

Annual Report to the Governor and the Legislature



Submitted By:

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 **New Jersey Courts**
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I.

OVERVIEW

“CJR continues to operate as a system in which pretrial release decisions are based on an objective set of factors connected to the risk a defendant poses to the community.”



There are many ways to measure the success of Criminal Justice Reform (CJR).

This report looks at CJR from multiple vantage points over a three-year-period from 2022 to 2024. It examines the efficiency of the criminal justice system; it tracks the compliance of defendants on pretrial release and measures the impact on public safety; and it tests the accuracy of the Public Safety Assessment tool, which provides judges with objective information on which to base pretrial release decisions.

The pages that follow reflect a court system that, in some ways, has returned to normal after the Covid-19 pandemic and, in other ways, is still responding to the pressures placed on the criminal justice system by the temporary suspension of jury trials.

Still, CJR’s core mission remains on track.

A bedrock principle of CJR is that pretrial detention decisions should be based on objective risk factors. One way to measure if that goal is being met is to study the jail population. In a fair system of justice, jail should be reserved for defendants who present the most serious risk to the public, and not those who present little risk but are unable to post modest amounts of bail.

Before the start of CJR, in 2012, a one-day study of the county jail population found 12 percent of those in jail were incarcerated because of an inability to post bail of \$2,500 or less. At the same time, defendants accused of violent crimes had the opportunity to buy their way out of jail by posting bail. The one-day study of the jail population has been

repeated every year since 2018, and the percentage of the jail population held on serious charges has remained high. In the three years covered by this report, the one-day study showed between 79 and 82 percent of New Jersey's defendants were being held on a serious charge, and more than half were being held on a violent charge.

At the same time, the number of defendants being held on bail of \$2,500 or less – more than 1,500 inmates in the pre-CJR study – has been held to less than 100 inmates for five years straight.

Another principle of CJR is that defendants are entitled to have their first appearance before a judge held promptly. From 2022 to 2024, judges made initial pretrial release decisions within 48 hours more than 97 percent of the time, just as they had done in prior years. In more than 75 percent of cases, initial pretrial release decisions were made in 24 hours.

The temporary suspension of criminal trials for the majority of 2020 continues to impact other areas. For example, the number of cases disposed of within a 22-month period remained well below pre-Covid rates during the period covered by this report. This led to longer pretrial periods and contributed to a higher percentage of defendants who were charged with an indictable crime while on pretrial release.

The number of defendants charged with committing serious subsequent crimes, however, remains low. The percentage of defendants who committed either a No Early Release Act (NERA) offense or a non-NERA offense subject to the Graves Act, which are primarily firearms related, was 1.5 percent in both 2021 and 2022 and dropped to 1 percent in 2023.

The new criminal activity rate for indictable offenses, which had held steady between 13.7 percent and 13.8 percent for the first three years of CJR, hovered just above 20 percent from 2020 to 2022 before declining to 17.6 percent in 2023.

Court appearance rates remain high, with more than 90 percent of defendants showing up for court each year from 2021 to 2023.

Now eight years into its existence, CJR continues to operate as a system in which pretrial release decisions are based on an objective set of factors connected to the risk a defendant poses to the community. As a result, New Jersey has created a fairer system of justice that continues to adapt to new challenges while serving as a model for other states to consider.

II.

IMPACT OF CORONAVIRUS PANDEMIC AND EXPUNGEMENTS ON CRIMINAL JUSTICE REFORM STATISTICS

Continued Impact of the Coronavirus Pandemic

In reviewing the statistical findings in this report, it is important to consider the influence of outside factors, particularly the ongoing impact of the Covid-19 pandemic.

During the height of the pandemic, criminal indictments declined sharply in New Jersey. At the same time, criminal jury trials were halted. This caused the average length of time to commence trials to increase. Not surprisingly, the state's jail population increased as well.

In 2022, the number of indictments increased steadily and reached 2019 levels for the first time since the start of the pandemic. Indictments remained at this level for 2023.

The number of statewide criminal jury trials has increased dramatically since the lifting of restrictions during the pandemic. From 2021 to 2022, the number of statewide criminal jury trials doubled, increasing from 115 to 231. In 2023, the number of criminal jury trials increased another 40.7 percent, to 325 statewide jury trials.

On the other hand, the average length of the pretrial period – which increased dramatically during the pandemic – has been slow to decline as courts continue to dig their way out of a backlog. The average pretrial period dropped from 346 days in 2021 to 337 days for 2023.

Another way to measure the efficiency of the criminal justice system is through the amount of time it takes to dispose of cases. In the first two years of CJR, more than 75 percent of cases were disposed of by October 31 of the next year. From 2020 to 2023, the percentage of defendants who had their cases disposed of within that same timeframe has ranged from 46.9 percent and 53.6 percent.

In addition to the impact of Covid-19, the Judiciary operated with an increasingly high number of judicial vacancies during the pandemic. There were 25 judicial vacancies at the inception of CJR on Jan. 1, 2017. By January 1, 2023, the number of vacancies was 66. The number of vacancies dropped to 56 by January 1, 2024.

Expungements

An increase in the expungement of criminal records also affected the statistical findings in this report. When a case is expunged, the record of the case, including the complaint itself, is immediately removed from Judiciary systems and is no longer available for analysis. The 2019 Clean Slate Expungement Law expedited expungements in cases that do not result in a conviction, and a 2021 state law directed the automatic expungement of marijuana possession or distribution convictions.¹

While it is not possible to determine the precise impact of expungements on the findings in this report, in general, those whose low-level complaints were expunged were at lower risk for rearrest.

¹ Specific detail on this process and how it changed is described in the section entitled “eCourts Expungement System: Implemented December 2020.”

III.
REPORT OF THE RECONVENED
JOINT COMMITTEE ON
CRIMINAL JUSTICE

The Reconvening of the Joint Committee on Criminal Justice

In 2013, the Chief Justice of the New Jersey Supreme Court established the Joint Committee on Criminal Justice (JCCJ) to examine the process of reforming New Jersey's pretrial justice system. Members of the original JCCJ included leaders and representatives from each branch of government, prosecutors, defense counsel, and advocacy groups.

The recommendations of the JCCJ helped create the blueprint for the start of Criminal Justice Reform in 2017.

In 2023, New Jersey Supreme Court Chief Justice Stuart Rabner reconvened the JCCJ, this time to study issues that had arisen as the result of the Covid-19 pandemic, including the significant increase in the number of defendants on pretrial release. The Joint Committee formed three subcommittees to examine the issues, legal questions, and empirical data that had arisen since the start of CJR. The subcommittees focused on the pretrial process, pretrial services, and data analysis.

The JCCJ issued its final report in June 2023, and advanced 31 recommendations to improve the pretrial process.²

² [Report of the Reconvened Joint Committee on Criminal Justice \(njcourts.gov\)](https://njcourts.gov/reports/reconvened-jccj-report)

IV.
CRIMINAL
JUSTICE
REFORM
OUTCOMES

A. Public Safety

In this section, the Judiciary reports on defendants arrested in 2021, 2022, and 2023. The statistical analysis includes case disposition times, new criminal activity rates, and failure to appear rates for defendants arrested during those three years. It also analyzes the validity of the Public Safety Assessment tool and CJR's impact on creating a fairer criminal justice system.

The findings reflect a change in the number and pattern of complaints issued, with a notable shift toward a decrease in the share of complaints issued as complaint-summonses versus complaint-warrants. That shift, along with an increase in case disposition time and other previously mentioned factors, make it difficult to draw relevant comparisons to previous CJR reports.

Reduction in Complaints

When law enforcement officers issue a complaint-summons, the defendant is released immediately and given an anticipated court date. When a complaint-warrant is issued, the defendant is committed to jail until a risk assessment is conducted and an initial appearance is held. The criteria judicial officers use to determine whether to issue a complaint-warrant include probable cause, the nature of the charge, the results of a preliminary PSA provided to law enforcement, and rules of court.

In general, defendants accused of low-risk offenses are more often issued complaint-summonses, and higher-risk defendants accused of higher-level crimes are more often issued complaint-warrants.

The number of complaint-warrants and complaint-summonses issued annually is demonstrated in Figure 1, which does not include complaints that were expunged at the time of extraction.

The chart shows the variation in the number of complaint-summonses, which declined each year except 2023, and complaint-warrants, which varied between a high of 40,750 in 2018 and a low of 25,505 in 2023.³

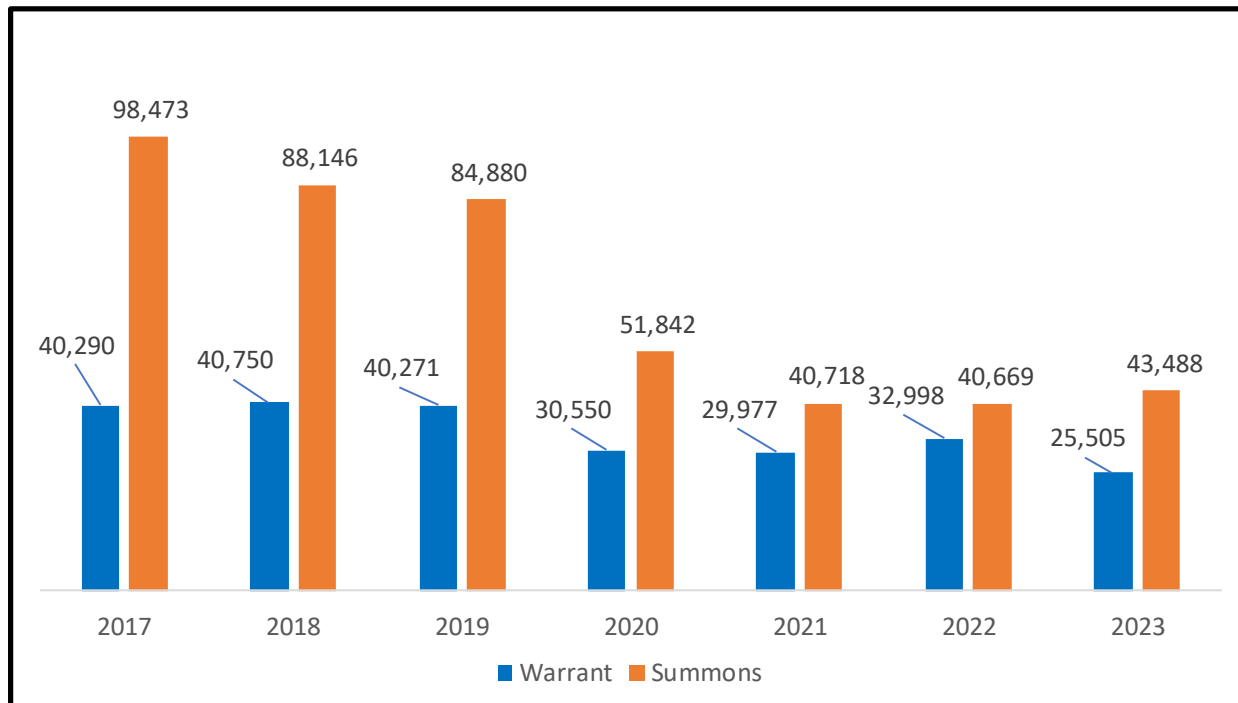
In 2021, the number of complaint-summonses continued to decline while the number of complaint-warrants remained at a similar level as in 2020.

³ This describes the number of complaint-summonses and complaint-warrants available in Judiciary systems at the time of extraction.

In 2022, the number of complaint-summonses stabilized, declining marginally from 2021. Complaint-warrants increased to 32,998.

In 2023, complaint-summonses increased while complaint-warrants decreased.

Fig. 1. Total Defendants Issued Summonses and Warrants*,**



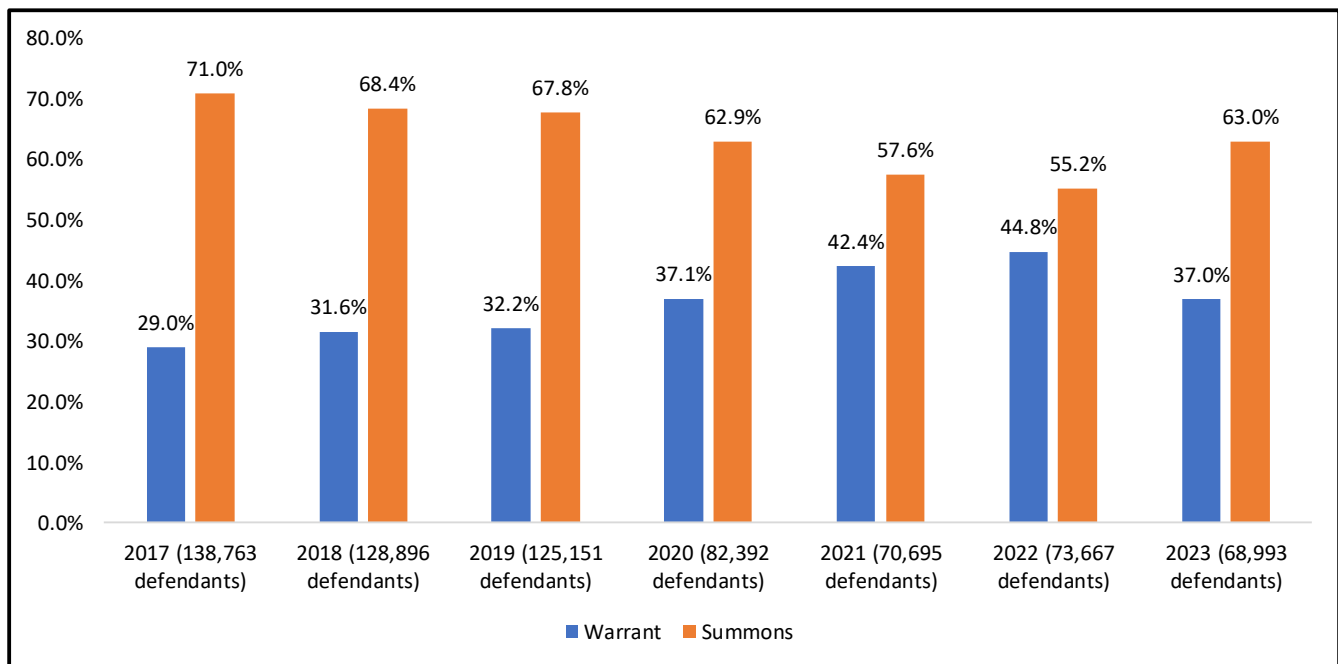
*The number of complaints does not include complaints expunged during the research period for all years. This particularly affected 2020 and later years due to changes to expungement law that took effect in 2020.

