

SENATE, No. 402

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Concerns random drug testing of certain inmates.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning random drug testing of certain inmates and
2 supplementing Title 30 of the Revised Statutes.

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

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7 1. a. For the purposes of this section, “residential community
8 release program” means an assessment and treatment center,
9 halfway house, or substance use disorder treatment program
10 operating under the authority of the Department of Corrections, or
11 any non-profit or for-profit subcontractor of a treatment center,
12 halfway house, or program that operates a residential community
13 release program under the authority of the department.

14 b. The Commissioner of Corrections shall oversee random drug
15 testing of all State inmates in residential community release
16 programs.

17 c. The commissioner may, at the request of the county, oversee
18 random drug testing of county inmates in residential community
19 release programs.

20 d. The commissioner shall supply all drug testing kits used to
21 detect drug use by inmates in residential community release
22 programs pursuant to subsections c. and d. of this section.

23 (1) Every drug test shall be administered by an employee of the
24 Department of Corrections.

25 (2) A drug test shall screen for the use of a controlled dangerous
26 substance or controlled substance analog as defined in N.J.S.2C:35-
27 2.

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29 2. This act shall take effect on the first day of the fourth month
30 following enactment.

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STATEMENT

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35 This bill requires the Commissioner of Corrections to oversee
36 random drug testing of all State inmates in residential community
37 release programs, including halfway houses. The bill also
38 authorizes the commissioner to oversee this testing for county
39 inmates in these programs if requested by the county.

40 As defined in the bill, a “residential community release program”
41 includes assessment and treatment centers, halfway houses, and
42 substance use disorder treatment programs operating under the
43 authority of the Department of Corrections (DOC). It also includes
44 any non-profit or for-profit subcontractor that operates a residential
45 community release program under the authority of the department.

46 The bill also specifically requires the commissioner to supply
47 drug testing kits and directs DOC employees to administer the tests.

1 Under the bill, a drug test is required to screen for all controlled
2 dangerous substances or controlled substance analogs.
3 The bill is in response to the continuing problem of drug abuse
4 by inmates in halfway houses in this State, such as Bo Robinson.
5 Under the bill, random drug testing of all State inmates housed at
6 halfway houses, and county inmates in counties which choose to
7 participate, would be directly administered by DOC employees
8 rather than employees of the operator of the halfway house. The
9 bill also requires drug tests to screen for all controlled dangerous
10 substances in response to the increased use by inmates of designer
11 drugs, such as synthetic marijuana, which may go undetected under
12 current drug testing technologies.