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1983

CRIMINAL DISPOSITION COMMISSION

Peter Simmons, Chairman
Dean, Rutgers Law School,
Newark

Donald R. Belsoie, Director,
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John Cannel, Assistant Public
Defender, Office of the
Public Defender
Christopher Dietz, Chairman,
State Parole Board
William H. Fauver, Commissioner,
Department of Corrections
Hon. Edward Gaulkin, J.A.D. Ret.,
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Hon. Walter M.D. Kern,
Assemblyman, 40th District
Hon. Lee Laskin
State Senator, 6th District
Hon. John A. Lynch,
State Senator, 17th District
Hon. Frank M. Pelly,
Assemblyman, 18th District
Christine Whitman,
Public Member

Hon. Leo Yanoff, J.S.C. Ret., t/a
Consultant



Rutgers Law School
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John LaFarge House
6 Sumner Road
Cambridge, MA 02138
November 2, 1983

Honorable Thomas H. Kean
Governor of the State of New Jersey

Honorable Carmen A. Orechio
Senate President

Honorable Alan Karcher
Assembly Speaker

Members of the Legislature of the
State of New Jersey

Dear Honorable Sirs:

I am pleased to present to you and to the members of the Legislature the report of the Criminal Disposition Commission for the period June 1982 to June 1983, the period when I served as Chairman of the Commission.

Dean Peter Simmons is now Chairman of the Commission. Dean Simmons and the other members of the Commission have suggested that I forward the Commission's report to you.

It has been a privilege to serve as a member of the Commission. I believe that its work is of great importance to this State. I have been most impressed with the dedication of the Commission members from the different branches and agencies of State government, and from the public. The work of the staff has been exceptional.

Sincerely yours,

Daniel A. Degnan, Sr.
Daniel A. Degnan

New Jersey State Library

SECOND ANNUAL REPORT
OF THE
CRIMINAL DISPOSITION COMMISSION
TO THE GOVERNOR AND LEGISLATURE

SEPTEMBER 21, 1983

A. Introduction

The Criminal Disposition Commission is charged under N.J.S. 2C:48-1 with "study[ing] and review[ing] all aspects of the criminal justice system relating to the disposition of criminal offenders, including but not limited to terms of imprisonment, fines and other monetary punishments, parole, probation and supervisory treatment." It has the duty to annually file with the Governor and Legislature a report containing its findings and recommendations concerning the disposition of criminal offenders. (See N.J.S. 2C:48-1.) This report is being filed in accordance with that statutory mandate.*

In its first report, the Commission found a severe shortage of prison space, prompting action by the Governor and the Legislature, through the prison bond issue recently voted by the public. The Commission commends the efforts of the Governor, the Legislature, and the people of New Jersey to meet the urgent crisis in prison space, through the prison bond issue.

In this second report the Commission reports to the Governor and the Legislature that a serious problem of overcrowding in our state prisons and county jails will continue to exist for some years, even after the new prison facilities are in use. Despite this continued overcrowding, which was anticipated at the time of the bond issue, the Commission does not recommend new state prisons or county jails beyond those planned for in the bond issue. We recommend, instead that the State of New Jersey turn its attention to better, less costly punishments for offenders convicted of less serious offenses,

* Report written by Dean Daniel Degnan, Seton Hall Law School, Chairman, 1982-1983. Approved for distribution, September 21, 1983.

such as intensive probation, restitution, fines and similar responses to crime.¹

We believe that these alternative methods can be used for a significant proportion of criminal offenders. These alternative punishments, in the case of certain crimes and certain offenders, can constitute appropriate punishment and a benefit to the community, through the services rendered and the good effect on the offender and on society at large.

The Commission, in this report, sees its task as two-fold. First, to inform the Governor and the Legislature that despite major efforts, the large inflow of prisoners will continue to put a severe strain on the prison system and on the parole board; second, to stress the need to develop new programs for criminal offenders. These programs should range from alternatives to prison, such as outlined above, to more minimum security facilities, half-way houses, work and drug treatment programs in the prisons. In a third section of this report, the Commission will briefly review its activities over the past twelve months.

I. The Continuing Shortage of Prison Space

In February, 1982, the Department of Corrections' adult inmates population stood at 6,989 with 1,077 state inmates backed up in county facilities. Since then, approximately 2,000 state bedspaces have

¹The average cost for keeping an inmate in jail varies depending upon the institution. A general estimate of the cost of keeping an inmate in a state institution for a year is between \$11,000 - \$15,000. This compares with a cost of \$650 for keeping a person on probation; \$440 for diverting an offender prior to trial (P.T.I.); \$500 for supervising an offender doing community service and \$2,500-\$3,000 for putting an offender sentenced to a state institution on Intensive Probation Supervision.

been brought on line through numerous initiatives which has increased the Department's inmate adult population to 8,029 as of 7/31/83. In spite of these added bedspaces, as of 7/31/83, 1,059 state inmates continue to be backed up in county facilities. The high number of sentences to state prisons and the longer prison terms of the last few years will, in our judgment, continue for some years. This means that the new prison spaces will sometimes be unable to deal with it.

The county jails, which have housed over 1,000 inmates sentenced to state institutions are overflowing. State prisons, on the average, will have this number reduced to about 600 by the opening of the Camden prison in early 1985. The Commission estimates, however, that the overflow in county jails will climb back to over 1,000 by 1984, continuing the severe strain on the jails.

The mandatory minimum sentence provisions of Title 2C can be expected to have a more significant impact on the future correctional population than any other single component of the Criminal Code. Through June 1983, 33% (over 2,400) of persons sentenced to State Prison under 2C have received mandatory minimum sentences. During the first six months of 1983, mandatory minimum terms have been imposed on more than 40% of all State Prison commitments. By 1984/85 when a significant number of inmates with mandatory minimums

will begin to be eligible for release, mandatory minimums are expected to increase the current length of stay² in State Prison by 66%, from 24 months to over 40 months. This increase in length of stay includes neither the impact of the current capital punishment statutes which require imposition of a 30 year mandatory minimum sentence for those not sentenced to death, nor the impact of pending legislation that might provide mandatory minimum sentences for additional offenders.

The prison bond issue will result in more secure, humane conditions for many state prisoners. The bond issue will also relieve the county jails by financing additions. Yet, building the new state prisons in Newark³ and the county jail additions will take several years. Even when these additions are completed, the high number of those sentenced, and longer prison terms will continue to cause overcrowding and severe strains on the prisons and jails, producing severe strains on prison personnel, and overcrowding and idleness for prisoners.

Attached, as Appendix A*, is a comparative summary of prison sentences of 1978-1983, together with a brief explanation of the significance of these figures, for the population of state institutions and the county jails. The figures show that high numbers of prisoners will continue to strain the system.

²Length of stay is the bedspace turnover rate for inmates.

³It is expected that the new prison in Newark will become operational in late 1986.

*Appendix A referred to here is the attached report of the Committee on Statistical Reporting.

II. Recommendations

The Commission recommends to the Governor and the Legislature that New Jersey continue efforts to find alternative methods of sentencing for lesser offenders; to reduce prisoners' idleness through work, schooling, and other programs in prison;⁴ and to reduce disparity in sentencing. Alternative methods of sentencing will furnish more appropriate treatment for many offenders, will free needed prison space, and will save money. Prison work programs, as Chief Justice Warren Burger has said, will remove some of the danger and curse of prison idleness, will restore the dignity of work to prisoners, and will help to prepare prisoners for life outside the walls. Reduction in sentencing disparity will restore confidence in the ability of the criminal justice system to treat all offenders fairly.

The Commission has organized committees on alternatives to sentencing, and on sentencing disparity. The Commission also plans to give new attention to programs in the prisons, particularly work programs such as those called for by Chief Justice Burger.

In September 1984, the Commission hopes to report on these problems with specific recommendations⁵. During the year, the Commission will continue to monitor the disposition of offenders and especially monitor the effects of sentencing trends on the state prisons and county jails. The Commission will, when necessary or appropriate, make recommendations and reports to the Governor and the Legislature.

⁴The most recent prison bond issue contained no money for programs in the institutions. Its main thrust was construction.

⁵It should be pointed out that the Commission operates without full-time staff so the actual timing of the reports is tentative, at best.