**The figure does not include complaints issued in 2024, because defendants issued complaints in each year are followed until case disposition or Oct. 31 of the following year.

Figure 2 demonstrates the percentage of defendants issued complaint-warrants and complaint-summonses each year under CJR.

The share of complaint-warrants ranged from a low of 29.0 percent in 2017 to a high of 44.8 percent in 2022. The percentage of complaint-summonses varied accordingly during that period.

Fig. 2. Ratio of Summonses to Warrants Issued *



*The number of complaints does not include complaints expunged during the research period for all years. This particularly affected 2020 and later years due to changes to expungement law that took effect in 2020.

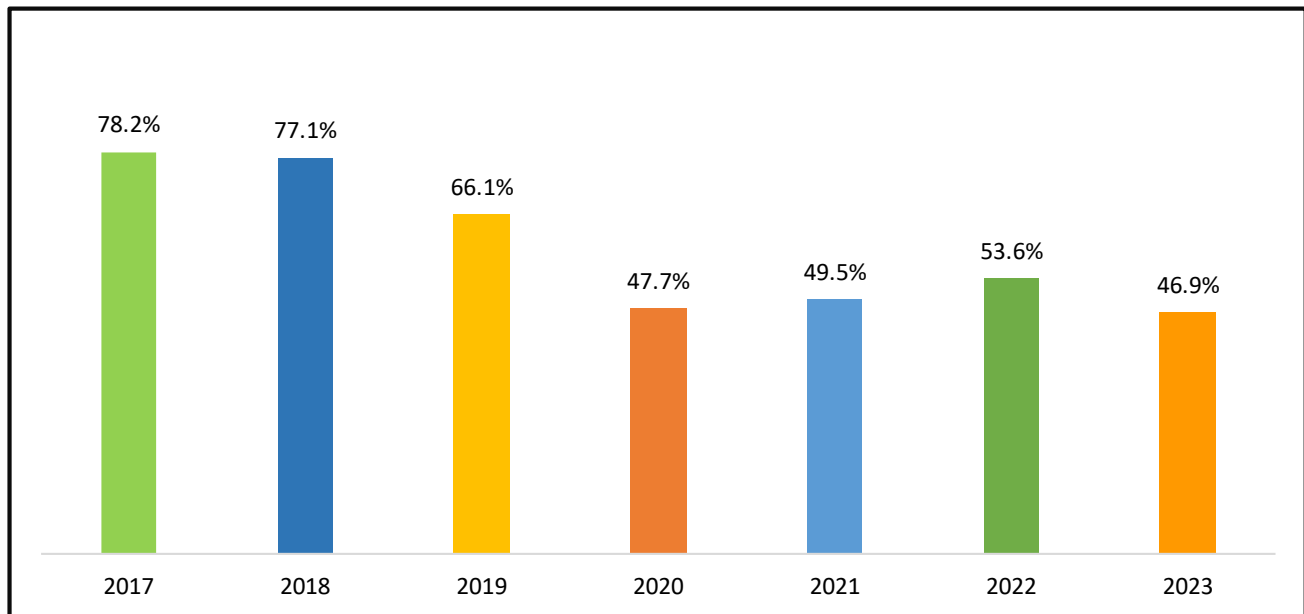
Increases in Time to Case Disposition

As in previous reports, we analyzed the timeliness of the criminal justice process by tracking defendants from their arrest until either the disposition of their case or October 31 of the following year.

Since the onset of the Covid-19 pandemic, the case disposition rate has hovered just below or just above 50 percent (see Figure 3). The findings were affected by the suspension of jury trials during the height of the pandemic and a high number of judicial vacancies.⁴ In 2020, 47.7 percent of defendants had their case disposed of by the October 31 cut-off date. By 2021, the case disposition rate was near 50 percent, and in 2022 it increased to 53.6 percent, before dropping again in 2023 to 46.9 percent.

⁴ For Supreme Court Orders and notices directing court operations during the pandemic, see [Coronavirus disease \(Covid-19\) \(njcourts.gov\)](https://www.njcourts.gov/coronavirus).

Fig. 3. Percentage of Cases Disposed Within 22-Month Period



*The number of complaints does not include complaints expunged during the research period for all years. This particularly affected 2020 and later years due to changes to expungement law that took effect in 2020.

B. New Criminal Activity

Defendants issued either a complaint-warrant or a complaint-summons were tracked from the time of their release until either the disposition of their case or until October 31 of the following year, whichever comes first.

As in prior years, the number of defendants from 2021 to 2023 who were released pretrial and rearrested within the next 22 months for new offenses that were subject to either the No Early Release Act (NERA)⁵ or Graves Act⁶ remained low. (See Figure 4.)

Very few defendants arrested in those three years and released pretrial were charged with committing subsequent serious offenses. The percentage of 2021, 2022, and 2023 defendants charged with committing subsequent NERA offenses ranged between 0.7

⁵ NERA offenses are defined under N.J.S.A. 2C:43-7.2 and include the most serious first- and second-degree offenses. A defendant convicted of a NERA offense must serve no less than 85 percent of the sentence imposed before becoming eligible for parole.

⁶ Graves Act offenses are set forth in subsection c. of N.J.S.A. 2C:43-6 and include offenses related to the unlawful use or possession of a firearm. A defendant convicted of a Graves Act offense must serve no less than one-half of the sentence imposed or 42 months, whichever is greater, or 18 months in the case of a fourth-degree crime, before becoming eligible for parole.

percent and 1.1 percent across the three years. The percentage of defendants released pretrial and later charged with a non-NERA Graves Act offense was even lower, ranging from 0.3 percent to 0.7 percent.

Overall, the percentage of defendants charged with serious offenses while on pretrial release has consistently remained low since CJR began in 2017.

Fig. 4. Percentage of Defendants Charged with NERA or Non-NERA Graves Crimes While On Pretrial Release

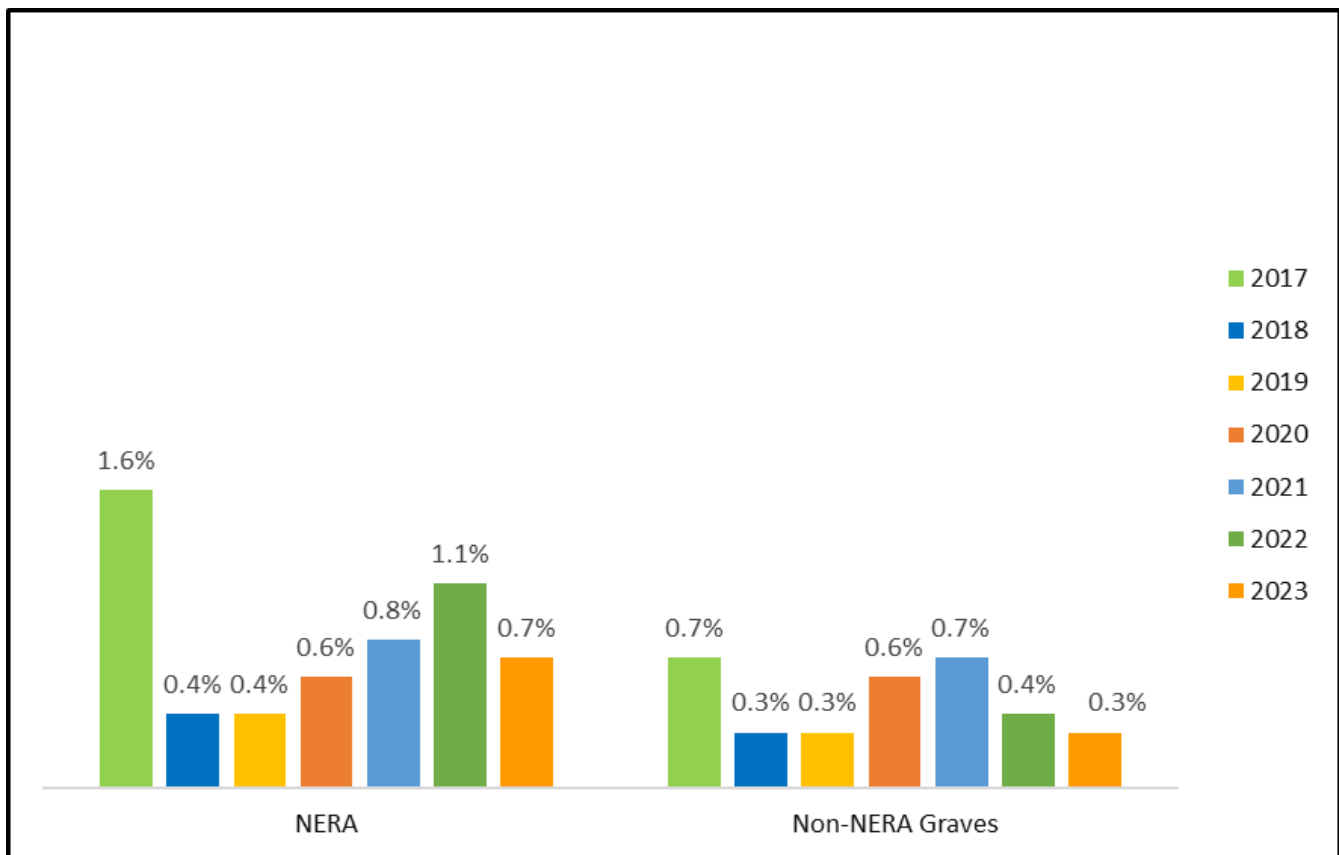
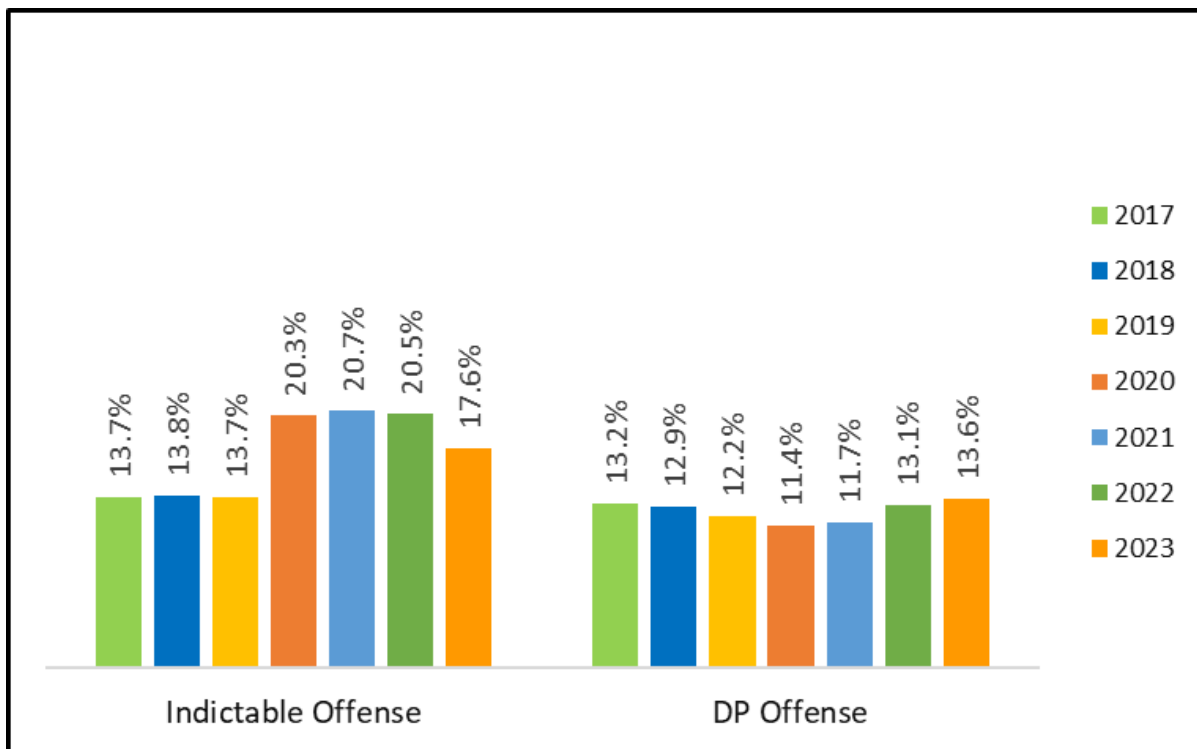


Figure 5 shows the percentage of defendants charged with a new criminal activity while on pretrial release. As with the serious crimes discussed in Figure 4, defendants charged by way of complaint-warrant and complaint-summons and released pretrial were followed from their release until case disposition or October 31 of the next year, whichever occurred first, for subsequent charges.

