

**STATE OF NEW JERSEY
DEPARTMENT OF CORRECTIONS**



**DIVISION OF
PROGRAMS AND REINTEGRATION SERVICES
OFFICE OF COMMUNITY PROGRAMS**

***Request for Proposals
Residential Community Reintegration Program(s)***

Section II: Exhibits

Exhibits G-N

Bid No. PCS-2025

Section II Exhibits (Exhibits G-N)

Table of Contents

Exhibit G

1. NJDOC Policy PCS.001.001 Inmate Accountability in Residential Community Release Programs
2. NJ Administrative Code Title 10A:4-4.1 Inmate Prohibited Acts
3. Form 259 Disciplinary Report
4. Form CA:44.2a Escape/Walkaway Report
5. Form CA:44.2b Disciplinary/Administrative/Walk-Away Escape Discharge Summary
6. NJ Administrative Code Title 10A:1-11.9 – 11.10 Personal Property of Inmates

Exhibit H

1. NJ Administrative Code Title 10A:17-7 Inmate Marriage and Civil Union
2. NJ Administrative Code Title 10A:17-5 Religion

Exhibit I

1. NJ Administrative Code Title 10A:18 Mail, Visits and Telephone
 - 10A:18-2 Correspondence
 - 10A:18-3 Legal Correspondence
 - 10A:18-6 Visits Privileges
 - 10A:18-7 Bedside, Private Viewing and Funeral Visits
 - 10A:18 Telephone Privileges

Exhibit J

1. NJ Administrative Code Title 10A:3-5.1 - 5.6 Search of Inmates and Facilities
2. NJ Administrative Code Title 10A:3-6 Contraband and Disposition of Contraband
3. Form 171-I Seizure of Contraband Report
4. Form 171-II Inmate Receipt, Contraband Seizure

Exhibit K

1. NJ Administrative Code Title 10A:22 Records

Exhibit L

1. NJ Administrative Code Title 10A:1-10 Research

Exhibit M

1. NJ Administrative Code Title 10A:19 News and Public Information Dissemination
2. N.J.S.A.30:4-91.22 Attorney Visits

Exhibit N

1. RCRP Transportation Incentive Pilot Program
2. Form 686-II Community Program Application Checklist
3. Residential Community Reintegration Program Quarterly Staff Roster
4. Subcontractor Utilization Plan
5. N.J.S.A. 30:1B-6.5 Dignity for Incarcerated Primary Caretaker Parents Act
6. Primary Caretaker Parent Intake Form and Application

EXHIBIT G

**NJDOC Policy PCS.001.001 Inmate Accountability in
Residential Community Release Programs**

**N.J.A.C. 10A:4-3.1 Inmate Rights and
Responsibilities**

N.J.A.C. 10A:4-4.1 Inmate Prohibited Acts

Form 259 Disciplinary Report

Form CA:44.2a Escape/Walkaway Report

**Form CA:44.2b Disciplinary/Administrative/
Walk-Away Escape Discharge Summary**

**N.J.A.C. 10A:1-11.9 – 11.10 Personal Property of
Inmates**



State of New Jersey
Department of Corrections
Policy Statement

Policy Number
PCS.001.001

Page 1 of 3

Policy Title:
Inmate Accountability in Residential Community Release Programs

Approved and Issued By Gary M. Lanigan, Commissioner on December 6, 2016.

Note: This document is provided electronically for informational purposes only. Should you require an official, signed copy for any reason, contact the APPM Unit.

Effective Date: September 25, 2003	Revised: December 1, 2016	Enabling Authority: N.J.S.A. 30:1B-6
		Related Authority: N.J.S.A. 30:4-91.2, N.J.A.C. 10A:20-4.2(a), 10A:20-4.29, 10A:20-4.34.& 10A:20-4.37
Promulgating Office: Office of Community Programs Division of Programs and Community Services		Professional Association Standard cited:
Applicability: This Policy Statement applies to the New Jersey Department of Corrections and all Residential Community Release Programs under contract with the New Jersey Department of Corrections.		
Supersedes: N/A		
Instructions: The Office of Community Programs and Outreach Services shall operate within the guidelines established and consistent with this policy.		
Review Schedule: This document is scheduled for annual review on or about November 30, 2017.		

I. PURPOSE

To develop, implement and maintain a system of accountability for all inmates residing in Residential Community Release Programs.

II. DEFINITIONS

The following words and terms, when used in this policy, shall have the following meanings, unless the context clearly indicates otherwise:

Division of Programs and Community Services means the division responsible for correctional facility and community-based program opportunities for offenders, which includes the offices of Community Programs, Educational Services, Transitional and Social Services, Chaplaincy, Victim Services, and Volunteer Services.

Educational/Vocational Release means an authorized release of an inmate from a RCRP to an approved education/vocation site in the community for a scheduled period of time to attend an educational program such as, but not limited to, GED or college classes where the curriculum

Policy Title: Inmate Accountability in Residential Community Release Programs	Effective Date: September 25, 2003 Revised: December 1, 2016	Policy Number PCS.001. 001 Page 2 of 3
---	---	---

ends with a degree or diploma, or to engage in a vocational training program such as, but not limited to, heavy machine operation, small engine repair or Commercial Drivers License (CDL) where the program ends in certification.

Escape means the unauthorized departure of a lawfully confined person who is in the custody of the New Jersey Department of Corrections and under the supervision of a Residential Community Release Program.

Furlough means an authorized visit to a specifically designated and approved place(s) beyond the confines of the Residential Community Release Program for a specified period of time.

Office of Community Programs (OCP) means the unit within the Office of Community Programs and Outreach Services responsible for overseeing Residential Community Release Programs, such as assessment and treatment centers, halfway houses, and substance use disorder treatment programs which provide rehabilitative and treatment services for inmates prior to release.

Program Authorized Community Time (P.A.C.T.) means authorized time during which inmates are released into the community from a Residential Community Release Program in order to participate in activities such as attend job interviews, job searches, self-help meetings, and religious services. P.A.C.T. does not include work release, educational/vocational and furlough releases.

New Jersey Department of Corrections (NJDOC) means the agency of the Executive Branch of the New Jersey State Government whose functions are to protect the public and provide for the custody, care, discipline, training and treatment of persons committed to the state correctional facilities.

Regional Institution means the NJDOC correctional facility designated to provide support services to a Residential Community Release Program.

Residential Community Release Program (RCRP) means Assessment and Treatment Centers, halfway houses or Substance Use Disorder Treatment Programs under contract with the New Jersey Department of Corrections. (N.J.A.C. 10A:20). For the purpose of this procedure, an RCRP may also be defined as a community-based residential facility, contracted by the New Jersey Department of Corrections, for inmates under community supervision including: assessment and treatment centers; correctional treatment programs with a work release component; and work release programs.

Staff means all personnel who are hired or contracted by the NJDOC or by a contract vendor or provider.

Work release site means an authorized employment site to which the inmate is released for a scheduled period of time to engage in full-time or part-time employment in the community.

Policy Title: Inmate Accountability in Residential Community Release Programs	Effective Date: September 25, 2003 Revised: December 1, 2016	Policy Number PCS.001. 001
		Page 3 of 3

III. POLICY

The New Jersey Department of Corrections recognizes the priority of ensuring public safety in the community. Therefore, the New Jersey Department of Corrections mandates that each RCRP maintains a system of accountability 24 hours a day, seven days a week, to help ensure public safety and the fair and equitable treatment of all inmates residing therein. This accountability system shall track inmate whereabouts in the community and serve as a basis for determining violations and prohibited acts that shall be reported to the Regional Institution.

IV. PROCEDURE

Each RCRP under contract with the NJDOC shall develop, implement, and maintain a system of accountability, to be used by staff, that monitors and verifies an inmate's whereabouts while in the community for purposes such as, but not limited, work, educational/vocational services, furlough, and P.A.C.T.

V. CROSS REFERENCE DOCUMENTS AND POLICIES

Document/Policy Number	Title	Effective/Revision Date
PCS.011.000	Office of Community Programs: Mission, Goals and Objectives	August 15, 2016 (Rev)

VI. APPLICABLE FORMS

Form Number	Form Title	Effective/Revision Date

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 4. INMATE DISCIPLINE
SUBCHAPTER 4. INMATE PROHIBITED ACTS

§ 10A:4-4.1 Prohibited acts

(a) An inmate who commits one or more of the following numbered prohibited acts shall be subject to disciplinary action and a sanction that is imposed by a Disciplinary Hearing Officer or Adjustment Committee with the exception of those violations disposed of by way of an on-the-spot correction. Prohibited acts preceded by an asterisk (*) are considered the most serious and result in the most severe sanctions (see N.J.A.C. 10A:4-5, Schedule of Sanctions for Prohibited Acts). Prohibited acts are further subclassified into six categories of severity (Category A through F) with Category A being the most severe and Category E the least severe and Category F containing an opportunity for inmates found guilty of specified infractions to participate in a substance-use disorder treatment program known as the Drug Diversion Program, if eligible. These categories correspond to the categories of sanctions at N.J.A.C. 10A:4-5 and the categories in the severity of offense scale at N.J.A.C. 10A:9-2.13.

