

Testimony of New Jersey State Association of Chiefs of Police Regarding Assembly Bill 1910

Good afternoon Mr. Chairman, esteemed Members of the Senate Budget Committee, fellow Criminal Justice System stake holders and concerned members of our New Jersey Communities. I rise today to offer comments on behalf of the New Jersey Chiefs of Police in regard to Assembly Bill 1910 and the proposed concept of Bail Reform, of which some pieces likely substantially impact law enforcement, with little concern for law enforcement logistical planning.

Firstly, the bill proposes to detain those persons charged with crimes who are deemed to be risks to community safety. Currently, this would include the potential incarceration of all first and second degree offenders while they await trial. While this is a laudable goal deserving of commendation, the concern is that if the State were to detain all such people, where then would law enforcement entities be able to house those persons who are arrested and awaiting a bail decision? If pretrial detention is the rule, than likely is a boom in detention decisions will exist and there will be an insufficient amount of jail space sufficient to house those persons who await a bail decision.

The current proposed reform shifts all bail decisions away from reliance on money, and therefore commercial or personal sureties, towards non-monetary conditions of release. This non- monetary system depends upon intense supervision of the defendant by the Court. Whether directly or indirectly, it is the position of the Chiefs of Police that this shift will ultimately thrust the burden of enforcing failure to comply with bail conditions upon law enforcement, who currently have little or no capacity to address the potential for an additional workload , financial costs included. In the event that a defendant fails to appear for his or her hearing, then the responsibility of recovering such a defendant will necessarily fall to law enforcement to ensure that the persons are caught and returned to court. This additional workload will require additional new investigation, communication and travel infrastructure, much in the form of extradition. Such additional new infrastructural commitments come at a time when the State lacks any viable ability to commit substantial new resources to support law enforcement endeavors to shoulder this new burden.

As I have said, the Chiefs and I remain concerned about the potential for a new duty assignment in a time when the state lacks any ability to provide additional resources to our departments for such programming. Further, we question the viability of a program that minimizes the importance of any portion of the current bail system addressing the release of defendants pending trial. In that regard, the association and I remain hopeful that we may work with the bill sponsors to formulate a solution to the perceived problem that makes sense for law enforcement and the community, with an emphasis upon working within our current operational limits. Thank you.