

2C:47-1

LEGISLATIVE HISTORY CHECKLIST

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(Sex offenders--recidivism)

NJSA: 2C:47-1

LAWS OF: 1997 CHAPTER: 266

BILL NO: S1639

SPONSOR(S): Kosco

DATE INTRODUCED: October 28, 1996

COMMITTEE: ASSEMBLY: Law & Public Safety
SENATE: Law & Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: June 5, 1997
SENATE: October 28, 1996

DATE OF APPROVAL: December 22, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: Yes

HEARINGS: Yes

974.90 New Jersey. Joint Task Force to Study The Adult Diagnostic and
S518 Treatment Center.
1995 Report..., June 19, 1995. Trenton, 1995.
[see pp. 13-14]

974.90 New Jersey. Joint Legislative Task Force to Study The Adult
S518 Diagnostic and Treatment Center.
1994 Meetings held 11-1-94 & 3-15-95, Avenel and Trenton, 1994.
[vol.2--p. 13x +]
[see vol. 4--p.42]

See newspaper clipping--attached:

"Whitman signs law requiring monitoring...", 12-22-97, Asbury Park Press.

KBP:pp

P.L. 1997, CHAPTER 266, *approved December 22, 1997*

Senate No. 1639

1 **AN ACT** concerning the recidivism of sex offenders and supplementing
2 N.J.S.2C:47-1 et seq.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. The Commissioner of Corrections shall establish a program to
8 record and analyze the recidivism of all inmates who are released from
9 the Adult Diagnostic and Treatment Center, whether on parole or
10 upon the completion of their maximum sentences. The purpose of this
11 program shall be to assist in measuring the effectiveness of the center
12 in providing specialized treatment to repetitive and compulsive sex
13 offenders pursuant to N.J.S.2C:47-3.

14 b. The program shall record the arrests for all offenses committed
15 by releasees for a period of five years following their release and any
16 convictions resulting from these arrests. These data shall be analyzed
17 to determine whether the rates and nature of rearrests and
18 convictions differ according to the criminal histories and personal
19 characteristics of releasees, the treatment they received at the Adult
20 Diagnostic and Treatment Center, length of sentence, conditions of
21 parole, and such other factors as may be relevant to the purposes of
22 this act.

23 c. The program shall also perform a comparative analysis of the
24 recidivism rates and patterns of releasees from the Adult Diagnostic
25 and Treatment Center with those of persons released from this State's
26 general prison population and with sex offenders released in other
27 jurisdictions with specialized programs for the treatment of sex
28 offenders.

29 d. The department shall prepare and disseminate to the Governor
30 and the Legislature reports documenting the program's findings, along
31 with any recommendations it may have for legislation to improve the
32 effectiveness of treatment offered by the Adult Diagnostic and
33 Treatment Center.

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35 2. This act shall take effect immediately.

1 STATEMENT

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3 The Adult Diagnostic and Treatment Center (ADTC) at Avenel is
4 charged with providing specialized treatment to change the behavior
5 of persons sentenced as repetitive and compulsive sex offenders.
6 However, as noted in the report of the Joint Task Force to Study the
7 Adult Diagnostic and Treatment Center, the center does not
8 systematically track the recidivism of former inmates. The lack of
9 reliable recidivism data thwarts efforts to gauge the success of this
10 specialized correctional facility or the efficacy of various treatment
11 modalities.

12 This bill would implement a recommendation by the task force in its
13 June, 1995 report by requiring the Commissioner of Corrections to
14 establish a program to record and analyze the recidivism of all inmates
15 who are released from the center. The program would record the
16 arrests and any subsequent convictions of inmates for five years
17 following their release. It would then analyze the recidivism
18 information to determine its relationship to inmate characteristics, the
19 crimes for which they were incarcerated, types of treatment provided
20 and conditions of parole. The commissioner is also directed to
21 compare the recidivism of ADTC inmates with that of inmates
22 released from the State's general prison population and inmates
23 released from specialized sex offender programs in other states. The
24 commissioner would be required to report the results of the recidivism
25 study to the Governor and the Legislature.

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30 Requires DOC to track recidivism of ADTC inmates.

