

ASSEMBLY, No. 3339

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED OCTOBER 11, 2012

Sponsored by:

Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)

SYNOPSIS

Requires appropriate community notification when sex offender is placed in halfway house; prohibits certain county inmates in halfway house.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning sex offenders and supplementing chapters 4
2 and 8 of Title 30 of the Revised Statutes.

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

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7 1. An inmate or parolee who is required to register as a sex
8 offender pursuant to section 2 of P.L.1994, c.133 (C.2C:7-2) shall
9 not be placed in a residential community release program until the
10 offender's risk of re-offense has been established and community
11 notification has been implemented as required by section 3 of
12 P.L.1994, c.128 (C.2C:7-8) prior to the offender's release from
13 incarceration.

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15 2. A county inmate who has been charged with any of the
16 following offenses shall not be placed in a residential community
17 release program: aggravated sexual assault; sexual assault;
18 aggravated criminal sexual contact; kidnapping pursuant to
19 paragraph (2) of subsection c. of N.J.S.2C:13-1; endangering the
20 welfare of a child by engaging in sexual conduct which would
21 impair or debauch the morals of the child pursuant to subsection a.
22 of N.J.S.2C:24-4; endangering the welfare of a child pursuant to
23 paragraph (3) or (4) or subparagraph (a) of paragraph (5) of
24 subsection b. of N.J.S.2C:24-4; luring or enticing pursuant to
25 section 1 of P.L.1993, c.291 (C.2C:13-6); criminal sexual contact
26 pursuant to subsection b. of N.J.S.2C:14-3 if the victim is a minor;
27 kidnapping pursuant to N.J.S.2C:13-1, criminal restraint pursuant to
28 N.J.S.2C:13-2, or false imprisonment pursuant to N.J.S.2C:13-3 if
29 the victim is a minor and the offender is not the parent of the
30 victim; knowingly promoting prostitution of a child pursuant to
31 paragraph (3) or paragraph (4) of subsection b. of N.J.S.2C:34-1; or
32 an attempt to commit any of these enumerated offenses.

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34 3. This act shall take effect immediately.

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STATEMENT

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39 The bill would prohibit inmates or parolees who are required to
40 register as sex offenders from being placed in residential
41 community release programs before they have been tiered and the
42 appropriate community notification has been given.

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44 Also under the bill, a county inmate who has been charged with a
45 crime for which a conviction would require registration as a sex
46 offender under Megan's Law is prohibited from being placed in a
47 residential community release program.

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48 This bill closes a loophole in the current sex offender community
notification system that allows Department of Corrections inmates

A3339 BENSON

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1 and State parolees who are sex offenders to be placed in halfway
2 houses without community notification because these offenders are
3 still considered to be in the State correctional system. Considering
4 the significant number of escapees from these halfway houses, some
5 of whom may be sex offenders, it is incumbent that the community
6 in which a halfway house is located be notified of the presence of
7 sex offenders residing there if appropriate.