

ASSEMBLY, No. 3912

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 9, 2020

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Holley and Assemblywoman Reynolds-Jackson

SYNOPSIS

Assists inmates released from incarceration in obtaining necessary reentry benefits.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/13/2020)

1 AN ACT concerning inmate reentry, amending P.L.2009, c.329, and
2 supplementing Title 30 of the Revised Statutes.

3

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

6

7 1. Section 2 of P.L.2009, c.329 (C.30:1B-6.2) is amended to
8 read as follows:

9 2. The Commissioner of Corrections shall provide to each
10 inmate at least **[ten]** 30 days prior to release from a State
11 correctional facility:

12 a. A copy of the inmate's criminal history record and written
13 information on the inmate's right to have his criminal records
14 expunged under chapter 52 of Title 2C of the New Jersey Statutes;

15 b. General written information on the inmate's right to vote
16 under R.S.19:4-1;

17 c. General written information on the availability of programs,
18 including faith-based and secular programs, that would assist in
19 removing barriers to the inmate's employment or participation in
20 vocational or educational rehabilitative programs, including but not
21 limited to information concerning the "Rehabilitated Convicted
22 Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the
23 certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et
24 seq.);

25 d. A detailed written record of the inmate's participation in
26 educational, training, employment, and medical or other treatment
27 programs while the inmate was incarcerated;

28 e. A written accounting of the fines, assessments, surcharges,
29 restitution, penalties, child support arrearages, and any other
30 obligations due and payable by the inmate upon release;

31 f. **[A non-driver identification card, which shall be issued by the**
32 **New Jersey Motor Vehicle Commission and for which the Motor**
33 **Vehicle Commission shall accept a former inmate's Department of**
34 **Corrections identification card to have a two-point value in**
35 **applying for the non-driver identification card;]** Deleted by
36 amendment, P.L. c. (pending before the Legislature as this
37 bill)

38 g. A copy of the inmate's birth certificate if the inmate was
39 born in New Jersey;

40 h. Assistance in obtaining a Social Security card;

41 i. A one-day New Jersey bus or rail pass;

42 j. A **[two-week]** three-month supply of prescription
43 medication;

44 k. General written information concerning child support,
45 including child support payments owed by the inmate, information

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.

1 on how to seek child support payments and information on where to
2 seek services regarding child support, child custody, and
3 establishing parentage; and

4 1. (1) A medical discharge summary, which shall include
5 instructions on how to obtain from the commissioner a copy of the
6 inmate's full medical record. Upon request from the inmate, the
7 commissioner shall provide a copy of the inmate's full medical
8 record in a safe and secure manner, at no charge to the inmate.

9 (2) Within 90 days of the effective date of this act, the
10 commissioner, in consultation with the State Board of Medical
11 Examiners, shall adopt rules and regulations, pursuant to the
12 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
13 seq.), to ensure that these records are expeditiously and securely
14 provided, in a manner consistent with the provision of medical
15 records by other providers.

16 (cf: P.L.2011, c.191, s.1)

17

18 2. (New section) The Commissioner of Corrections shall
19 provide a non-driver identification card to each inmate, free of
20 charge, as soon as practicable, but not less than 45 days prior to the
21 inmate's release from a State correctional facility. The New Jersey
22 Motor Vehicle Commission shall issue the identification card and
23 accept a former inmate's Department of Corrections identification
24 card as two points for the purposes of applying for the identification
25 card. Whenever the Governor orders Motor Vehicle Commission
26 agencies to close during a declared public health emergency,
27 pursuant to the "Emergency Health Powers Act," P.L.2005, c.222
28 (C.26:13-1 et seq.), a state of emergency, pursuant to P.L.1942, c.
29 251 (C.App.A.9-33 et seq.), or both, the Commissioner of
30 Corrections shall directly issue these identification cards to inmates.

