

30:8-44

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
First reprint enacted 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

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 160

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblymen ROMA and STUHLTRAGER

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

6

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

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

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

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

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

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

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

39 b. Any crime endangering the welfare of children or
40 incompetents ¹which concerns sexual conduct which would impair
41 or debauch the morals of the child or an incompetent¹, as set
42 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.

1 c. Any crime involving the manufacture, transportation, sale
2 or possession, with the intent to sell or distribute, of a
3 "controlled dangerous substance" or a "controlled dangerous
4 substance analog," as defined in the "Comprehensive Drug
5 Reform Act of 1986," P.L.1987, c.106 (C.2C:35-1 et al.); or

6 d. Any crime involving the use of force or the threat of force
7 upon a person or property including: armed robbery,
8 ¹aggravated¹ assault, kidnapping, arson, manslaughter and
9 murder.

10 3. This act shall take effect immediately.

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15 Prohibits inmates convicted of certain crimes from participating
16 in county work release and vocational training release programs.

1 "controlled dangerous substance" or a "controlled dangerous
2 substance analog," as defined in the "Comprehensive Drug
3 Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.); or

4 d. Any crime involving the use of force or the threat of force
5 upon a person or property including: armed robbery, assault,
6 kidnapping, arson, manslaughter and murder.

7 3. This act shall take effect immediately.

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10 STATEMENT

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

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

18 (1) involving a sexual offense or child molestation;

19 (2) endangering the welfare of children or incompetents;

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

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

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31 Prohibits inmates convicted of certain crimes from participating
32 in county work release and vocational training release programs.

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2 substance analog," as defined in the "Comprehensive Drug
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21 possession, with the intent to sell or distribute, of a controlled
22 dangerous substance or a controlled dangerous substance analog;
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24 (4) involving the use of force or the threat of force to or upon
25 a person or property such as armed robbery, assault, kidnapping,
26 arson, manslaughter and murder.

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31 Prohibits inmates convicted of certain crimes from participating
32 in county work release and vocational training release programs.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 160

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 20, 1994

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.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 160

STATE OF NEW JERSEY

DATED: JUNE 6, 1994

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 debauching 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.