

**Official List**  
**Public Question Results**  
**For 11/04/2014--GENERAL ELECTION**

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**12/02/2014**

Public Question NO. 1

CONSTITUTIONAL AMENDMENT TO ALLOW A COURT TO ORDER PRETRIAL DETENTION OF A PERSON IN A CRIMINAL CASE

DO YOU APPROVE AMENDING THE CONSTITUTION TO ALLOW A COURT TO ORDER PRETRIAL DETENTION OF A PERSON IN A CRIMINAL CASE? THIS WOULD CHANGE THE CURRENT CONSTITUTIONAL RIGHT TO BAIL.  
THE CHANGE TO THE CONSTITUTION WOULD MEAN THAT A COURT COULD ORDER THAT A PERSON REMAIN IN JAIL PRIOR TO TRIAL, EVEN WITHOUT A CHANCE FOR THE PERSON TO POST BAIL, IN SOME SITUATIONS.  
THE AMENDMENT ALSO REMOVES LANGUAGE IN THE CONSTITUTION ABOUT BAIL ELIGIBILITY FOR DEATH PENALTY CASES. THE DEATH PENALTY NO LONGER EXISTS IN NEW JERSEY.

**Interpretive Statement**

THE CONSTITUTION CURRENTLY REQUIRES A COURT TO GRANT BAIL TO A JAILED PERSON IN A CRIMINAL CASE BEFORE TRIAL. IF THE PERSON POSTS BAIL, THE PERSON IS RELEASED FROM JAIL PENDING TRIAL.  
THE AMENDMENT WOULD GIVE A COURT THE OPTION OF ORDERING A PERSON TO REMAIN IN JAIL IN SOME SITUATIONS. THE COURT COULD ORDER SUCH DETENTION BASED UPON CONCERNS THAT THE PERSON, IF RELEASED: WILL NOT RETURN TO COURT; IS A THREAT TO THE SAFETY OF ANOTHER PERSON OR THE COMMUNITY; OR WILL OBSTRUCT OR ATTEMPT TO OBSTRUCT THE CRIMINAL JUSTICE PROCESS.  
THE AMENDMENT AUTHORIZES THE LEGISLATURE TO PASS LAWS CONCERNING PRETRIAL RELEASE AND PRETRIAL DETENTION. THE AMENDMENT WOULD TAKE EFFECT ON JANUARY 1, 2017 TO ALLOW ANY NEW LAWS TO BE ENACTED AND THEIR REQUIREMENTS TO BE ESTABLISHED.  
THE AMENDMENT WOULD ALSO REMOVE LANGUAGE IN THE CONSTITUTION ABOUT BAIL ELIGIBILITY FOR DEATH PENALTY CASES. THE DEATH PENALTY NO LONGER EXISTS IN NEW JERSEY.

<b>County</b>	<b>Yes Count</b>	<b>No Count</b>
ATLANTIC	32,398	23,022
BERGEN	92,247	63,050
BURLINGTON	62,786	36,491
CAMDEN	49,749	33,059
CAPE MAY	15,263	9,194
CUMBERLAND	12,511	10,477
ESSEX	42,323	31,045
GLOUCESTER	37,024	22,716
HUDSON	25,059	21,727
HUNTERDON	20,282	11,223
MERCER	46,036	24,928
MIDDLESEX	62,358	38,116
MONMOUTH	84,485	50,502
MORRIS	65,142	32,511
OCEAN	79,295	40,181
PASSAIC	33,642	21,999
SALEM	11,291	6,809
SOMERSET	42,880	23,270
SUSSEX	21,863	13,984
UNION	41,927	26,885
WARREN	12,812	9,509
<b>Total</b>	<b>891,373</b>	<b>550,698</b>