1. Category A: A finding of guilt for any offense in Category A may result in a sanction of five to 15 days in an Adjustment Unit and up to 365 days in a Restorative Housing Unit (R.H.U.) per incident and one or more of the sanctions listed at N.J.A.C. 10A:4-5.1(e), unless a medical or mental health professional determines that the inmate is not appropriate for R.H.U. placement. Where a medical or mental health professional has made such a determination, the inmate may receive one or more of the less restrictive sanctions listed at N.J.A.C. 10A:4-5.1(e). The Disciplinary Hearing Officer and/or the Administrator shall consider a less restrictive sanction based on the nature of the offense and the inmate infraction history.

i. *.001 killing

ii. *.002 assaulting any person

iii. *.003 assaulting any person with a weapon

iv. *.006 extortion, blackmail, protection: demanding or receiving favors, money, or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing

v. *.007 hostage taking

vi. *.008 abuse/cruelty to animals

vii. (Reserved.)

viii. *.009 misuse, possession, distribution, sale, or intent to distribute or sell, an electronic communication device, equipment, or peripheral that is capable of transmitting, receiving, or storing data and/or electronically transmitting a message, image, or data that is not authorized for use or retention while assigned to a secure correctional facility (see "electronic communication device" definition at N.J.A.C. 10A:1-2.2)

ix. *.010 engaging, participating, and/or recruiting others to participate in an activity(ies) related to a security threat group

x. *.012 throwing bodily fluid at any person or otherwise

xi. *.050 sexual assault or abuse

xii. *.101 escape from a secure facility

xiii. *.102 attempting or planning escape

- xiv. *.151 arson
 - xv. *.155 adulteration or tampering of any food or drink
 - xvi. *.201 possession or introduction of an explosive, incendiary device, or any ammunition
 - xvii. *.202 possession or introduction of a weapon, such as, but not limited to, a sharpened instrument, knife, or unauthorized tool
 - xviii. *.215 possession with intent to distribute or sell prohibited substances such as drugs, intoxicants, or related paraphernalia
 - xix. *.216 distribution or sale of prohibited substances, such as drugs, intoxicants, or related paraphernalia
 - xx. *.251 rioting or encouraging others to riot
 - xxi. *.253 engaging in or encouraging a group demonstration or work stoppage
 - xxii. *.360 unlawfully obtaining or seeking to obtain personal information pertaining to an inmate's victim or the victim's family or pertaining to DOC staff or other law enforcement staff or the family of said staff
 - xxiii. *.704 perpetrating frauds, deceptions, confidence games, riots, or escape plots
 - xxiv. *.803 attempting to commit, aiding another person to commit or making plans to commit any Category A offense
2. Category B: A finding of guilt for any offense in Category B may result in a sanction of up to 120 days in a Restorative Housing Unit (R.H.U.) per incident and one or more of the sanctions listed at N.J.A.C. 10A:4-5.1(g), unless a medical or mental health professional determines that the inmate is not appropriate for R.H.U. placement. Where a medical or mental health professional has made such a determination, the inmate may receive one or more of the less restrictive sanctions listed at N.J.A.C. 10A:4-5.1(f). The Disciplinary Hearing Officer and/or the Administrator shall consider a less restrictive sanction based on the nature of the offense and the inmate infraction history.
- i. *.004 fighting with another person
 - ii. *.005 threatening another with bodily harm or with any offense against his or her person or his or her property
 - iii. *.011 possession or exhibition of anything related to a security threat group
 - iv. *.014 unauthorized physical contact with any person with an article, item, or material such as anything readily capable of inflicting bodily injury
 - v. *.051 engaging in sexual acts with others
 - vi. *.053 indecent exposure
 - vii. *.054 refusal to register as a sex offender or any refusal to register as required by law
 - viii. *.055 making sexual threats to another
 - ix. *.056 sexual contact, involving the intentional touching, directly or indirectly, through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation.
 - x. *.150 tampering with fire alarms, fire equipment, or fire suppressant equipment
 - xi. *.153 stealing (theft)
 - xii. *.154 tampering with or blocking any locking device
 - xiii. *.207 possession of money or currency (in excess of \$ 50.00), unless specifically authorized in a secure facility
 - xiv. *.211 possessing any staff member's clothing and/or equipment

- xv. *.214 possession of unauthorized keys or other security equipment
 - xvi. *.254 refusing to work, or to accept a program or housing unit assignment
 - xvii. *.256 refusing to obey an order of any staff member
 - xxviii. *.260 refusing to submit to mandatory medical or other testing such as, but not limited to, mandatory testing required by law or court order
 - xix. *.306 conduct which disrupts or interferes with the security or orderly running of the correctional facility
 - xx. *.352 counterfeiting, forging or unauthorized reproduction or use of any classification document, court document, psychiatric, psychological or medical report, money, or any other official document
 - xxi. *.502 interfering with the taking of count
 - xxii. *.708 refusal to submit to a search
 - xxiii. *.751 giving or offering any official or staff member a bribe or anything of value
 - xxiv. *.803 attempting to commit, aiding another person to commit or making plans to commit any Category B offense
 - xxv. *.900 failure to complete a Drug Diversion Program
- 3. Category C:** A finding of guilt for any offense in Category C may result in a sanction of one or more of the sanctions listed at N.J.A.C. 10A:4-5.1(j).
- i. .009A misuse, possession, distribution, sale, or intent to distribute or sell, an electronic communication device, equipment, or peripheral that is capable of transmitting, receiving or storing data and/or electronically transmitting a message, image, or data that is not authorized for use or detention by an inmate who is assigned to a Residential Community Release Program (see "electronic communication device" definition at N.J.A.C. 10A:1-2.2).
 - ii. .013 unauthorized physical contact with any person, such as, but not limited to, physical contact not initiated by a staff member, volunteer, or visitor
 - iii. .052 making sexual proposals to another
 - iv. .057 Sexual harassment involves repeated and/or unwelcomed sexual advances, request for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature
 - v. .101A Escape from a residential community release program or furlough
 - vi. .103 wearing a disguise or mask
 - vii. .204A use by an inmate who is assigned to a Residential Community Program of any prohibited substances such as drugs, intoxicants, or related paraphernalia not prescribed for the inmate by the medical or dental staff
 - viii. .212 possessing unauthorized clothing
 - ix. .351 counterfeiting, forging, or unauthorized reproduction or use of any document not enumerated in prohibited act *.352
 - x. .401 participating in an unauthorized meeting or gathering
 - xi. .402 being in an unauthorized area
 - xii. .501 failing to stand count
 - xiii. .552A being intoxicated while the inmate is assigned to a Residential Community Program
 - xiv. .601 gambling
 - xv. .602 preparing or conducting a gambling pool
 - xvi. .603 possession of gambling paraphernalia

- xvii. .702 unauthorized contacts with the public
- xviii. .705 commencing or operating a business or group for profit or commencing or operating a nonprofit enterprise without the approval of the Administrator
- xix. .706 soliciting funds and/or noncash contributions from donors within or without the correctional facility except where permitted by the Administrator
- xx. .752 giving money or anything of value to, or accepting money or anything of value from, another inmate
- xxi. .753 purchasing anything on credit
- xxii. .754 giving money or anything of value to, or accepting money
- xxiii. .802 attempting to commit, aiding another person to commit or making plans to commit any Category C, D, and or E offense
- 4. Category D: A finding of guilt for any offense in Category D may result in a sanction of one or more of the sanctions listed at N.J.A.C. 10A:4-5.1(l).
 - i. .152 destroying, altering, or damaging government property, or the property of another person
 - ii. .206 possession of money or currency (\$ 50.00 or less) unless specifically authorized
 - iii. .210 possession of anything not authorized for retention or receipt by an inmate or not issued to him or her through regular correctional facility channels
 - iv. .305 lying, providing a false statement to a staff member
 - v. .553 smoking where prohibited
 - vi. .554 possession of tobacco products or matches where not permitted
 - vii. .653 tattooing
 - viii. .709 failure to comply with a written rule or regulation of the correctional facility
 - ix. .802 attempting to commit, aiding another person to commit or making plans to commit any Category C, D, and or E offense
- 5. Category E: A finding of guilt for any offense in Category E may result in a sanction of one or more of the sanctions listed at N.J.A.C. 10A:4-5.1(n).
 - i. .207A possession of money or currency (in excess of \$ 50.00), unless specifically authorized, in a residential community release program
 - ii. .208 possession of property belonging to another person
 - iii. .209 loaning of property or anything of value
 - iv. .213 mutilating or altering clothing issued by the government
 - v. .257 violating a condition of any Residential Community Program and or Residential Community Release Program
 - vi. .301 unexcused absence from work or any assignment; being late for work
 - vii. .302 malingering, feigning an illness
 - viii. .303 failing to perform work as instructed by a staff member
 - ix. .304 use of abusive or obscene language to a staff member
 - x. .451 failure to follow safety or sanitation regulations
 - xi. .452 using any equipment or machinery which is not specifically authorized
 - xii. .453 using any equipment or machinery contrary to instructions or posted safety standards
 - xiii. .651 being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards
 - xiv. .701 unauthorized use of mail or telephone