Those percentages had remained steady during the first three years of CJR, from 2017 to 2019. The percentage of defendants charged with an indictable offense while on release varied from a low of 13.7 percent to a high of 13.8 percent. During the first year of the pandemic (2020) the number of defendants charged with indictable offenses while on pretrial release increased to 20.3 percent. The percentage remained relatively the same the next two years - 20.7 percent in 2021 and 20.5 percent in 2022. The rate then declined in 2023 as 17.6 percent of defendants released pretrial that year were charged with indictable offenses while on pretrial release.

The percentage of defendants charged with a disorderly person's offense while on pretrial release increased slightly in 2021 (11.7 percent), 2022 (13.1 percent), and 2023 (13.6 percent).

Fig. 5. Percentage of Defendants Arrested on Pretrial Release

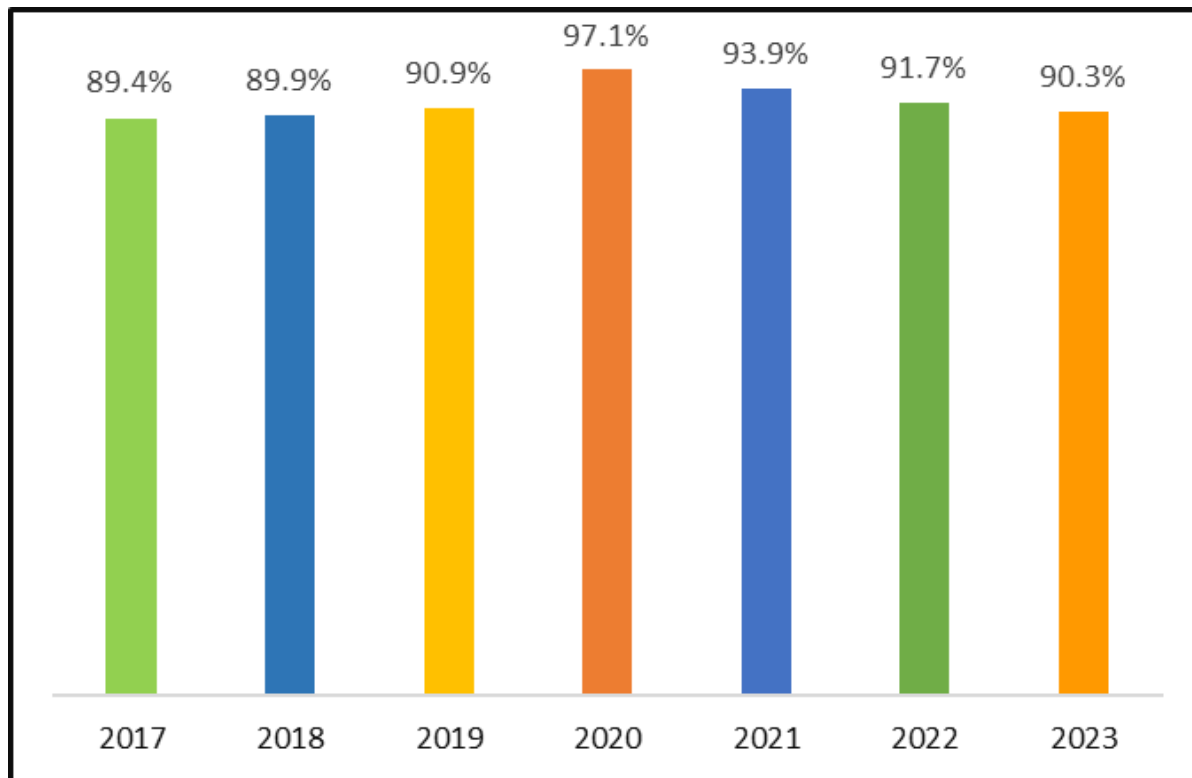


C. Court Appearance Rates

Court appearance rates show whether individuals who have been released pretrial are appearing in court without having to post bail (see Figure 6).

In the first three years of CJR, before the Covid-19 pandemic, court appearance rates held between 89 percent and nearly 91 percent. In 2020, court appearance rates surpassed 97 percent. One partial explanation was the introduction of remote court events, which allowed defendants to appear for a hearing by phone or video without having to travel to a courthouse. Over the next three years, as many proceedings returned to in-person events, court appearance rates declined modestly from 2020 while remaining above 90 percent each year.

Fig. 6. Court Appearance Rate for All Defendants During the Pretrial Period*



D. Public Safety Assessment Performance

The Public Safety Assessment (PSA) provides judges with an objective analysis of a defendant's risk, based primarily on their criminal history and court appearance record. It is an empirically validated risk assessment instrument designed and tested using New Jersey cases as well as national court data.

The PSA contains a scale to rate defendants on their likelihood of failing to appear in court, a scale to rank defendants' risk of committing new criminal activity, and a flag that indicates the risk of new violent criminal activity specifically. PSA scores and current criminal charges are combined to generate a set of recommendations that provide judges with objective information when making pretrial release decisions.

Both the prosecution and the defense counsel have access to the PSA and are empowered to make arguments regarding detention or release, and under what type of release conditions, before the judge.

As is done annually, a research PSA was generated for all defendants issued complaint-summons and complaint-warrants for 2021, 2022, and 2023.⁷ These research PSA scores were then compared to actual rates of new criminal activity and failure to appear in court for defendants on pretrial release. Defendants issued either a complaint-summons or complaint-warrant were tracked throughout the pretrial period from release to disposition, or through October 31 of the following calendar year.

As in years past, defendants with higher risk scores had higher failure rates. For example, among the defendants who received an NCA score of "1" and were released pretrial during 2021, 2022, and 2023, respectively, 11.6, 13.0, and 10.9 percent were charged with a new offense while on pretrial release. At the same time, 58.2, 58.7 and 66.2 percent of defendants with an NCA score of "6" were charged with a new offense while on pretrial release in 2021, 2022, and 2023, respectively.

Defendants who were flagged as at a higher risk of violent new criminal activity on pretrial release were, in fact, more likely to be rearrested for new violent criminal activity. Specifically, flagged defendants were more likely to be charged with a new violent offense (17.1, 15.8 and 20.3 percent for 2021, 2022 and 2023, respectively) than unflagged defendants (8.5 percent for 2021 and 2022 and 7.7 for 2023).

Taken together, these findings validate that the PSA works as intended in predicting whether defendants present a low or high risk of committing new criminal activity during their pretrial period.

See Appendix A for more information on the PSA.

⁷ Defendants whose complaints had not been expunged from Judiciary systems by October 31 of the next year.

E. Issuance of Complaint-Warrants by Race

When law enforcement conducts an arrest, the defendant is issued either a complaint-summons or a complaint-warrant. If a complaint-summons is issued, the defendant is released without condition until trial. When a complaint-warrant is issued with approval from a judicial officer, the defendant is committed to jail for a period of 24 to 48 hours. At that time, the prosecutor may seek to detain the defendant. Detention hearings are usually held within 5 to 7 days.

The decision to issue either a summons or warrant has a significant impact on the time a defendant spends in jail pretrial.

As of the 2020 decennial census, New Jersey residents identified as Black or African American made up 15.2 percent of the state's population.⁸ Figure 7 shows that from 2020 to 2023 Black defendants received between 43.9 and 45.3 percent of the total complaints issued each year, and between 52.1 and 54.4 percent of the complaint-warrants issued each year. The percentage of complaint-warrants issued to Black defendants did decline slightly each year.⁹

⁸ Population data come from the 2020 US Census. America Counts Staff. August 25, 2021. "New Jersey Population topped 9 Million in Last Decade." <https://www.census.gov/library/stories/state-by-state/new-jersey.html>

⁹ Due to the creation of a Hispanic ethnicity indicator in eCDR, in addition to the race indicator already present in the system, it is possible that the changes described here, particularly the increase in defendants identified as White and decrease in defendants identified as other, may be attributable in whole or in part to the way the data were collected rather than true shifts in the population of defendants issued complaints and complaint-warrants.

Fig. 7. Total Complaints and Complaint-Warrants by Race

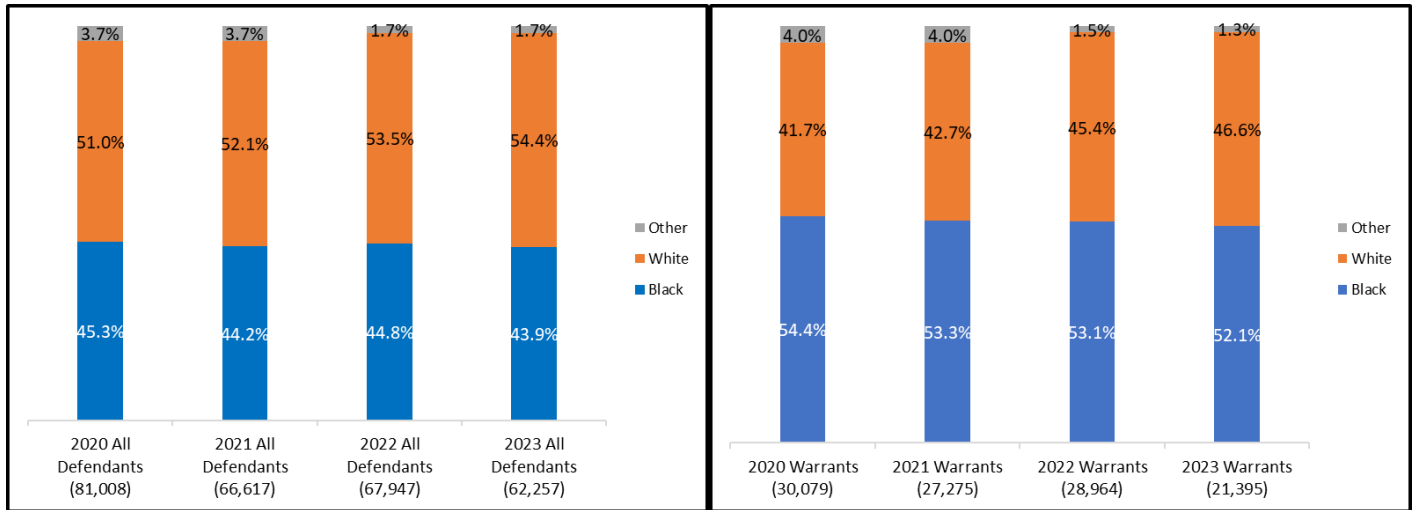
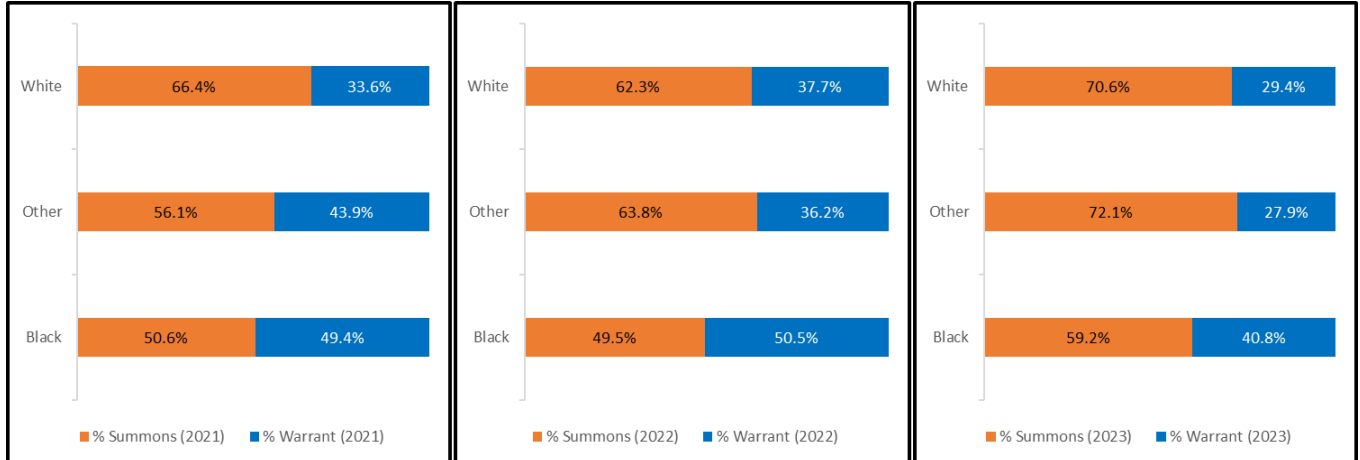


Figure 8 demonstrates that, from 2021 to 2023, Black defendants were issued complaint-warrants at a higher rate than complaint-summonses as compared to White defendants and those whose race was recorded as other.

