



State of New Jersey

DEPARTMENT OF CORRECTIONS

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Remarks Prepared for Delivery Senate Budget and Appropriation Committee April 20, 2023

Good afternoon, Chairman Sarlo, Majority Leader Ruiz, Minority Leader Oroho, Minority Budget Officer O'Scanlon, and members of the Senate Budget and Appropriation Committee.

We are happy to be here this afternoon - to provide updates to our presentation from last year, report on the continuing progress in the Department, discuss our strategic planning and address our challenges.

The corrections field is complex and ever-changing. Even on its best day, corrections is challenging. I am grateful to the custody and civilian staff, officers, sergeants, lieutenants and majors, social workers, teachers, support staff, investigators, and the leadership team – who are guiding this Department to be the best corrections agency in the nation.

Joining us this morning from the NJDOC executive team are the following:

- Deputy Commissioner Willie Bonds – Oversees all of Operations
- Chief of the Division of Programs and Reintegration – Dr. Darcella Sessomes
- Asst. Commissioner Donna Gies – AC of Administration and all-things-budget
- Chief of Staff Kristina Chubenko
- Asst. Commissioner Melinda Haley – AC of Division of DEI & Legal Affairs
- Asst. Commissioner Helena Tome – AC of Women's Services.

The NJDOC team continues to emphasize building and strengthening the corrections community – and has made much progress. We value our staff and our engagement with outside stakeholders, advocates, reentry partners, unions, the formerly and currently incarcerated, our Board of Trustees, and our legislators - and a particular thank you to a number of you joining us today – as your input and assistance have been valued. We have

embraced the mantra that "all voices count" if we are going to make meaningful and lasting progress in the Department.

Over the past year, many changes have positioned the Department to address current needs and to plan for the future. Many of the changes enacted have been focused on cultural changes, including rewriting the Department's mission statement, establishing the new Division of Programs and Reintegration with the first-ever Chief of the Division, concluding the first year of the settlement agreement with the U.S. Department of Justice regarding Edna Mahan Correctional Facility – and being in compliance with all indicators in the Monitor's report, and standing up additional workforce wellness programs and diversity and inclusion initiatives to ensure that we are consistently reinvesting in our staff, their welfare, and training – as they are essential to the success of the Department.

The proposed budget put forth by Governor Murphy continues to advance these priorities. It reflects the ongoing efforts of the Department to provide appropriate and necessary services to the population we serve. It continues the successful reentry services that are improving the lives of many, supports public safety, invests in recruiting a well-trained workforce, provides dignity and resources for the female population, and addresses the strategic planning and right-sizing of the Department - including evaluating housing needs and making necessary investments in facility infrastructure.

I would like to take a few minutes to provide status updates on some of the efforts made within the last year.

COVID-19

As the State returns to a "new normal" following the pandemic, so too does the Department. With positivity rates within the Department consistently at their lowest level compared to any point during the pandemic – both with the incarcerated population and the staff – and in working with our medical provider and the Department of Health, the Department has recently returned to many pre-pandemic procedures while continuing appropriate sanitization and mitigation efforts. Classes and services are in full swing, visits have returned to more normal levels, county jail transfers into the NJDOC have increased, and routine weekly COVID testing has ended for much of the incarcerated population – with testing continuing at intake and for those who present with symptoms. Staff is no longer mandated to be vaccinated or secure an exemption. And in the near future, routine weekly testing will also be dialed back for staff. We do not forget the challenges posed by the pandemic and have positioned ourselves to monitor closely to ensure an appropriate response if the need arises.

Community Reintegration

Efforts supporting enhanced community reintegration continue to be a source of encouragement for the Department. The Department and the expanding "Corrections Community" continues to increase the services available to individuals both during and following incarceration to help them succeed in the community.

Through the significant efforts of the educators, social services staff, substance abuse counselors, therapists, religious staff, and so many others who diligently prepare the individual for their return to the community, and the increasing community of providers, our partners at the RCRPs, the State Parole Board, our sister Departments and agencies, and the reentry organizations that have provided essential services – New Jersey stands out as being on the forefront of community integration efforts on the national level and has one of the lowest rates of readmission in the nation. For example, from November 2, 2020, through 2022, there were 7,011 PHEC releases, and to date, a readmission rate for this cohort of 2.2%. This number is comprised of those who were released and have been re-convicted of a new criminal offense and returned to the custody of NJDOC. This number does not reflect rearrests (the NJDOC would not be in possession of such data) or technical parole violations (which would be tracked by the State Parole Board).

