

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3588

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JULY 25, 2023

SUMMARY

- Synopsis:** Establishes “Pretrial Partnership for Community Support and Services Pilot Program” for certain defendants.
- Type of Impact:** One-year cost decrease for participating counties.
- Agencies Affected:** Counties.

Office of Legislative Services Estimate

Fiscal Impact	<u>One-Year Duration of Pilot Program</u>
Local Cost Decrease	Indeterminate

- The Office of Legislative Services (OLS) finds that the participating counties may experience some cost savings from defendants who are released pretrial to participate in the program rather than being held in county jail. The costs for housing inmates in a county jail vary, but according to certain estimates, it could be more than \$100 per day.

BILL DESCRIPTION

This bill would establish the one-year Pretrial Partnership for Community Support and Services Pilot Program, to be operated in Monmouth and Union counties. The program would offer services and treatment to defendants on pretrial release to improve their court appearance rates and enhance short-term and long-term public safety.

A defendant arrested for a crime or offense in Monmouth or Union counties would be eligible to participate in the program if the court granted pretrial release conditioned on monitoring by the Judiciary’s Pretrial Services Program. A defendant who would qualify for release on the defendant’s own personal recognizance or on execution of an unsecured appearance bond could also voluntarily agree, upon petition to the court, to participate and be subjected to the conditions of the program.

As a condition of release established by the court, an eligible defendant would receive a biopsychosocial assessment and participate in an orientation which offers medical, psychological,

or psychiatric treatment, as well as responsive services, provided by an approved pretrial community support provider, selected by a five-member commission established by the bill. No money is to be appropriated by the State for the approved pretrial community support provider.

The commission would also be tasked with monitoring the program and at the program's conclusion, make a report to the Governor, Administrative Office of the Courts, and the Legislature, which would include program data prepared by the support provider, and make recommendations on whether the program should continue, or be expanded or modified.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill may result in a decrease in the number of individuals held in pretrial detention in county jails; however, it cannot be known how many individuals will be selected under the program. The costs for housing inmates in a county jail vary, but according to certain estimates, it could be more than \$100 per day. For example, in 2021, when Union County closed its county jail and moved its inmates to Essex County jail, according to certain estimates, Union County decided on a daily rate of \$104 per person.

Section: Judiciary

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Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).