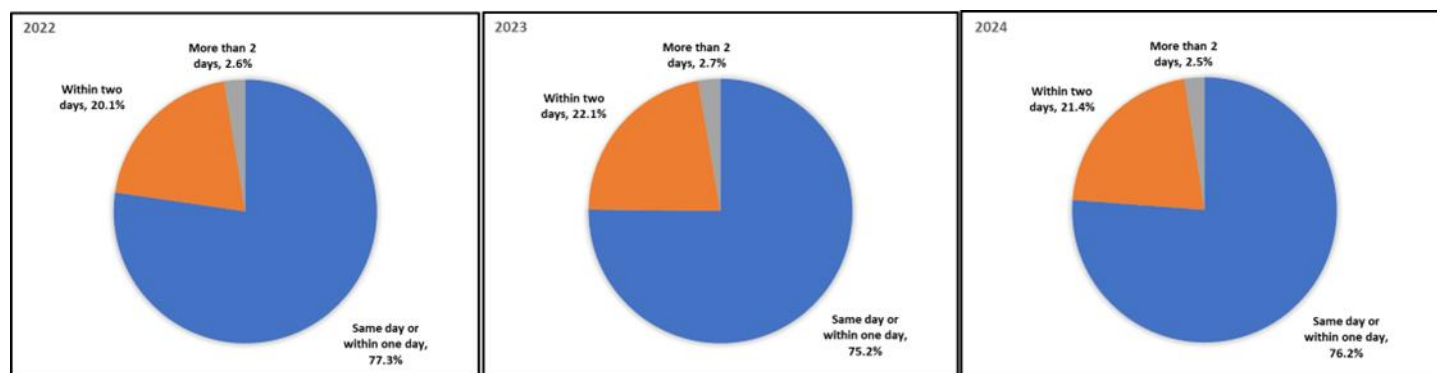
Fig. 8. Total Complaints by Race



Pretrial Release Decisions

Under the CJR law, courts must hold a first appearance hearing and make a pretrial release decision within 48 hours of an eligible defendant's commitment to jail, unless the prosecutor makes a motion for pretrial detention. In each year from 2022 to 2024 courts were able to meet the 48-hour deadline more than 97 percent of the time. (See Figure 9.) In more than 75 percent of cases, judges made initial pretrial release decisions within 24 hours.

Fig. 9. Time to Initial Release after Arrest and Commitment to Jail



Note: This figure only includes CJR-eligible defendants where no detention motion was filed.

V.
JAIL POPULATION
2022, 2023, and 2024

A. Impact of CJR on County Jail Population

In 2012, a study of New Jersey’s jail population found that 12 percent of inmates were being held pretrial on bail of \$2,500 or less, indicating that a significant number of individuals who posed little risk to public safety were being detained simply because they lacked access to financial resources.¹⁰ The findings would serve as one of the key catalysts for the adoption of Criminal Justice Reform.

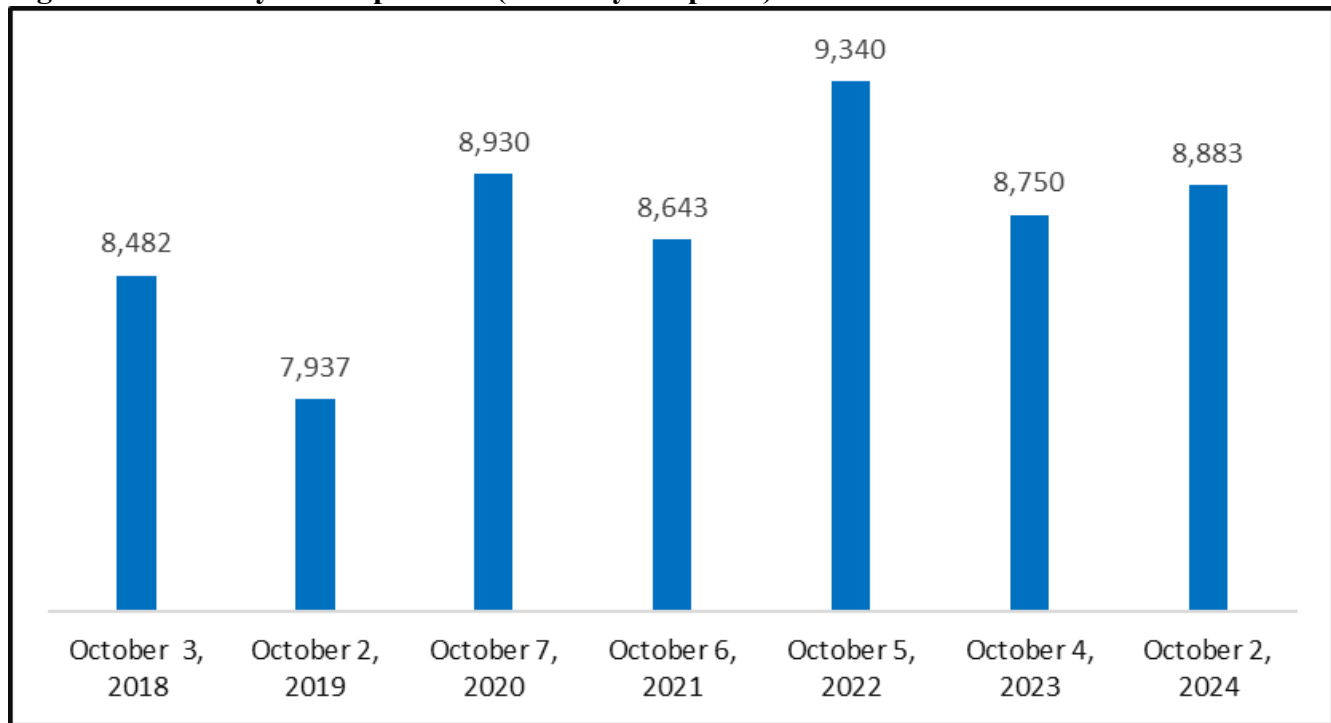
The initial study, by Luminosity, was conducted on the first Wednesday of October in 2012. Since the start of CJR in 2017, a similar one-day snapshot of New Jersey’s jail population has been conducted each year on the same calendar day.¹¹ This section of the report describes the one-day snapshots of the jail population conducted in 2022, 2023, and 2024.

While the jail population declined considerably in the first years of CJR, that trend has reversed since the onset of the Covid-19 pandemic, peaking with a jail population of 9,340 in 2022. The shift resulted from the inability to conduct in-person trials, which affected the overall resolution of cases and the corresponding amount of time spent in jail pretrial.

¹⁰ See 2013 Jail Study: [New Jersey Jail Population Analysis: Identifying Opportunities to Safely and Responsibly Reduce the Jail Population | Office of Justice Programs](#)

¹¹ Some records were not included because they did not fit the definition of pretrial, sentenced, or otherwise relevant to a population of NJ county jail inmates. The reasons for this include: inmates on a federal contract, inmates on weekend custody or community custody, or expunged records.

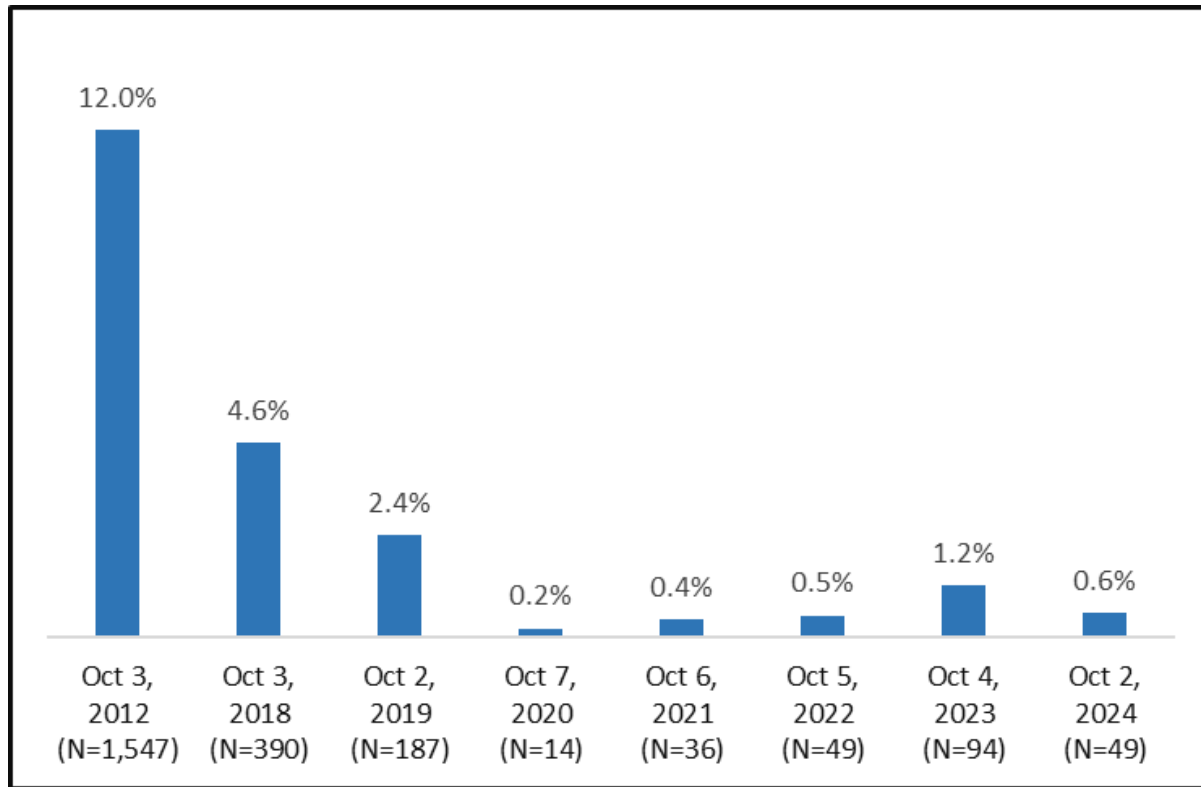
Fig. 10. New Jersey Jail Population (One-Day Snapshot)



Still, Figure 11 demonstrates that the percentage of inmates in jail on bail of \$2,500 or less remained far lower than when the 2012 study was conducted.

On the first Wednesday in October in 2012, 12 percent of inmates (1,547 inmates) in the county jails were incarcerated due to a monetary bail of \$2,500 or less. In contrast, across the first Wednesdays in October for the years 2020 through 2024, the percentage of defendants held in jail on a monetary bail of \$2,500 or less has never exceeded 1.2 percent.

Fig. 11. Defendants Held on Bail of \$2,500 or Less



As shown in Figures 12, 12A, and 12B, the vast majority of defendants in jail when the study was conducted were pretrial defendants in either the Superior or Municipal Court. Across all three one-day snapshots, most pretrial inmates had a pending case in Superior Court, and a smaller number had a pending case in Municipal Court.

Between 7.5 and 9.7 percent of individuals were in jail after sentencing while the remaining were held for other reasons, including but not limited to violations of probation or parole and immigration-related detainers.