- xv. .703 correspondence or conduct with a visitor in violation of regulations
- xvi. .707 failure to keep a scheduled appointment with medical, dental or other professional staff
- xvii. .802 attempting to commit, aiding another person to commit or making plans to commit any Category C, D, and or E offense

6. Category F: A finding of guilt for any offense in Category F may result in placement in a treatment program if recommended by appropriate medical staff and/or imposition of one or more of the sanctions for infractions of Category B prohibited acts. If the Disciplinary Hearing Officer offers a substance abuse treatment program/Drug Diversion Program, the Disciplinary Hearing Officer shall also impose sanctions consistent with Category B, which may be suspended for 60 days if the inmate agrees to participate in the prescribed Drug Diversion Program, except for loss of contact visits, which may not be suspended by the Disciplinary Hearing Officer. If the inmate fails to adhere to the requirements of the Drug Diversion Program during the 60-day suspended sanction period, the Disciplinary Hearing Officer shall impose the suspended sanctions. If the prescribed Drug Diversion Program is not completed the inmate shall be subject to the Category B sanction(s) without consideration for time served in the Drug Diversion Program. The Disciplinary Hearing Officer and/or the Administrator shall consider a less restrictive sanction based on the nature of the offense and the inmate infraction history. The Drug Diversion Program is offered to inmates found guilty of Category F infractions on a one-time-only basis. An inmate who repeats offenses in Category F is not eligible for the Drug Diversion Program and the associated suspension of sanctions. If an inmate commits a repeated offense of a Category F infraction, the infraction then becomes subject to Category B sanctions.

- i. *.203 possession or introduction of any prohibited substances, such as drugs, intoxicants, or related paraphernalia not prescribed for the inmate by the medical or dental staff
- ii. *.204 use of any prohibited substances, such as drugs, intoxicants, or related paraphernalia not prescribed for the inmate by the medical or dental staff
- iii. *.205 misuse of authorized medication
- iv. *.258 refusing to submit to testing for prohibited substances
- v. *.259 failure to comply with an order to submit a specimen for prohibited substance testing (see N.J.A.C. 10A:3-5)
- vi. *.261 tampering with a test specimen
- vii. *.551 making intoxicants, alcoholic beverages, or prohibited substances, such as narcotics and controlled dangerous substances or making related paraphernalia
- viii. *.552 being intoxicated
- ix. *.803 attempting to commit, aiding another person to commit, or making plans to commit any Category B offense



STATE OF NEW JERSEY
DEPARTMENT OF CORRECTIONS

259 (p. 1) (new 3/77)
Revised 8/80
Disciplinary Report

A. DISCIPLINARY REPORT - INSTITUTION'S COPY

PRINT CLEARLY

1. NAME OF INMATE (Last, First) :	_____	NO. _____
INSTITUTION:	_____	WING: _____ JOB ASSIGNMENT: _____
2. PROHIBITED ACT (with code number) :	_____	
3. REPORTING EMPLOYEE'S NAME	_____	TITLE: _____
DATE:	_____	SIGNATURE: _____
4. PLACE OF ALLEGED INFRACTION :	_____	DATE: _____ TIME: _____
5. ANY IMMEDIATE SPECIAL ACTION TAKEN:	_____	
AUTHORIZED BY:	_____	DATE: _____ TIME: _____
6. WITNESS(ES), NAME(S) AND NUMBER(S):	_____	
7. PHYSICAL EVIDENCE - DESCRIPTION AND DISPOSITION:	_____	
8. DESCRIPTION OF ALLEGED INFRACTION:	_____	

9. COPY OF THIS REPORT DELIVERED TO ABOVE INMATE BY:	_____	
	Printed Name	
SIGNATURE:	_____	DATE: _____ TIME: _____
INMATE READ "USE IMMUNITY" RIGHTS:	[] YES [] NO	

A. DISCIPLINARY REPORT - INSTITUTION'S COPY
B. INVESTIGATION (reverse side of this sheet)

THERE ARE _____ NUMBER OF ADDITIONAL PAGES ATTACHED TO THIS REPORT.

ESCAPE/WALKAWAY REPORT

Staff reporting:	Today's Date:			
RCRP/MAP Name:	REGIONAL INSTITUTION			
<i>(Your Facility's Name)</i>		<i>(Name of your regional correctional facility)</i>		
This is:	A report of a escape/walkaway that just occurred Update on a previously reported escape/walkaway			
Inmate Name:	DOC#:	SBI#:		
DOB:	Sex:	Race:		
Most Serious Commitment Offense (for current sentence):				
Date inmate transferred into facility:		Date of escape/walkaway:		
Length of time in program:		Time:	AM	PM
Time escape/walkaway was reported to Regional		Person contacted:		
Time escape/walkaway was reported to chief law enforcement official(s):		Person contacted:		
Time escape/walkaway was reported to OCP:		Person contacted:		
Time escape/walkaway was reported to Central Communication(s):		Person contacted:		
Is the resident A304 status?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
Walked away from: (1) Facility (2)Work/School (3)Furlough (4)P.A.C.T. (5)Other Job Search				
If escape/walkaway was from work, furlough or PACT, please answer the following:				
* Name of work, furlough or PACT site:				
* Address of work, furlough or PACT site:				
* Date and time resident signed out of the facility:		DATE:	TIME:	
* Estimated time of arrival (ETA) to work, furlough or PACT site:				
* Did resident contact facility upon arrival?		YES	<input type="checkbox"/>	NO <input type="checkbox"/>
* Provide date and time of first contact call from inmate:		DATE:	TIME:	
* Provide date and time of last contact call from inmate:		DATE:	TIME:	
* Did the facility attempt to contact the resident?		YES	<input type="checkbox"/>	NO <input type="checkbox"/>
* Provide date and time of first contact from facility:		DATE:	TIME:	
* Provide date and time of last contact from facility:		DATE:	TIME:	
* Estimated date and time of return (ETR) to facility:		DATE:	TIME:	
* Did the facility contact the police and/or hospital?		YES	<input type="checkbox"/>	NO <input type="checkbox"/>
* If yes: Time police were contacted:		Time hospital was contacted:		
If escape/walkaway was from facility, please answer the following:				
* Location of the resident at the last head count:				
* Time of head count:				
* Name of staff member who conducted the head count:				
* How resident exited the facility (front/side door, front/back window, etc.):				

ESCAPE/WALKAWAY REPORT

Describe the type of escape/walkaway:

- (1) ☐ Unauthorized leave from the facility *with* an apparent intention to return
(evidence indicating that the inmate decided to sneak out to run an errand or see a friend)
- (2) ☐ Unauthorized leave from the facility *without* an apparent intention to return (empty locker or other
information leading to this conclusion) Resident escape/walkaway through a side door
- (3) ☐ Returned from an off-site activity (work, furlough, P.A.C.T., etc.) more than two hours after the
designated time of return without having received an extension from the Director or Designee
- (4) ☐ Failed to return from an off-site activity (work, furlough, P.A.C.T., etc.
Resident did not return from work as scheduled at 7:00 p.m.

At the time of this report, was the offender still at large? ☐ YES ☐ NOIf no, did the offender turn himself/herself in to the authorities? ☐ YES ☐ NO

Details of Escape/walkaway

Describe any warning signals that preceded the event.

Please list all infractions and incidents involving this resident since the resident entered your facility:

Date that last urine test was conducted:

Email the completed form to OCP staff (See Attached List)
All supporting documentation must be attached

Describe any/all factors (program, treatment operation, etc.) that may have contributed to this event.
Describe a plan and implementation schedule for changes to deter the occurrence of similar events it the future:

Disciplinary/Administrative/Walk-Away Escape Discharge Summary

Inmate Name: _____
 Inmate Number: _____
 Program Start Date: _____

Program Name: _____
 Staff Reporting: _____
 Date of Incident: _____

☐ Disciplinary Return

☐ Administrative Return

☐ Walk-Away/Escape
A. Disciplinary return:

1st Prohibited Act# _____ 2nd Prohibited Act # _____ 3rd Prohibited Act# _____

2. Attach a completed copy of Disciplinary Report Form 259 (Blue Sheet)

B. Administrative Return
☐ Court

☐ Preliminary Postive Screening for: _____

☐ Inmate Request: Attach Inmate Written Request

☐ Open Charges/Detainer

☐ Medical:

☐ OCP Request: Please Specify _____

☐ Institution Request: Please Specify _____

☐ Other: Please Specify: _____

C. Please list all prior in-house infractions/incidents involving this inmate and subsequent interdiction or discipline received. Please provide specific details(not included on the Special Incident-if applicable) regarding the incidents to assist in determing appropriate sanctions.