SENATE, No. 1639

STATE OF NEW JERSEY

INTRODUCED OCTOBER 28, 1996

By Senator KOSCO

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
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9 the Adult Diagnostic and Treatment Center, whether on parole or
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Requires DOC to track recidivism of ADTC inmates.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1639

STATE OF NEW JERSEY

DATED: JUNE 9, 1997

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 1639.

Senate Bill No. 1639 directs the Commissioner of Corrections to establish a program to record and analyze the recidivism rates of inmates who have completed their sentence in, or been paroled from, the Adult Diagnostic and Treatment Center (ADTC). The purpose of the program is to determine the effectiveness of the treatment received by repetitive and compulsive sex offenders while incarcerated in the ADTC.

Under the program, arrests and convictions occurring in the five-year period following the release of each sex offender will be recorded. This information will be analyzed to determine the effect of sex offenders' criminal histories, personalities, treatment, sentences, parole conditions and other relevant factors on recidivism rates. This data will then be compared to data on recidivism rates of persons released from the general prison population and to data on sex offenders who have participated in similar specialized treatment programs in other jurisdictions.

The Department of Corrections is required to report to the Governor and the Legislature the program's findings and any corollary legislative recommendations on how the treatment received by sex offenders at the ADTC can be improved.

The establishment of such a program was recommended by the Joint Task Force to Study the Adult Diagnostic and Treatment Center in its June, 1995 report.

This bill is identical to Assembly Bill No. 2474.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1639

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1639.

The Adult Diagnostic and Treatment Center (ADTC) at Avenel is charged with providing specialized treatment to change the behavior of persons sentenced as repetitive and compulsive sex offenders. However, as noted in the report of the Joint Task Force to Study the Adult Diagnostic and Treatment Center, the center does not systematically track the recidivism of former inmates. The lack of reliable recidivism data thwarts efforts to gauge the success of this specialized correctional facility or the efficacy of various treatment modalities.

This bill would implement a recommendation by the task force in its June, 1995 report by requiring the Commissioner of Corrections to establish a program to record and analyze the recidivism of all inmates who are released from the center. The program would record the arrests and any subsequent convictions of inmates for five years following their release. It would then analyze the recidivism information to determine its relationship to inmate characteristics, the crimes for which they were incarcerated, types of treatment provided and conditions of parole. The commissioner is also directed to compare the recidivism of ADTC inmates with that of inmates released from the State's general prison population and inmates released from specialized sex offender programs in other states. The commissioner would be required to report the results of the recidivism study to the Governor and the Legislature.

FISCAL NOTE TO
SENATE, No. 1639

STATE OF NEW JERSEY

DATED: JUNE 16, 1997

Senate Bill No. 1639 of 1996 would implement a recommendation by the Joint Task Force to Study the Adult Diagnostic and Treatment Center, in its June, 1995 report by requiring the Commissioner of Corrections to establish a program to record and analyze the recidivism of all inmates who are released from the Adult Diagnostic and Treatment Center (ADTC). The program would record the arrests and any subsequent convictions of inmates for five years following their release. It would then analyze the recidivism information to determine its relationship to inmate characteristics, the crimes for which they were incarcerated, types of treatment provided and conditions of parole. The commissioner is also directed to compare the recidivism of ADTC inmates with that of inmates released from the State's general prison population and inmates released from specialized sex offender programs in other states. The commissioner would be required to report the results of the recidivism study to the Governor and the Legislature.

The Department of Corrections states that in order to comply with the requirements of the bill, it will be necessary to obtain information which includes a record of arrests for all offenses committed by releases for a period of five years and any convictions resulting from these arrests. The data will then be analyzed for differences and correlations based on criminal histories, personal characteristics, treatment, conditions of parole, and other relevant factors. The department notes that assuming information is readily available from the Division of Criminal Justice, Department of Law and Public Safety, it would be able to use current resources to accomplish this task. No additional funding would be required.

With regards to the task of performing a comparative analysis of New Jersey's recidivism rates and patterns of releases to that of other jurisdictions with specialized programs for sex offenders, these comparisons may be difficult because definitions of recidivism, return rate, sex offender and other key variables differ among jurisdictions. As a result, comparisons may not be valid.

The Office of Legislative Services concurs.

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