

# The Star-Ledger

## **Thousands of N.J. inmates could be released early in COVID crisis under bill Senate just passed**

By Blake Nelson

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The New Jersey Senate on Thursday voted for a first-in-the-nation proposal to potentially free thousands of people early from a prison system with the highest coronavirus death rate in the country.

The bill (S2519) passed 21-15 without debate, gaining the minimum votes needed for passage.

However, it must still be taken up by the state Assembly, which pulled the bill off its agenda on Thursday and is not scheduled to meet again until Sept. 21.

The bill has become a rallying cry for advocates who say the governor's plan to send some sick and elderly prisoners to their homes was a failure, since only 312 people had been released as of Thursday. (Almost 700 people were also paroled under the same executive order.)

The proposal has received bipartisan support, although some Republican state Senators voted against the bill in committee last week after groups that help prisoners reenter society raised concerns that recent budget cuts would make it difficult to care for a surge in new cases, some of whom may be homeless.

Those concerns halted the bill in the Assembly, supporters said.

"Black bodies are being held hostage for ransom," said Rev. Charles Boyer, founding director of the nonprofit Salvation and Social Justice. He argued that freeing people from deadly prisons should not be tied to questions about funding.

Representatives for two prominent reentry groups, Volunteers of America Delaware Valley and the New Jersey Reentry Corporation, testified at the Aug. 21 committee hearing, although neither explicitly opposed the early release bill there.

"We believe any legislation allowing the release of prisoners must include programs and services to address their needs, as they face enormous challenges when returning to society," Daniel Lombardo, president of Volunteers of America, said in a statement Thursday. Although he supported the "intent of this legislation," he said reentry programs "end the cycle of re-incarceration and allow these individuals to live independent, self-fulfilled lives."

Former Gov. Jim McGreevey, who leads the reentry corporation, told NJ Advance Media that any efforts to make sure former inmates had health care and housing did not change his “unequivocal” support for the proposal.

A sponsor of the Assembly version, Assemblyman Raj Mukherji, D-Hudson, said he planned to amend the bill to address concerns he’d heard from colleagues about reentry services.

More than \$12 million for reentry funding in last year’s budget is missing from the emergency three-month budget currently in effect. Lombardo asked committee members Friday about the possibility of money being diverted from the prison system, which has an annual budget of more than \$1 billion.

Lawmakers will finalize a budget next month.

No other state Legislature has moved to reduce prison populations to stem the pandemic’s death toll, according to the American Civil Liberties Union of New Jersey, which estimated up to 3,000 adults and juveniles could be affected. The state’s largest corrections officer union estimated the total to be closer to 3,800, according to William Sullivan, president of NJ PBA Local 105.

That could amount to one-fifth of the entire prison population. There were around 16,600 inmates mid-June, according to an analysis by the nonpartisan news organizations The Associated Press and The Marshall Project.

Corrections officials have repeatedly declined to comment on the proposal before it becomes law, or provide an estimate for the number of inmates affected.

While “repetitive, compulsive” sex offenders would be ineligible, people convicted of other violent crimes could still leave early, leading some law enforcement unions to decry the bill as a public safety risk.

The proposal would knock about four months off a person’s sentence for each month spent incarcerated during a public health emergency. Only people set to be released within a year would be eligible, and eight months is the maximum reduction.

Former prisoners would be ordered to not contact victims, who should be notified about an early release.

If it is eventually signed by Gov. Phil Murphy, the law would take effect sixteen days later.

Family members of current inmates told NJ Advance Media they were holding their breath.

Karen Roberts, whose partner is in Southern State Correctional Facility, said she lives in fear a lack of social distancing could cause a new outbreak.

“I’d like him to enjoy some more time with his grandchildren while he still can,” she wrote in an email. “I’m constantly worried about him being close to someone who may bring the virus into the facility.”