

[First Reprint]

ASSEMBLY, No. 5754

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Co-Sponsored by:

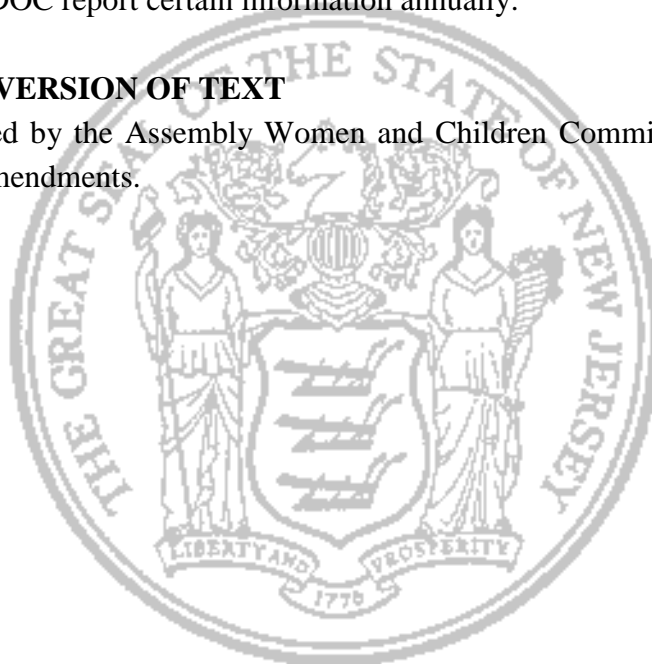
Assemblywomen Vainieri Huttle, Murphy, McKnight and Lampitt

SYNOPSIS

Requires DOC report certain information annually.

CURRENT VERSION OF TEXT

As reported by the Assembly Women and Children Committee on June 9, 2021, with amendments.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning Department of Corrections reporting
2 requirements and 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. a. In addition to any other reporting requirements required
8 by law, the Commissioner of Corrections shall issue an annual
9 report to the Governor and, pursuant to section 2 of P.L.1991, c.164
10 (C.52:14-19.1), the Legislature that includes the following
11 information for each State correctional facility for the preceding
12 year:

13 (1) the occupancy rates of each State correctional facility;

14 (2) the number of pregnant inmates incarcerated at a State
15 correctional facility;

16 (3) the number of cells which are unoccupied due to the need for
17 repairs;

18 (4) the average daily census of each State correctional facility;

19 (5) incidents of use of force by correctional police officers or
20 staff upon or towards an inmate to include a description of the
21 incident that resulted in injury, the State correctional facility where
22 the use of force occurred, and the cause and type of injury, if any,
23 that resulted from the use of force;

24 (6) incidents in which use of force was used to effectuate the
25 removal of an inmate by a correctional police officer designated by
26 the Department of Corrections as a member of the Special
27 Operations Group, to include the reason for the inmate's removal
28 and a justification for the use of force;

29 (7) any acts of violence committed against an inmate by another
30 inmate or inmates, correctional police officer, or employee of a
31 State correctional facility;

32 (8) the recidivism rate of former inmates to include separate
33 data for inmates who were released after having served a maximum
34 term of imprisonment, released on parole, or released through
35 placement in a residential community release program;

36 (9) any resources and reentry services provided to inmates upon
37 release from incarceration, including the number of inmates who
38 were enrolled in certain programs pursuant to section 4 of P.L.2020,
39 c.45 (C.30:1B-6.16) upon the inmate's release from incarceration
40 and the number of former inmates who were provided with the
41 following prior to release:

42 (a) a valid driver's license;

43 (b) a valid non-driver identification card;

44 (c) a social security card; or

45 (d) a birth certificate;

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:

¹Assembly AWC committee amendments adopted June 9, 2021.

- 1 (10) the number of correctional police officers who took part in
2 any correctional police officer training courses, type of courses
3 taken, and the race, gender, and level of educational attainment of
4 those correctional police officers who participated;
- 5 (11) the amount of overtime paid to correctional police officers
6 in each of the preceding 10 years to include an explanation
7 regarding why it was necessary to pay overtime; ¹**[and]**¹
- 8 (12) ¹the number of inmates with mental illness or a substance
9 use disorder;
- 10 (13) the number of inmates receiving mental health services or
11 substance use disorder treatment services from the State; and
- 12 (14)¹ for any inmate who had commutation credits restored or
13 forfeited at each State correctional facility:
- 14 (a) the number of inmates who forfeited credits, and the number
15 of credits forfeited by each inmate; and
- 16 (b) the number of inmates who had credits restored, and the
17 number of credits restored for each inmate.
- 18 b. The commissioner shall categorize data contained in the
19 annual report both cumulatively and by individual facility.
- 20 c. These reports shall not include any personally identifiable
21 information regarding any inmate.
- 22 d. As used in this section:
- 23 "Act of violence" means the commission or attempt to commit
24 any of the applicable offenses set forth in subsection b. of section
25 11 of P.L.1971, c.317 (C.52:4B-11).
- 26 "Inmate" means a person sentenced to imprisonment or ordered
27 to pretrial or investigative detention in a State correctional facility.
- 28 "State correctional facility" means a correctional facility listed in
29 section 8 of P.L.1976, c.98 (C.30:1B-8).
- 30
- 31 2. This act shall take effect on the first day of the seventh
32 month after enactment, but the Commissioner of Corrections may
33 take any administrative action in advance of the effective date as
34 may be necessary.