ONLY THE DIRECTOR MAY COMPLETE THE BELOW SECTION

D. RCRP's specific recommendation to C4 Committee for Community release.

Are you in support of the inmate returning to this facility? (please check one) Yes _____ No _____ If yes, please select a time frame:

☐ 15 Days

☐ 30 Days

☐ 45 Days

If No, please provide a brief explanation:

Print RCRP Director's Name

RCRP Director's Signature

Date

New Jersey Administrative Code

TITLE 10A. CORRECTIONS

CHAPTER 1. ADMINISTRATION, ORGANIZATION, AND MANAGEMENT

SUBCHAPTER 11. PERSONAL PROPERTY OF INMATES

§ 10A:1-11.9 Responsibility for personal property when inmate escapes

(a) When an inmate escapes, the inmate's personal property shall be held at the correctional facility for 30 calendar days.

(b) If the escaped inmate does not return within 30 calendar days to the correctional facility or any other correctional facility within the jurisdiction of the New Jersey Department of Corrections, the inmate's property shall be deemed abandoned property.

(c) Designated staff at the correctional facility may dispose of abandoned personal property by:

1. Donating the personal property to any recognized public charitable organization;
2. Retaining the personal property for use by the general inmate population, such as a typewriter for use in the Inmate Law Library; or
3. Destroying the personal property.

(d) A written notice of final disposition of the escaped inmate's abandoned personal property shall become a permanent part of the inmate's classification folder (see N.J.A.C. 10A:1-11.10).

§ 10A:1-11.10 Responsibility for personal property when an inmate dies

When an inmate dies, personal property shall be distributed in accordance with the provisions set forth in N.J.A.C. 10A:16-7.6, Distribution of money and personal belongings of deceased inmates.

EXHIBIT H

N.J.A.C. 10A:17-7 Inmate Marriage and Civil Union

N.J.A.C. 10A:17-5 Religion

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 17. SOCIAL SERVICES
SUBCHAPTER 7. INMATE MARRIAGE AND CIVIL UNION

§ 10A:17-7.1 Procedure for submitting a request to marry or enter into a civil union

(a) An inmate who is 18 years of age or older and wishes to marry or enter into a civil union while serving a sentence at a State correctional facility shall submit a written request on Form 380-I Marriage/Civil Union Request Form to the Administrator of the correctional facility at which the inmate is currently assigned at least 120 calendar days in advance of the proposed date of the wedding or civil union solemnization.

(b) An inmate may submit a request to marry or enter into a civil union outside of the correctional facility if the inmate is eligible for escorted or unescorted furlough and the correctional facility has a furlough program, or the inmate may submit a request to marry or enter into a civil union within the correctional facility if the inmate is ineligible for furlough or prefers that the marriage ceremony or civil union solemnization be performed at the correctional facility.

(c) An inmate who is confined in a community medical facility may submit a request to marry or enter into a civil union to the Administrator of the correctional facility at which the inmate is currently assigned.

(d) A request to marry or enter into a civil union shall include:

1. The name of the inmate;
2. The number of the inmate;
3. The name of the intended spouse or the partner in a civil union couple;
4. The address of the intended spouse or the partner in a civil union couple;
5. The ages of the intended spouse or the partner in a civil union couple and the inmate;
6. The present marital status of the inmate and the intended spouse or partner in a civil union couple;
7. The proposed date of the ceremony or civil union solemnization, to include:
 - i. A request for approval to use the correctional facility chapel on the proposed date, including the type of ceremony or civil union solemnization preferred, such as civil or religious;
8. The name and credentials of the individual to perform the civil/religious wedding ceremony or civil union solemnization;
9. A summary of the action, if any, the inmate has taken regarding compliance with the requirements for:
 - i. A marriage license or civil union license; and
 - ii. Other provisions of State law;
10. A signed statement from the inmate indicating the inmate and/or intended spouse or partner in a civil union couple will pay in advance all expenses incurred including, but not limited to:
 - i. The marriage or civil union license;
 - ii. The provision of custody staff dependent on the inmate's custody classification (N.J.A.C. 10A:3-9);

- iii. The fee per custody staff which is the maximum salary of a Senior correction officer at time and a half;
- iv. The State vehicle mileage cost established by the Director, Division of Budget and Accounting;
- v. The projected number of meals of the escorts and inmate based on the rate in the current State of New Jersey Travel Regulations; and
- vi. The tolls and parking expenses;
- 11. A signed statement from the inmate indicating there are no legal restrictions, which would prohibit the marriage or civil union under law; and
- 12. If an inmate is confined in a community medical facility at the time he or she submits a request to be married or to enter into a civil union, the inmate shall indicate, based upon the inmate's knowledge of his or her current diagnosis or prognosis whether he or she anticipates that the marriage ceremony or civil union solemnization will likely need to be conducted at the community medical facility.

§ 10A:17-7.2 Decision on requests to marry or enter into a civil union

(a) The decision of approval or disapproval of an inmate's request to marry or enter into a civil union shall be made by the Administrator who shall make use of a designated committee to assist in the decision making. The committee shall consist of:

- 1. The Social Work Supervisor;
- 2. A chaplain;
- 3. A custody staff member with the rank of Lieutenant or above; and
- 4. Any other staff member(s) designated by the Administrator.

(b) Upon receipt of the inmate's request to marry or enter into a civil union, the Administrator shall refer the request to the committee for an in-depth review.

§ 10A:17-7.3 Committee considerations

(a) The committee shall consider an inmate's request to marry or enter into a civil union and submit written recommendations for approval or disapproval to the Administrator within 120 calendar days of the request.

(b) An inmate's request to marry or enter into a civil union may be considered for approval if:

- 1. The inmate does not have any detainers or pending charges that would be legally affected by the marriage or civil union;
- 2. The inmate's marriage or civil union would not interfere with a valid penological interest or present a risk to security or the orderly operation of the correctional facility; and
- 3. The inmate is able to comply with all of the requirements of the State laws governing marriage or civil union.

(c) The committee may hold a premarital conference meeting with the inmate and the intended spouse or partner in a civil union couple at the correctional or community medical facility to clarify any social, legal or financial issues regarding the impending marriage or civil union.

(d) An inmate's request to marry or enter into a civil union may be considered and recommended for approval when the inmate can meet the criteria in (b) above.

§ 10A:17-7.4 Notification of decision

(a) The Administrator or designee shall provide to the inmate written notification of approval or disapproval of the request to marry or enter into a civil union as soon as possible after receiving and reviewing the recommendation of the committee.

(b) The notification shall indicate:

1. Whether the inmate's request for a proposed date of marriage or civil union has been approved;
2. Whether the inmate's request for use of the correctional facility for the marriage ceremony or civil union solemnization on the proposed date is approved; and
3. The time, date and place of marriage or civil union.

(c) If the correctional facility is to be used for the ceremony or solemnization and the date requested by the inmate is in conflict with previously scheduled activities, the Administrator may select an alternate date which is mutually convenient for the correctional facility and the inmate.

(d) The Administrator or designee shall notify the Social Services Supervisor and, if a correctional facility religious ceremony was requested, the correctional facility chaplain of the approval or disapproval of the request to marry or enter into a civil union.

10A:17-7.5 Social Services Department

(a) A staff member from the Social Services Department shall be assigned to act as a liaison to assist the inmate and the intended spouse or partner in a civil union couple and to assist with any social, legal (such as, but not limited to, the marriage license or civil union license requirements), or financial issues regarding the impending marriage or civil union.

(b) If there is to be a civil marriage ceremony or civil union solemnization, the staff member of the Social Services Department shall review, arrange and coordinate plans for the ceremony, the witnesses required by law (see N.J.S.A. 37:1-17), and the request to a civil official who will perform the ceremony or civil union solemnization (see N.J.S.A. 37:1-13 for persons authorized to solemnize marriages or civil unions).

§ 10A:17-7.6 Correctional facility chaplain

(a) If an inmate's request for a religious service or solemnization is approved, the chaplain shall interview the inmate to determine the specific faith-group requirements which need to be met.

(b) The decision as to whether the chaplain shall perform a marriage or civil union is within the chaplain's sole discretion.

(c) The chaplain, clergy or other authorized religious leader scheduled to perform the ceremony or civil union solemnization shall be granted the opportunity to conduct premarital sessions, such as, counseling in preparation for the solemnization of the marriage or civil union. Such sessions shall be arranged in accordance with correctional or community medical facility internal management procedures to ensure the secure and orderly operation of the facility.