Fig. 12. Proportion of Jail Population by Custody Status, 2022

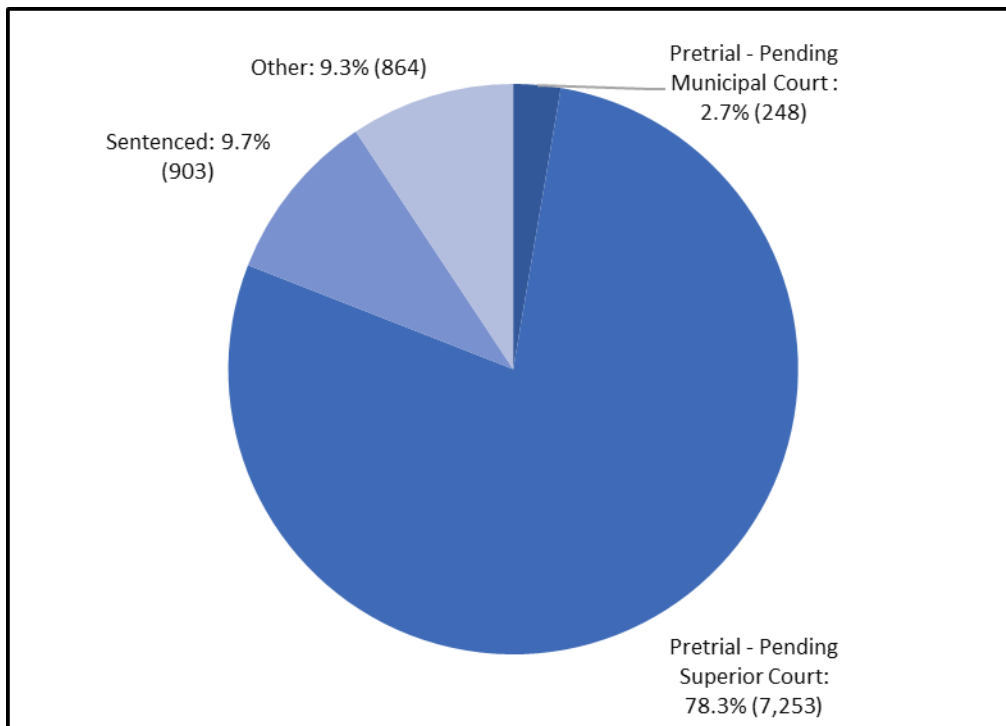


Fig. 12A. Proportion of Jail Population by Custody Status, 2023

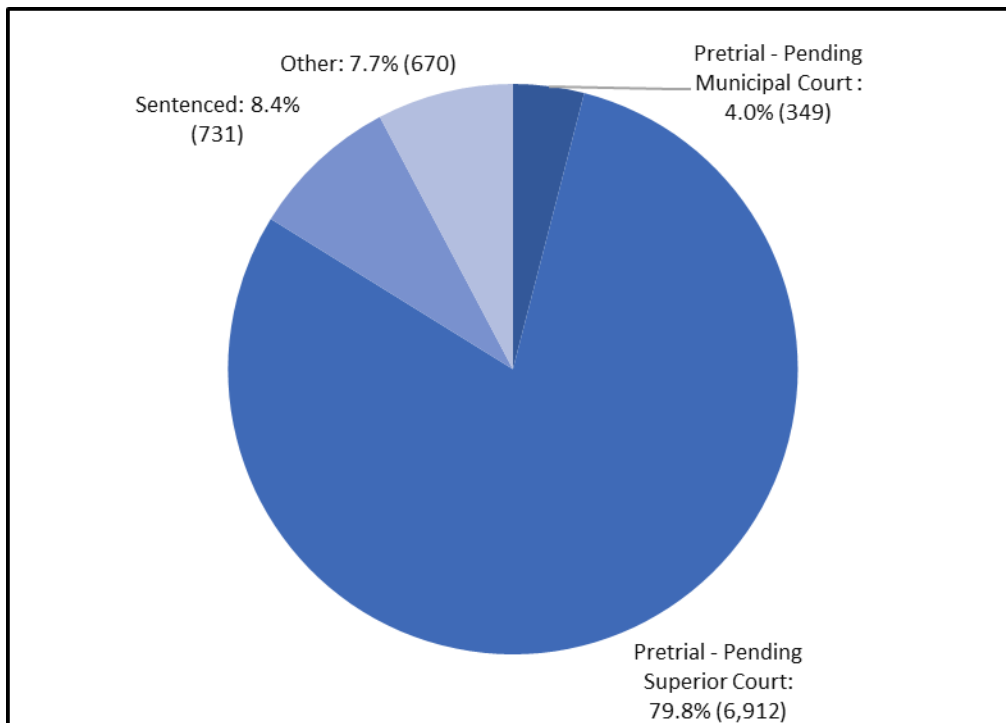
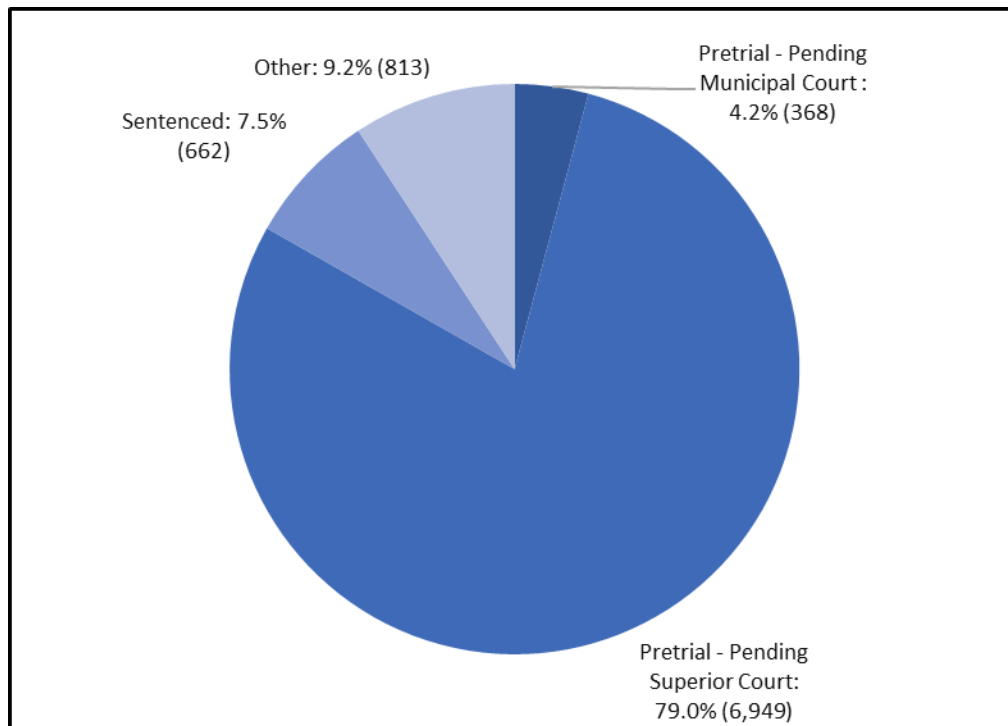


Fig. 12B. Proportion of Jail Population by Custody Status, 2024



B. Jail Population by Severity of Charge

In relying on objective factors to make decisions about pretrial detention, CJR seeks to ensure that the pretrial jail population consists predominately of defendants who pose the greatest risk of committing another crime or failing to show up in court.

Since the implementation of CJR, New Jersey's jail population has consisted primarily of defendants charged with or sentenced for significant charges.

As shown in Figure 13, more than two-thirds of inmates in the county jail on October 5, 2022, had been charged with or sentenced for first- or second-degree offenses. More than 35 percent of defendants had a first-degree charge such as homicide, aggravated sexual assault, or firearms/weapons charges as their highest degree charge, and more than 33 percent had a second-degree charge, such as robbery or aggravated arson, as their highest degree charge.

Conversely, only 14.2 percent of defendants had a third-degree offense (e.g., shoplifting) as their highest degree charge, 6.0 percent of defendants had a fourth-degree offense (e.g., certain drug possession charges) as their highest degree charge, and 1.4 percent had disorderly persons offenses (e.g., simple assault) as their highest degree charge. Another

9.4 percent of inmates were held for some other reason, such as probation or parole violations.

Fig. 13. Primary Charge Severity for all Defendants in Jail in 2022

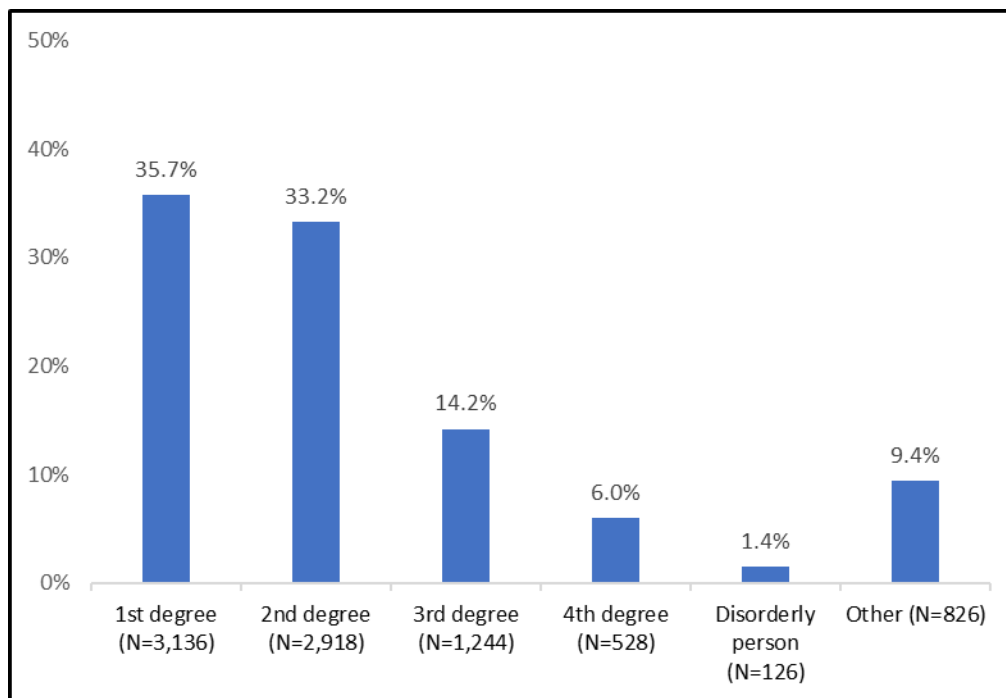
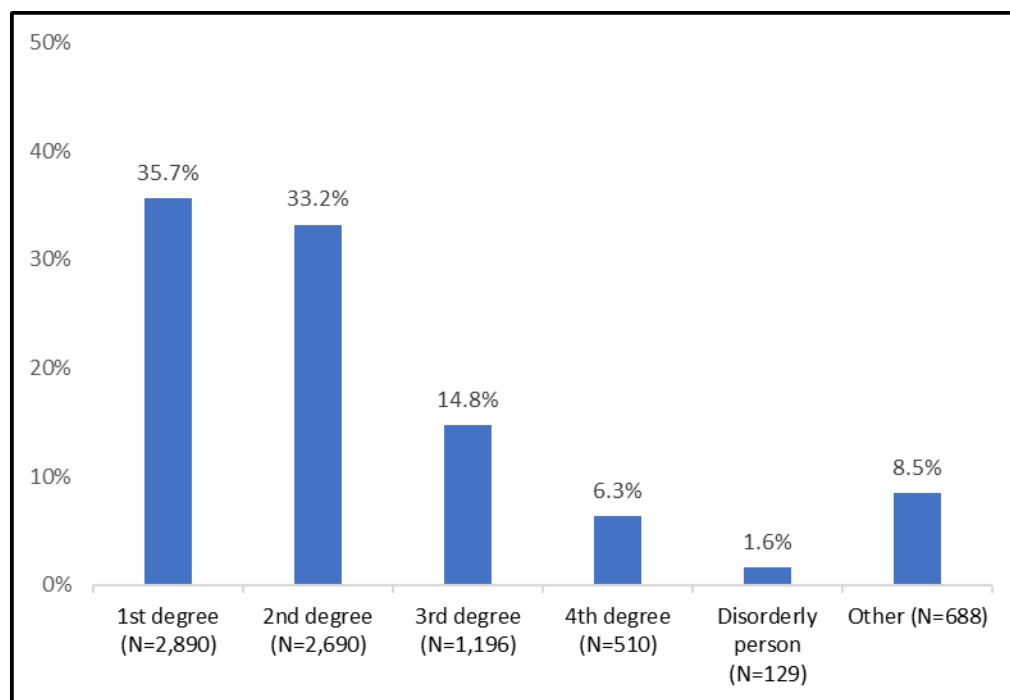


Figure 13A demonstrates that on October 4, 2023, the charge degree breakdown of inmates remained virtually the same as in 2022.

Fig. 13A. Primary Charge Severity for all Defendants in Jail in 2023



Similar to prior years, nearly two-thirds (65 percent) of defendants in jail on the first Wednesday in October 2024 were charged with or sentenced for first- and second-degree offenses (see Figure 13B.) The remaining defendants in the county jail that day were charged with or sentenced for third-degree offenses (16.0 percent), fourth-degree offenses (7.1 percent), disorderly persons offenses (1.9 percent), or other (10.0 percent).

Fig. 13B. Primary Charge Severity for all Defendants in Jail in 2024

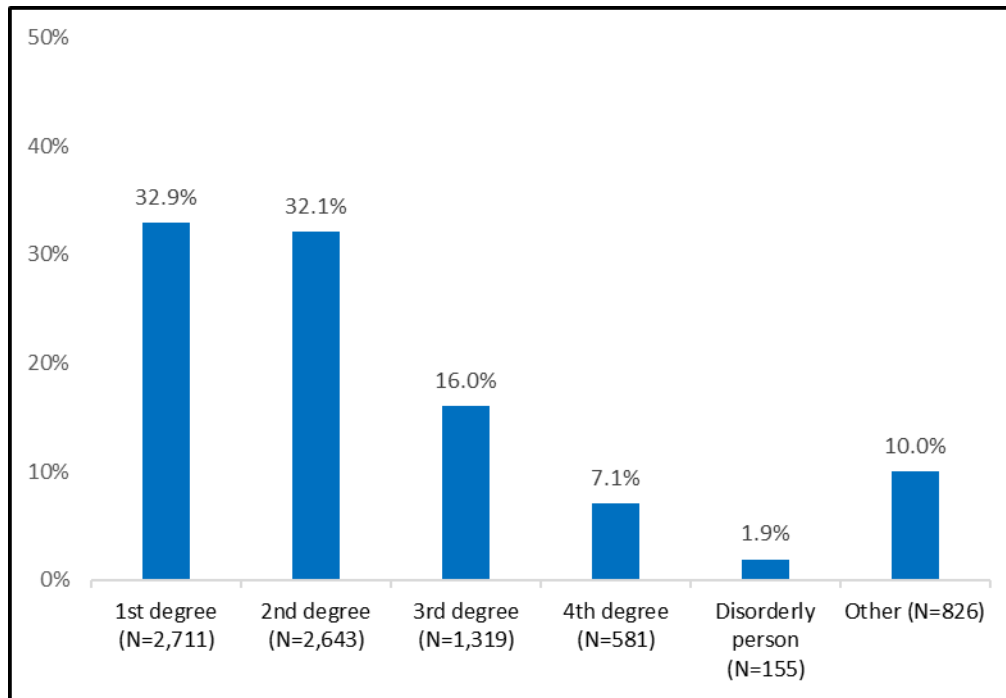


Figure 14 demonstrates that the county jail has increasingly been reserved for the most significant offenses. The percentage of defendants in jail charged with significant offenses increased in the early years of CJR and remained high across different categories. For example, 82.4 percent of defendants in jail on October 5, 2022, had a serious charge.¹² On October 4, 2023, 81.3 percent of inmates were charged with or sentenced for serious charges. The vast majority of inmates in county jail on October 2, 2024, also had serious charges (79.2 percent).

