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Commitment to New Jersey's "Special Treatment Unit" a Potential Death Sentence

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by Kevin W. Bliss

Sex offenders who had completed their criminal sentences in the state of New Jersey were being civilly committed to a facility that had a higher death rate due to COVID-19 than any prison in the United States as of early June.

The Sexually Violent Predator Act of 1999 allowed courts in New Jersey to commit sex offenders who "are likely to engage in repeat acts of predatory sexual offenses" to the Special Treatment Unit (STU) in Avenal, New Jersey. The state's attorney general petitions the court just prior to a sex offender's release from prison and he or she is remanded to the facility for "treatment" until deemed mentally fit for release. Some remain there the rest of their lives.

"We call it the 'Pine Box Release Program,'" former resident Russell (who requested his last name not be used) told *The Appeal* and *Type Investigations*, "because the only way you were leaving it was in a box, dead."

STU houses 441 "residents" and is located on the grounds of the East Jersey State Prison, run by the Department of Corrections. Involuntarily institutionalized because psychiatric experts have determined they are a threat to themselves or others, residents go through comprehensive treatment programs focusing on cognitive behavioral therapy. Those committed there said they are treated like prisoners.

Experts believe this system lacks scientific basis for positive results. They said it is counterproductive, unjust and violates civil liberties.

"Contemporary civil commitment measures grew out of interwoven panics concerning 'stranger danger,' satanic ritual abuse, and violent crime," said historian and author Paul Renfro. But, he said

it does little to address sexual violence, and that recidivism for those crimes are lower than most others.

The U.S. Supreme Court ruled the practice legal, and it is now used in 20 states, as well as the federal government. There are about 5,400 people being held in such institutions nationwide. “Once you’re there, nobody wants to take a chance and release someone who’s been civilly committed,” stated Russell.

Several of these institutions have civil lawsuits filed against them, claiming conditions are punitive and that the participants are not provided meaningful mental health care for the opportunity for release. Some people sent to STU committed crimes more than 30 years ago.

With the coronavirus pandemic, conditions at STU were even worse. The facility had recorded eight deaths due to COVID-19 with two more whose cause has not yet been determined. There had been 55 confirmed cases as of June, marking the death rate at around 14.5 percent, higher than any prison in the United States. The death count at the facility at the time exceeded every prison combined in California.

People entering STU were already of a higher age group than those in jails or prisons because of the time they had subsequently served due to their convictions. When the virus first broke out, residents were prohibited from wearing masks, and hand sanitizer was considered contraband due to the alcohol content. Conditions made commitment there potentially fatal.

Group treatment had been postponed indefinitely and all furloughs canceled, so that even the pretense of improving one’s condition for possible release had been extinguished. Public defender Mike Mangels said people at SRU were afraid for their lives. “They have to watch as some of the people they have known for 10 years or more, in some cases, are carted out, never to be seen again,” he said.

Sources: *theappeal.org*, *typeinvestigations.org*