

2 A: 167-3.1

LEGISLATIVE HISTORY CHECKLIST
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(Parsons & reprieves--annual reports)

NJSA: 2A:167-3.1

LAWS OF: 1993 CHAPTER: 26

BILL NO: S783

SPONSOR(S): Gormley and DiFrancesco

DATE INTRODUCED: May 14, 1992

COMMITTEE: ASSEMBLY: Judiciary, Law, Public Safety & Defense
SENATE: Judiciary

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: December 17, 1992
SENATE: June 18, 1992

DATE OF APPROVAL: January 25, 1993

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: No

HEARINGS: No

See newspaper clippings--attached:

"New law required reports on parsons," 1-26-93, Bergen Record.

"Governor signs clemency disclosure bill," 1-26-93, Asbury Park Press.

"Governor now required to disclosure all pardons," 1-26-93, Asbury Park Press.

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SENATE, No. 783
STATE OF NEW JERSEY

INTRODUCED MAY 14, 1992

By Senators GORMLEY and DiFRANCESCO

1 AN ACT concerning the granting of pardon and reprieves and
2 supplementing Title 2C of the New Jersey Statutes.

3

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

6 1. On or before March 1 of each year, the Governor shall
7 report to the Legislature each reprieve, pardon and commutation
8 granted, stating the name of the convicted person, the crime for
9 which the person was convicted, the sentence imposed, its date,
10 the date of the pardon, reprieve or commutation and the reasons
11 for granting same.

12 2. This act shall take effect immediately.

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15 STATEMENT

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17 Under Article V, Section II of the New Jersey Constitution, the
18 Governor is authorized to grant pardons and reprieves to persons
19 convicted of criminal offenses. This bill would require the
20 Governor to file an annual report with the Legislature describing
21 each pardon, reprieve or commutation of sentence granted. The
22 report would also be required to include the offense for which the
23 person was convicted, the original sentence imposed and the
24 reasons for granting the pardon, reprieve or commutation.

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29 _____
30 Requires the filing of an annual report by the Governor with
regard to the granting of pardons and reprieves.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

SENATE, No. 783

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1992

The Assembly Judiciary, Law and Public Safety Committee reports favorably Senate Bill No. 783.

This bill would require the Governor to file an annual report with the Legislature describing each pardon, reprieve or commutation of sentence granted to persons convicted of criminal offenses. The report would be required to include the name of the convicted person, the crime for which the person was convicted, the original sentence imposed, the date it was imposed, and the date of and reasons for granting the pardon, reprieve or commutation.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 783

STATE OF NEW JERSEY

DATED: JUNE 8, 1992

The Senate Judiciary Committee reports favorably Senate Bill No. 783.

S783 would require the Governor to file an annual report with the Legislature describing each pardon, reprieve or commutation of sentence granted to persons convicted of criminal offenses. The report would be required to include the offense for which the person was convicted, the original sentence imposed and the reasons for granting the pardon, reprieve or commutation.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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TRENTON, N.J. 08625

Release:

Monday
Jan. 25, 1993

GOVERNOR SIGNS CLEMENCY DISCLOSURE BILL *Provides Public Access to Clemency Process*

Following a procedure he established unilaterally last year, Governor Jim Florio today signed legislation providing for public disclosure of any pardons or clemencies.

"I've made it very clear since becoming Governor that clemency is such an extraordinary power I will only use it in the full light of day so that all those who have been touched and scarred by crime have their fair say," said Governor Florio, who was joined by Jim O'Brien, head of the Coalition of Crime Victims Rights Organizations. "The court of public opinion deserves to be heard when clemency or a pardon occurs. No issue affects our people more than how we deal with crime. For victims and their families, the need is even more profound."

Since taking office, Governor Florio has granted only one pardon (1991) and two commutations for illnesses (1990 and 1991). The Governor said he wanted to make it very clear that except in the most extraordinary circumstances, the decisions of courts and juries should stand, putting the rights of victims first.

Under the new Clemency Disclosure law, the Governor will submit an annual report to the Legislature by March 1 concerning the granting of pardons and commutations, details of the convicted's offense, the original sentence and the reasons for granting the clemency.

There are generally two types of clemencies. A pardon is an "official forgiveness" to a person who has already served his or her sentence. A commutation of sentence is given to a person in prison and usually reduces a sentence making the person eligible for earlier parole, or cuts the sentence to the amount of time already served. One type of commutation is a medical commutation in which a shorter sentence is given to people suffering from life-threatening or terminal illnesses.

"The Constitution of New Jersey gives me, as Governor, the authority to grant clemency or pardon to someone convicted of a crime in our state. Our constitution

also says that victims have the right to be treated with fairness, compassion and respect," said the Governor. "The power of clemency and pardon have been granted to each governor of our state. But the power to judge our government belongs to every citizen of New Jersey. I'm here to say the law is on your side. We're working hard to make all our laws criminal proof -- no loopholes, no revolving door justice, no easy way out. That includes clemency and pardons."

The bill, S 783, was sponsored by Senators Donald DiFrancesco and William Gormley.

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