

SENATE, No. 130

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Requires State to lower compensation rate of civilly committed sexually violent predators to same level as State inmates for institutional work.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning compensation paid to civilly committed
2 sexually violent predators and amending P.L.1998, c.71.

3

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

6

7 1. Section 11 of P.L.1998, c.71 (C.30:4-27.34) is amended to
8 read as follows:

9 11. a. The Department of Corrections shall be responsible for
10 the operation of any facility designated for the custody, care and
11 treatment of sexually violent predators, and shall provide or arrange
12 for custodial care of persons committed pursuant to **[this act]**
13 P.L.1998, c.71 (C.30:4-27.24 et seq.). Except as may be provided
14 pursuant to subsection c. of section 9 of **[this act]** P.L.1998, c.71
15 (C.30:4-27.32), a person committed pursuant to **[this act]** P.L.1998,
16 c.71 (C.30:4-27.24 et seq.) shall be kept in a secure facility and
17 shall be housed and managed separately from offenders in the
18 custody of the Department of Corrections and, except for occasional
19 instances of supervised incidental contact, shall be segregated from
20 such offenders.

21 b. The **[Division of Mental Health Services]** Division of
22 Mental Health and Addiction Services in the Department of Human
23 Services shall provide or arrange for treatment for a person
24 committed pursuant to **[this act]** P.L.1998, c.71 (C.30:4-27.24 et
25 seq.). Such treatment shall be appropriately tailored to address the
26 specific needs of sexually violent predators.

27 c. Appropriate representatives of the Department of
28 Corrections and the Department of Human Services shall participate
29 in an interagency oversight board to facilitate the coordination of
30 the policies and procedures of the facility.

31 d. Notwithstanding the provisions of section 10 of P.L.1965,
32 c.59 (C.30:4-24.2) or any other law to the contrary, the rights and
33 rules of conduct applicable to a person subject to involuntary
34 commitment as a sexually violent predator pursuant to P.L.1998,
35 c.71 (C.30:4-27.24 et seq.) shall be established by regulation
36 promulgated jointly by the Commissioner of Human Services and
37 the Commissioner of Corrections, in consultation with the Attorney
38 General. The regulations promulgated under this subsection shall
39 take into consideration the rights of patients as set forth in section
40 10 of P.L.1965, c.59 (C.30:4-24.2), but shall specifically address
41 the differing needs and specific characteristics of, and treatment
42 protocols related to, sexually violent predators. In developing these
43 regulations, the commissioners shall give due regard to security
44 concerns and safety of the residents, treatment staff, custodial
45 personnel and others in and about the facility.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

 Matter underlined thus is new matter.

1 e. A person subject to involuntary commitment as a sexually
2 violent predator pursuant to P.L.1998, c.71 (C.30:4-27.24 et seq.)
3 shall be compensated at the same rate for institutional work as State
4 inmates are compensated for comparable institutional work.
5 (cf: P.L.2003, c.156, s.1)

6
7 2. This act shall take effect immediately.
8
9

10 STATEMENT
11

12 This bill requires civilly committed sexually violent predators to
13 be compensated at the same rate for institutional work as State
14 inmates are compensated for comparable work, including, but not
15 limited to, assignments as kitchen clerks, and bathroom and laundry
16 workers.

17 Currently, civilly committed sexually violent predators are paid
18 at the minimum wage. The bill would require these individuals to
19 be paid the same wage as State inmates for comparable work, which
20 is less than the minimum wage.

21 The bill implements a recommendation made by the State
22 Auditor in a report that covers the period from July 1, 2012 to June
23 30, 2014. The State Auditor estimated an approximate annual
24 savings of \$1.9 million by eliminating payment of the minimum
25 wage to civilly committed sexually violent predators.