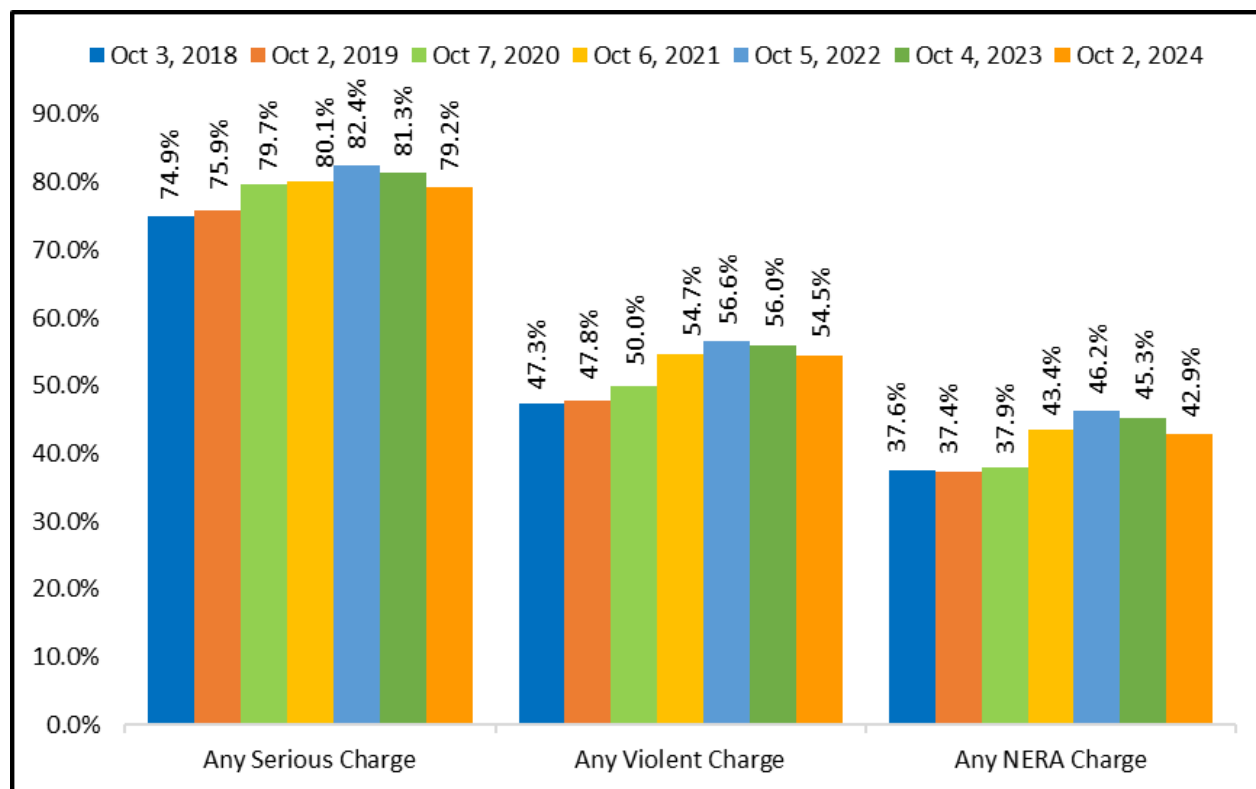
The percentage of defendants in jail on any violent charge increased to half of all inmates on October 7, 2020, and has remained greater than 50 percent since then. On October 2, 2024, 54.5 percent of defendants in the county jail were being held on violent charges.

Finally, the percentage of defendants in jail on any NERA offense was 46.2 percent in 2022, 45.3 percent in 2023, and 42.9 percent in 2024.

The high percentage of defendants held on first- and second-degree offenses and serious offenses more generally indicates that the defendants being detained are those who are at higher risk of rearrest and failure to appear for their court appearances.

¹² Here, serious offense is defined as a defendant having at least one charge that involves: a first- or second-degree crime, NERA, or any violent offense.

Fig. 14. Primary Charge by Category for all Defendants in Jail



C. Jail Population Demographics

New Jersey's jail population declined with the start of CJR, then increased during the Covid-19 pandemic while still remaining below pre-CJR numbers.

The total number of defendants from various demographics – Black, White, and Hispanic – also declined compared to their counts in the initial jail population study in 2012.

While a significant disparity still exists when the percentage of Black defendants is compared to the overall population, that disparity has now decreased for three years straight.

In the 2020 census, Black individuals represented 15.2 percent of the population. As seen in Figure 15, the percentage of Black defendants among the total jail population was approximately 54 percent in both 2012, 2018 and 2019. It then increased to nearly 60 percent in 2020 and remained at 60 percent in 2021.

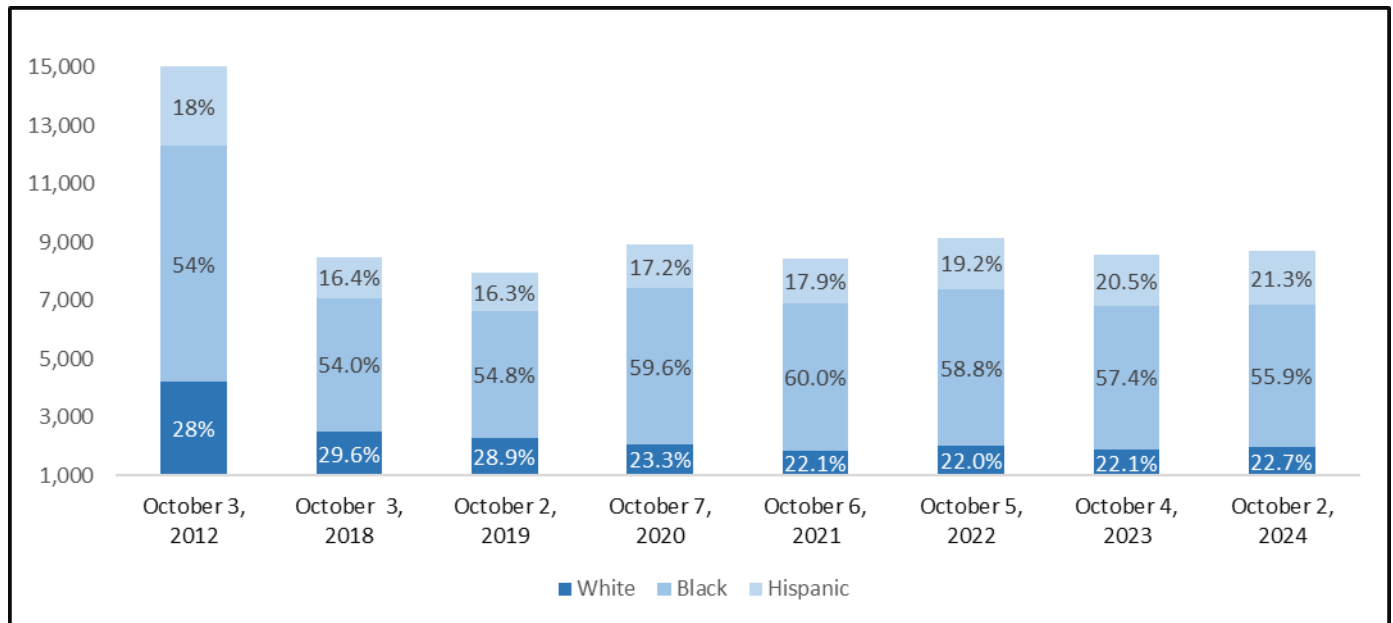
The jail population survey in 2022 marked the first year since 2018 that the proportion of Black defendants decreased relative to White defendants and Hispanic defendants, and that trend continued in 2023 and 2024. Black defendants made up 58.8 percent of the jail population on October 5, 2022, 57.4 percent on October 4, 2023, and 55.9 percent on October 2, 2024 (see Figure 15.)¹³

While White individuals represented 63.5 percent of New Jersey's population in the 2020 decennial census, White defendants represented between 22.0 and 22.7 percent of the jail population on the first Wednesday in October in 2022, 2023 and 2024.

Hispanic individuals represented 21.6 percent of New Jersey's population in the 2020 census, while Hispanic defendants constituted 19.2 percent of the jail population on October 6, 2022, 20.5 percent on October 4, 2023, and 21.3 percent on October 2, 2024.

¹³ In this section (Figures 15-18), the racial breakdowns included are Black defendants, White defendants, and Hispanic defendants.

Fig. 15. Jail Population by Race

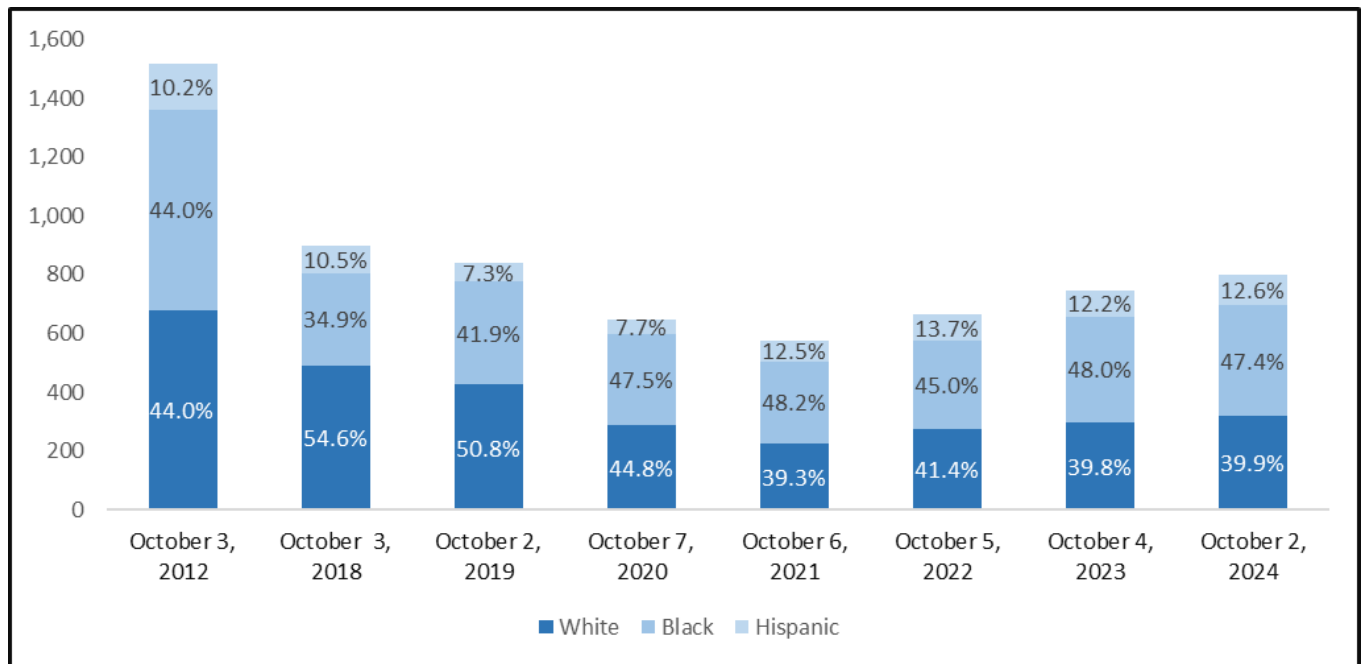


The female jail population is quite small compared to the male population, and as a result, the trends are prone to fluctuation. Figure 16 shows that the size of the female jail population was at a low on October 6, 2021, and has increased each year since then.

The racial demographics of the female jail population continued to fluctuate from year to year. Black female inmates represented 45.0 percent of the female jail population in 2022, 48.0 percent in 2023, and 47.4 percent in 2024.

White female inmates constituted 41.4 percent of the female jail population in 2022, 39.8 percent in 2023, and 39.9 percent in 2024. Hispanic female inmates made up 13.7 percent of the county jail population in 2022, 12.2 percent in 2023, and 12.6 percent in 2024.

