

ASSEMBLY BILL NO. 4337

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 4337 without my approval.

This bill would substantially expand the granting of medical parole to individuals incarcerated at State or county correctional facilities. Under current law, the State Parole Board may grant medical parole to a terminally ill inmate in its discretion upon conducting a thorough and comprehensive review. This bill would extend medical parole eligibility to inmates with certain non-terminal medical conditions. In addition, the bill would eliminate the State Parole Board's discretion in its review process by requiring it to grant medical parole to all applicants deemed physically incapacitated from either a terminal or non-terminal medical condition.

While I appreciate the sponsors' desire to create efficiencies in the medical parole review process, I cannot support a bill that proposes to dramatically expand medical parole by encroaching upon the longstanding function of the State Parole Board. For decades, the State Parole Board has faithfully fulfilled its charge to carefully review and consider the underlying facts and circumstances of each applicant for parole. The current medical parole review process appropriately welcomes critical voices - from victims, prosecutors, and sentencing judges - to comment on an application. These comments allow the State Parole Board to consider more than an inmate's medical diagnosis but also how the inmate's criminal activity impacted the community. Indeed, these perspectives are so valuable that the State Parole Board must notify these individuals upon receipt of a medical parole application and consider their responses when making a determination.

By requiring certain inmates to automatically receive medical parole as proposed by this bill, the State Parole Board would be powerless to weigh valuable considerations, and thereby deny victims and others the opportunity to meaningfully contribute to the parole review process. As a result, this bill would replace the prudent deliberation and experienced judgment of the State Parole Board with a rigid and programmatic process that only considers an inmate's physical health.

I encourage the Legislature to continue to explore reforms that will create efficiencies in State government. However, the review of medical parole applications is best accomplished through the reasoned, compassionate, and experienced judgment of the State Parole Board and not an automated process that refuses to consider feedback from victims, their families, and members of our communities.

Accordingly, I herewith return Assembly Bill No. 4337 without my approval.

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Respectfully,
/s/ Chris Christie
Governor

Attest:

/s/ Thomas P. Scrivo
Chief Counsel to the Governor