

#### **4. Order Mandating Conditional Release of the NGRI Acquittee to a Specified Community Placement**

The proposed order is for use when an NGRI acquittee is found to be not so dangerous to self, others, or property as to require institutionalization, but will require release upon certain conditions, pursuant to N.J.S.A. 2C:4-8(b)(2). The court may order the NGRI acquittee to be placed in a supervised community setting, if available, and establish conditions which must be met. A supervised residence may include placements as an available supervised community residence under the auspices of the Department of Human Services<sup>1</sup> or a residence with a family member.

A court may only discharge the NGRI acquittee pursuant to the conditions if it finds that the acquittee may be released without danger to the community or to themselves under supervision or under certain conditions. The conditions that the court may impose upon the NGRI acquittee shall include those recommended by mental health staff who evaluated the acquittee, as well as those developed with the acquittee's participation.

Periodic review hearings shall be scheduled for the NGRI acquittee while under court supervision in the community pursuant to State v. Ortiz, 193 N.J. 278 (2008).

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<sup>1</sup> Once a community-based placement for forensically involved committees is identified, the court should schedule a hearing as soon as practicable in order to ensure that the placement will not be lost to another individual due to delay. Community based placements do not remain available indefinitely.