

ASSEMBLY, No. 2405

STATE OF NEW JERSEY

INTRODUCED OCTOBER 7, 1996

By Assemblywomen HECK, CRECCO, J. Smith, Wright,
Assemblymen T. Smith, DeCroce, Bucco, Assemblywoman
Farragher, Assemblymen Arnone, Azzolina, Lance, Augustine,
Assemblywoman Quigley, Assemblymen Blee, LeFevre,
Assemblywomen Myers, Allen, Assemblymen Corodemus,
Kelly, Gibson, Bagger, DiGaetano,
Malone and DeSopo

1 AN ACT providing for the closure of the Adult Diagnostic and
2 Treatment Center at Avenel and providing for its submission to the
3 legal voters of the State for their approval or rejection before it
4 shall become operative.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. The Legislature finds that the Adult Diagnostic and Treatment
10 Center (ADTC) at Avenel, which opened in 1976 as one of the first
11 correctional facilities in the United States for the treatment of
12 convicted sexual predators and which, at that time, was regarded as
13 a model facility, has nevertheless twenty years later become an
14 overcrowded, inadequate facility that represents the worst of two
15 worlds, neither punishing nor rehabilitating. Most ADTC inmates
16 serve their full sentence because they do not meet the legal standard
17 for parole and then are released with no supervision into an
18 unsuspecting community.

19 The Legislature further finds that there has been a recent rash of
20 brutal sexual assaults and murders allegedly committed by those with
21 records of sexual offenses in the past; among the victims of these
22 predators were Amanda Wengert, Latasha Goodman, Divina Genao
23 and Megan Kanka and their grieving families and friends.

24 The Legislature further finds that there is a significant lack of
25 reliable evidence upon which to safely conclude that adult sex
26 offenders can be successfully treated. Recognizing this fact, other
27 states have discontinued treatment and closed special facilities for sex
28 offenders. In fact, the ADTC itself has conducted no recidivism
29 studies, making it impossible to assess whether its program has had
30 any positive impact.

31 The Legislature further finds that other correctional institutions can

1 house convicted sex offenders, segregating them in order to provide
2 such specialized services as are deemed necessary, all at a substantially
3 reduced cost. The savings produced thereby would be better
4 committed to treatment of juvenile sex offenders who, evidence
5 indicates, more likely would be benefited.

6 The Legislature hereby declares that the ADTC is a failed social
7 experiment that has produced little more than a false sense of security
8 that has wasted millions of taxpayer dollars, and is a system that is
9 broken beyond repair.

10 Therefore, it is not only altogether fitting and proper but also
11 necessary to require the Commissioner of Corrections to provide for
12 the closure of this wasteful facility after public approval of such
13 closure, and to commit the cost savings to the treatment of juvenile
14 sex offenders.

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16 2. Immediately upon approval of the public question provided for
17 hereafter, the Commissioner of Corrections shall provide for the
18 termination of the Adult Diagnostic and Treatment Center as a facility
19 for the incarceration and treatment of compulsive, repetitive sex
20 offenders by attrition of its inmates. The commissioner may remove
21 inmates through parole, release at the expiration of maximum sentence
22 or transfer to other correctional facilities as provided under current
23 law. The commissioner shall not assign sex offenders convicted after
24 the effective date of this section to the Adult Diagnostic and
25 Treatment Center. The cost savings realized by the closure of the
26 Adult Diagnostic and Treatment Center shall be allocated to the
27 treatment of juvenile sex offenders.

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29 3. The public question as set forth in section 4 of this act shall be
30 submitted to the people for their approval or rejection at the next
31 general election to be held following the date of the passage of this
32 act. The question shall be submitted in the manner provided by this
33 act and by Title 19 of the Revised Statutes.

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35 4. There shall be printed on each official ballot to be used at such
36 election the following:

37 If you favor making the act described below operative within the
38 State make a cross (X), plus (+) or check (T) in the square opposite
39 the word 'Yes.' If you are opposed thereto make a cross (X), plus (+)
40 or check (T) in the square opposite the word 'No.'

41 If voting machines are used, a vote of "Yes" or "No" shall be the
42 equivalent to the markings, respectively.

1 commissioner would be authorized to remove inmates through parole,
2 expiration of maximum sentence or transfer to another correctional
3 institution. All sex offenders thereafter would be housed with the
4 general inmate population. The costs savings realized by the closure
5 of the ADTC would be used for the treatment of juvenile sex
6 offenders. The closure would not become effective unless it is
7 approved by the voters.

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12 Requires closure of Adult Diagnostic and Treatment Center upon
13 voter approval.