one year of the mandatory portion of the
2 sentence remaining; or

3 (4) a crime of the second degree under any of the following:
4 N.J.S.2C:11-4, N.J.S.2C:12-1, N.J.S.2C:13-1, N.J.S.2C:15-1,
5 N.J.S.2C:18-2 or N.J.S.2C:39-4 for possession of a weapon with the
6 purpose of using it unlawfully against the person of another.
7 (cf: P.L.1995, c.330, s.3)

8

9 2. This act shall take effect immediately.

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14 Broadens the pool of youthful offenders eligible for participation in the
15 "Stabilization and Reintegration Program."

1 N.J.S.2C:11-4, N.J.S.2C:12-1, N.J.S.2C:13-1, N.J.S.2C:15-1,
2 N.J.S.2C:18-2 or N.J.S.2C:39-4 for possession of a weapon with the
3 purpose of using it unlawfully against the person of another.

4 (cf: P.L.1995, c.330, s.3)

5
6 2. This act shall take effect immediately.

7
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9 STATEMENT

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11 This bill would expand the number of youthful offenders who would
12 be eligible for participation in the "Stabilization and Reintegration
13 Program" established by P.L.1995, c.330.

14 Under the statute, the Department of Corrections may assign
15 certain offenders between the ages of 18 and 26 to the "SRP," which
16 consists of both a highly structured residential program of physical
17 exercise, work, education and psychological counseling, and an
18 intensive follow-up program of "after-care" involving work
19 opportunities and vocational training.

20 Currently, only certain youthful offenders who have been convicted
21 of third or fourth degree crimes are eligible to participate in the "SRP"
22 program. The statute prohibits the participation of all offenders
23 convicted of crimes of the first and second degree (except for those
24 second degree offenders sentenced as third degree offenders pursuant
25 to N.J.S.A.2C:44-1), all persons convicted of sexual assault and
26 criminal sexual contact, and all persons convicted of crimes requiring
27 the imposition of mandatory terms of imprisonment.

28 Under the bill, eligibility for the program would be broadened to
29 include more persons convicted of second, third and fourth degree
30 crimes, including those crimes involving the imposition of mandatory
31 terms of imprisonment if the offender has no more than one year
32 remaining in the mandatory portion of his sentence.

33 The bill, like current law, would still bar all sex offenders from
34 participating in the program. The bill also provides that only those
35 second degree offenders who were convicted of non-violent crimes are
36 eligible to participate.

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41 Broadens the pool of youthful offenders eligible for participation in the
42 "Stabilization and Reintegration Program."

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1484

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 1997

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 1484 (1R).

Senate Bill No. 1484 (1R) expands the number of youthful offenders who are eligible for participation in the "Stabilization and Reintegration Program" (SRP) established by P.L.1995, c.330 (C.52:17B-181 et seq.).

Under that statute, the Department of Corrections may assign certain offenders between the ages of 18 and 26 to the SRP, which consists of both a highly structured residential program of physical exercise, work, education and psychological counseling, and an intensive follow-up program of "after-care" involving work opportunities and vocational training. This bill permits the department to assign offenders up to age 30 to the program.

Currently, only certain youthful offenders who have been convicted of third or fourth degree crimes are eligible to participate in the SRP program. The statute prohibits the participation of all offenders convicted of crimes of the first and second degree (except for those second degree offenders sentenced as third degree offenders pursuant to N.J.S.2C:44-1), persons convicted of sexual assault and criminal sexual contact and persons convicted of crimes requiring the imposition of mandatory terms of imprisonment.

Under this bill, eligibility for the program would be broadened to include more persons convicted of second, third and fourth degree crimes, including those crimes involving the imposition of mandatory terms of imprisonment if the offender has no more than one year remaining in the mandatory portion of his sentence. However, only those second degree offenders who were convicted of non-violent crimes are eligible to participate.

This bill, like current law, would still bar all sex offenders from participating in the program.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1484

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 7, 1996

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1484.

This bill would expand the number of youthful offenders who would be eligible for participation in the "Stabilization and Reintegration Program" (SRP) established by P.L.1995, c.330.

Under that statute, the Department of Corrections may assign certain offenders between the ages of 18 and 26 to the "SRP," which consists of both a highly structured residential program of physical exercise, work, education and psychological counseling, and an intensive follow-up program of "after-care" involving work opportunities and vocational training. This bill, as amended and released by the committee, permits the department to assign offenders up to age 30 to the program.

Currently, only certain youthful offenders who have been convicted of third or fourth degree crimes are eligible to participate in the "SRP" program. The statute prohibits the participation of all offenders convicted of crimes of the first and second degree (except for those second degree offenders sentenced as third degree offenders pursuant to N.J.S.2C:44-1), all persons convicted of sexual assault and criminal sexual contact, and all persons convicted of crimes requiring the imposition of mandatory terms of imprisonment.

Under this bill, eligibility for the program would be broadened to include more persons convicted of second, third and fourth degree crimes, including those crimes involving the imposition of mandatory terms of imprisonment if the offender has no more than one year remaining in the mandatory portion of his sentence. However, only those second degree offenders who were convicted of non-violent crimes are eligible to participate.

This bill, like current law, would still bar all sex offenders from participating in the program.

The committee amendment increases the maximum age for the program from 26 to 30 years old.