(d) The chaplain shall review, arrange or coordinate plans for the ceremony or civil union solemnization, the witnesses required by law (see N.J.S.A. 37:1-17), and the verification of the credentials of the officiating clergy person or authorized religious leader, if the ceremony or civil union solemnization is not to be performed by the chaplain.

§ 10A:17-7.7 Marriage ceremony or civil union solemnization

(a) All aspects of the marriage ceremony or civil union solemnization shall be conducted in accordance with this subchapter and correctional facility/unit internal management and operational procedures, such as, but not limited to, procedures related to visitors to ensure the secure and orderly operation of the facility.

(b) A marriage ceremony or civil union solemnization conducted within the correctional or community medical facility shall be private with no attendant publicity.

(c) The marriage ceremony or civil union solemnization may be performed by one of the following officiants who is authorized by law to perform marriages or civil union solemnizations in the State of New Jersey:

1. The correctional facility chaplain; or
2. A religious leader or other person from the community.

(d) Witnesses and family members shall not exceed six in number, excluding the officiant. For those instances in which the inmate and the intended spouse or partner in a civil union couple have a large number of verified relatives, to include parent, legal guardian, spouse, partner in a civil union couple, child and sibling who wish to attend, the Administrator may authorize family members in excess of six people to attend the marriage ceremony or civil union solemnization.

(e) Pursuant to N.J.A.C. 10A:18-6 and correctional facility internal management procedures regarding visits, the witnesses from the community must be on the inmate's approved visiting list or receive authorization from the Administrator to attend the marriage ceremony or civil union solemnization.

(f) Inmates from the same correctional facility may attend the marriage ceremony or civil union solemnization held at the correctional facility but their attendance shall not increase the maximum total of six witnesses and/or family members. The Administrator may refuse to permit an inmate(s) and/or limit the number of inmates permitted to attend the marriage ceremony or civil union solemnization in order to maintain security and the orderly operation of the correctional facility.

(g) The Administrator may authorize the use of wedding or solemnization attire, flowers, musical instruments, electronic musical equipment, and/or the taking of pictures at the marriage ceremony or civil union solemnization in accordance with the secure and orderly operation of the correctional facility.

(h) Photographers and/or musical groups from the public shall not be permitted to attend the marriage ceremony or civil union solemnization under any circumstances.

(i) The intended spouse or partner in a civil union couple may give the inmate a ring that is a smooth band with no stones to possess and wear. The Supervisor of Chaplaincy shall ensure that the ring is recorded on the inmate's property card.

(j) Pursuant to N.J.S.A. 37:1-17, the person performing the ceremony shall indicate on the certificate of marriage section of the marriage license or the certificate of civil union section of the civil union license, the date and place of the marriage or civil union. The certificate of marriage or the certificate of civil union shall also contain the signature and residence of at least two witnesses who were present at the marriage ceremony or civil union solemnization.

§ 10A:17-7.8 Reception activities and consummation of the marriage or civil union

(a) There shall be no reception activities after a marriage ceremony or civil union solemnization has been performed within a correctional or community medical facility.

(b) The correctional or community medical facility shall not provide accommodations for the consummation of the marriage or civil union following the ceremony.

§ 10A:17-7.9 Fees and costs

(a) The correctional or community medical facility shall not be responsible for any costs related to the marriage or civil union of an inmate.

(b) Financial obligations for such items as marriage licenses, civil union licenses and fees for the person officiating, other than a full or part-time staff member of the correctional facility, shall be assumed by the marriage partners or the partners in a civil union couple.

§ 10A:17-7.10 Inmate name change due to marriage or civil union

(a) Inmates who wish to change their name due to marriage or civil union shall complete the requirements for a legal name change pursuant to N.J.A.C. 10A:6-3 prior to the amendment of Department of Corrections records to reflect the inmate name change

(b) Department of Corrections records and computerized inmate information records shall be amended to reflect the legal inmate name change that has been processed in accordance with this subsection.

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 17. SOCIAL SERVICES
SUBCHAPTER 5. RELIGION

§ 10A:17-5.1 Freedom of religious affiliation and voluntary worship

(a) Each inmate has the right to freedom of religious affiliation and voluntary religious worship while incarcerated, but the exercise of such right may be subject to reasonable restrictions related to penological interests in order to maintain the safe, secure and orderly operation of the correctional facility.

(b) Inmates in the general population of a correctional facility who desire to participate in a religious service, meeting or activity that has been approved by the Administrator or designee shall be permitted to do so unless there is a threat to the safe, secure or orderly operation of the correctional facility.

§ 10A:17-5.2 Religious proselytizing inmate

(a) No person shall disparage an inmate's religious beliefs or deliberately seek to persuade an inmate to change his or her religious affiliation.

(b) While under the jurisdiction of the New Jersey Department of Corrections, an inmate shall not be prevented from voluntarily changing religious preference.

(c) An inmate may change religious affiliation by contacting the chaplain who represents the faith group to which the inmate is seeking affiliation.

§ 10A:17-5.3 Inmate attendance at community religious activities

(a) Inmates in the custody of the Department of Corrections, including satellite units, except as established in (b) below, shall not be permitted to attend worship services and/or religious activities in the community.

(b) Worship service and/or religious activity attendance by inmates residing in residential community programs shall be governed by the contract between the New Jersey Department of Corrections and the provider, and the provisions of N.J.A.C. 10A:20.

§ 10A:17-5.4 Physical facilities and equipment

(a) Dependent upon available resources and consistent with internal discipline, order, safety and security, the correctional facility shall provide adequate space and equipment so as to enable inmates to:

- 1.** Participate in worship services or other religious rites;
- 2.** Receive religious education; and
- 3.** Receive religious counseling.

(b) During all phases of any religious program, the rules and policies related to the internal discipline, order, safety and security of the correctional facility shall be in effect.

§ 10A:17-5.5 Inmate orientation

(a) During orientation, inmates shall be informed of the following:

- 1.** Chaplaincy services;
- 2.** Religious activities; and
- 3.** Other aspects of the religious program.

§ 10A:17-5.6 Scheduling of religious activity

(a) All religious services, activities or meetings shall be coordinated and scheduled by the Supervisor of Chaplaincy Service, chaplain or other designated staff member, subject to approval of the Administrator or designee.

(b) Factors to be considered when scheduling religious activities shall include, but are not to be limited to:

- 1.** Availability of staff;
- 2.** Availability of space;
- 3.** Availability of time; and
- 4.** The maintenance of a secure and orderly operating correctional facility.

(c) The weekly schedule of religious services and activities shall be posted on each housing unit's bulletin area and in other appropriate areas of the correctional facility. The schedule shall indicate the following:

- 1.** Kind of religious service or activity being held;
- 2.** Day(s) provided;
- 3.** Time (beginning and ending);
- 4.** Location; and
- 5.** Person or group conducting activity.

(d) Any additions or changes in religious services and activity shall be promptly posted.

§ 10A:17-5.7 Restrictions on congregate religious services

When, in the opinion of the Administrator or designee, there is substantial evidence that disruptive or illicit activity has occurred or is likely to occur, one or more inmates may have their attendance at group worship restricted or denied, or a scheduled religious service, activity or meeting may be canceled or terminated.

§ 10A:17-5.8 Control of religious ritualistic elements

(a) Religious ritualistic elements, including, but not limited to, sacramental wine, fragrance oil in approved containers and matzo, which are necessary as part of the religious service, may be brought into the correctional facility only by the chaplain or a volunteer religious group leader from the community. Such elements must be approved by the correctional facility Administrator or designee and the Director, Office of Community Programs and Outreach Services or designee.

(b) The chaplain(s) shall be responsible for the secure storage, issuance, use, and return of religious ritualistic elements to secure storage in compliance with correctional facility internal management procedures.

§ 10A:17-5.9 Religious vegetarian meals

- (a)** An inmate who cannot eat the food served to the general population because of the inmate's religious beliefs may request a steady diet of religious vegetarian meals that shall be provided on a continuing basis. Upon review and approval of the request by the chaplain of the correctional facility in accordance with this subchapter, a nutritionally balanced vegetarian meal(s) shall be provided to the inmate in place of the meal served to the general population.
- (b)** A vegetarian entree shall be provided at each of the three meals of the day (breakfast, lunch and dinner), seven days per week.
- (c)** All vegetarian meals, unless otherwise indicated, will be served as complete meals and not in supplement to, or as a choice between other dietary meals and regular meals.
- (d)** An inmate who wishes to eat a religious vegetarian meal(s) in observance of a specific religious holiday(s) or holy day(s), may request such a meal(s) for the holiday(s) or holy day(s). A request for such a meal(s) must be submitted to the chaplain 30 calendar days prior to the religious holiday(s) or holy day(s) on Form 370-I and shall include the specific beginning and end date(s) of the religious holiday(s) or holy day(s).

