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New Jersey Judiciary

## Additional Questions for Certain Sexual Offenses

Use if committed on or after December 1, 1998

These additional questions need to be answered if you are pleading guilty to the offense of or any attempt to commit the offense of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping under 2C:13-1c(2), endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child under 2C:24-4a, endangering the welfare of a child pursuant to 2C:24-4b(4), endangering the welfare of a child pursuant to 2C:24-4b(5) (if the offense was committed on or after February 1, 2018), or leader of a child pornography network pursuant to 2C:24-4.1 (if the offense was committed on or after February 1, 2018)

1. Do you understand you will be required to submit to a psychological examination by the Department of Corrections the purpose of which is to determine if your conduct in committing the offense was characterized by a pattern of repetitive and compulsive behavior and if it was, whether you are amenable to (will benefit from) sex offender treatment and you are willing to participate in such treatment?  Yes  No
  
2. Do you understand if the examination reveals that your conduct is characterized by a pattern of repetitive and compulsive behavior, and you are amenable to (will benefit from) sex offender treatment and willing to participate in such treatment, the judge shall, upon recommendation of the Department of Corrections, sentence you to confinement at the Adult Diagnostic and Treatment Center for sex offender treatment; however, if the sentence imposed is greater than 7 years, you will first be confined at a facility other than the Adult Diagnostic and Treatment Center?  Yes  No
  
3. Do you understand if the court finds your conduct is characterized by a pattern of repetitive and compulsive behavior and you are not amenable to sex offender treatment or if you are amenable (will benefit from) but you are not willing to participate in such treatment, the court will sentence you to a term of incarceration to be served in another facility which will not provide for sex offender treatment and in such event, you will not receive commutation time for good behavior or earn work credits for time served in such other facility?  Yes  No
  
4. Do you understand you will be able to challenge the findings of the Department of Corrections in a hearing and at that hearing you will have the right to confront the witnesses against you and to cross-examine them and then present evidence on your own behalf?  Yes  No
  
5. Do you understand if you are sentenced to the Adult Diagnostic and Treatment Center

- a. that any future parole will not be guided by the normal parole guidelines?  Yes  No
- b. that you will be **eligible** for release when the State Parole Board, after receiving a recommendation from a special classification review board, finds you have achieved a satisfactory level of progress in sex offender treatment and that you will then be released on parole **unless** the State Parole Board determines by a preponderance of the evidence that you have failed to cooperate in your rehabilitation **or** there is reasonable expectation that you will violate conditions of parole?  Yes  No
- c. that you could spend more time in treatment than you would spend if sentenced to state prison?  Yes  No
6. Do you understand that if you are determined to be a repetitive, compulsive sex offender who is amenable to (will benefit from) sex offender treatment but you are **not** willing to participate in such treatment and are confined to a facility other than Adult Diagnostic and Treatment Center, you will also be subject to the same parole eligibility terms as contained in section 5 above?  Yes  No
7. Do you understand that if your conduct is not characterized by a pattern of repetitive, compulsive behavior or you are not amenable to sex offender treatment you will not become primarily eligible for parole until you have served any mandatory minimum term imposed by the court or one third of the sentence imposed where no mandatory minimum term is fixed and neither term will be reduced by commutation time for good behavior or work credits?  Yes  No

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature of Defense Attorney

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature of Prosecutor

**Note:** If the defendant is a female and qualifies for sex offender treatment, she will not be confined at the Adult Diagnostic and Treatment Center, but a facility designated by the Commissioner of Corrections where she will receive similar sex offender treatment.