

SENATE, No. 1307

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires aftercare treatment program as part of community supervision.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning community supervision and supplementing
2 Title 2C of the New Jersey Statutes.

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

6
7 1. a. A person who is subject to community supervision
8 pursuant to section 2 of P.L.1994, c.130 (C.2C:43-6.4) or who is
9 released from the Adult Diagnostic and Treatment Center shall be
10 required to participate in an aftercare program as established by the
11 Commissioner of Corrections.

12 A person who is required to participate in an aftercare program
13 may choose a treatment provider other than a private entity which
14 has contracted with the State if the offender pays for all aftercare
15 treatment with the offender's own funds. The treatment provider
16 shall be approved by the Department of Corrections and shall
17 certify to the department that the offender is participating in the
18 treatment program.

19 b. A person who is granted release from community
20 supervision after petitioning the Superior Court pursuant to section
21 2 of P.L.1994, c.130 (C.2C:43-6.4) will no longer be required to
22 participate in an aftercare program. A person may, however,
23 participate in an aftercare program voluntarily at the person's own
24 expense.

25 c. A person who is required to participate in an aftercare
26 program and fails to satisfactorily participate in the program as
27 required, as certified by a participating treatment provider, shall be
28 guilty of a crime of the fourth degree.

29
30 2. a. A person who is required to participate in an aftercare
31 program pursuant to section 1 of P.L. , c. (C.) (pending
32 before the Legislature as this bill) shall pay to the commissioner a
33 portion of the cost of the person's aftercare treatment based upon
34 his financial ability to pay. The commissioner shall determine the
35 offender's financial ability to pay based upon proof submitted by the
36 offender. The offender shall submit to the commissioner his
37 financial records each year. The portion to be paid by an offender
38 shall be reviewed annually.

39 b. The commissioner may grant permission for the payment to
40 be made within a specified period of time or in specified
41 installments. All fees provided for in this section shall be in
42 addition to any other penalty or fee authorized by law.

43 c. All moneys collected pursuant to this section shall be
44 forwarded to the Department of the Treasury to be deposited in a
45 nonlapsing revolving fund to be known as the "Community
46 Supervision Aftercare Fund." Monies in the fund shall be
47 appropriated on an annual basis for the purposes of funding the

1 aftercare treatment program established pursuant to
2 P.L. , c. (C.) (pending before the Legislature as this bill).

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4 3. This act shall take effect immediately.

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STATEMENT

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9 This bill would mandate the development of an aftercare
10 treatment program as part of community supervision imposed
11 pursuant to P.L.1994, c.130 (C.2C:43-6.4). Under the provisions of
12 the bill, a person subject to community supervision would be
13 required to participate in aftercare treatment. A person required to
14 participate in aftercare treatment would no longer be required to do
15 so if that person is released from community supervision. The bill
16 allows the person to participate voluntarily, however, at the
17 person's own expense. If a person fails to satisfactorily participate
18 during community supervision, the person would be guilty of a
19 fourth degree crime.

20 The bill directs the Commissioner of Corrections to determine if
21 an offender is capable of paying for the aftercare treatment, or any
22 portion thereof. The offender would be required to pay the
23 commissioner for that portion he or she is financially able to pay, as
24 determined by the commissioner, and the State would fund the
25 balance. The offender's financial situation would be monitored
26 annually to determine financial ability, and the portion he or she
27 pays adjusted accordingly.