

SENATE, No. 2511

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 4, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Accelerates rescinding of certain juvenile delinquency fines and making discretionary post-incarceration supervision due to COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2020)

1 law was enacted on January 20, 2020, but its provisions are not
2 effective until November 1, 2020. The bill makes several
3 provisions of this law effective immediately due to adverse effects
4 on these juveniles attributable to the COVID-19 pandemic.

5 Several provisions of current law authorize or require the
6 imposition of fines on juveniles adjudicated delinquent. P.L.2019,
7 c.363 specifically eliminates the following fines: (1) those that can
8 be imposed at the discretion of the court as a disposition for a
9 juvenile adjudicated delinquent; (2) mandatory assessments
10 imposed for certain controlled dangerous substance violations
11 which are allocated to the Drug Enforcement and Demand
12 Reduction (“DEDR”) Fund; and (3) mandatory assessments for
13 convictions of violent crimes that are dedicated to purposes
14 benefiting victims of crime.

15 According to the sponsor, fines imposed on juveniles adjudicated
16 delinquent have proven to be an undue barrier to successful
17 rehabilitation and reentry of these juveniles because they often
18 result in the criminalization of poverty and the exacerbation of
19 racial disparities. As such, the Legislature made a policy decision to
20 eliminate certain juvenile delinquency fines in P.L.2019, c.363.
21 The burden these fines constitute has been further exacerbated
22 during the COVID-19 pandemic. Therefore, there should be no
23 delay in eliminating these fines.

24 The sponsor further notes that in some instances juveniles
25 currently subject to mandatory post-incarceration supervision
26 because of the extended effective date of P.L.2019, c.363 are being
27 returned to custody for technical violations. These juveniles are
28 being put in unnecessary danger of contracting COVID-19 for
29 minor infractions. Therefore, the provisions of P.L.2019, c.363
30 replacing the current mandatory term of post-incarceration with
31 discretionary post-incarceration supervision imposed only under
32 strictly limited conditions should immediately be implemented to
33 protect the health and safety of both the juveniles and the
34 community during the COVID-19 pandemic.