

Jail population down 19 percent in N.J. since new bail reform law

The jail population in New Jersey is down 19 percent since the Bail Reform and Speedy Trial Act took effect Jan. 1, according to statistics released by the state.

But some warn it's still too early to tell whether the historic reforms will be a net benefit for the state in terms of keeping the jail population low and saving money across all 21 counties.

Ocean County Prosecutor Joseph Coronato said while the jail population is down 27 percent since January, he wants to see how the numbers hold out through the summer before making a judgment on the new law.

"I want to get through the summer because the population usually spikes after the July 4 holiday," he said. "Right now I feel like the population isn't down, but more of a revolving door."

The act, passed by referendum in 2014, is touted by supporters as a way to ease jail overcrowding while preventing low-level offenders from languishing in jail simply because they can't afford bail.

About 12 percent of people in New Jersey jails can't afford bail of \$2,500 or less, according to a 2013 study commissioned by the Drug Policy Alliance.

The new system distinguishes cases between a complaint warrant and a complaint summons. People arrested on a summons are taken to a police station, booked, issued charges and released.

People arrested on a warrant are taken to the county jail for as long as 48 hours until a decision is made on whether they will be kept or released. That time frame can be extended if a defense attorney requests more time to prepare.

The decision to keep a defendant in jail is based in part on a new scanning system that brings up alleged offenders' criminal histories and helps determine whether they are a risk to the community or a risk of fleeing before a court date. The juvenile justice system is unaffected by the changes.

Civil-rights activists have praised the law as a way to level the playing field by moving away from a system that disproportionately affects minority communities.

"This is a great thing," Olivia Caldwell, president of the Pleasantville/Mainland NAACP, said when asked about the decrease in jail population. "It helps anyone who is disadvantaged economically, and has an economic impact on the county, because many people who sat in jail because they couldn't pay would end up losing their jobs."

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Caldwell said she also was encouraged to see employers start “banning the box,” which means low-level offenders are not required to report their criminal records on job applications.

But the new law has come with a cost.

Atlantic County Administrator Jerry Del Rosso said the county budgets an extra \$850,000 annually to accommodate more staff in the Sheriff’s and Prosecutor’s offices. The courthouse now opens on weekends to accommodate quick hearings after arrests, and the Prosecutor’s Office is now a 24-hour operation, he said.

Coronato said he hasn’t hired extra staff in Ocean County because the weekend schedule isn’t as booked as he thought it would be. But that could change now that more people are here for the summer.

The new law also has not been free from criticism.

In the spring, registered sex offender Christopher Wilson, 20, of Little Egg Harbor Township, was freed under the new law after he was charged with trying to assault a 12-year-old girl. His “risk” score was low because the original offense occurred when he was a minor.

A judge eventually overturned the ruling, and Wilson was brought back to jail pending trial.

The “risk” score was amended in May to be tougher on people charged with certain offenses, specially pertaining to weapons charges.

Still, many believe the new law has benefited New Jersey residents.

“The government has been satisfied with building more prisons,” Caldwell said. “But that money should be redirected to give our children jobs. When they don’t have summer jobs ... that’s when they can go on the wrong path.”