

SENATE, No. 1272

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Decreases the penalty for certain parole violations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT decreasing the penalty for certain parole violations and
2 supplementing P.L.1979, c.441 (C.30:4-123.45 et seq.).

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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. If an appropriate board panel revokes parole and returns an
8 adult parolee to custody, the future parole eligibility date shall be no
9 more than nine months from the date of that adult parolee's return to
10 custody when one of the following parole violations is the basis for
11 return to custody pursuant to subsection b. of section 16 of
12 P.L.1979, c.441 (C.30:4-123.60):

13 (1) failure to report to the parole officer assigned to supervise the
14 parolee, as implemented by regulation, provided that the inmate is
15 declared by the district parole supervisor or designated representative
16 of the commission, as appropriate, to be missing from parole
17 supervision;

18 (2) failure to comply with any special condition of parole imposed
19 pursuant to regulation promulgated by the Department of Corrections;
20 or

21 (3) failure to refrain from the use of a controlled dangerous
22 substance or controlled dangerous substance analog as defined in
23 N.J.S.2C:35-2, provided that a two-member parole board panel
24 determines, in its discretion, that the inmate is addicted to that
25 controlled dangerous substance or analog.

26 b. The future parole eligibility date under subsection a. of this
27 section may be increased or decreased by up to three months in the
28 case of an adult parolee if, in the opinion of the appropriate board
29 panel, the circumstances of the parole violation and the characteristics
30 and past record of the parolee warrant an adjustment.

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32 2. This act shall take effect immediately.

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35 STATEMENT

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37 This bill decreases the penalty for certain parole violations
38 committed by an adult parolee.

39 Under the bill, the term of re-incarceration for certain "technical"
40 parole violations by a parolee who is 26 year of age or older would
41 be reduced from 12 months to 9 months. Currently, only young
42 adult parolees, ages 18 to 25, are subject to re-incarceration for a
43 period of nine months for certain parole violations.

44 Under current Department of Corrections regulations, adult
45 parolees may have their parole revoked and be sentenced to 12
46 months re-incarceration if they fail to:

- 1 (1) report to their parole officer;
- 2 (2) comply with a special condition of parole; or
- 3 (3) refrain from using a controlled dangerous substance or analog
- 4 (CDS).

5 This 12-month period may be increased or decreased by up to
6 three months in the case of an adult inmate if, in the opinion of a
7 two-member board panel, the circumstances of the parole violation
8 and the characteristics and past record of the adult inmate warrant
9 an adjustment.

10 Under the bill, the period of re-incarceration would be reduced
11 from 12 to nine months for failure to report to the parole officer or
12 for failure to comply with a special condition of parole. The period
13 also would be reduced for failure to refrain from using a CDS if a
14 two-member board panel determines the parolee is addicted to the
15 CDS.