§ 10A:17-5.10 Request for placement on and removal from the religious vegetarian meal list

- (a)** In order to be considered for placement on the list of inmates who are approved to receive a steady diet of vegetarian meals on a continuing basis, the inmate must complete Sections I and II of Form 370-I Religious Vegetarian Meals, which may be obtained on request from the housing unit Social Worker.

- (b)** The inmate shall forward Form 370-I Religious Vegetarian Meals, with Sections I and II completed, to the correctional facility chaplain for review.
- (c)** The chaplain may interview an inmate who has requested placement on the list of inmates approved for a steady diet of vegetarian meals on a continuing basis if deemed necessary. In no case shall the interview be used to proselytize the inmate.
- (d)** The approved Form 370-I Religious Vegetarian Meals shall be forwarded by the chaplain to the Institutional Classification Committee (I.C.C.) and the chaplain shall notify the inmate.
- (e)** The Institutional Classification Committee shall submit the name of an inmate who has been approved for a steady diet of vegetarian meals on a continuing basis to the Food Service Department.
- (f)** The disapproved Form 370-I Religious Vegetarian Meals shall be forwarded by the chaplain to the Classification Department and the chaplain shall notify the inmate. The chaplain's decision is not subject to being overruled by the Institutional Classification Committee (I.C.C.).
- (g)** Disapproved requests for a steady diet of religious vegetarian meals on a continuing basis may be appealed by the inmate in writing to the Administrator or designee. The Administrator or designee shall approve or disapprove the appeal within five business days and provide a written statement of reasons for the decision.
- (h)** Any inmate who wishes to be added or deleted from the list of inmates approved for a steady diet of vegetarian meals on a continuing basis shall provide 30 calendar days written notice to the correctional facility chaplain using Form 370-I Religious Vegetarian Meals.
- (i)** An inmate who is receiving a steady diet of religious vegetarian meals on a continuing basis is not permitted to possess, purchase from the commissary, or consume food that is prohibited by the inmate's religious dietary laws. Documentation of any violation of this provision shall

result in removal of the inmate's name from the list of inmates approved for the steady diet of religious vegetarian meals on a continuing basis and the inmate shall not be eligible to reapply for 90 calendar days.

§ 10A:17-5.11 Religious holidays

(a) Religious holidays of recognized faith groups shall be acknowledged.

(b) Special religious services or activities may be scheduled for inmates of a particular faith so those inmates may observe their religious holidays. The scheduling of these special religious services and activities shall depend upon the following:

- 1.** Availability of correctional facility space;
- 2.** Availability of staff for supervision; and
- 3.** Other essential operational considerations.

§ 10A:17-5.12 Receiving and sending religious material

(a) Inmates shall be permitted to receive through the mail and retain religious literature and the indicia of religion, such as missals, prayer books, shawls and prayer rugs.

(b) Inmates shall be permitted to send out of the correctional facility religious literature or indicia of religion, such as missals, prayer books, shawls and prayer rugs.

(c) The receipt, retention or sending out of religious material is subject to the restrictions and procedures in N.J.A.C. 10A:3-6 Contraband and Disposition of Contraband, and N.J.A.C. 10A:18 Mail, Visits and Telephone.

§ 10A:17-5.13 Interfaith religious activity within the correctional facility

(a) Although the chaplain shall serve the correctional facility as a minister of the faith that he or she represents, the chaplain shall not limit counseling, pastoral or other ministerial activities and/or responsibilities to inmates of the chaplain's religious preference and affiliation.

(b) Where only one chaplain serves the correctional facility, he or she shall cooperate with representatives of other faith groups that have been approved to minister to inmates in the correctional facility.

(c) Inmates of various religious preferences and affiliations shall be permitted to participate in the religious activities and services of other faith groups whenever it is feasible and appropriate.

(d) No person shall disparage the beliefs of an inmate participating in the authorized religious activities and/or services of other faith groups or deliberately seek to persuade an inmate to change religious affiliation.

(e) No chaplain(s) or religious volunteer(s) shall teach or interpret the beliefs or practices of a faith other than their own faith.

§ 10A:17-5.14 Community volunteers for religious activities

(a) Community volunteers for religious activities shall be recruited, oriented, trained and evaluated in accordance with N.J.A.C. 10A:17-2 Volunteer Service Program.

(b) The chaplain shall be the immediate supervisor of volunteers for religious activities, and shall familiarize the volunteers with the rules in this subchapter and any other internal management procedures pertaining to religious activities.

§ 10A:17-5.15 Chaplaincy service for inmates confined to the infirmary, hospital, or Close Custody Units

(a) The chaplain shall make services available to all inmates confined to a Close Custody Unit and/or the inmate may request and be provided religious counseling or pastoral services in compliance with N.J.A.C. 10A:5 and 10A:4-10.

(b) The chaplain shall make services available to all inmates confined to the correctional facility infirmary or hospital and inmates may request religious counseling or pastoral services. These services shall be provided by the chaplain. An approved volunteer religious leader from the community may visit inmates confined to these areas with the approval of the Administrator or designee (see N.J.A.C. 10A:18-6.3 and 6.5).

(c) The correctional facility chaplain may visit inmates who are patients in a community hospital and inmates may request religious counseling, inmate marriage information, civil union information or other pastoral services.

(d) The procedure for requesting religious counseling or pastoral services shall be outlined in the Inmate Handbook published pursuant to N.J.A.C. 10A:8-3.

§ 10A:17-5.16 Chaplaincy services for inmates in satellite units

Inmates assigned to satellite units may receive counseling or pastoral services provided by the chaplain (see N.J.A.C. 10A:17-6, Correctional Facility/Unit Chaplaincy) or a volunteer religious group leader from the community (see N.J.A.C. 10A:17-2, Volunteer Service Program).

§ 10A:17-5.17 Nontraditional religions

(a) Correctional facility Administrators shall not be required to provide every religious sect or group with:

1. Outside clergy;
2. Space; and/or
3. Schedule time for religious activity.

(b) An inmate belonging to a nontraditional religion and wishing to practice his or her religion may submit a written request to the Administrator or designee. If the Administrator or designee determines, after consultation with the chaplain and the Coordinator, Chaplaincy Services, that the practice of this religion would not threaten or otherwise interfere with the internal discipline, safety, security or orderly operation of the correctional facility/unit the inmate may be permitted to practice his or her religion.

(c) The Administrator or designee shall notify the inmate of the decision. If the request to practice a nontraditional religion is denied, the inmate may appeal the denial to the Religious Issues Committee.

§ 10A:17-5.18 Initiating religious groups within the correctional facility/unit

(a) An inmate who wishes to organize a religious group that is not already officially recognized in the correctional facility/unit shall submit a written request to the Administrator, which contains the following information:

1. The official name of the religious organization or religion;
2. The names of all correctional facility/unit religious group members known to the inmate;

3. The name, address and affiliation of the person(s) who is to lead the religious service who must be able to comply with the procedures established in N.J.A.C. 10A:17-2;
 4. A description of religious beliefs or theology, including religious literature or scripture utilized;
 5. A description of ritual practices, including time and manner of conducting religious services;
 6. A description of any indicia of religion and religious ritualistic elements;
 7. A statement of the group's religious goals and objectives; and
 8. A list of the religious holidays, with explanations as to purpose of each.
- (b)** The Administrator shall, after consultation with the chaplain, the Coordinator, Chaplaincy Services, and the Religious Issues Committee, consider all relevant factors, which shall include, but are not limited to, the following:
1. Safety of inmates and staff;
 2. Security and the orderly operation of the correctional facility; and
 3. The availability of time and space.
- (c)** The Administrator shall determine whether the religious group shall be granted official recognition within the correctional facility and shall provide a written notice of the decision to the following:
1. The chaplain;
 2. The Coordinator, Chaplaincy Services; and
 3. The inmate(s) who submitted the request.
- (d)** In the event the Administrator denies a request for official recognition of a religious group the inmate may appeal the denial to the Religious Issues Committee.

§ 10A:17-5.19 Ministerial services to the staff

Upon request, the chaplain may provide pastoral services to the correctional facility/unit staff, and may be available for counseling in periods of bereavement, emergencies and other crisis situations.

§ 10A:17-5.20 Clergy from the community

- (a)** Clergy from the community who wish to provide ministerial services to an inmate may be approved for a contact visit with an inmate in compliance with N.J.A.C. 10A:18-6.
- (b)** An inmate who wishes to receive visits during regularly scheduled visit times from clergy from the community shall submit to the person designated by the Administrator the name of the clergy to be added to the inmate's visitor list as established in N.J.A.C. 10A:18-6.3.
- (c)** Special visits from clergy from the community must be authorized by the correctional facility Administrator or designee in compliance with N.J.A.C. 10A:18-6.5.
- (d)** Clergy that wish to provide one-on-one ministry to an inmate who was a parishioner prior to the inmate's incarceration shall provide such ministry through either the visit program or through special visits (see N.J.A.C. 10A:18-6.5).

