

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 524**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 14, 1996

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 524 with committee amendments.

As amended and released by the committee, this bill would mandate the development of an aftercare treatment program. A person paroled after serving a sentence for any of the following crimes: aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping 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, as determined by the commissioner, 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 committee amended the bill to make aftercare requirements applicable to persons on parole. It is the committee's understanding that community supervision begins upon the completion of parole; thus persons on parole also should be subject to the bill's requirements. Other committee amendments are technical in nature.

This bill implements a recommendation of the Joint Task Force to Study the ADTC, which was established by the Legislature with the enactment of the package of bills known as "Megan's Law." The commission's report notes that sex offenders are frequently released

unmonitored into the community, even though they need a support system to prevent them from relapsing and committing additional crimes. It is the committee's understanding that a sex offender may still require treatment after release from incarceration. Aftercare requirements would provide such treatment and ensure that the released sex offender was monitored in the community.