The NJLEAD grants partners are growing and flourishing. This program was created to connect those preparing to leave the NJDOC with essential services in the communities where they will be returning – including housing, employment, job readiness, family unification, trauma, and other treatment, mentoring, and support. The initial year of the NJLEAD grants provided 17 grantees with awards to provide reentry wrap-around services, and that number of community providers has now grown to 28 partners in our communities who are invested in the success of those leaving the Department.

Reentry services are working and are robust within the State of New Jersey- from the Veterans Program that provides special services and housing for veterans while incarcerated and provides additional reentry programs at release; to the health navigator programs connecting those leaving Edna Mahan Correctional Facility and East Jersey State Prison with medical services at release and beyond; to the substance abuse navigator at release programs; to our partners at the RCRPs.

Edna Mahan Correctional Facility

I am proud of the work being done at Edna, all with the very clear goal of ensuring a continuing culture of dignity and safety that supports the population at EMCF.

Many of the reform measures have now become commonplace at the facility. For example, the fixed camera system and body-worn cameras, along with the work of the Special Victims Unit within the Special Investigations Division, the PREA Compliance Manager, and trauma and gender-specific trainings, continue to support enhanced safety and security.

The EMCF Board of Trustees has been firmly in place and active at the facility, ensuring the Department remains vigilant in ensuring dignity for our women at Edna.

The Empowering Women Speaker Series is now in its second year, bringing powerful and empowering women to Edna to share their stories and encourage the population to prepare themselves for returning to their communities.

The Division of Programs and Reintegration continues to enhance and grow programs for our population and address their underlying trauma, educational goals, and entrepreneurial spirit.

And the Division of Women's Services is steadfast in ensuring that the Department is not only in compliance with the requirements of the Department of Justice settlement agreement and monitor's report but that we are exceeding expectations.

The systemic changes made in the provision of services and operations have resulted in a:

- 40% reduction in the number of disciplinary infractions by the incarcerated population
- 80% reduction in the number of assaults on staff
- 66% decrease in PREA complaints, and
- 0 substantiated sexual assault or assault by staff on incarcerated persons in 2022.

While significant efforts have improved cultural conditions at Edna Mahan, the infrastructure remains challenging and, without question, requires a new facility. Therefore, in keeping the commitment to close the Edna Mahan Correctional Facility, Governor Murphy and this Administration have proposed a \$90 million appropriation for the next phase in the closure of the Edna facility.

This is not just a step in the right direction – this is a quantum leap in the right direction. This is dignity for our female population. This is correcting decades of being the forgotten population in deteriorating conditions. This is essential and responsible.

To put into perspective the importance of the investment being made in our female population and the subsequent facility – to keep the current and deteriorating facility operational would require approximately a \$180 million investment. This would not result in any significant improvements but merely maintain the current facility. That is what happens when a population and facility are ignored for so long.

The investment proposed in FY2024 will enable the female population to move from the current facility to a more central location in the State, with greater access to major roadways and public transportation – and with the intent to increase visits with family and loved ones. It will also enable greater access to resources, activities, and volunteers and provide for a more "normative" and rehabilitative environment. The benefits of a new facility also result in efficiencies with staffing, as fewer are needed with a purpose-built facility with the most up-to-date safety and security precautions in place which is critical given the shortage of officers the Department has been experiencing over the past few years.

Following the significant work of the consultant, including a number of "visioning sessions" with interested parties and a review of existing NJDOC facilities and property, the consultant has provided a transitional plan that combines modular and permanent construction that will expedite the closure of the Edna facility, in the most cost-effective

manner. The transitional plan also allows for the future replacement of modular housing units with more permanent construction when deemed appropriate.

We are grateful for the commitment to finally bring about lasting change for our female population and appreciate your consideration in this regard.

Continuing to Reinvest in Staff is an important component of this budget.

The Department relies on the dedication and professionalism of a well-trained workforce and has continued to invest in wellness and DEI initiatives, training, and efforts to retain and recruit staff. The Department is placing emphasis on the importance of our staff, their families, and overall wellness, diversity, and belonging - from the 4BLUENJ call line, specifically established for our staff and their families to contact when they need someone to talk to; to financial literacy sessions; to a variety of new DEI programs and events – such as the first Black Leadership Summit, the first Women's Leadership Summit, the first climate survey, and the first DEI senior-level training; to significant investments in training.

