

**SENATE BILL NO. 995
(First Reprint)**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 995 (First Reprint) with my recommendations for reconsideration.

Domestic violence is a pervasive plague on our society. On a global scale, one in every three women will experience domestic violence in her lifetime. Not surprisingly, many female inmates share a common history of profound physical and sexual abuse, much of which occurs in the context of domestic violence. A sustained pattern of physical and psychological domestic abuse can have long-lasting physical and mental effects on a victim, and sometimes, this abuse can trigger battered victims to physically lash out at their abusers, committing crimes for which they are subsequently charged and convicted. This bill seeks to help those battered victims who have been convicted of crimes against their abusers by establishing a community reentry program to assist victim-offenders assimilate into society upon release from custody and prevent further victimization.

The goal of this bill is commendable and I sincerely support its objective. Domestic violence is tragic, and victims deserve support and counseling. However, the bill conflates the statutory and regulatory responsibilities of the Department of Corrections and the State Parole Board, combining the agencies' separate residential program functions. Accordingly, I suggest minor amendments, in accordance with the intent of the legislation, to establish this program within the Department of Corrections, consistent with its existing reintegration programming and tailored to the specific needs of this limited inmate population.

The bill also establishes an automatic early release program for an inmate upon successful completion of the reentry program. I cannot support the creation of early release programs because they would begin to chisel away at the long-standing function of the State Parole Board. For decades, the State Parole Board has faithfully fulfilled its charge to carefully review and consider the underlying facts and circumstances of each applicant for parole. While I continue to encourage the Legislature to explore reforms that will create efficiencies in State government, I remain grounded in my belief that the review of parole applications is best accomplished through the reasoned, compassionate, experienced and individualized judgment of the State Parole Board and not through an automatic process based upon one factor. Thus, I propose amending the bill to allow the State Parole Board to consider an inmate for release in accordance with the parole eligibility statute, and to consider successful completion of the reentry program as a favorable factor in support of release.

Accordingly, I herewith return Senate Bill No. 995 (First Reprint) and recommend that it be amended as follows:

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| <u>Page 2, Section 1, Line 18:</u> | After "imprisonment" insert "and meets the eligibility criteria in accordance with rules and regulations established by the Department of Corrections for residential community release programs" |
| <u>Page 2, Section 1, Line 24:</u> | Delete "reentry training" and insert "rehabilitative services" |
| <u>Page 2, Section 1, Line 24:</u> | After "agree to" delete "a" |
| <u>Page 2, Section 1, Line 25:</u> | Delete "reintegration plan setting out the conditions of participation" and insert "participate" |
| <u>Page 2, Section 1, Line 29:</u> | Delete "secure" |

Page 2, Section 1, Line 33: Delete "placement" and insert "release program"

Page 2, Section 1, Line 39: Delete "State Parole Board" and insert "Department of Corrections"

Page 2, Section 1, Line 40: Delete "supervised" and insert "residential"

Page 2, Section 1, Line 41: Delete "reintegration" and insert "release"

Page 2, Section 1, Line 42: Delete "supervised" and insert "residential"

Page 2, Section 1, Line 43: Delete "reintegration" and insert "release"

Page 3, Section 1, Line 1: Delete "custody" and insert "all rules and regulations of the Department of Corrections."

Page 3, Section 1, Lines 2-8: Delete in their entirety

Page 3, Section 1, Line 9: Delete "supervised" and insert "residential"

Page 3, Section 1, Line 10: Delete "reintegration" and insert "release"

Page 3, Section 1, Line 10: After "submitted" insert "by the inmate"

Page 3, Section 1, Line 11: Delete "appropriate panel of the State Parole Board" and insert "Department of Corrections"

Page 3, Section 1, Line 12: Delete "board" and insert "Department of Corrections"

Page 3, Section 2, Line 43: After "An" insert "eligible"

Page 3, Section 2, Line 43: Delete "be eligible to"

Page 3, Section 2, Line 43: Delete "for a"

Page 3, Section 2, Line 44: Delete "hearing"

Page 3, Section 2, Line 44: Delete "State Parole Board" and insert "Department of Corrections"

Page 3, Section 2, Line 45: Delete "supervised" and insert "residential"

Page 3, Section 2, Line 45: Delete "reintegration" and insert "release"

Page 4, Section 3, Line 4: Delete "the State Parole Board panel"

Page 4, Section 4, Lines 12-39: Delete in their entirety

Page 4, Section 5, Lines 41-46: Delete in their entirety

<u>Page 5, Section 5, Lines 1-2:</u>	Delete in their entirety
<u>Page 5, Section 6, Line 4:</u>	Delete "6." and insert "4."
<u>Page 5, Section 6, Line 4:</u>	Delete "commencing" and insert "completing"
<u>Page 5, Section 6, Line 5:</u>	Delete "State"
<u>Page 5, Section 6, Line 6:</u>	Delete "Parole Board" and insert "Department of Corrections"
<u>Page 5, Section 6, Line 9:</u>	Delete "relating to a parole or the"
<u>Page 5, Section 6, Line 10:</u>	Delete in its entirety
<u>Page 5, Section 6, Line 11:</u>	Delete "(C.30:4-123.45 et al.)"
<u>Page 5, Section 6, Line 12:</u>	Delete "board" and insert "Department of Corrections"
<u>Page 5, Section 6, Line 14:</u>	Delete "board" and insert "Department of Corrections"
<u>Page 5, Section 6, Line 19:</u>	Delete "appropriate board panel and also may be" and insert "Department of Corrections."
<u>Page 5, Section 6, Lines 20-21:</u>	Delete in their entirety
<u>Page 5, Section 6, Line 22:</u>	Delete "a panel" and insert "the Department of Corrections"
<u>Page 5, Section 6, Lines 27-29:</u>	Delete in their entirety
<u>Page 5, Section 6, Line 30:</u>	Delete "e." and insert "d."
<u>Page 5, Section 6, Line 30:</u>	Delete "appropriate board panel" and insert "Department of Corrections"
<u>Page 5, Section 6, Lines 35-47:</u>	Delete in their entirety
<u>Page 6, Section 6, Lines 1-4:</u>	Delete in their entirety
<u>Page 6, Section 7, Line 6:</u>	Delete "7." and insert "5."
<u>Page 6, Section 7, Line 17:</u>	Delete "section 1 of P.L.1981, c.140 (C.30:8-28.4,"
<u>Page 9, Section 7, Line 7:</u>	Delete "Notwithstanding the provisions of this section, the" and insert "The"
<u>Page 9, Section 7, Line 9:</u>	Delete "may release" and insert "shall consider"
<u>Page 9, Section 7, Line 10:</u>	After "imprisonment" insert "for parole release upon successful completion of the"

supervised community
reintegration program"

Page 9, Section 8, Line 13:

Delete "8." and insert "6."

Page 9, Section 9, Line 13:

Delete "State Parole Board"
and insert "Department of
Corrections"

Page 9, Section 9, Line 15:

Delete "shall" and insert
"may"

Page 9, Section 9, Line 18:

Delete "9." and insert "7."

Page 9, Section 9, Line 18:

Delete "immediately" and
insert "on first day of the
seventh month following
enactment"

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Thomas P. Scrivo

Chief Counsel to the Governor