III. Commission Activities

Membership

In June 1982, the first chairman of the Commission, Judge Leo Yanoff, was succeeded by Dean Daniel A. Degnan. In June 1983, Dean Peter Simmons became chairman. A list of Commission members and staff for the past twelve months appears at the end of this report.

1. Statistics

The Commission continued to develop and monitor statistics on criminal dispositions, state prison and county jail overcrowding, and state parole board figures on number of paroles with special concern for trends. In addition, the Office of the Public Advocate has kept the Commission informed concerning lawsuits about conditions in the county jails.

A special committee on statistics has refined the Commission's method of reporting to the Governor and the Legislature, and the Commission's internal reporting. (The report of that committee is appended to this report.)

2. Planning

In Fall of 1982, a planning conference resulted in the forming of three committees to work in three areas:

- (1) Statistical Reporting
- (2) Alternatives to Incarceration
- (3) Sentencing Disparity

The Committee on Statistical Reporting has finished its work and its report is annexed to this report. In the next year the Commission will expand the role of its other two committees and will, hopefully, by June 1984 be ready to file comprehensive reports.

3. The Prison Bond Issue

In the last year, the Commission recommended to the Legislature that it enact a prison bond issue. The Commission, subsequently, called upon the public to support the bond issue, citing its studies that showed a continuing urgent problem of prison and jail space. The Commission periodically reported to the Governor and the Legislature on several other issues, including mandatory sentencing and parole.

Conclusion

The Criminal Disposition Commission is a unique, eleven person body, created under the new Criminal Code. In its composition, the Commission represents all the major components of the criminal justice system concerned with the dispositions of criminal offenders: the Governor's Office, the Legislature, the Courts, the Attorney General, Corrections, Parole, the Public Advocate, and the public at large. The result is the opportunity to study problems jointly and to recommend solutions. While the Commission has been of service in the prison emergency, it expects to build further on that service in fulfilling its mandate to review the disposition of criminal offenders in New Jersey.

Criminal Disposition Commission

Membership

Chairman

Peter Simmons, Dean, Rutgers Law School
Judiciary Representative

Members

Donald R. Belsole, Director
Division of Criminal Justice
Attorney General's Office

John Cannel, Esq.
Office of the Public Defender

Christopher Dietz, Chairman
State Parole Board

William H. Fauver, Commissioner
Department of Corrections

Honorable Edward Gaulkin, J.A.D., Retired
Public Member

Honorable Walter M.D. Kern, Jr.
Assemblyman 40th District

Honorable Lee Laskin
Senator, 6th District

Honorable John A. Lynch
Senator, 17th District

Honorable Frank M. Pelly
Assemblyman, 18th District

Christine Whitman
Public Member

Consultant to the Commission

Honorable Leo Yanoff, J.S.C., Retired
Temporarily assigned on recall

Alternates

Dr. Wayne Fisher, Chief
Research & Evaluation Unit
Attorney General's Office

Richard Goldman, Member
State Parole Board

Stanley Repko, Deputy Director
Division of Policy & Planning
Department of Corrections

Membership (cont'd.)

Observers

Ty Hodanish
Executive Director
State Parole Board

William Beute
Confidential Agent
State Parole Board

Donald Bianco, Director
Division of Systems and Communications
State Police

Meherji Wadia, Chief
Data and Analysis Center
State Police

Arnold Hodes
Legislative Analyst
Division of Program & Legislative Review

Loretta O'Sullivan
Legislative Liaison
Department of Corrections

John Geniesse
Office of Policy and Planning
Governor's Office

Steven L. Carnes, Esq.
Assistant Counsel
Governor's Office

Gilbert Johnson
Program Analyst
Bureau of the Budget

John P. McCarthy, Jr., Esq.
Assistant Director for Criminal Practice
Administrative Office of the Courts

Joseph J. Barraco, Esq.
Staff Attorney
Criminal Practice
Administrative Office
of the Courts

Michael F. Garrahan, Esq.
Research Associate
Criminal Practice
Administrative Office
of the Courts

REPORT OF THE SUBCOMMITTEE
ON CRIMINAL JUSTICE STATISTICS

John P. McCarthy, Jr., Chairman
Douglas Chiesa
Wayne Fisher
Michael F. Garrahan
Ty Hodanish
Stanley Repko
Donald Van Nostrand
Meherjhi Wadia

INTRODUCTION

This subcommittee was appointed by Criminal Disposition Commission Chairman Degnan and charged with the responsibility for assembling statistical information on criminal dispositions. The subcommittee drew upon the expertise of its members in order to create a full profile of the system from arrest to disposition, including post-disposition, through the correctional and parole components of the system. This system profile complies with the directive of N.J.S.A. 2C:48-4 that a report be filed annually with the Legislature by the Criminal Disposition Commission.

In studying the great amount of information available in the area of criminal justice, the subcommittee chose, rather than merely compile a mountain of statistical tables, to present a report focusing on pertinent key data that would be of particular interest to the Legislature. The report focuses on key points at which decisions are made while maintaining the dual purpose of (1) providing the Legislature with a broad overview of the criminal justice system and (2) highlighting key features or aspects of the system, such as offender profiles. A cornerstone of this plan to present a concentrated focus on key areas is presentation of a detailed bibliography listing those persons, agencies and reports from which greater detailed information may be obtained. The bibliography lists areas of expertise, which agency is responsible therefore, and the person to contact within that agency. That person will be able to direct the interested party not only to reports listed within the bibliography but to other information sources as well.

REPORTS

A) The sentencing data presented herein shows that the great majority of dispositions subject the offender to some degree of supervision - largely through conviction but also through diversion programs such as Pre-Trial Intervention. Convictions and diversion programs account for greater than three-quarters of all dispositions with dismissals and acquittals accounting for the balance.

More than one-half of those persons sentenced receive a term of incarceration at sentencing - a 25% increase over the rate of incarceration prior to the new code. Information earlier reported to the Legislature indicated a rate of incarceration of 40% during 1977 as compared to the 1982 rate of 51%. Rates of incarceration under Title 2C vary by degree of crime with 96% of first degree sentences receiving custodial time, as compared to 79% for second degree, 45% for third degree and 35% for fourth degree. Note further that there has been a dramatic increase in the imposition of minimum parole ineligibility terms overall and across all degrees of crime. Overall, the percentage increased from 28% in 1981 to 40% of state prison incarcerations in 1982. This increase is largely due to three factors:

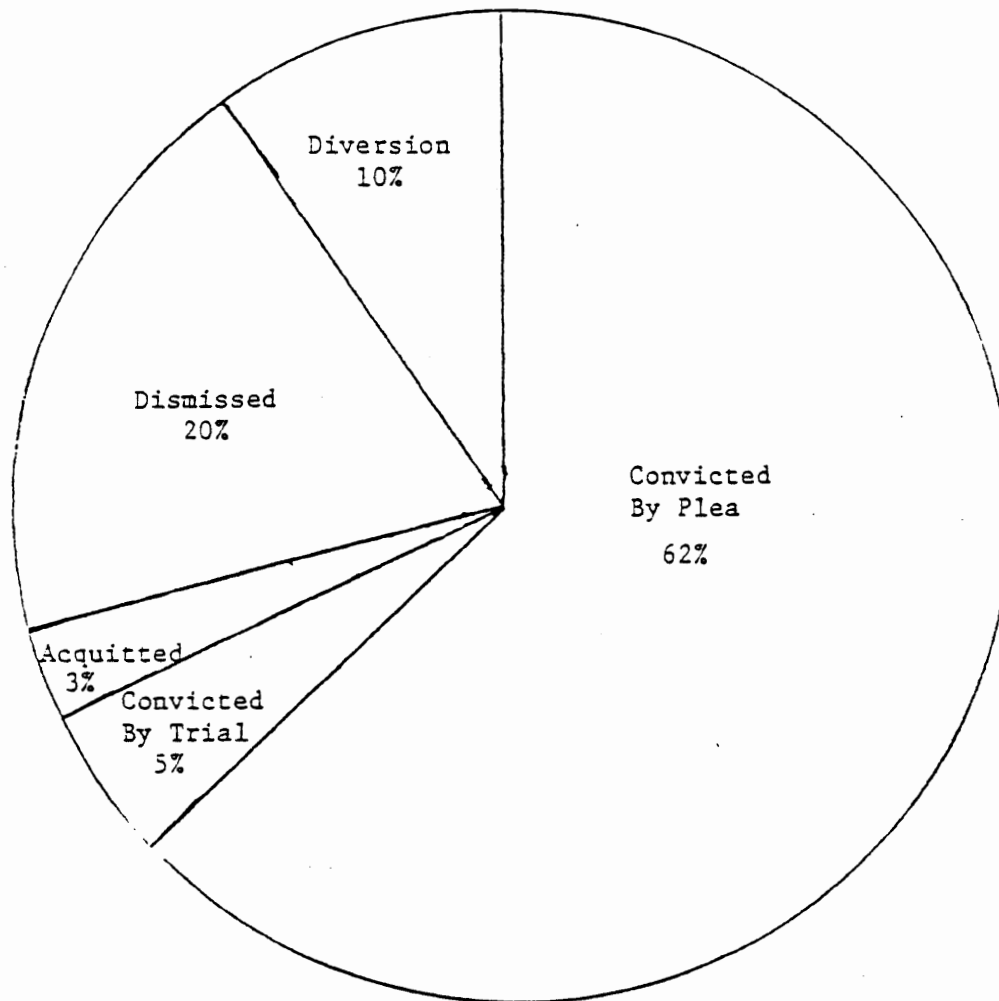
- (1) mandatory imposition for certain enumerated crimes involving the use of possession of a firearm; as per N.J.S. 2C:43-6(c);
- (2) availability of minimum terms for a full sentencing year for all degrees of crime (such terms had previously been applicable only to first and second degree crimes);
- (3) greater use of such terms by sentencing judges.