§ 10A:17-5.21 Files and records

- (a)** During reception into a correctional facility, each inmate's religious preference shall be recorded in his or her classification record.

(b) The inmate shall promptly notify the Classification Officer of any change in religious affiliation, which shall then be entered into the inmate's classification record.

(c) The chaplain shall have access to records of inmates in accordance with N.J.A.C. 10A:22-2.6 and any written internal management procedures of the correctional facility. The chaplain may enter into the records any information deemed pertinent to the treatment of inmates.

(d) The chaplain and/or Coordinator, Chaplaincy Services, or designee shall maintain a record of the following:

1. All religious denominations or groups which are represented in the correctional facility;
2. The names, addresses and religious affiliation of all part-time chaplains;
3. Volunteer religious group leaders or groups from the community who are permitted to conduct religious activities in the correctional facility; and
4. Worship services and related activities that are scheduled weekly.

§ 10A:17-5.22 Reports

(a) The Supervisor of Chaplaincy Services, chaplain or other designated staff member shall submit monthly and annual reports of chaplaincy activities to the Administrator or designee.

(b) Copies of monthly and annual reports shall be forwarded by the Supervisor of Chaplaincy Services, chaplain or designated staff member to the Coordinator, Chaplaincy Services.

EXHIBIT I

N.J.A.C. 10A:18-2 Correspondence

N.J.A.C. 10A:18-3 Legal Correspondence

N.J.A.C. 10A:18-6 Visit Privileges

**N.J.A.C. 10A:18-7 Bedside, Private Viewing, and
Funeral Visits**

N.J.A.C. 10A:18-8 Telephone Privileges

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 18. MAIL, VISITS, AND TELEPHONE
SUBCHAPTER 2. CORRESPONDENCE

§10A: 18-2.1 Reserved

§10A: 18-2.2 Limitations on number of correspondents

The number of approved correspondents and the amount of correspondence an inmate may receive or send shall be unlimited.

§10A: 18-2.3 Limitations on number of postage stamps

(a) Each correctional facility shall establish a limit of 80 or less first class postage stamps that inmates may possess consistent with the maintenance of security and the orderly operation of the correctional facility. The total number of stamps that an inmate may possess shall not exceed an amount that is equivalent in value to 80 first class postage stamps.

(b) Postage stamps must be purchased from the correctional facility commissary. No other method of acquiring postage stamps is permitted.

§10A: 18-2.4 Correspondence in language other than English

All State correctional facilities shall permit incoming and outgoing correspondence and electronic correspondence of the inmates to be in a language other than English.

§10A: 18-2.5 Correspondence to or from other inmates

(a) All inmate correspondence to or from other incarcerated inmates may be read to ensure that the correspondence does not contain any content prohibited by N.J.A.C. 10A:18-2.14.

(b) The Administrator/Administrative Unit Supervisor/Director or designee shall be authorized to limit inmate correspondence to or from other inmates for purposes of ensuring the safe, secure and orderly operation of the correctional facility or operational unit.

§10A: 18-2.6 Inspection and identification of incoming correspondence

(a) Each piece of incoming correspondence shall be opened and inspected by designated correctional facility staff.

(b) The sender's name and address and the inmate's name and number should appear legibly on the outside of all incoming correspondence.

(c) The inmate's name and number shall appear on the outside of the incoming correspondence. Correspondence without either the inmate's name or number shall be returned to the sender.

(d) If either the sender's name or address does not appear but the inmate's name and number do appear on the outside of the incoming correspondence, the correspondence may be delivered to the inmate after the correspondence has been opened and inspected for contraband.

(e) When the inmate's name or number and the sender's name and address do not appear on the outside of the incoming correspondence, the correspondence shall be marked "Refused" and returned to the United States Postal Service unopened.

(f) If it is necessary to return correspondence to a sender and the return address is incomplete, the correspondence shall be marked "Refused" and returned to the United States Postal Service unopened.

(g) Incoming correspondence and electronic correspondence shall be opened and inspected for contraband, but it shall not be read unless there is reason to believe that the correspondence contains disapproved content pursuant to N.J.A.C. 10A:18-2.14. If there is reason to believe that the correspondence contains disapproved content, the correspondence shall be read only upon prior authorization of the Administrator, or designee.

(h) A confidential list of the names of inmates whose incoming correspondence is authorized to be read shall be established and maintained in the correctional facility's Special Investigations Division or mail room, or wherever the confidentiality of the list can be maintained.

(i) Incoming electronic correspondence, including emails, e-photos, e-books, and e-videos, are actively viewed and monitored. Delivery of electronic correspondence may be delayed, as its content may be pending review and approval. In addition, if an inmate's privileges and access to electronic communications devices and sending or receiving electronic correspondence are suspended for any reason, such correspondence shall not be sent or delivered.

(j) Electronic correspondence, as set forth at N.J.A.C. 10A:18-6.6(i), should not be used by inmates or attorneys to communicate. In accordance with the service provider's terms of service, all electronic mail shall be viewed and monitored, and the content shall not be treated as legal mail, and shall not be handled as privileged or confidential.

§10A: 18-2.7 Inspection of outgoing correspondence

(a) Outgoing correspondence shall be reviewed by designated correctional facility staff to determine the sender. If the sender of the correspondence cannot be identified, the correspondence shall be destroyed.

(b) Outgoing mail shall not be opened, read or censored if it is considered legal correspondence or if it is addressed to:

1. Public officials such as:

- i.** The President of the United States;
- ii.** The Vice-President of the United States;
- iii.** Members of Congress;
- iv.** The Governor;
- v.** Members of the State Legislature;
- vi.** Members of the County Board of Freeholders; or
- vii.** The Mayor;

2. Governmental agency officials, such as:

- i.** The Director of the Federal Bureau of Prisons;
- ii.** The Commissioner, New Jersey Department of Corrections;
- iii.** The Corrections Ombudsperson;
- iv.** Members of the Federal Parole Board; or
- v.** Members of the State Parole Board; or

3. News media representatives.

(c) Outgoing mail from inmates to public officials, governmental agency officials and news media representatives may be held, for a maximum of 72 hours, in order to verify that the addressee is a legitimate public official, governmental agency official or news media representative.

(d) Any outgoing correspondence addressed to someone other than those cited in (b) above shall not be opened, read or censored unless there is reason to believe that the correspondence contains disapproved content (see N.J.A.C. 10A:18-2.14) and then only with the prior approval of the Administrator or designee.

(e) Outgoing correspondence which is opened pursuant to this subchapter shall, once reviewed and approved, be resealed and mailed promptly.

(f) A confidential list of all correspondence which is read pursuant to this subchapter shall be maintained in the Special Investigations Division of the correctional facility or mail room, or wherever the confidentiality of the list can be maintained.

(g) Outgoing electronic correspondence, including electronic emails, e-photos, e-books, and e-videos, are actively viewed and monitored. Electronic correspondence may be delayed as its content may be pending review and approval.

§10A: 18-2.8 Legal correspondence

Legal correspondence shall be processed in accordance with N.J.A.C. 10A:18-3, Legal Correspondence.

§10A: 18-2.9 Identification of sender of outgoing correspondence

(a) The inmate's name and number or the name of the inmate group shall appear legibly on the outside of all outgoing correspondence.

(b) If an inmate's name and number or the name of the inmate group does not appear on the outside of the correspondence, it shall be opened and examined to identify the sender so that the correspondence can be returned to the inmate or inmate group.

(c) If the inmate or inmate group cannot be identified, the correspondence shall be destroyed.

(d) The full name of the correctional facility shall be clearly stamped or printed in the upper left corner of all outgoing envelopes from inmates or inmate groups.

(e) Electronic emails, e-photos, e-books, and e-videos are actively viewed and monitored. Delivery of electronic correspondence may be delayed as its content may be pending review and approval.

(f) If an inmate's privileges for electronic communications devices and electronic correspondence are suspended or restricted for any reason, related correspondence shall not be sent or delivered.

§10A: 18-2.10 Reserved

§10A: 18-2.11 Registered, certified, preferential, or special delivery mail

(a) All registered, certified, preferential, or special delivery correspondence of a non-legal nature shall be processed as regular mail and the mail room staff shall sign to acknowledge receipt of the correspondence. The inmate shall be required to sign an acknowledgement that he or she received the correspondence.

(b) In instances where the mail room staff is not on duty to sign for registered, certified, preferential, or special delivery correspondence of a non-legal nature, the inmate shall be required to sign for the correspondence to acknowledge receipt.

§10A: 18-2.12 Correspondence processing

(a) Properly identified incoming correspondence and electronic correspondence (see N.J.A.C. 10A:18-2.6) shall be distributed to inmates, and outgoing properly identified correspondence and electronic correspondence (see N.J.A.C. 10A:18-2.9) shall be transmitted or sent to the post office or addressee within one day of receipt in the mail room, excluding weekends, holidays, and during emergency incidents.

