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## BEHAVIORAL HEALTH ISSUES ARE FRONT AND CENTER

The months of May and June are anticipated to be full of activity in the state Legislature as the next year's Budget is finalized and the Senate and Assembly prepare to embark upon their Summer Recess. It is also a time when we will be working to advance proposals to benefit the state's residents who are either seeking, or living in, recovery.

In coordination with NCADD-NJ's Advocacy Leaders, the agency has maintained a presence both in the hallways of power, as well as in the community. Through district office visits, public forums and legislative testimony, NCADD-NJ has continued to be a resource for enlightened drug and alcohol policies with many of the Garden State's elected and appointed officials.

### ***STATUS OF KEY LEGISLATION***

#### **S.681/A.3602**

**Sponsors: Lesniak, Mainor, Batemen plus four others**

Provides for the issuance of a Certificate of Rehabilitation by a court or State Parole Board to persons who have been convicted of certain drug offenses. With this certification, a person cannot be discriminated against in employment, housing, voting and education because of their drug history. In order to demonstrate that the person is in long-term recovery, s(he) must document that they have a substance disorder; that they have refrained from drugs and alcohol for at least five years; that they have not been convicted of a crime for three years, and; that a certified addictions professional has determined him/her to be in remission and stable in their recovery. This legislation is in committee in the Senate, while the Assembly version is awaiting a vote on the Floor.

#### **S.52/A.3730**

**Sponsors: Barnes, Bateman, Stack, Singleton plus four others**

Requires physicians who supervise a medical unit in a state prison, or a county or municipal jail, to acquire adequate training in the treatment of addicted patients. This proposal is presently in committee in the Senate. A.3730 was released by the Law and Public Safety Committee and referred to the Appropriations Committee.

#### **A.471/S.552**

**Sponsors: Turner, Wimberly plus nine others**

A landmark development in updating a 45-year old law has occurred in the N.J. Assembly. On December 18, a five-bill package upgrading the current statute that allows for some criminal offenses to be erased from the record passed out of the Lower House on a 70 yes, 3 no, 2 abstain and 5 not present vote. Originally intended to assist an ex-offender in re-integrating into the community, over time the law (with its many subsequent amendments) became inaccessible for many people. NCADD-NJ supported all of the aspects of the new measure with our emphasis being on the provision to automatically expunge the entire criminal record of someone who graduates from a drug court program. Potential relief is also available for people who had successfully completed a drug court regimen in the past. They would still have to apply to the court for expungement. However, the application fee would be waived. Then, if the person has neither a pending charge, nor a conviction post-drug court, their entire criminal history would be erased. The only exceptions would be for those offenses already delineated in the statute as non-expungeable, e.g. manslaughter, murder, kidnapping, etc. The legislation has moved to the N.J. Senate. All NCADD-NJ supporters are asked to communicate with Senate President, Steve Sweeney, to request that he post S.552/A.471 for a Floor Vote. 1-856-251-9801 985 Kings Hwy., Ste. 400 West Deptford, N.J. 08086 [sensweeney@njleg.org](mailto:sensweeney@njleg.org)

**A.2982/S.478**

**Sponsors: Spencer, Cunningham plus three others**

Would permit parolees and probationers to vote. Currently, an individual is disqualified from voting while serving a sentence for a crime in jail or prison, or, on parole or probation. A key factor in retarding re-offending, is successfully re-integrating the returning formerly incarcerated into society. That objective is easier achieved when the ex-offender feels a desire to support his/her community. This sense of responsibility is enhanced through the ability to participate as a full citizen. Presently, this proposal is in committee.

**S.53**

**Sponsor: Barnes**

Requires jails and prisons to provide inmates with prescription medication that was prescribed for chronic conditions existing prior to incarceration. This proposal is currently in committee.

**S.2806**

**Sponsor: Cunningham**

Removes restrictions on convicted drug offenders receiving General Assistance (Welfare) benefits under the Work First NJ program. In committee.

**A.3550**

**Sponsors: Angelini, Benson plus 10 others**

Would require medical personnel and First Responders who have administered naloxone to a patient, to give that individual written information as to where to secure drug therapy. This legislation is presently in committee.

**SJR56/AJR87**

**Sponsors: Singer, Vitale, Angelini and Benson**

Would establish an Opioid Antidote Commission to study and report on procedures to be used following the administration of an opiate blocker to a hospital patient. This legislation is currently in committee.

**AR 113/SR75**

**Sponsors: Conaway, Vitale, Sumter plus 3 others**

Urges the U.S. Food and Drug Administration to make naloxone available over the counter. In Senate committee and on the Assembly Floor.

**OPPOSE... OPPOSE... OPPOSE...**

**A.783/S.211**

**Sponsors: Caride, Van Drew, Connors plus 15 others**

Would change the standard for prosecuting heroin cases. The current "weight" formula for determining intent to distribute would be replaced by a "units" measurement. This legislation would exacerbate an already existing racial and class disparate impact in our criminal justice system; keep people out of treatment and drug court and give them a jail cell and criminal record instead; and break the bank by adding millions of dollars to the extant \$1.1 b Corrections Budget. A.783 has passed the Assembly 66 to 2. S.211 is in the Judiciary Committee

**A.3056**

**Sponsors: Pinkin, Auth, McKeon plus 15 others**

Create an Opiate Abuse Prevention Commission to study the opioid crisis and make recommendations to the Legislature and Governor. This proposal is presently in committee.

**A.218**

**Sponsors: Gusciora, Vainieri-Huttle, Mukherji plus 17 others**

Would de-criminalize possession of fifteen grams or less of marijuana, impose civil penalties, and establish a drug education fund. It would also provide drug assessment and referral to treatment for certain users. This measure is currently in committee.

**2015/16 STATE BUDGET**

At five of the March Budget Committee Hearings held around the state, NCADD-NJ's Policy Analyst Ed Martone, along with a number of the Advocacy Leaders, supplied testimony on the need for sufficient resources for quality prevention, therapy and recovery support services for folks wrestling with addictions. The early figures appearing in the Governor's Proposed Budget look good, with a recommended \$8.5m for the continued expansion of Drug Court, along with \$2.3m to create a single point of entry for addiction services.

**OTHER ISSUES AND LEGISLATION**

Senator Joseph Vitale (D-Middlesex), chairman of the Senate Health and Senior Citizens Committee, has shepherded a package of 21 bills dealing with the state's opiate crisis; many of these bills have seen significant movement through the legislative process. They enhance prevention, therapy and recovery. Testimony from Ed Martone, who is NCADD-NJ's Policy Analyst, said of the bills, "They range from good to terrific." For more information on the specific measures in the package, click on the following link for the October and December issues of PERSPECTIVES.

<http://www.ncaddnjinfo.org/PerspectivesFlipBooks/2014>

For contact information for your representatives, or for more on these proposals, see the N.J. Legislature's website: [www.njleg.state.nj.us](http://www.njleg.state.nj.us), or contact NCADD-NJ Policy Analyst Ed Martone at [emartone@ncaddnj.org](mailto:emartone@ncaddnj.org).

During the latest enrollment period for the Affordable Care Act marketplace (which ended Feb. 15), NCADD-NJ again played an active role with staff organizing community events in January at which many people were signed up.

NCADD-NJ Advocacy Leaders are presently engaged in an effort to reach out to local police departments that are not yet utilizing naloxone for reversing opioid overdoses and encouraging them to do so.

To find out more about Advocate projects and how to join your local county team of Leaders who are working to create public policies that facilitate and enhance recovery, we encourage you to click on the "Become An Advocate" link on the left side of the NCADD-NJ homepage.