| **LEGISLATIVE HISTORY CHECKLIST**  
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| (Prisoners--county facilities--work release)  

| **NJSA:** | 30:8-44  
| **LAWS OF:** | 1994  
| **CHAPTER:** | 153  
| **BILL NO:** | A160  
| **SPONSOR(S):** | Roma and Struhltrager  
| **DATE INTRODUCED:** | Pre-filed  
| **COMMITTEE:** |  
| **ASSEMBLY:** | Judiciary  
| **SENATE:** | Law & Public Safety  
| **AMENDED DURING PASSAGE:** | Yes  
| Amendments during passage denoted by superscript numbers  
| **DATE OF PASSAGE:** |  
| **ASSEMBLY:** | May 16, 1994  
| **SENATE:** | October 27, 1994  
| **DATE OF APPROVAL:** | December 9, 1994  
| **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  

KBC:pp
AN ACT concerning the eligibility of prisoners confined in county correctional facilities to participate in work release and vocational training release programs, amending P.L.1968, c.372 and supplementing chapter 8 of Title 30 of the Revised Statutes.

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

1. Section 1 of P.L.1968, c.372 (C.30:8-44) is amended to read as follows:

   1. In any county in which the [board of chosen freeholders] governing body, by ordinance or resolution, as appropriate, approves the application of this act and designates a county work release administrator who may be the sheriff, warden or other person, a person convicted of any offense, except as otherwise provided in section 2 of P.L. , c. (C. ), (now pending before the Legislature as section 2 of this bill) and sentenced to the county jail, workhouse or penitentiary of the county may be placed at outside labor or permitted to attend a vocational training course operated or sponsored by a public or private agency in the county by order of the court by which the sentence was imposed, or by the assignment judge of the county in which the sentence was imposed, at the time such person is sentenced or at any time thereafter during the term of the sentence. In the case of female offenders a work release order may include permission for release from confinement during specified hours to care for her family. Such order may be revoked by the court which granted it at any time.

   The Department of [Institutions and Agencies] Corrections shall prepare and enforce regulations for the operation of this act in accordance with the provisions thereof.

   (cf: P.L.1969, c.243, s.1)

2. (New section) No person confined to a county correctional facility shall be eligible to participate in any work release or vocational training release program if he has been convicted of any of the following:

   a. Any crime involving a sexual offense or child molestation as set forth in N.J.S.2C:14-1 et seq.;

   b. Any crime endangering the welfare of children or incompetents which concerns sexual conduct which would impair or debauch the morals of the child or an incompetent, as set forth in N.J.S.2C:24-4 and N.J.S.2C:24-7;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is 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 AJL committee amendments adopted January 20, 1994.
c. Any crime involving the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a "controlled dangerous substance" or a "controlled dangerous substance analog," as defined in the "Comprehensive Drug Reform Act of 1986," P.L. 1987, c.106 (C.2C:35-1 et al.); or
d. Any crime involving the use of force or the threat of force upon a person or property including: armed robbery, aggravated assault, kidnapping, arson, manslaughter and murder.

3. This act shall take effect immediately.

Prohibits inmates convicted of certain crimes from participating in county work release and vocational training release programs.
"controlled dangerous substance" or a "controlled dangerous substance analog," as defined in the "Comprehensive Drug Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.); or
d. Any crime involving the use of force or the threat of force upon a person or property including: armed robbery, assault, kidnapping, arson, manslaughter and murder.
3. This act shall take effect immediately.

STATEMENT

This bill would prohibit persons who were convicted of certain crimes and confined in county correctional facilities from participating in work release and vocational training release programs.

Under the provisions of the bill, an inmate would be excluded from such participation if convicted of a crime:

1. involving a sexual offense or child molestation;
2. endangering the welfare of children or incompetents;
3. involving the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a controlled dangerous substance or a controlled dangerous substance analog;
or
4. involving the use of force or the threat of force to or upon a person or property such as armed robbery, assault, kidnapping, arson, manslaughter and murder.

Prohibits inmates convicted of certain crimes from participating in county work release and vocational training release programs.
"controlled dangerous substance" or a "controlled dangerous substance analog," as defined in the "Comprehensive Drug Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.); or
d. Any crime involving the use of force or the threat of force upon a person or property including: armed robbery, assault, kidnapping, arson, manslaughter and murder.

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(1) involving a sexual offense or child molestation;

(2) endangering the welfare of children or incompetents;

(3) involving the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a controlled dangerous substance or a controlled dangerous substance analog; or

(4) involving the use of force or the threat of force to or upon a person or property such as armed robbery, assault, kidnapping, arson, manslaughter and murder.

Prohibits inmates convicted of certain crimes from participating in county work release and vocational training release programs.
The Assembly Judiciary, Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 160.

This bill would prohibit persons who were convicted of certain crimes and confined in county correctional facilities from participating in work release and vocational training release programs.

Under the provisions of the bill, an inmate would be excluded from such participation if convicted of a crime:

1. involving a sexual offense or child molestation;
2. certain offenses endangering the welfare of children or incompetents;
3. involving the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a controlled dangerous substance or a controlled dangerous substance analog; or
4. involving the use of force or the threat of force to or upon a person or property such as armed robbery, aggravated assault, kidnapping, arson, manslaughter and murder.

The committee amendments clarified that the crime of assault as set forth in subsection d. of section 2 of the bill must be aggravated assault and that the endangering the welfare of a child or incompetent as set forth in subsection b. of section 2 of the bill shall concern conduct debauching the morals of the child or incompetent.

This bill was prefiled for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.
The Senate Law and Public Safety Committee favorably reports Assembly Bill No. 160 (1R).

This bill would prohibit persons who were convicted of certain crimes and confined in county correctional facilities from participating in work release and vocational training release programs.

Under the provisions of the bill, an inmate would be excluded from such participation if convicted of a crime involving:

1. a sexual offense or child molestation;

2. endangering the welfare of children or incompetents if the offense involved conduct degrading the morals of the child or incompetent;

3. the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a controlled dangerous substance or a controlled dangerous substance analog; or

4. the use of force or the threat of force to or upon a person or property such as armed robbery, aggravated assault, kidnapping, arson, manslaughter and murder.