B) Correctional data in Chart F depicts the state correctional population by quarters since 1978 showing the dramatic increases which have precipitated the present overcrowding situation. Chart G breaks down the overall correctional population by type of institution as well as profiling the county jail waiting list from December 1978 to the present. That chart is highly useful in tracing evolution of the current overcrowded conditions.

Charts H and K showing the Prison and Youth Complex populations by type of offender - whether incarcerated for violent crime, property crime, etc. and sentenced population, highlight the residual effect that longer sentences for violent offenders have on correctional population. Although violent offenders represent 41% of those sentenced to State Prison or the Youth Complex, they represent 61% of the current population of those institutions. The average length of stay for offenders released to supervision during 1982 increased to 20.9 months, Chart I. The increase in length of stay in recent years is in contrast to the decreases occurring during the early 1980's. There will be continuing increases due to the previously discussed increases in the imposition of minimum parole ineligibility terms which are estimated to increase the average length of stay to at least 40 months by 1984 or 1985.

Administrative Office
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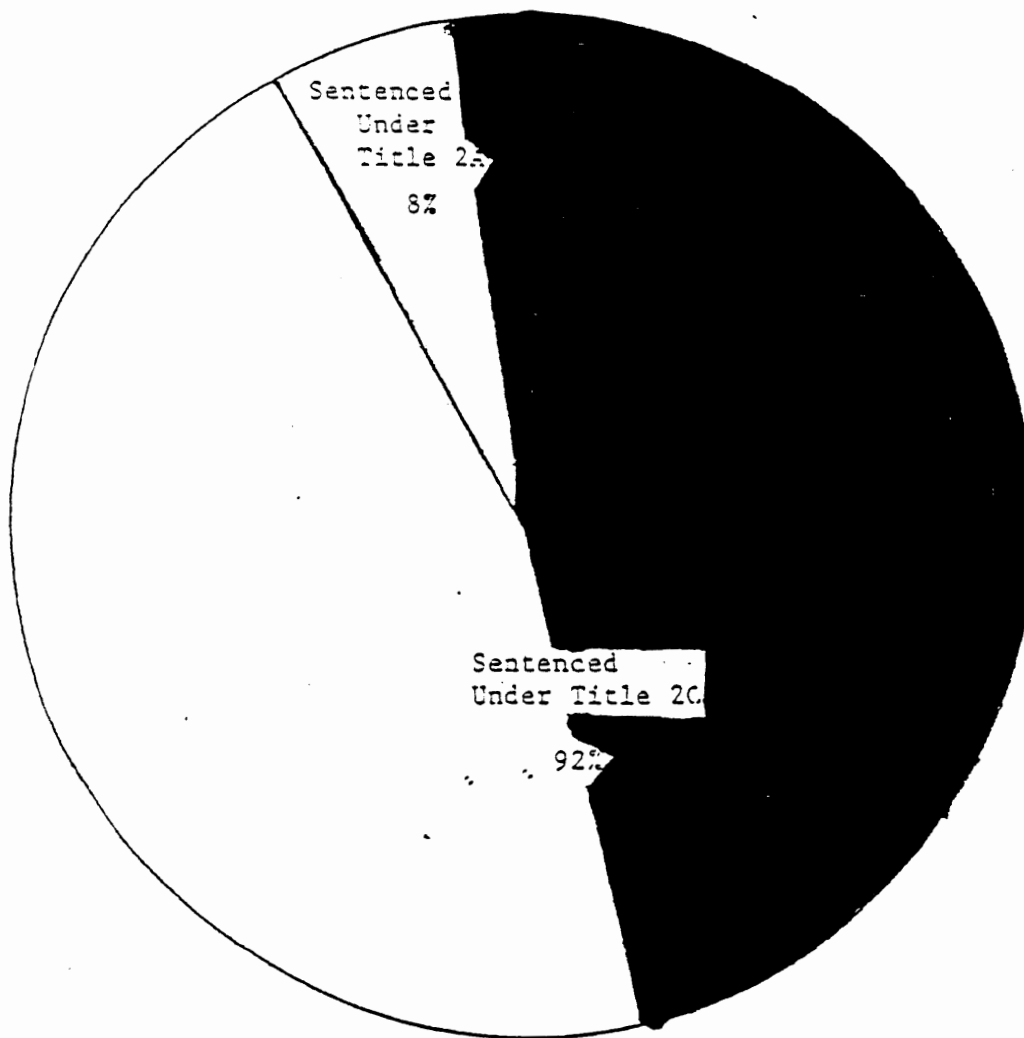
Disposition of Indicted Persons
During Calendar Year 1982



37,641 persons had their cases disposed of during calendar year 1982.

This chart depicts the manner of disposition of those indicted (or accused) persons showing that the majority were convicted (67%); 62% by plea of guilty and 5% by trial conviction. An additional 3% were acquitted at trial, indicating a trial rate of 8% of dispositions. Dismissals constituted 20% of the dispositions. Another 10% were disposed through diversionary programs - Pretrial Intervention and Conditional Discharges. Pretrial Intervention is a program designed to allow the least serious offenders to be disposed without conviction but through some supervision. Conditional Discharges are dismissals without conviction conditioned upon completion of a supervised period. These discharges are available to first time drug offenders.

