# The Star-Ledger

# N.J. will release more than 2,000 prisoners next month. Who is eligible to get out early under new law? Who is not?

By Blake Nelson NJ Advance Media for NJ.com and The Star-Ledger Published Oct. 20, 2020

Gov. Phil Murphy signed a first-in-the nation bill Monday reducing sentences in a prison system with the highest coronavirus death rate in the country — a move that will release thousands of inmates beginning next month.

Here's how the new law (S2519) works.

# Who is eligible?

Adult and juvenile prisoners with a year or less left on their sentences, who were behind bars amid the pandemic.

Parolees can also have their parole reduced.

# Who is not eligible?

Anyone convicted of murder, aggravated sexual assault and "repetitive, compulsive" sex offenders.

Does the law apply to people in federal prisons?

No.

What about county jails?

No.

#### How does this law work?

Prisoners gets about four months knocked off their sentences for every month spent behind bars during a public health emergency.

Eight months is the maximum reduction.

Since New Jersey's emergency officially began in March, thousands of people nearing the end of their sentences will automatically have eight months taken off.

### When will early releases begin?

The law takes effect 16 days after Murphy's signature, the day after Election Day, Nov. 4.

Early releases will continue on a rolling basis as long as the public health emergency continues.

Even when Murphy ends the emergency declaration, the law could kick in again if the state ever faces another public health crisis because of a "communicable or infectious disease" that has a "substantial" impact on the prison system.

#### How many people will be released on Nov. 4?

Around 2,088 people are expected to be released Nov. 4, according to a preliminary estimate by the governor's office.

About 1,000 more will be released through January, sources previously told NJ Advance Media.

In addition, approximately 1,388 parolees will no longer have supervision after Nov. 4, according to Murphy's office.

#### Why is New Jersey releasing prisoners early?

At least 52 prisoners, two corrections officers and one prison nurse have died with the coronavirus, according to officials and state data, giving New Jersey prisons the highest coronavirus death rate in the nation.

An NJ Advance Media investigation found problems with how officials responded to the virus behind bars, and lawmakers have said Murphy's administration mishandled the outbreak.

Releasing inmates will help prisoners and corrections officers socially distance behind bars, which will lower the risk of either group bringing the virus back to their families, advocates said.

Proponents also said it is a racial justice issue, since a 2016 study concluded New Jersey incarcerated Black residents at 12 times the rate of white residents, the worst disparity in the nation.

# Did anyone oppose the early release?

While many lawmakers voted against the bill — it barely passed the state Senate and Assembly — most have not spoken publicly against it.

Assemblyman Christopher DePhillips, R-Bergen, was one of the few who did. Reducing sentences was "counterproductive to the deterrent effect of punishment," he said in September, especially since some prisoners convicted of violent crimes remained eligible.

Other lawmakers were concerned former prisoners would commit another crime, a sponsor of the bill told NJ Advance Media.

The proposal temporarily stalled after organizations that help former inmates find jobs and housing said they didn't have enough money to handle a surge in cases, so lawmakers restored millions of dollars in re-entry funding.

#### What about victims?

The law bars former inmates from contacting victims. Breaking that rule could put someone back in prison for more than a year.