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

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

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

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

3. This act shall take effect immediately.

STATEMENT

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

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

This bill closes a loophole in the current sex offender community notification system that allows Department of Corrections inmates
and State parolees who are sex offenders to be placed in halfway
houses without community notification because these offenders are
still considered to be in the State correctional system. Considering
the significant number of escapees from these halfway houses, some
of whom may be sex offenders, it is incumbent that the community
in which a halfway house is located be notified of the presence of
sex offenders residing there if appropriate.