

FISCAL NOTE TO  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE No. 1418  
**STATE OF NEW JERSEY**

DATED: JANUARY 13, 1998

Senate Committee Substitute for Senate No. 1418 of 1997 directs the Commissioner of the Department of Corrections to transfer those inmates from the Adult Diagnostic and Treatment Center (ADTC) who (1) are serving life sentences without possibility of parole or (2) are not participating or cooperating in an ADTC treatment program.

The substitute also specifies that those ADTC inmates who are transferred either under the general discretionary powers of the commissioner or because they are serving life sentences without possibility of parole are no longer to be governed by the special conditions of confinement, parole and release set forth in chapter 47 of Title 2C of the New Jersey Statutes, but rather those conditions applicable to the general State prison population. Inmates transferred for refusing to participate in a treatment program would remain subject to the special conditions of confinement, parole and release set forth in chapter 47 of Title 2C of the New Jersey Statutes.

The committee substitute also authorize the commissioner to return to the ADTC any inmate who has been transferred out of that facility for refusing to participate in a treatment program if the commissioner determines that, henceforth, the inmate is likely to fully cooperate in receiving treatment.

The Department of Corrections states that there are currently no inmates at ADTC who are serving life sentences, while there are 40 inmates at the institution who refuse treatment.

The department notes that depending on the actual number of transfers of ADTC inmates to other institutions, the workload of two units would be affected: the Psychological Services contractor and the Special Classification Review Board (SCRB). Semi-annual reviews would be required for each sex offender at the holding institution, and each case would need to be reviewed by the SCRB, in some cases, in person. This would create additional technical/clerical tasks for the SCRB in terms of coordination, scheduling, and processing of reports for various institutions. An additional position would be required to accomplish these duties at an annual salary and fringe benefits cost of about \$32,930.

The department further notes that the bill may result in encouraging treatment refusers to cooperate in their treatment regimen since there would no longer be advantages relative to parole consideration by being transferred into the general population. In

addition, the ability to transfer uncooperative inmates could reduce the number of inmates currently housed in county jail facilities awaiting placement at ADTC. Currently there are 117 offenders awaiting placement at ADTC.

The Office of Legislative Services concurs but notes that for every ADTC inmate that is transferred to the general population, one additional general population offender would be required to remain in a county jail facility. Therefore, there would be no net effect on the county jail waiting list.

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