Total Sentencings During Calendar Year 1982
Under Both Title 2C and Title 2A

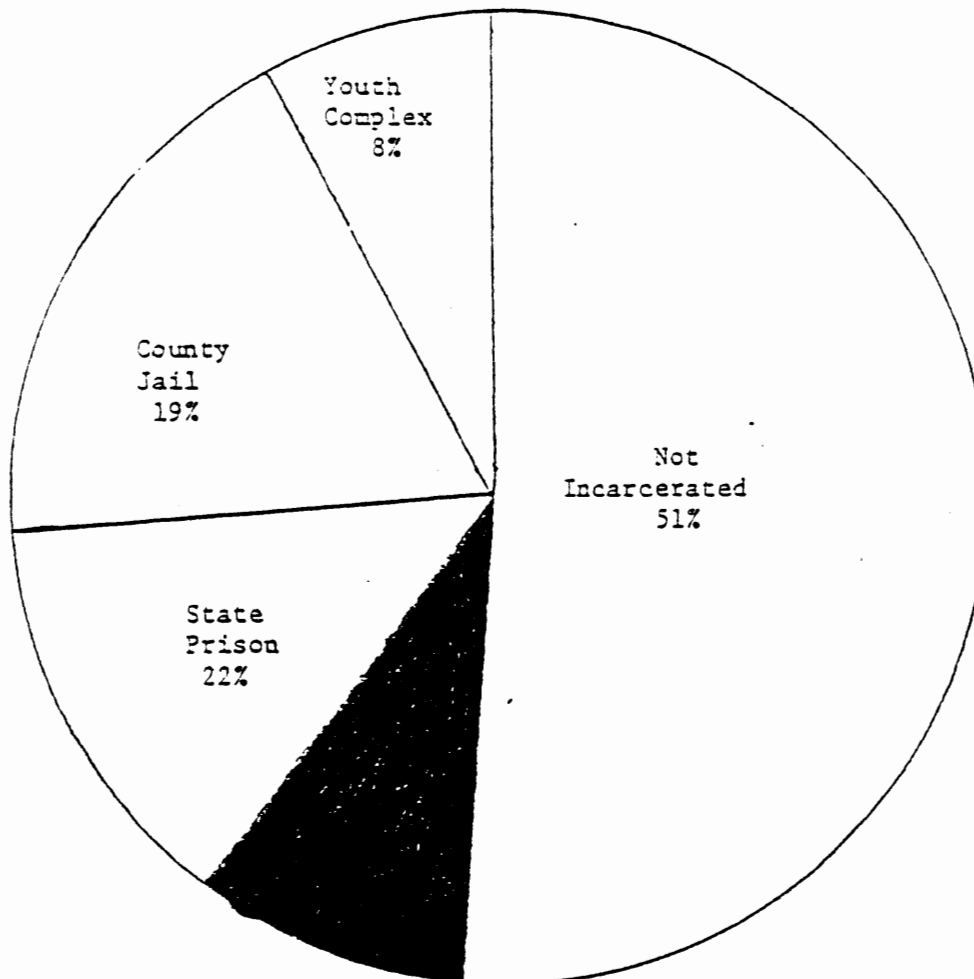


During calendar year 1982 there were 19,977 persons sentenced in the Superior Court in New Jersey. Of that number, 18,315 (92%) were sentenced under Title 2C: The Code of Criminal Justice which became effective September 1, 1979 for offenses committed on or after that date. There were 1,662 (8%) persons sentenced under Title 2A for offenses which were committed prior to September 1, 1979 and which, at this point, are most often fraud cases which are not discovered and prosecuted until well after the offense occurred. That type of offense also accounts for the low rate of incarceration for Title 2A sentencings (27%). Of those sentenced under Title 2C, 51% received a term of incarceration to state prison, the youth complex or a county institution, and 49% received a non-incarcerative term.

The shaded portion indicates the percentage incarcerated.

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Courts

Rates of Incarceration; Overall and to Institutions
for All Sentencings During 1982



Of the 19,977 persons sentenced during Calendar Year 1982, 49% received a term of incarceration; 22% to State Prison, 8% to the Youth Complex at Yardville and 19% to county institutions. 51% received a non-incarcerative term consisting of a suspended sentence, probation, fine, restitution, community service, treatment or some combination thereof. Note that offenders sentenced to county jail as a condition of probation receive probation as well as receiving up to six months incarceration.

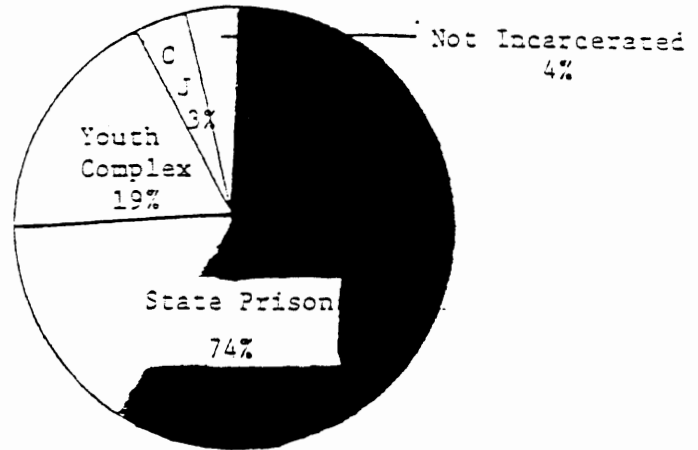
The shaded part of the State Prison portion indicates that there was a minimum parole ineligibility term affixed to 40% of State Prison terms. Such terms may extend up to 50% of the maximum term imposed and do not allow release on parole until that ineligibility term has been fully served. They are allowable on State Prison terms imposed for any degree of crime and are mandated for violation of any statute coming within the purview of N.J.S.A. 2C:43-6(c) (commonly known as the "Graves Act") concerning certain crimes involving a firearm. The 1981 rate was 28% and the 12% increase was due to three factors:

- 1) applicability to all degrees of crime for a full calendar year (only first and second degree until July 19, 1981);
- 2) an increased number of sentencings under the "Graves Act" (for crimes committed after February 11, 1981); and
- 3) an increased use of minimum parole ineligibility terms by sentencing judges.

Incarceration to Institutions
by Degree of Crime

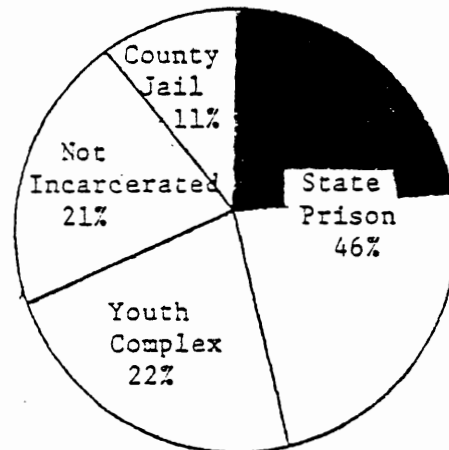
(1) First Degree

E.g. Murder, Armed Robbery,
Aggravated Sexual Assault, etc.



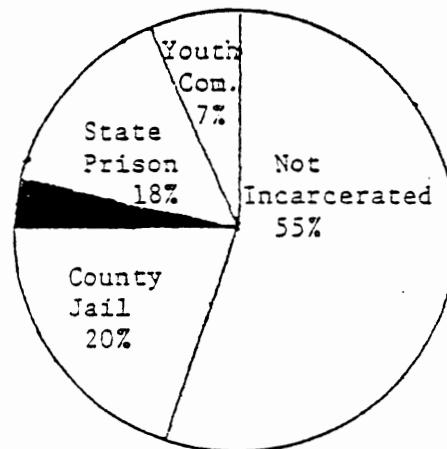
(2) Second Degree

E.g. Manslaughter, Robbery,
Aggravated Assault (attempt/causes
serious bodily injury), Sexual Assault



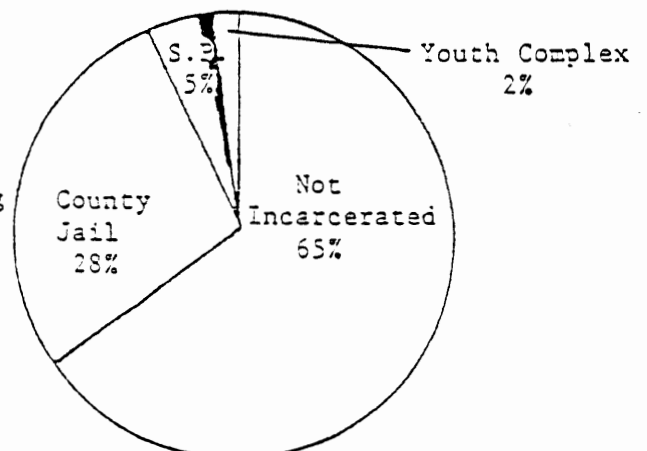
(3) Third Degree

E.g. Burglary, Aggravated Assault
(bodily injury with deadly weapon or
assaults certain uniformed personnel),
Theft (of greater than \$500 or from
the person of victim or of enumerated
vehicles), Unlawful Possession of a
Weapon (firearm)



(4) Fourth Degree

E.g. Aggravated Assault (pointing
firearm or recklessly causing bodily
injury), Theft (of \$200 - \$500), Resisting
Arrest, Unlawful Possession of a
Weapon



The shaded portion indicates that % of
State Prison terms on which a minimum
term was imposed.

