

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY JOINT RESOLUTION No. 167
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 30, 2020

SUMMARY

Synopsis: Creates commission to study sexual assault, misconduct, and harassment by staff against inmates in State correctional facilities.

Type of Impact: Twelve-Month to two-year State Expenditure Increase

Agencies Affected: Department of Corrections; Department of Law and Public Safety; Department of Children and Families; Office of the Public Defender; New Jersey Legislature.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>
State Expenditure Increase	Indeterminate	

- The Office of Legislative Services (OLS) determines that the joint resolution will result in an indeterminate State expenditure increase over a twelve-month to two-year period to establish and operate the Commission to Protect New Jersey Inmates from Sexual Assault and Sexual Misconduct. Commission expenditures will include administrative expenses for staff support, the cost of any meeting space rentals, and reimbursable expenses incurred by the seventeen members of the commission.

BILL DESCRIPTION

This joint resolution establishes the Commission to Protect New Jersey Inmates from Sexual Assault and Sexual Misconduct to research issues concerning the sexual victimization of inmates by correctional police officers, employees, contractors, and volunteers in this State’s correctional facilities.

The joint resolution specifically directs the commission to:

- (1) assess the degree of a facility’s compliance with the provisions of the Prison Rape Elimination Act of 2003 (PREA);
- (2) ascertain the current policy and procedures for investigating allegations of crimes and offenses by an inmate including sexual assault, sexual misconduct, and other criminal acts by correctional police officers, other staff members, contractors, and volunteers;

(3) explore the feasibility of increasing the female to male staff ratio in Edna Mahan Correctional Facility for Women and determine if the current policy governing cross gender searches and surveillance should include further protections for inmates;

(4) consider whether it would be appropriate to establish a citizen oversight board to monitor a facility;

(5) research the availability of additional training and technical assistance from the PREA Research Center;

(6) consider issues concerning the sexual victimization of inmates by correctional police officers, employees, contractors, and volunteers in this State's correctional facilities for males;

(7) study any other issue the commission deems relevant to enhance the safety and security of inmates in State correctional facilities.

The commission is comprised of seventeen members who are to serve without compensation, but are to be reimbursed for necessary expenses incurred in the performance of their duties. The commission is required to organize within thirty days after the appointment of its members and is required to issue to the Governor and the Legislature a preliminary report of its findings and recommendations six months from the commission's organizational meeting and a final report, including legislative proposals, within one year of the meeting. The commission would expire upon submission of the final report, unless it deems further deliberations are necessary, in which case it may be extended for two subsequent periods of six months.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the joint resolution will result in an indeterminate State expenditure increase over a twelve-month to two-year period to establish and operate the temporary Commission to Protect New Jersey Inmates from Sexual Assault and Sexual Misconduct. Commission expenditures will include administrative expenses for staff support, the cost of any meeting space rentals, and reimbursable expenses incurred by members of the commission.

The seventeen members of the commission will not be eligible for any compensation except for the reimbursement of travel and other expenses incurred in the performance of their duties. The OLS anticipates that such reimbursable expenses would be negligible.

Section: Law and Public Safety

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Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).