



State of New Jersey

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Interstate Compact Keeps Offenders Where They Belong

By Peter J. Barnes, Jr.
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A sex offender lives in Washington State, but assaults a young child while passing through New Jersey. A judge in New Jersey sentences him to Parole Supervision for Life, which requires that the offender live in the community under a parole officer's supervision.

The offender has no relatives in the Garden State. His parents and employer are in Washington. His only connection to New Jersey is his victim. Would it make sense for him to spend his life under supervision here, a possible danger to our neighborhoods?

On the other hand, can Washington State be compelled to accept this offender? Washington's parole laws are unlike New Jersey's in many ways: For example, Washington has no provision for Parole Supervision for Life. Can another state be compelled to take on the responsibility of a supervision sentence imposed by a New Jersey judge?

Fortunately, Washington can be required to accept such a parolee, and to provide parole supervision for the same length of time determined by the State of New Jersey. However, the reverse is also true: In similar circumstances our State is bound to accept other states' parolees and probationers, and to provide for their supervision.

This is required under the Interstate Compact for Adult Offender Supervision, a formal contract agreed upon between all 50 states, Washington, D.C., Puerto Rico and the Virgin Islands. In 2002, I co-sponsored the Assembly bill that made New Jersey a member of the Interstate Compact. Today, as Chairman of the State Parole Board, I am New Jersey's official representative to the Interstate Commission that maintains the Compact.

The compact sets forth the conditions under which one state can compel another state to accept a parolee or probationer. For example, if an offender is the resident of the receiving state or has close relatives who will support the parole plan there, that state is usually compelled to accept the offender. The Compact also sets forth the rules under which that transfer must take place.

Such a contract between states is vitally necessary in this modern age of interstate travel and Internet predators.

You may have read about the recent “To Catch a Predator” sting, a joint taskforce between “Dateline NBC,” Ocean County law enforcement agencies, and the nonprofit organization Perverted Justice, that led to the arrests of 28 individuals – some from New York, Connecticut, Pennsylvania and even Washington State – who allegedly came to Ocean County, New Jersey to prey on children.

If found guilty, each of these predators would be sentenced to Parole Supervision for Life. Clearly, we would not want them living in New Jersey simply because they were sentenced here.

Before the Interstate Compact, such problems abounded. According to published reports, the face of the Compact is Stephanie Peyton Tuthill, who was murdered in Colorado by an offender who had been sentenced in Maryland.

Dante Terrous Paige was sentenced to 20 years in Maryland for violent crime, assault and armed robbery. After serving 22 months, reports show was released and transferred to Colorado, to attend a halfway house program – despite having no family or other contacts in Colorado, and without any notice to or consent by Colorado authorities. Mr. Paige walked away from the halfway house and murdered Ms. Tuthill while burglarizing her apartment, for which he was later convicted.

Thanks to Interstate Compact, New Jersey is told exactly when another state intends to send a parolee here. We can compel the sending state to prove the parolee belongs here. New Jersey is required to provide similar notification and similar proof when we plan to send an offender to another state. The contract ensures that one state will not take advantage of another by sending undesirable parolees without a proper cause.

New Jersey currently has a net export of offenders under the Compact: approximately 6,300 parolees and probationers arrested outside New Jersey are now under supervision here, compared with approximately 7,900 who were arrested in New Jersey and sent to other states.

Within those figures we have a net export of sex offenders: 21 sex offenders arrested outside New Jersey are now under supervision here, compared with 86 sex offenders who were arrested in New Jersey and sent to live in other states. Our tough laws, created by our State Legislature, make New Jersey a state to which sex offenders do not want to be transferred.

As New Jersey’s administrator of the Interstate Compact, I will study the ways we can tighten the rules that keep unwanted offenders out of New Jersey, in a manner that is fair not just to our residents and communities, but to those of our neighbors across America.

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