

SENATE, No. 810

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

Senator Oroho

SYNOPSIS

Prohibits release of illegal immigrants from correctional facilities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/6/2021)

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48 This bill is intended to ensure that persons who are unlawfully

1 present in the United States and have been incarcerated in prisons,
2 jails, youth detention, or other correctional facilities in this State are
3 not released back into the general population upon their release, but
4 rather are remanded solely to the custody of federal immigration
5 officials.

6 The bill requires the administrator, superintendent, warden or
7 other person responsible for the operation of a prison, jail, youth
8 detention or other correctional facility to determine the nationality
9 of every inmate incarcerated in the facility. If an inmate is not a
10 United States citizen, the facility's administrator is required to
11 determine whether the inmate is lawfully present in the United
12 States. When this cannot be determined, the inmate is to be deemed
13 not lawfully present in the United States.

14 The bill prohibits the release of an inmate if the inmate is not a
15 United States citizen or is not lawfully present in the United States
16 except to the custody of United States Citizenship and Immigration
17 Services officials.

18 Administrators, superintendents, wardens or other operators of
19 correctional facilities who violate the bill's provisions are liable to a
20 civil fine as specified by the Commissioner of Corrections.