

FISCAL NOTE TO

[First Reprint]
SENATE, No. 524

STATE OF NEW JERSEY

DATED: DECEMBER 17, 1996

Senate Bill No. 524 (1R) of 1996 would mandate the development of an aftercare treatment program as part of community supervision imposed on sexual offenders. Under the provisions of the bill, a person who is paroled after serving a term of incarceration for: aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnaping pursuant to paragraph (2) of subsection c. of N.J.S.2C:13-1, endangering the welfare of a child by engaging in sexual contact which would impair or debauch the morals of the child pursuant to subsection a. of N.J.S.2C:24-4 or luring or an attempt to commit any such offense; or who received a sentence of community supervision pursuant to P.L.1994, c.130 (C.2C:43-6.4); or who is released or paroled from the Adult Diagnostic and Treatment Center (ADTC), would be required to participate in aftercare treatment. If that person is released from community supervision, he would no longer be required to participate in aftercare treatment. The bill allows the person to participate voluntarily, however, at his own expense. If a person fails to satisfactorily participate in the program, he would be guilty of a fourth degree crime.

The bill directs the Commissioner of Corrections to determine if an offender is capable of paying for the aftercare treatment or any portion thereof. The offender would be required to pay the commissioner for that portion he is financially able to, and the State would fund the balance. The offender's financial situation would be monitored annually to determine financial ability, and the portion he pays adjusted accordingly.

The Department of Corrections stated that during Fiscal Year 1995, 511 sex offenders were released from the Department of Corrections. Of this number, 12 were paroled and 118 maxed out from the Adult Diagnostic and Treatment Center. The other 383 were released from other State correctional institutions. Assuming that the State will experience similar release numbers in the future, it can be expected that over a ten-year period, 4,000 to 5,000 offenders would be participating in the aftercare program.

The department states that the number of participants in the program would increase immediately, and grow continually, as only those who die or obtain a Superior Court order would be allowed to discontinue participation.

The department notes that it is not possible to project the

additional cost of providing aftercare services to this group of sex offenders until the extent of services, location, type of therapy, and frequency of treatment have been determined. At present, the private medical provider, CMS, has not negotiated a separate fee with the State for psychological services. Currently, the private "market" rates for psychological services range on average from \$50 to \$75 per session.

The department notes that in order for it to assess and collect fees from the aftercare participants, it would be necessary for it to hire additional fiscal staff to review offender financial records and bookkeeping staff to process fees collected. The number of additional staff would be determined by the number of offenders participating in aftercare treatment and the volume of offender financial records which would need to be reviewed and possibly audited to determine the offender's ability to pay.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.