The Department is also addressing challenges, including staffing shortages and infrastructure issues.

Like law enforcement and corrections agencies across the country, one of the greatest challenges for the NJDOC is staffing shortages. The Department continues to be impacted by attrition and small academy classes. At the present time, the Department is experiencing a significant shortage of approximately 363 officers, which results in operational challenges and is the largest contributor to the rise in overtime.

In addition to taking an internal strategic review of the causes of overtime, the Department enlisted the expertise of a consultant to analyze overtime in the Department. While the final report has not been provided, preliminary information indicates that 73% of all overtime hours are directly attributable to the significant staffing shortage.

In an effort to tackle recruitment and retention, the Department has established a full-time recruitment unit that networks throughout NJ and surrounding states, works with community and professional organizations, has implemented marketing and advertisement campaigns, has established a mentor program for new recruits, and is working with minority and women's organizations to recruit within diverse communities. These efforts are working, as we are seeing an increase in the number of applicants coming to the NJDOC.

The support of the Legislature and Governor through the enactment of S3672 last session has assisted with both retention and recruitment. The law has enabled the Department to provide a one-time salary increase to officers, which resulted in the reduction of the attrition rate from an average of 24 officers per pay period to 16 officers per pay period. In addition, the law enabled the Department to recruit directly into the Academy outside of the Civil Service process and to stand up two new academy classes outside of the civil service process.

While there is much work to do to increase staffing levels, the Department has identified issues that continue to hamper retention and recruitment, specifically salary shortcomings and the mandatory physical requirements to enter the Academy. The Department continues to identify and address issues that hamper recruitment or impact qualified recruits from becoming a correctional police officer, including working with the Attorney General's Office to reevaluate physical requirements.

Strategic Planning, Infrastructure, and Population Increase

The incarcerated population within the Department of Corrections experienced a steady decline for the past two decades, reaching its lowest level at 12,000. The decrease in the population enabled the NJDOC to close five total facilities. Four of those facilities generally housed minimum custody or youthful offenders – two populations that significantly decreased in the Department – and we were also able to close the only reception intake facility. These closures resulted in savings to the State totaling \$97.9 million since FY 2020.

At this time, the population in the Department of Corrections is no longer decreasing and has now increased to approximately 13,000, averaging a net increase of 100 individuals each month. We anticipate this trend to continue due to the backlog of criminal cases following the pandemic, and we expect to end the fiscal year 2024 with approximately 14,000 incarcerated persons. Due to this trend, the Department is not proposing any additional closures of prison facilities in FY2024.

Strategic planning has identified a changing population, with a decrease in recidivism, but an increase in first-time offenders, an increased length in the median term of custody (2013: 6 years; 2023: 8 years), an increase in individuals serving a term for violent offense among both males (2013: 76%; 2023: 91%) and females (2013: 62%; 2023: 86%), an increase in the need for maximum and medium custody housing (81% of current male population require higher custody housing) and a large number returned to custody for technical parole violations (generally 24% annually). These factors impact the classification of the individuals and, ultimately, the type of units needed for housing.

With limited housing space, it is essential that the Department continue to strategically plan for housing and invest in the existing infrastructure within the facilities in order to preserve the overall facilities and to enable the re-opening of several housing units previously taken offline at a time when the population was decreasing. The facility improvements are underway – with projects proceeding at several facilities, with the potential to increase bed space by 1,000 beds. Moreover, with the recent support from the Capital Commission, the Department is proceeding with addressing the infrastructure issues at one of our critical facilities - Garden State Youth Correctional and Intake Facility.

Closing

This budget continues to support meaningful reform and improvements within the Department of Corrections. It provides the ability to continue to support a professional staff, to continue to enhance the successful reintegration measures, to ensure that the

women at Edna are treated with dignity and respect, to further support recruitment efforts, and to invest in preserving and improving our facilities.

I respectfully submit that this budget supports the progress being made and the steps toward continued, meaningful reform.

I sincerely thank all the members of the Legislature, and this committee, for your time, talent, commitment, and dedication in supporting our efforts to successfully carry out our mission.