ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2787

STATE OF NEW JERSEY

DATED: MAY 12, 2021

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2787.

This bill establishes the New Jersey Innocence Study and Review Commission. Under the bill, the commission is charged to study and review all aspects of criminal cases involving wrongful conviction in New Jersey and recommend reforms to reduce the likelihood of wrongful conviction occurring in the future, including but not limited to the following issues: (1) identifying the main causes of wrongful conviction; (2) studying existing research on these causes; (3) reviewing cases of wrongful conviction; (4) reviewing additional cases that will assist the Commission in understanding the causes of wrongful conviction, and recommending best practices to appropriate constituencies; (5) examining the existing system of restitution to compensate wrongfully convicted persons and programming to assist persons to reintegrate back into society, and (6) make a specific recommendation, for the establishment of a permanent innocence review panel before which convicted and incarcerated individuals may present a request for the review of their own conviction by the panel, unless such recommendation is expressly rejected by the commission.

The commission would be composed of nine members as follows: One member appointed by the Governor, who shall be the chairperson of the commission, and who shall be a retired judge of the Superior Court or retired justice of the Supreme Court; two members appointed by the President of the Senate and two members appointed by the Speaker of the General Assembly; the Public Defender or a designee; the Attorney General or a designee; the Administrative Director of the Courts or a designee; a representative of the County Prosecutors Association of New Jersey. All members must be appointed within 45 days of enactment of the bill. The commission is required to report its findings and recommendations, including any recommended legislation, to the Legislature and the Governor within 18 months of appointment of the members.

This bill is identical to Senate, No. 282, which is also considered and released by the committee on this date.