CHART E

COMPARISON OF SENTENCING PATTERNS FROM 1977 - 1982

	1982 Sentencings		1981 Sentencings		1980 Sentencings		1979 Sentencings
	Title 2C	Title 2A**	Title 2C	Title 2A**	Title 2C	Title 2A**	
1. Total Cases	18,315	1,662	14,855	3,147	4,805	9,694	13,102
Percent Non-Custodial	49%	73%	48%	69%	39%	60%	58%
Percent Incarcerated	51%	27%	52%	31%	61%	40%	42%
2. Percent of Total Cases Sentenced to:							
County Institutions	19%	15%	20%	15%	25%	21%	19%
YRCC	9%	2%	11%	3%	14%	7%	10%
State Prison	23%	10%	21%	13%	22%	12%	13%
3. Median State Prison Term	5 years	5 years	5 years	5 years	7 years	5 years	6 years
4. Percent of State Prison Terms with Minimum Parole Eligibility Sentence	40%	N/A	27%	N/A	22%	N/A	N/A

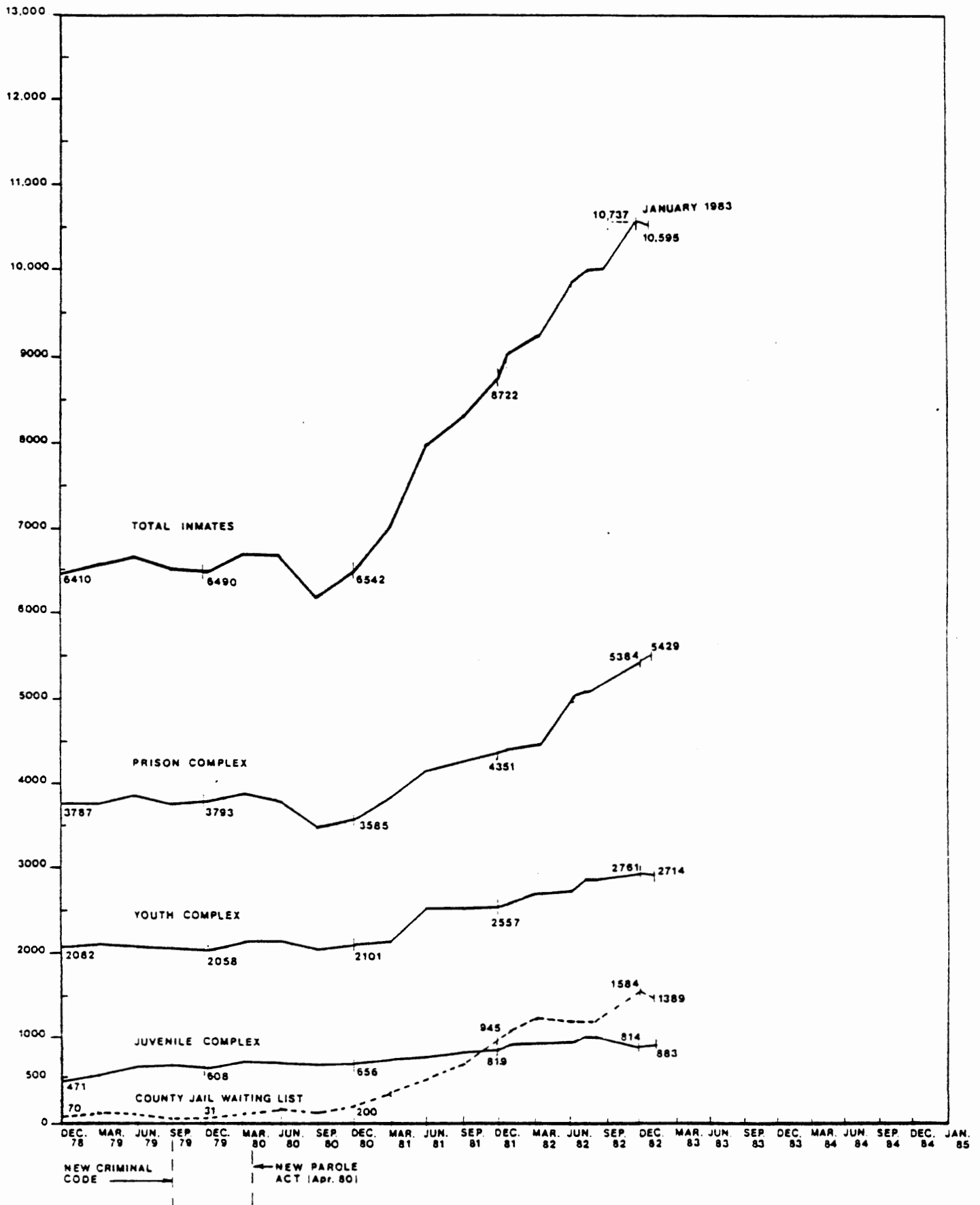
** Included in this figure are cases where the offender was convicted of a Title 2A offense, but was sentenced as if a Title 2C offense, pursuant to N.J.S.A. 2C:1-1(c)(2).

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STATE OF NEW JERSEY
DEPARTMENT OF CORRECTIONS

TOTAL STATE CORRECTIONAL POPULATION (By Quarters)

1978-1985



NEW JERSEY DEPARTMENT OF CORRECTIONS
WILLIAM H. FAUVER, COMMISSIONER

RESIDENT POPULATION COUNTS BY QUARTERS

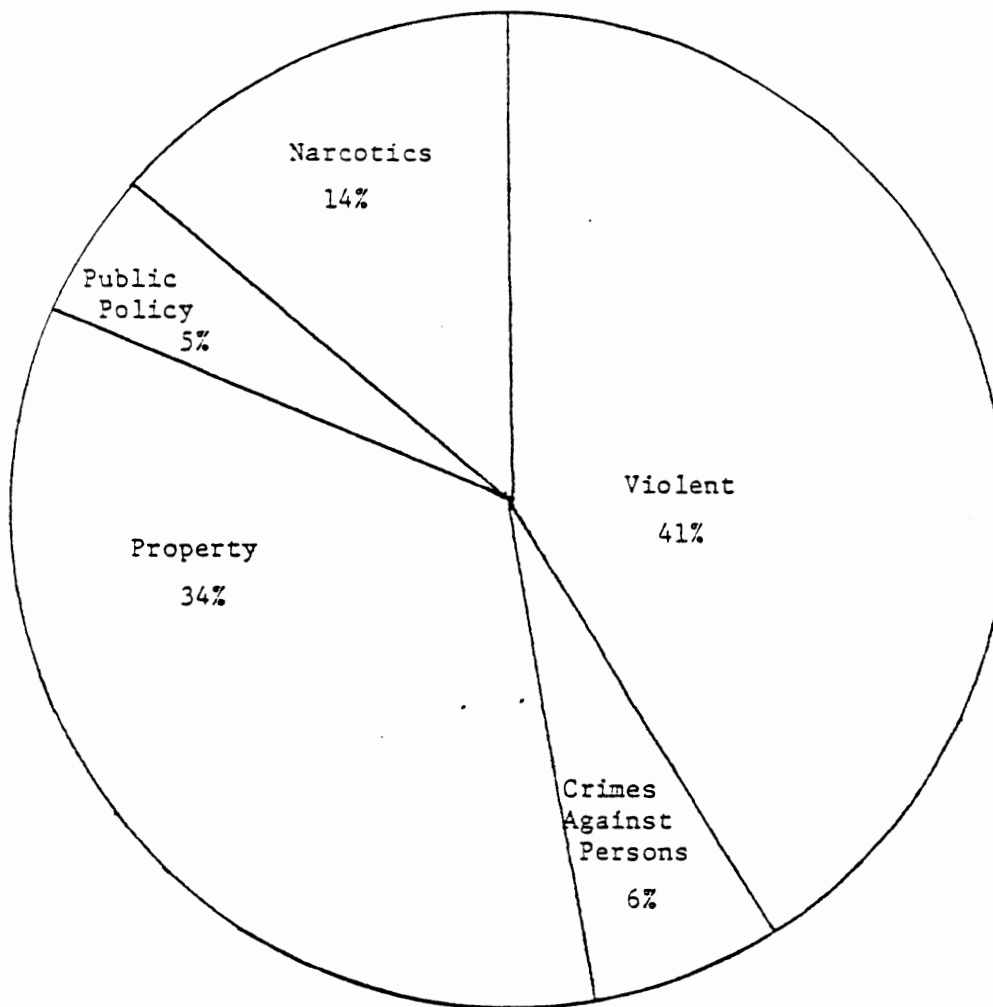
MAJOR CORRECTIONAL INSTITUTIONS	RESIDENT LAST DAY POPULATION COUNTS BY QUARTERS ENDING:																		
	DEC 1978	MAR 1979	JUNE 1979	SEPT 1979	DEC 1979	MAR 1980	JUNE 1980	SEPT 1980	DEC 1980	MAR 1981	JUNE 1981	SEPT 1981	DEC 1981	MAR 1982	JUNE 1982	SEPT 1982	DEC 1982	JAN 1983	
TOTAL JURISDICTION	6410	6570	6643	6517	6490	6746	6666	6199	6542	7084	7940	8299	8722	9230	9942	9985	10737	10595	
COUNTY JAIL WAITING LIST	70	105	93	40	31	100	150	75	200	360	470	650	945	1232	1174	1234	1584	1389	
JUVENILE WAITING LIST	-	-	-	-	-	-	-	-	-	-	-	-	-	-	136	110	83	54	
COUNTY JAIL TRANSFERS	-	-	-	-	-	-	-	-	-	-	-	48	50	60	72	80	111	126	
TOTAL RESIDENT	6340	6455	6550	6477	6459	6646	6516	6124	6324	6724	7470	7601	7727	7938	8560	8561	8959	9026	
PRISON COMPLEX	3787	3787	3820	3755	3793	3833	3722	3450	3585	3827	4155	4259	4351	4427	5006	5098	5384	5429	
YOUTH ADULT CORR. COMPLEX	2082	2096	2084	2075	2058	2121	2118	2014	2101	2197	2528	2536	2557	2672	2692	2671	2761	2714	
JUV. TRNG SCHOOLS RESID/TRMNT CNTRS	471	582	646	647	308	692	676	660	656	701	787	806	819	839	862	792	814	883	