31

32 3. (New section) a. The chief executive officer, warden, or
33 keeper of each county correctional facility shall provide to each
34 inmate at least 30 days prior to release from a county correctional
35 facility:

36 (1) a copy of the inmate's criminal history record and written
37 information on the inmate's right to have his criminal records
38 expunged under chapter 52 of Title 2C of the New Jersey Statutes;

39 (2) general written information on the inmate's right to vote
40 under R.S.19:4-1;

41 (3) general written information on the availability of programs,
42 including faith-based and secular programs, that would assist in
43 removing barriers to the inmate's employment or participation in
44 vocational or educational rehabilitative programs, including but not
45 limited to information concerning the "Rehabilitated Convicted
46 Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the
47 certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et
48 seq.);

1 (4) a detailed written record of the inmate's participation in
2 educational, training, employment, and medical or other treatment
3 programs while the inmate was incarcerated;

4 (5) a written accounting of the fines, assessments, surcharges,
5 restitution, penalties, child support arrearages, and any other
6 obligations due and payable by the inmate upon release;

7 (6) a copy of the inmate's birth certificate if the inmate was born
8 in New Jersey;

9 (7) assistance in obtaining a Social Security card;

10 (8) a one-day New Jersey bus or rail pass;

11 (9) a three-month supply of prescription medication;

12 (10) general written information concerning child support,
13 including child support payments owed by the inmate, information
14 on how to seek child support payments and information on where to
15 seek services regarding child support, child custody, and
16 establishing parentage; and

17 (11) a medical discharge summary, which shall include
18 instructions on how to obtain from the superintendent a copy of the
19 inmate's full medical record; upon request from the inmate, the
20 superintendent shall provide a copy of the inmate's full medical
21 record in a safe and secure manner, at no charge to the inmate; the
22 superintendent shall comply with rules and regulations, adopted
23 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
24 (C.52:14B-1 et seq.), that ensure that these records are
25 expeditiously and securely provided i
26 n a manner consistent with the provision of medical records by
27 other providers.

28 b. If an inmate is at any time scheduled for release from a
29 county correctional facility in less than 30 days, the superintendent
30 shall comply with the provisions of subsection a. of this section at
31 least 48 hours prior to the inmate's release.

32

33 4. (New section) a. The chief executive officer, warden, or
34 keeper of each county correctional facility shall provide to each
35 county inmate, free of charge, a non-driver identification card as
36 soon as practicable, but at least 30 days prior to the inmate's release
37 from that facility. The New Jersey Motor Vehicle Commission
38 shall issue the identification card and accept a former inmate's
39 county corrections identification card as two points for the purposes
40 of applying for the identification card. Whenever the Governor
41 orders Motor Vehicle Commission agencies to close during a public
42 health emergency pursuant to the "Emergency Health Powers Act,"
43 P.L.2005, c.222 (C.26:13-1 et seq.), a state of emergency pursuant
44 to P.L.1942, c. 251 (C.App.A.9-33 et seq.), or both, the
45 superintendent of the facility shall directly issue these identification
46 cards to inmates.

47 b. If an inmate is at any time scheduled for release from a
48 county correctional facility in less than 30 days, the superintendent

1 shall issue the non-driver identification card required pursuant to
2 subsection a. of this section at least 48 hours prior to the inmate's
3 release.

4
5 5. (New section) The Commissioner of Corrections shall
6 complete and forward for processing to the appropriate county
7 welfare agency or board of social services as soon as practicable but
8 not less than 45 days prior to an inmate's release from incarceration
9 applications for enrollment in applicable social service programs,
10 including but not limited to:

11 a. the Supplemental Nutrition Assistance Program, established
12 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
13 525 (7 U.S.C.s.2011 et seq.);

14 b. the Work First New Jersey program, established pursuant to
15 P.L.1997, c.38 (C.44:10-55 et seq.), which shall include the
16 application for emergency assistance benefits issued to Work First
17 New Jersey recipients pursuant to section 8 of P.L.1997, c.14
18 (C.44:10-51); and

19 c. the Medicaid program, established pursuant to P.L.1968, c.413
20 (C.30:4D-1 et seq.).

21
22 6. (New section) a. The chief executive officer, warden, or
23 keeper of each county correctional facility shall complete and
24 forward for processing to the appropriate county welfare agency or
25 board of social services as soon as practicable but not less than 30
26 days prior to an inmate's release from incarceration applications for
27 enrollment in applicable social service programs, including but not
28 limited to:

29 (1) the Supplemental Nutrition Assistance Program, established
30 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
31 525 (7 U.S.C.s.2011 et seq.);

32 (2) the Work First New Jersey program, established pursuant to
33 P.L.1997, c.38 (C.44:10-55 et seq.); and

34 (3) the Medicaid program, established pursuant to P.L.1968,
35 c.413 (C.30:4D-1 et seq.).

