

State Will Open Center To Treat Sex Offenders

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By BRUCE BAHRENBURG Staff Correspondent.

MENLO PARK — The state will open a treatment center May 1 for sex offenders at Rahway Prison Farm, the first step in the long-range plan to have all offenders in one center at the prison, it was announced today.

The new unit, which will receive 100 of the 300 sex offenders now confined in other state institutions, is a refurbished state industry building within the prison walls but apart from the prison at Rahway.

The long-range goal is to build within four years a \$4 million center on the grounds of Rahway Prison where sex offenders can both be classified and treated. This process is now divided among several state institutions.

Dr. Ralph Brancale, medical director of the Menlo Park Diagnostic Center, said completion of this center will place New Jersey first in enlightened handling of sex offenders, by providing maximum security for the public protection with the best possible medical treatment.

Medical Staff

The medical staff for the new unit will come from the Menlo Park Diagnostic Center which has eight psychiatrists.

Under the present system, a convicted sex offender is sent to Menlo Park for classification, a procedure which takes from several hours to a day. If he is judged mentally ill by attending physicians, he is committed to a state institution for treatment.

Dr. Brancale described the sick sex offender as one dominated by dark compulsive urges, which are repetitive. About 80 persons a year are sent to institutions as convicted sex offenders.

Until 1965, they were sent to prisons and mental institutions immediately after their Menlo Park classification. But that year charges were made that a woman had died in an automobile accident after being molested by a sex offender patient at Greystone Park Hospital in Morristown.

Policy Changed

There was a legislative investigation resulting in a change in policy. Sex offenders are now sent to Rahway for a 60-day observation period before going to an institution. The state also stopped sending sex offenders to Greystone, although there are still 12 of them there, who had been committed before the incident.

Other convicted sex offenders now in state institutions, 53 are at Leesburg Prison Farm; 40 at Ancora State Hospital; 75 at Trenton State Hospital and 31 at Marlboro State Hospital. About 35 of those in institutions are paroled each year.

While there are frequent public outcries against sex crimes, the number of criminal convictions for such offenses has remained about the same for 17 years. There have been no dramatic increases, according to Dr. Brancale.

In 1949, public agitation prompted the State Legislature to pass a sex offender statute. Praised as "progressive," the law defined sex crimes and also required all convicted sex criminals to be screened by a medical staff. New Jersey remains one

of the few states requiring this medical screening.

The law empowered the state to set standards for deciding if the sex crime was done by a criminal or a sick person. On the determination of medical personnel, the criminal could be sent to prison and the sick person to an institution, to stay up to the maximum prison sentence for the crime.

From 1949 until last year,

Menlo Park had screened 6,219 sex offenders. About 70 per cent were placed in the criminal category and sent to prison or paroled. Of the remaining 30 per cent, or 1,807 offenders, 617 were paroled to the care of a private physician or a local clinic, and 1,183 to a state institution.

About 39 per cent of those in institutions were eventually paroled, and only 11 per cent became parole violators, half of

them for an offense other than a sex crime.

Dr. Brancale said the usual sex offender is not too aggressive. "He is a passive, inhibited person, who rarely acts out his aggression."

He said men guilty of touching and molesting female children respond better to psychiatric treatment than do active homosexuals bothering boys. The actual worth of psychotherapy in redirecting and maturing an individual's sex drive is continuously debated in medical circles, he added.

When the sex offender center is completed at Rahway, the Menlo Park Diagnostic Center will be used exclusively for juvenile delinquents.

177-Year-Old Statute Under Fire NJ - Sex Crimes ACLU Wants Fornication Law Test

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Staff Correspondent.

PATERSON — American Civil Liberties Union attorneys will appear in city court tomorrow seeking to test the state's 177-year-old fornication law.

Lawyers for the ACLU will defend an unwed mother, Miss June Clark of 86 Front St. and the father of her three illegitimate children, Charles Barr of 391 Preakness Ave. Both have been charged under the old statute.

The charges against the two were lodged on Sept. 1 at the direction of Municipal Judge Ervan Kushner. The judge ordered the complaints filed after Miss Clark appeared before him seeking child support payments from Barr.

Jamming Calendar
The judge, noticing she was pregnant, asked her who was the father. When she named Barr, Kushner ordered them both charged with fornication. Illegitimacy cases are jamming the court calendar, and the day must come when judicial notice will be given to the fornication law. Judge Kushner stated that such cases are

generally made by women seeking to establish their eligibility for welfare not to prosecute the man responsible.

Michael Rubin who is prosecuting the case for the city said he had done "quite a bit of research" on the law. There aren't that many cases, but the law is clear, he said.

He said the court had no other fornication complaints on hand at the moment, but would take "a good look" at future illegitimacy complaints.

Jerry Schlossberg of ACLU's Bergen-Passaic chapter said, "We feel the law is an invasion of privacy. We'd like to see it off the books."

R. Michael Gross of Hackensack, representing Miss Clark, said the law is the same one

which Monmouth County Freeholder Marcus Daly sought to have invoked against 11 welfare mothers.

He said the Monmouth action "would have been a test case, but the jury didn't indict." The grand jury instead issued a presentment calling for a study of welfare programs and a re-view of the laws on fornication and adultery.

Gross said where fornication was a single act between consenting adults, the law represented "an invasion of privacy." "If two adults want to have intercourse, that's not the business of the state," he said.

Using the law against welfare recipients, he said, was discriminatory enforcement. "This about March 15, 1967."

If convicted under the fornication statute, an offender is subject to a \$50 fine, six months in the county jail or both.

According to Judge Kushner conviction under the law would not prevent anyone from receiving welfare payments.

is not fair treatment of the poor," he said, "these women are entitled to get relief."

Debra Paternity

Gross said he originally thought he would defend both of the accused, but decided against it. Barr, who claims he is not the father of the unborn child, will be defended by David Hoffman of Newark.

Attorney Gross stated he will demand a hearing before the judge on whether the case should go to the grand jury.

The complaint against his client, he said, was signed by a policeman, and it alleged that the crime took place on or about March 15, 1967.

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