COMPARED TO INSTITUTIONAL COUNTS ON SEPTEMBER 30, 1980, RESIDENT COUNTS ON JANUARY 31, 1983 INCREASED BY 2902 OR 47% FROM 6124 TO 9026. THE COUNT IN THE PRISON COMPLEX INCREASED BY 1979 OR 57% FROM 3450 TO 5429. THE YOUTH COMPLEX EXPERIENCED A 35% INCREASE OR 700 OFFENDERS FROM 2014 TO 2714. THE COUNTY JAIL WAITING LIST INCREASED FROM 75 ON SEPTEMBER 30, 1980 TO 1389 ON JANUARY 31, 1983.

NOTE: THE PRISON COMPLEX INCLUDES THE TRENTON, RAHWAY, LEESBURG, MID-STATE, CLINTON, AND THE ADULT DIAGNOSTIC AND TREATMENT CENTER. THE YOUTH CORRECTIONAL COMPLEX CONSISTS OF THE YOUTH RECEPTION AND CORRECTION CENTER-YARDVILLE, THE YOUTH CORRECTIONAL INSTITUTION-BORDENTOWN, AND THE YOUTH CORRECTIONAL INSTITUTION-ANNANDALE. THE JUVENILE TRAINING SCHOOLS INCLUDE THE JAMESBURG TRAINING SCHOOL FOR BOYS, TRAINING SCHOOL FOR GIRLS, AND THE SKILLMAN TRAINING SCHOOL FOR BOYS.

Administrative
Office of the Courts

Prison and Youth Complex Sentencings
During Calendar Year 1982



This chart represents the percentage of offenders sentenced to Prison and the Youth Complex during 1982. The breakdown of offenses is consistent with that described within the following resident chart. Note that although those sentenced for violent offenses comprise 41% of those sentenced to Prison and the Youth Complex, they constitute 61% of the resident population of those institutions due to the longer length of stay for such offenses. The converse is true for Property and Narcotic offenses.

LENGTH OF STAY
CALENDAR YEARS 1981 AND 1982

HIGHLIGHTS

Male adults released to parole supervision during Calendar Year 1981 spent an average of 19.3 months in custody prior to release. During Calendar Year 1982, the average Length of Stay (L.O.S.) increased by 8.3% to 20.9 months.

While State Prison Length of Stay increased by 4.7% (from 23.2 to 24.3 months), Length of Stay in the Youth Complex increased 21.5% (from 14.4 to 17.5 months).

Average Length of Stay for persons convicted of violent offenses increased by 6.1% as compared to an increase of 11.6% for non-violent offenders.

In the violent offense category, State Prison Length of Stay increased by .6% (32 to 32.3 months) while Youth Complex Length of Stay for persons convicted of violent offenses increased, dramatically, by 27.3% (18.3 to 23.3 months).

In the non-violent offense category, State Prison Length of Stay increased more rapidly than in the Youth Complex. State Prison Length of Stay increased by 13.5% (12.6 to 14.3 months) while Youth Complex Length of Stay increased 11.6% (9.5 to 10.6 months).

REMARKS

Average Length of Stay in the State Prison Complex had been declining steadily in recent years. The average number of months served upon release to parole was 31.9 months in 1979, 29.1 months in 1980 and 23.2 months in 1981. The data just prepared for 1982 shows the first increase in what we believe will prove to be a continued and significant trend for the next 3 to 4 years.

Length of Stay data presented here is a factor of the actual amount of time served in a State correctional facility by persons released to parole supervision during Calendar Years 1981 and 1982. There are several factors operating which result in current Length of Stay data being somewhat understated.

-First is the impact of overcrowding. Since our data system can only capture time served upon admission to a State facility, time spent in a county jail from sentencing to reception is not included. Under normal circumstances, this poses little or no problem, since inmates would be admitted to the State system within 14 days of sentencing. Over the past several years, however, the overcrowding situation and subsequent backup of State sentenced inmates being housed in the county jails has resulted in a considerable lag between sentencing and admission to the State Reception Units. The average lag is estimated at 90 - 100 days. If our data system could capture this information, Length of Stay would show an increase of about 3 months.

-A second factor is the high proportion of non-violent offenders released to parole during the last two years. Generally, non-violent offenders serve shorter custodial sentences than violent offenders. The release of higher numbers of non-violent offenders, therefore, has served to reduce the average Length of Stay for all offenders.