36 b. If an inmate is at any time scheduled for release from a
37 county correctional facility in less than 30 days, the superintendent
38 shall comply with the provisions of subsection a. of this section at
39 least 48 hours prior to the inmate's release.

40
41 7. (New section) The Commissioner of Corrections shall
42 provide to the appropriate county welfare agency or board of social
43 services, in advance of an inmate's release, the inmate's name,
44 release date, and contact information, which shall include, but not
45 be limited to, a telephone number or an email address.

46
47 8. (New section) The chief executive officer, warden, or
48 keeper of each county correctional facility shall provide to the

1 appropriate county welfare agency or board of social services, in
2 advance of an inmate's release, the inmate's name, release date, and
3 contact information, which shall include, but not be limited to, a
4 telephone number or an email address.

5
6 9. This act shall take effect immediately.

7
8
9 STATEMENT

10
11 This bill addresses significant obstacles faced by State and
12 county inmates in obtaining life-sustaining benefits when these
13 inmates are released from incarceration, particularly during the
14 COVID-19 pandemic. These benefits include food stamps; cash
15 assistance and temporary emergency housing under the State's
16 general assistance program; and Medicaid services, including
17 treatment for hepatitis and other viruses, behavioral health services,
18 such as medication- assisted treatment (MAT) and other addiction
19 treatment, and mental health care.

20 One of the biggest obstacles to obtaining these benefits is lack of
21 photo identification. The State's Fair Release and Reentry Act of
22 2009 currently requires the Department of Corrections (DOC) to
23 ensure inmates are provided with certain credentials, documents,
24 and information to assist their reentry efforts at least 10 days prior
25 to release from incarceration. The credentials to be provided
26 include non-driver identification cards that are issued by the New
27 Jersey State Motor Vehicle Commission (MVC). The requirements
28 of the act currently do not apply to inmates released from county
29 correctional facilities.

30 Under the bill, the timeframe within which the DOC would be
31 required to provide the credentials, documents, and information is
32 extended from 10 to 30 days before the release of a State inmate.
33 The superintendent of each county correctional facility also would
34 be required to issue to county inmates 30 days before release the
35 same documents the DOC is to issue to State inmates.

36 Further, the non-driver identification card is to be issued to State
37 inmates, free of charge, as soon as is practicable, but at least 45
38 days before the inmate is released. County inmates similarly are to
39 be issued these identification cards, free of charge, as soon as
40 practicable, but at least 30 days prior to their release. County
41 inmates at any time scheduled to be released in less than 30 days
42 are to be issued the credentials, documents, and information, as well
43 as the identification cards, at least 48 hours before release.

44 The bill also requires the DOC and county correctional facilities
45 to directly issue non-driver identification cards to inmates released
46 from incarceration if the Governor orders Motor Vehicle
47 Commission (MVC) agencies to close during a declared public
48 health emergency, state of emergency, or both.

1 The current requirement that State inmates be released with a
2 two-week supply of prescription medications is increased to a three-
3 month supply. The bill further requires county inmates to be
4 released with a three-month supply of prescription medications.

5 To ensure that there is no delay in acquiring necessary food,
6 shelter, and medical services when State and county inmates are
7 released into society, the bill requires the DOC, 45 days before
8 release, and county correctional facilities, 30 days before release, to
9 complete on behalf of inmates applications for enrollment in social
10 service programs. The social service programs specifically include
11 food stamps, general assistance (including temporary emergency
12 housing assistance), and Medicaid. If a county inmate at any time
13 is scheduled to be released in less than 30 days, the county
14 correctional facility is to complete the applications at least 48 hours
15 before release. The applications are to be forwarded to the
16 appropriate county welfare agency or board of social services.

17 Finally, the bill requires the DOC and county correctional
18 facilities to provide advance notice of the release of an inmate to
19 the appropriate county welfare agency or board of social services
20 and contact information for that inmate including, at a minimum, a
21 telephone number or email address. This enables social service
22 organizations to contact released inmates to offer reentry assistance.