Fig. 16. Female Jail Population by Race

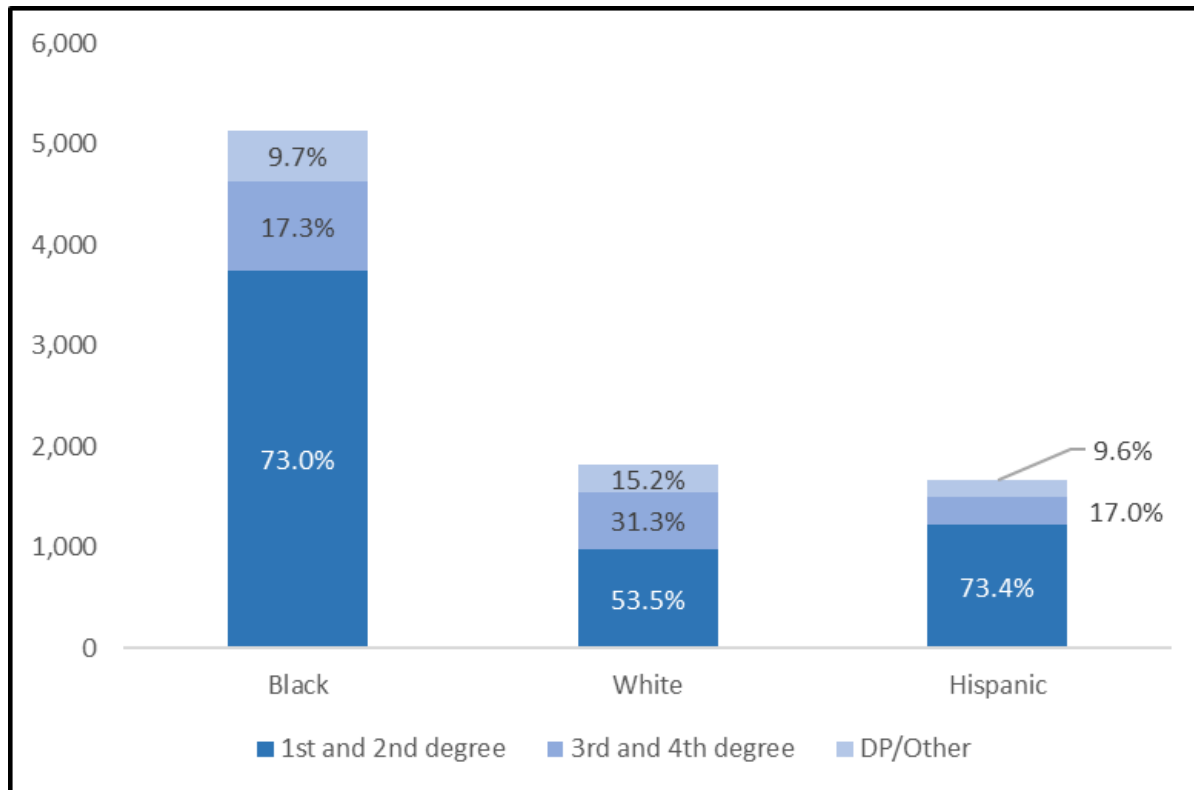


Jail Population Demographics by Charges

As described earlier in this report, the majority of inmates in New Jersey county jails during a daily study conducted in 2022, 2023, and 2024 had been charged with first- or second-degree offenses. The study also analyzed Black, White, and Hispanic inmates to see the types of charges for which each group was most often held (Figures 17, 17A and 17B.)

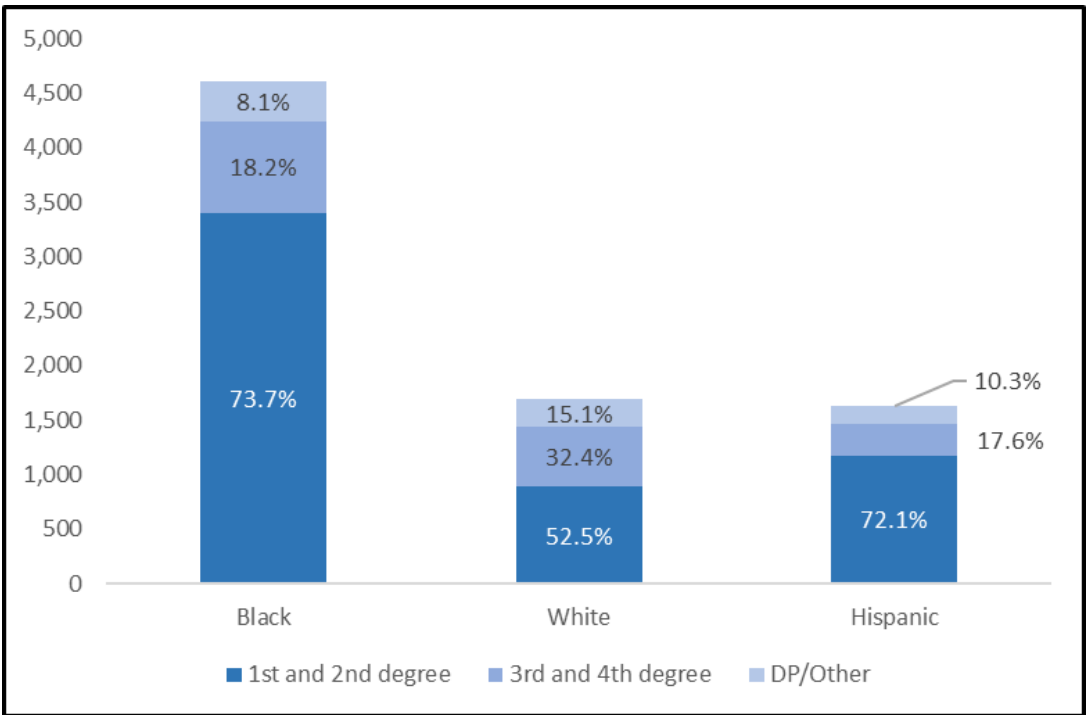
Within each racial grouping, the majority were held on first- or second-degree charges. Specifically, 73.0 percent of Black inmates and 73.4 percent of Hispanic inmates had been charged with first- or second-degree offenses, while 53.5 percent of White inmates were held on first- or second-degree offenses.

Fig. 17. Jail Population by Demographics by Charges, 2022



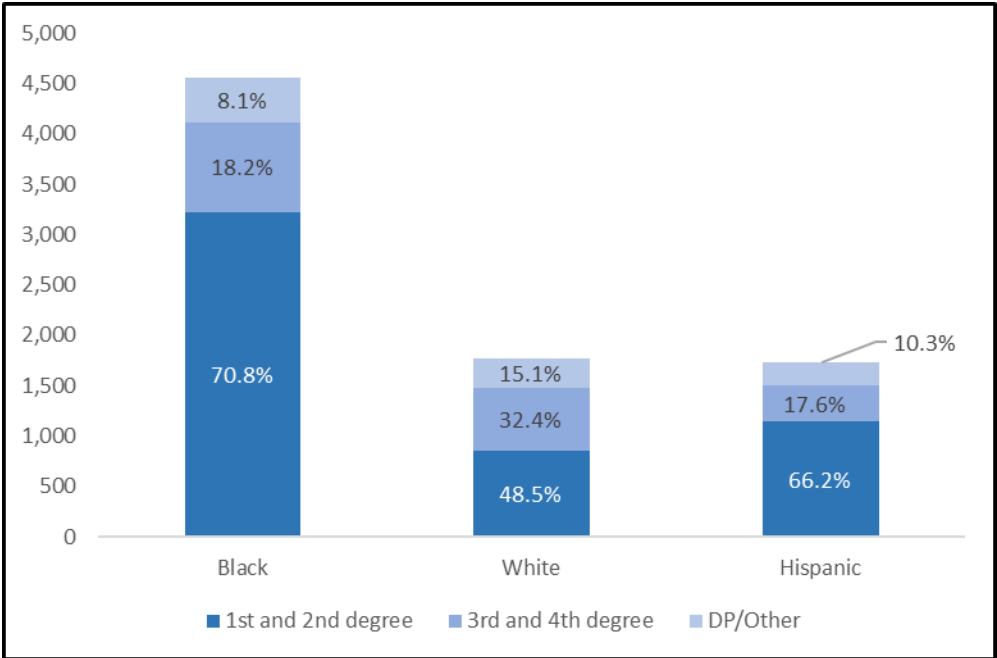
In 2023, the majority of inmates within each racial grouping were held on first- or second-degree charges. Specifically, 73.7 percent of Black inmates, 52.5 percent of White inmates, and 72.1 percent of Hispanic inmates had been charged with first- or second-degree offenses.

Fig. 17A. Jail Population by Demographics by Charges, 2023



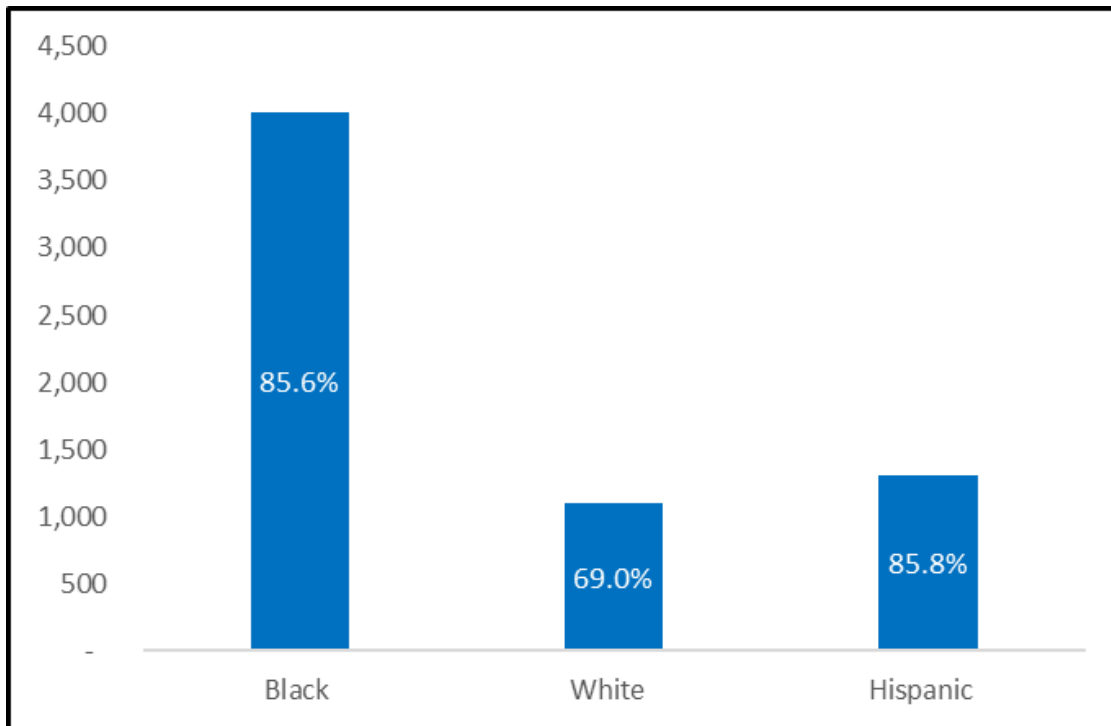
In 2024, 70.8 percent of Black defendants, 48.5 percent of White defendants, and 66.2 percent of Hispanic defendants were held on first- or second-degree offenses.

Fig. 17B. Jail Population by Demographics by Charges, 2024



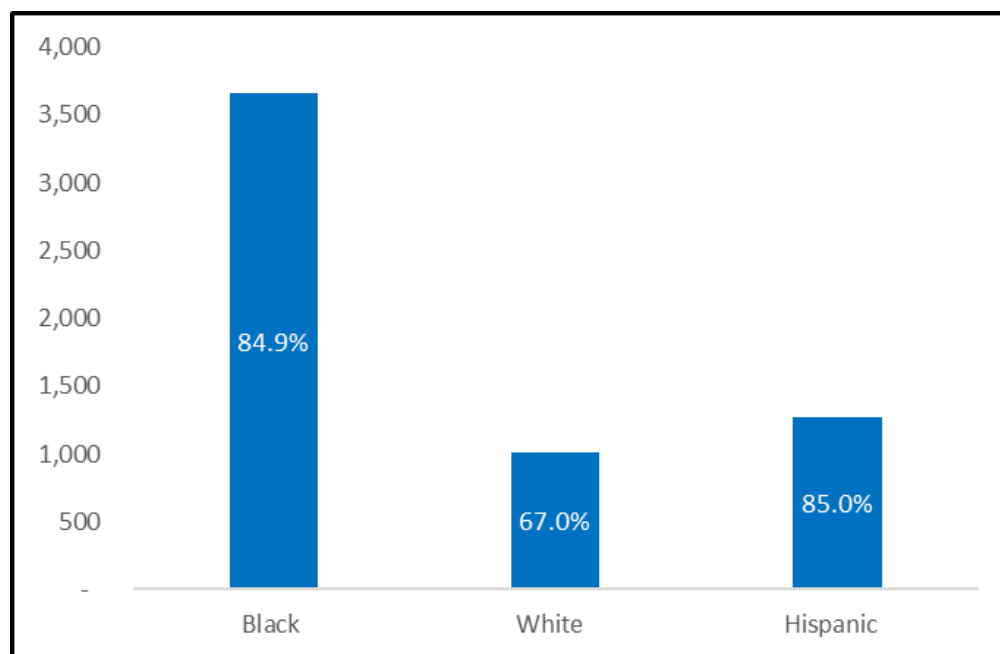
Similarly, the majority of each racial group had been charged with serious offenses, defined as at least one charge that involves a first- or second-degree crime, a NERA crime, or any violent offense (Figures 18, 18A and 18B). Specifically, 85.6 percent of Black inmates were charged with serious offenses as compared to 69.0 percent of White inmates and 85.8 percent of Hispanic inmates.