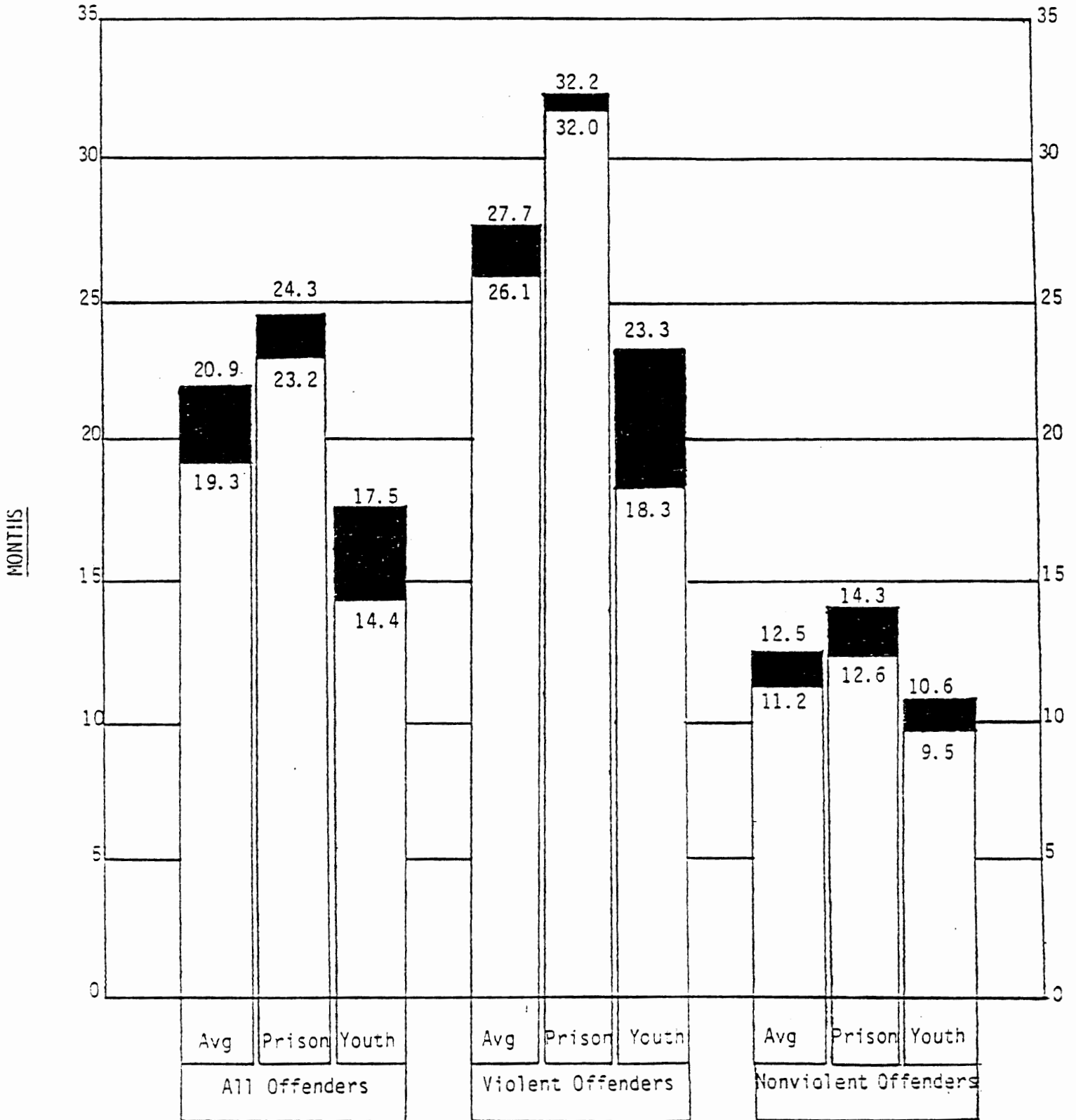
-The last and probably most significant factor is the backup of persons sentenced to State Prison with mandatory minimum (parole ineligibility) sentences since enactment of Title 2C. To date, this group accounts for 33% of all persons sentenced to State Prison under 2C. Most of those so sentenced have not yet become eligible for parole consideration and will not be released in significant numbers until 1984 and 1985. At that time, it is projected that State Prison Length of Stay will increase to a minimum of 40 months.

-LENGTH OF STAY IN MONTHS-

ADULT OFFENDERS (PRISON AND YOUTH COMPLEXES)

RELEASED TO PAROLE SUPERVISION

DURING CALENDAR YEARS 1981-1982



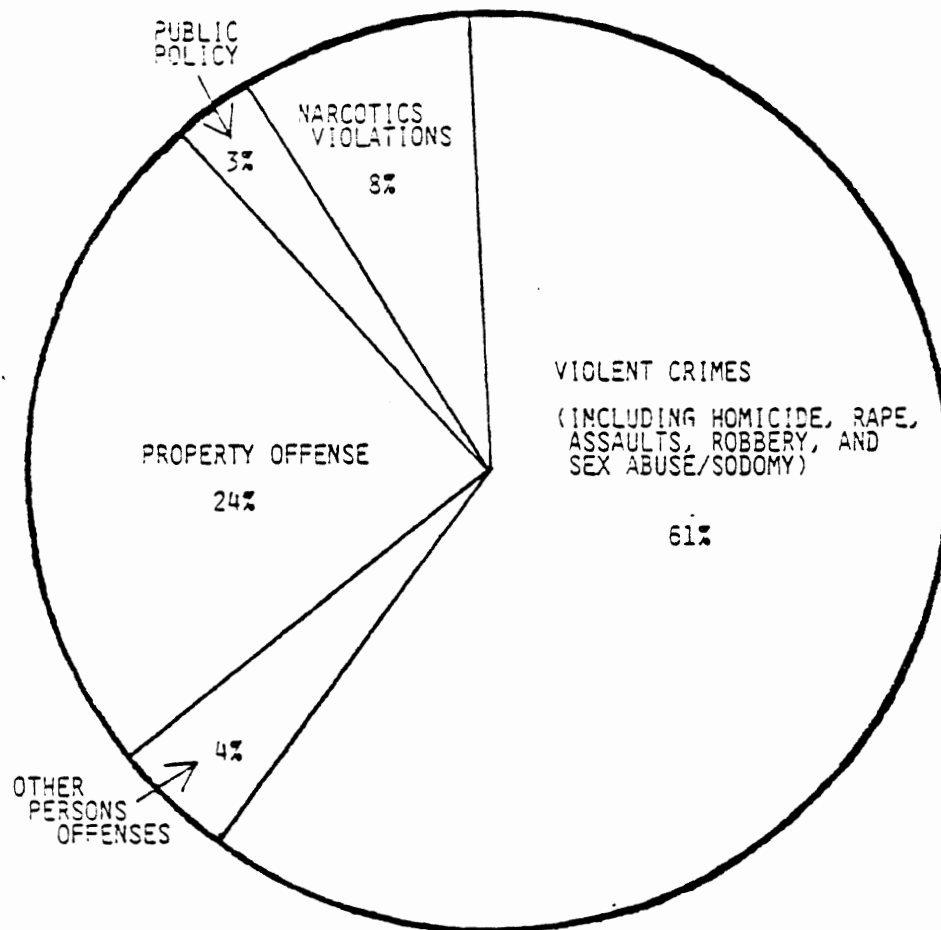
Length of Stay Calendar 1982



1982 increase in
Length of Stay

Length of Stay Calendar 1981

BASE OFFENSE -PRISON AND YOUTH COMPLEX RESIDENTS - JANUARY 3, 1983



Of the total adult males resident in the State Prison and Youth Correctional Institution Complexes on January 3, 1983, 65% were convicted of crimes against person and 35% were convicted of non-violent offenses. Crimes against person offenses can be broken down as follows:

Robbery	29%
Homicide	17%
Assault	9%
Rape	5%
Sexual Abuse/Sodomy	1%
Other Person Offenses	4%

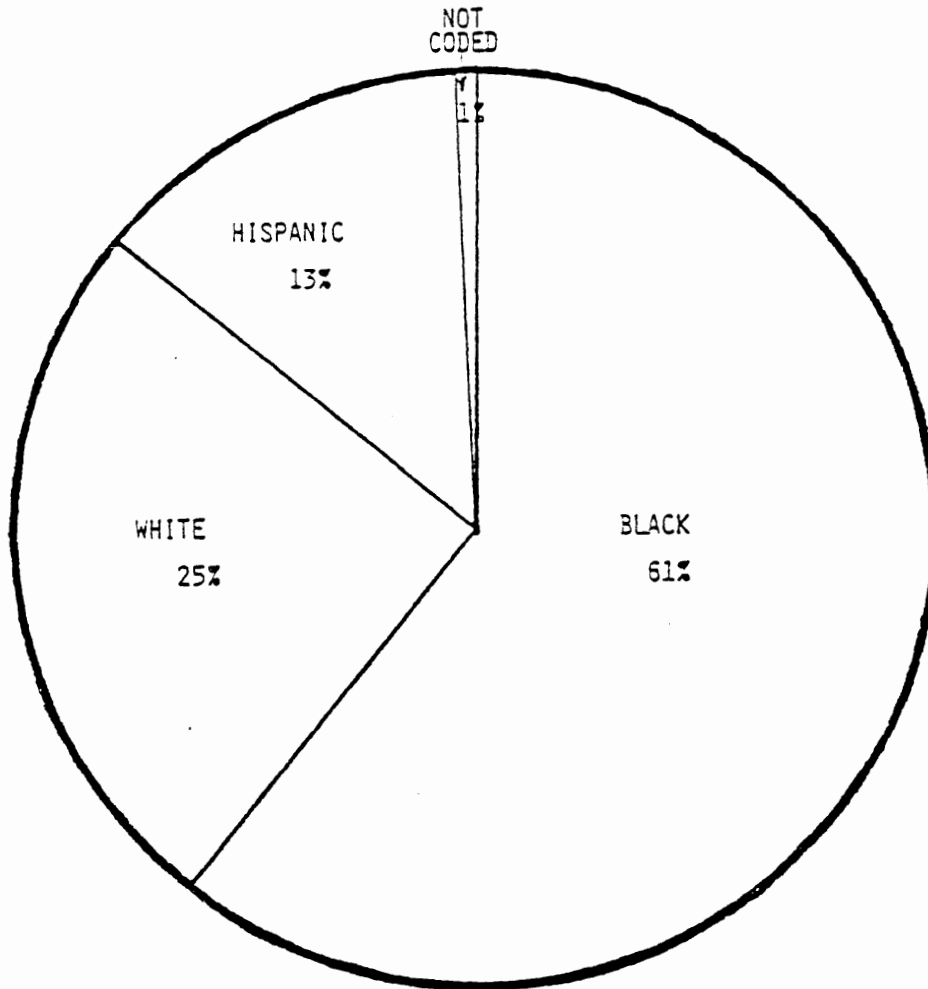
Non-violent offenses can be broken down as follows:

Property Offenses	24%
Narcotic Offenses	8%
Public Policy Offenses	3%

It should be noted that the percentage of prison residents (determinate sentences) committed for violent crimes is approximately 70%. Prison offenders represent more than one half of the total offenders under the jurisdiction of the Department. By contrast, the most recent data (November, 1979) on Characteristics of State Offenders on a national level indicates that approximately 57.5 are committed for violent crimes including Homicide, Sexual Assault, Robbery, and Assault.

Also, the Base Offense is defined as the most serious offense at the time of admission and does not include any additional sentences or charges which are adjudicated subsequent to the time of admission.

ETHNIC IDENTIFICATION - PRISON AND YOUTH COMPLEX RESIDENTS - JANUARY 3, 1983



Of the total adult male residents in State correctional institutions on January 3, 1983, almost three-quarters were of a minority group.

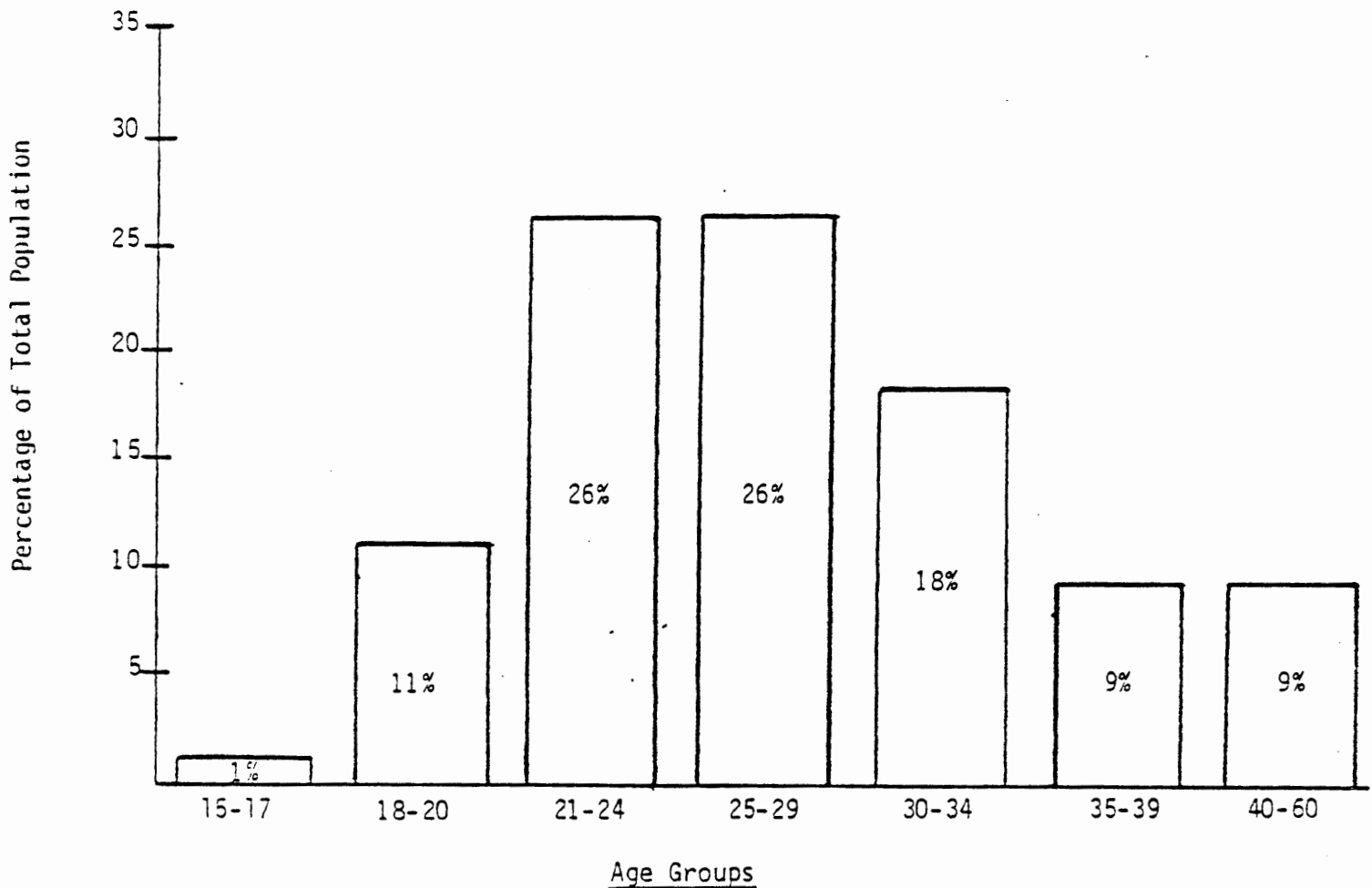
Racial/ethnic percentages are as follows:

Black	61%
White	25%
Hispanic	13%

- M -
AGE DISTRIBUTION

PRISON AND YOUTH CORRECTIONAL COMPLEX

JANUARY 3, 1983



AGE DISTRIBUTION

Of the total adult males resident in the State Prison and Youth Correctional Institution Complexes on January 3, 1982, 63% were 18 to 30 years of age. An additional 18% were 30 to 34 years of age, while those 35 to 60 years of age comprised only 18% of the total population.

Comparison of State correctional system adult males (99% of whom are 18-60 years of age) with adult males aged 18-60 State-wide (1980 census figures) yields the following:

<u>Age</u>	<u>Correctional System</u>	<u>Adult Males State-Wide</u>
18-29	63%	35%
30-34	18%	13%
35-60	18%	51%

By age group, adult males in the State correctional system represent in inverse proportion their percentage of the adult male population.

Sentencing Information

Agency: Administrative Office of the Courts

Persons: Jack McCarthy, Jr. (609) 292-4637
Assistant Director, Criminal Practice

Edwin Kennedy (609) 984-0070
Chief, Statistical Services

Publications:

1. A.O.C. Annual Report
2. Monthly Court Management Reports
3. Weekly County Jail Population Delineation
4. Monthly Criminal Disposition Commission Reports
5. Profile of Sentencings (annually)
6. 1979 Report on the Relationship Between Race and Sentencing
7. 1977 Report on Sentencing Guidelines

Correctional Information

Agency: Department of Corrections

Persons to
Contact: Stanley Repko (609) 984-4578
Acting Assistant Commissioner, Policy and Planning

Hank Pierre (609) 292-5303
Chief, Bureau of Correctional Information Systems

Publications:

1. Characteristics of Offenders in New Jersey Correctional Institutions (annually)
2. Offenders in New Jersey Correctional Institutions: Average Daily Population (annually)
3. Offenders on Parole in New Jersey (annually)
4. Monthly Statistical Report on Admissions, Releases and Residents
5. Monthly Work Release Report
6. State Incarceration Rates: New Jersey vs. Other States (annually)

Parole Information

Agency: Bureau of Parole

Person: Fred Holley (609) 292-4256
Chief, Bureau of Parole

Publications:

1. Bureau of Parole Statistical Report (annually)
2. Arrests and Dispositions Report (annually)

Arrest Information:

Agency: Division of Criminal Justice

Person: Dr. Wayne Fisher (609) 984-2799

Publication:

1. Division of Criminal Justice Annual Report

MG/dg