Fig. 18. Percentage of Jail Population with Serious Offenses by Race, 2022



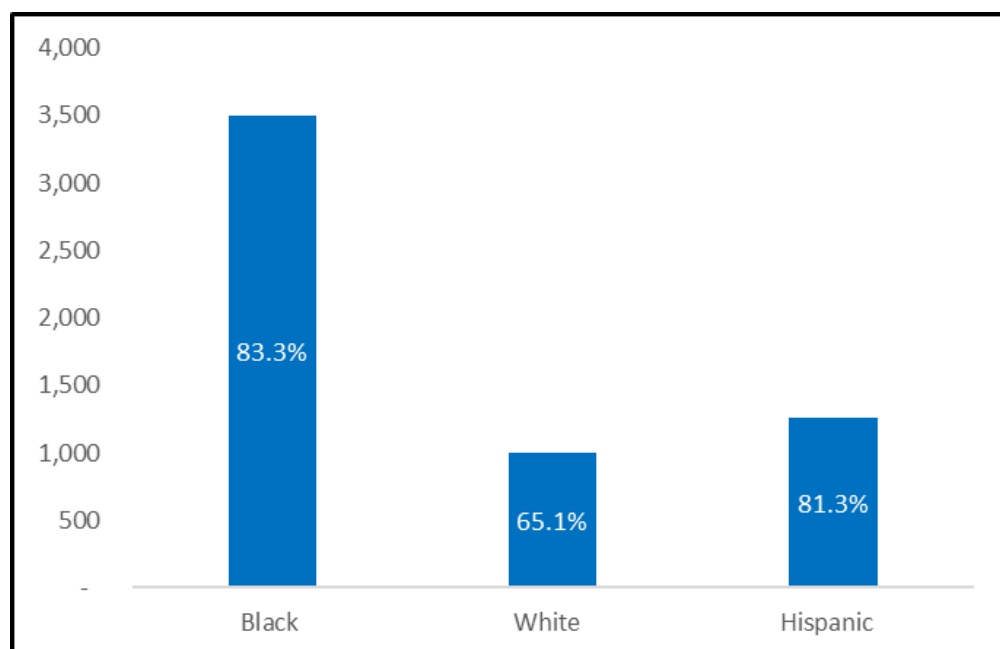
There were similar findings in the October 2023 jail population study. Specifically, 84.9 percent of Black inmates and 85.0 percent of Hispanic inmates were charged with serious offenses, whereas 67.0 percent of White inmates faced such charges.

Fig. 18A. Percentage of Jail Population with Serious Offenses by Race, 2023



In 2024, 83.3 percent of Black defendants, 65.1 percent of White defendants, and 81.3 percent of Hispanic defendants were being held on serious offenses.

Fig. 18B. Percentage of Jail Population with Serious Offenses by Race, 2024



VI.

CONCLUSION

Conclusion

This annual report reflects a court system returning to normal in some respects after the Covid-19 pandemic while also dealing with new realities.

The pandemic had a cascading effect on every step of the criminal justice process, from the issuance of complaints through the disposition of cases. In drawing comparisons to previous years, the report's findings should be considered within the context of Covid-19 and the pressures the pandemic placed on the criminal justice system.

For example, as new criminal trials were halted, the length of case dispositions naturally increased as did the number of individuals, both detained and not detained, awaiting trial. Before the pandemic, the percentage of cases resolved within a 22-month period had been as high as 78.2 percent. Since the pandemic, the case disposition rate has hovered just below or just above 50 percent.

The longer pretrial period contributed to a higher number of individuals – 17.6 percent for the last year of data – charged with an indictable offense while on pretrial release.

Other key CJR measurements have held steady despite the challenges posed by the pandemic. Notably, the percentage of defendants charged with a No Early Release Act (NERA) offense remained near or less than 1 percent, as did the percentage of defendants charged with a non-NERA Graves Act gun offense.

Court appearance rates, boosted by the availability of virtual hearings, have remained above 90 percent for five straight years.

Initial court appearances continue to be held in a timely manner. Under the CJR law, courts must hold a first appearance hearing and make a pretrial release decision within 48 hours of an eligible defendant's commitment to jail, unless the prosecutor makes a motion for pretrial detention. In each of the last three years, from 2022 to 2024, the courts were able to meet the 48-hour deadline more than 97 percent of the time. During that same period, judges made initial release decisions within 24 hours in more than three quarters of cases.

One of the guiding philosophies of CJR is that it seeks to detain higher-risk defendants by creating a system in which release decisions are predicated on a defendant's risk of flight or threat to public safety, rather than a defendant's ability to post bail.

While New Jersey's county jail population has increased since the start of Covid-19, it continues to include a high percentage of defendants accused of or sentenced for serious offenses. A one-day snapshot of New Jersey's jail population, conducted each year on the

first Wednesday of October, demonstrated that the percentage of jail inmates accused of or sentenced for serious offenses remained just above or just below 80 percent for five straight years.

The Public Safety Assessment (PSA) tool continued to perform with reliable accuracy, as defendants with higher risk scores ultimately were more likely to be charged with a crime while on release.

Still, disparities in the criminal justice system remain.

Black defendants continue to be disproportionately represented at each step in the justice process, from complaint issuance to the issuance of complaint-warrants (which result in a trip to jail), and ultimately to the jail population. In 2021, an annual study of the county jail population conducted for this report showed Black defendants represented 60.0 percent of the jail population. In each of the past three annual studies, that percentage has decreased.

APPENDIX A

The Public Safety Assessment

Public Safety Assessment (PSA)

The **risk measurement** component of the process, the Public Safety Assessment (PSA), utilizes the defendant's personal criminal history data to predict the risk of defendant engaging in new criminal activity or failing to appear in court, and also whether there is an elevated risk of new violent criminal activity. Through collaboration with the Office of the Attorney General and the New Jersey State Police, the Judiciary has automated the PSA for use in the State of New Jersey.

The PSA specifically measures the following nine risk factors:

- (1) the defendant's age at the time of arrest;
- (2) whether the current charge is a violent offense;
 - (2a) whether the current charge is a violent offense and the defendant is 20 years old or younger;
- (3) whether the defendant has a pending charge at the time of the offense;
- (4) whether the defendant has a prior disorderly persons conviction;
- (5) whether the defendant has a prior indictable conviction;
 - (5a) whether the defendant has a prior disorderly persons or indictable conviction
- (6) whether the defendant has a prior violent conviction;
- (7) whether the defendant has a prior failure to appear pretrial in the past two years;
- (8) whether the defendant has a prior failure to appear pretrial older than two years; and
- (9) whether the defendant has a prior sentence to incarceration.

The PSA evaluates these factors using a weighted algorithm. Depending on the number and variety of factors present, the defendant will receive a risk score from 1 to 6 on two separate scales, with 1 being the lowest risk and 6 being the highest risk. Those two scales show the defendant's objective risk scores for Failure to Appear (FTA) and New Criminal Activity (NCA), respectively. In addition, the PSA calculates whether the defendant has an elevated risk of committing a new violent offense while on pretrial release, displayed to the court through the presence or absence of a New Violent Criminal Activity (NVCA) flag.

The factors considered by the PSA and the risk progression between the scores are based on empirical research. For more information on the PSA, please see <https://www.njcourts.gov/sites/default/files/psariskfactor.pdf>.

ADDENDUM:

PRETRIAL SERVICES PROGRAM OPERATIONS AND FUNDING

A. Revenue and Expenses

The Judiciary's budget operates on a fiscal year that ends on June 30. This annual report covers calendar years.

Historically, the Pretrial Services Program was funded by the filing fees collected, which were inadequate to meet operational costs. Effective July 1, 2019, the Pretrial Services Program is now funded through an annual \$24.228 million appropriation from the state budget.

In calendar year 2024, in accordance with the statutory requirements, the Judiciary allocated funds collected from increased court filing fees of \$373.6 million as follows:

- 1) \$194.2 million to the Pretrial Services Program.
 - a) \$99.1 million to the Pretrial Services Program – Dedicated Account (November 2014 – June 2019).
 - b) \$95.1 million to the State Treasury – General Fund for the Statewide Pretrial Services Program (July 2019 – December 2024).
- (2) \$89.1 million to Legal Services of New Jersey.
- (3) \$88.3 million for eCourts.
- (4) \$2.0 million to the discretionary account.

For the same period, calendar year 2024, the Judiciary has expended or encumbered a total of \$187.4 million for Pretrial Services, with \$160.7 million for salaries and fringe benefits.

A full complement of Pretrial Services staff is needed to prepare PSAs and monitor tens of thousands of defendants placed on pretrial release, among other tasks. For calendar year 2022, 48,147 PSAs were generated; for calendar year 2023, 50,041 PSAs were generated; for calendar year 2024, 54,633 PSAs were generated.

For eCourts,¹⁴ the Judiciary has expended or encumbered \$79.0 million to date, leaving a balance of \$9.3 million.

The Judiciary also has expended or encumbered \$12.2 million to date for software for Pretrial Services and for eCourts, with \$3.8 million coming out of Pretrial Services funding.

¹⁴ See Addendum – Development, Maintenance and Administration of eCourts.

Electronic monitoring costs were \$61,172 in calendar year 2024. Per diem payments to authorized Municipal Court judges for handling Centralized Judicial Processing hearings totaled \$898,450, and staff salaries totaled \$23.0 million.

B. Pretrial Services Unit Staffing and Monitoring

A full complement of Pretrial Services staff is needed to prepare PSAs, make release recommendations to the court, and monitor tens of thousands of defendants placed on pretrial release. Additionally, Pretrial Services staff monitor emergent Electronic Monitoring alerts 24 hours a day, 7 days a week.

To meet the statutory requirement that all pretrial release decisions occur within 48 hours of a defendant's commitment to the county jail, judges preside over Centralized First Appearance or Central Judicial Processing court events six days a week, including holidays and weekends. The Judiciary's Pretrial Services Program must also operate 6 days per week, including holidays and weekends to prepare a defendant's risk assessment and release recommendation for these court events.

Through virtual courtrooms, the Judiciary conducts hearings on weekends and holidays. This cost-saving measure offers the same protections and functions as in-person hearings, and conserves county resources by not having to open courthouses. The public can also view these sessions on the Judiciary's website, www.njcourts.gov. The use of virtual courtrooms was expanded during the Covid-19 pandemic to limit in-person contact at court while maintaining essential operations.

Statewide, in addition to the judges assigned to hear these matters, 408 staff positions are dedicated to the Pretrial Services Program. This represents an increase of 1.7 percent, or 7 positions from 2022. This increase was necessitated by a sharp increase in the number of defendants on pretrial monitoring.

Pretrial Services staff monitor eligible defendants from the date they are released from jail until final disposition of the case to ensure compliance with any court-ordered release conditions. These conditions can range from reporting to Pretrial Services by phone or in-person to electronic monitoring. The frequency of staff contact with a defendant on court-ordered pretrial monitoring is determined by the level of risk the defendant poses. Staff contact can occur by phone, in-person, or by video; the latter was widely implemented due to Covid-19 in lieu of in-person requirements to ensure that Pretrial Services could continue to monitor defendants even during the pandemic.

Research indicates that providing pretrial defendants with reminders of upcoming court and reporting dates significantly increases appearance rates. Accordingly, defendants

monitored by Pretrial Services are encouraged to receive automated reminders of upcoming events by text messages, emails, or automated phone calls.

If a defendant is noncompliant with release conditions and must appear before a judge, Pretrial Services staff file a violation of monitoring with the court and schedule the defendant to appear at a hearing.

ADDENDUM:

**DEVELOPMENT, MAINTENANCE,
AND
ADMINISTRATION OF ECOURTS**

Development, Maintenance and Administration of eCourts

The Judiciary is engaged in a multifaceted initiative to convert its legacy information technology systems into a modern integrated eCourts electronic filing, electronic storage, and electronic case management application. Over the years, the Judiciary has collected millions of party and case records, currently maintained in numerous decades-old databases, which require rebuilding. Four essential functionalities support this concerted effort:

- (1) Electronic filing and information exchange between the court and attorneys.
- (2) The establishment of electronic case files.
- (3) The maintenance of electronic records management systems that provide attorneys and the public with appropriate access to case information.
- (4) Modern case management systems that will enable the Judiciary to track, dispose of, report on, and share data with our government partners.

As of Dec 31, 2024, total eCourt case filings were as follows:

- 4,124,444 criminal court filings (595,932 in 2023 and 664,167 in 2024).
- 1,634,474 tax court filings (135,928 in 2023 and 154,135 in 2024).
- 2,126,503 foreclosure filings (152,996 in 2023 and 144,339 in 2024).
- 97,989 chancery filings (16,520 in 2023 and 21,926 in 2024).
- 11,943,808 special civil part (DC) filings (1,332,161 in 2023 and 2,018,534 in 2024).
- 347,968 small claims filings (63,441 in 2023 and 72,256 in 2024).
- 767,945 landlord tenant filings (913,737 in 2023 and 767,945 in 2024).
- 964,713 law filings (964,713 in 2023 and 974,705 in 2024).
- 1,528,347 probation filings (212,275 in 2023 and 216,388 in 2024).
- 3,651 recovery court expungements filed (582 in 2023, and 539 in 2024)
- 38,464 children in court filings.
- 30,291 family juvenile (FJ) complaints filed.
- 23,939 FM (dissolution/divorce) complaints filed.
- 36,272 tickets have been resolved to date through municipal case resolution.

Among eCourts improvements in 2023 and 2024:

- the Judicial Electronic Document Submission (JEDS) added 30 new filing types, including gun permits. As of December 31, 2024, there have been 1,957,155 documents filed through JEDS. The total fees collected for the year was \$12,434,636.
- the eCourts Expungement system was enhanced to handle amended and vacated orders, and the payment of fines and fees. As of December 31, 2024, there have been 2,369 drug court expungements filed, 208,627 expedited expungements filed, 30,148 regular expungement petitions filed, 9,048 clean-slate expungement petitions filed, 1,564 marijuana expungement petitions filed, and 1,036 marijuana decriminalization expungement petitions filed through the new automated system.
- four new filing types were added to eCourts criminal.
- eCourts probation was expanded to allow probationers to pay fines and fees electronically.