(b) Inmates shall not be involved in the processing of either incoming or outgoing correspondence or electronic correspondence.

§10A: 18-2.13 Receipt of funds

(a) Checks, other than personal checks, such as, but not limited to, official State or government checks or checks from a legitimate business or law practice shall be the only approved form of money received through the mail, which can be accepted by the correctional facility for deposit in an inmate's account.

(b) When an inmate receives checks, other than personal checks, by mail, the inmate shall be given a receipt and the funds shall be deposited into the inmate's account.

(c) All cash, money orders, and personal checks sent through the mail to an inmate shall be deemed contraband and processed in accordance with [N.J.A.C. 10A:3-6.6](#).

(d) To fund an inmate's accounts utilizing an electronic funds transfer system will require the information in (d)1 below. A link to the electronic funds transfer system can be found on the Department's website at: <http://www.state.nj.us/corrections/pages/FundOffenders.html>. This electronic transfer system enables the transfer of funds for a fee from personal computers, smartphones, via the Internet, by calling a toll free number, or on a walk-in basis at certain retail stores.

1. The fee to submit funds to an inmate's account utilizing the electronic transfer system varies based on the amount transferred and the method of transfer, as defined in the contract between the State and the system vendor. The table of fees is available on the Department's website listed in (d) above. Regardless of what method of funding is utilized under this subsection, the contributor of funds must submit and register utilizing the following:

- i.** The inmate's identification number;
- ii.** The contributor's name, address, and phone number;
- iii.** An e-mail address and password; and
- iv.** A method to transfer funds electronically (that is, a credit card or debit card).

2. Funds may also be added to an inmate's account for no fee by submitting a money order along with the form available on the Department's website at: <http://www.state.nj.us/corrections/pages/FundOffenders.html>. The money order and deposit form must be submitted via mail to the address on the deposit form.

§10A: 18-2.14 Disapproved correspondence

(a) Any correspondence for an inmate may be withheld in the mail room or taken from an inmate's possession by the correctional facility Administrator, designee, or custody staff if it falls within one of the following categories:

1. The correspondence contains material, which is detrimental to the security and/or order of the correctional facility because it incites violence based upon race, religion, creed or nationality and a reasonable inference can be drawn, based upon the experience and professional expertise of correctional administrators, that it may result in the outbreak of violence within the facility;
2. The correspondence contains information on the following subjects that, based upon the experience and professional expertise of correctional administrators and custody staff and judged in the context of a correctional facility and its paramount interest in security, order and rehabilitation, is detrimental to the secure and orderly operation of the correctional facility:
 - i. Explosives;
 - ii. Weapons;
 - iii. Controlled dangerous substances;
 - iv. Escape plans;
 - v. Lock picking or locking devices;
 - vi. Depictions or descriptions of procedures for the brewing of alcoholic beverages, or the manufacture of drugs; or
 - vii. Anything that might pose a threat to the safety, security or orderly operation of the correctional facility;
3. The correspondence contains information which appears to be written in code;
4. The correspondence contains information concerning activities within or outside the correctional facility which would be subject to criminal prosecution under the laws of New Jersey or the United States;
5. The correspondence incites violence or destructive or disruptive behavior toward:
 - i. Law enforcement officers;
 - ii. Department of Corrections or contract vendor personnel;
 - iii. Correctional facility inmates, visitors and/or volunteers; or
 - iv. Correctional facility protocols, programs or procedures; or
6. The correspondence contains material, which, based upon the experience and professional expertise of correctional administrators and judged in the context of a correctional facility and its paramount interest in maintaining safety, security, order and rehabilitation:
 - i. Taken as a whole, appeals to a prurient interest in sex;
 - ii. Lacks, as a whole, serious literary, artistic, political or scientific value; and
 - iii. Depicts, in a patently offensive way, sexual conduct, including patently offensive representations or descriptions of ultimate sexual acts, masturbation, excretory functions, lewd exhibition of the genitals, child pornography, sadism, bestiality or masochism.

§10A: 18-2.15 Control of correspondence

- (a) Except as established in (b) below, incoming correspondence which is withheld from an inmate shall be returned to the sender, together with a notice that the material has been found to violate the Department of Corrections rules governing correspondence.
- (b) If the correspondence is withheld pursuant to N.J.A.C. 10A:18-2.14(a)⁴ for containing information which would be subject to criminal prosecution under the laws of New Jersey or the United States, the correspondence shall be turned over to the Special Investigations Division or Control Unit of the correctional facility for further action.

§10A: 18-2.16 Procedures for handling withheld correspondence

(a) When correspondence violates one of the categories cited in N.J.A.C. 10A:18-2.14 and is withheld in the mail room, the following action shall be taken.

1. The staff member who withholds the correspondence must submit a written report, no later than the end of the shift to the shift commander identifying:

- i.** The correspondence withheld;
- ii.** The inmate's name and number to whom it was addressed;
- iii.** The time and date of withholding; and
- iv.** The category which the correspondence violates.

2. The decision of the staff member shall be reviewed by the shift commander.

3. The correspondence shall be given to the inmate within 48 hours if the shift commander disagrees with the determination of the staff member.

4. The written report shall be initialed and returned to the staff member if the shift commander agrees with the determination.

5. The staff member shall provide the sender, within 72 hours of withholding, with a written notice which identifies:

- i.** The correspondence withheld;
- ii.** The reason for withholding the correspondence; and
- iii.** The right of the sender to appeal this decision within 10 calendar days of the date of the notice.

6. The staff member shall provide the inmate, within 72 hours of the withholding, with a written notice that correspondence has been withheld. The notice must contain the following:

- i.** Name of the sender;
- ii.** Date of the correspondence;
- iii.** Date of the withholding; and
- iv.** A statement that the sender has been notified of the withholding and of the right to appeal.

(b) When incoming electronic correspondence has been withheld from an inmate, it shall be returned to the sender, together with a notice from the vendor's electronic system to the inmate that the material has been found to violate the Department of Corrections' rules governing electronic correspondence.

(c) If only one item within a multipart electronic correspondence violates this chapter, only that item will be discarded/deleted from the correspondence, together with a notice from the vendor's electronic system to the inmate that the material has been found to violate the Department of Corrections' rules governing electronic correspondence.

§10A: 18-2.17 Procedure for handling withheld correspondence removed from the inmate's possession

(a) When correspondence violates one of the categories cited in N.J.A.C. 10A:18-2.14 and is removed from the inmate's possession, the following action shall be taken:

1. The staff member who removes the correspondence from the inmate must submit a written report no later than the end of the shift to the shift commander identifying:

- i.** The correspondence removed;
- ii.** The inmate's name and number from whom it was removed;
- iii.** The time and date of removal; and

- iv.** The category which the correspondence violates.
- 2.** The decision of the staff member shall be reviewed by the shift commander.
- 3.** The correspondence shall be returned to the inmate within 48 hours if the shift commander disagrees with the determination of the staff member.
- 4.** The written report shall be initialed and returned to the staff member if the shift commander agrees with the determination.
- 5.** The staff member shall provide the inmate, within 72 hours of the removal, with a written notice which identifies:
 - i.** The correspondence removed;
 - ii.** The reason for removing it; and
 - iii.** The inmate's right to appeal the removal.

§10A: 18-2.18 Appeal and final disposition

- (a)** When the correspondence has been withheld in the mail room or when correspondence has been removed from the inmate's possession, the sender or inmate may appeal the action of the shift commander to the Administrator within 10 calendar days of the date of notice.
- (b)** The sender or inmate shall be permitted to submit documents in writing to the Administrator that state that the challenged correspondence does not violate the category indicated in the report of the staff member.
- (c)** The Administrator or designee, whose title shall not be lower than an Associate Administrator, Assistant Superintendent or Director of Custody Operations, shall consider the appeal.
- (d)** The Administrator or designee shall issue a written decision on the appeal and shall respond to the sender or inmate, as appropriate, within 72 hours of receipt of the written appeal. If the decision is to withhold the correspondence from the inmate, the decision shall contain a specific finding that the correspondence violates the category indicated in the report of the staff member.
- (e)** If a correspondence is found to be objectionable only in part and such part is easily separable from the rest of the correspondence, the sender or inmate, as appropriate, shall be given the choice of whether to allow the correctional facility to excise the offending portions or to forfeit the inmate's right to the correspondence.
- (f)** When an electronic correspondence has been discarded/deleted, returned to sender, or when correspondence has been removed from the inmate's possession, the inmate may appeal the action of the custody review team to the Administrator within 10 calendar days of the date of notice.
- (g)** The inmate shall be permitted to submit documents, in writing, that state the challenged electronic correspondence does not violate policy.
- (h)** If the decision is upheld to discard/delete or return the correspondence to the sender, the decision shall contain a specific finding that the correspondence violates this chapter.

§10A: 18-2.19 Forwarding correspondence to an inmate transferred to another correctional facility

- (a)** Whenever an inmate is transferred from one correctional facility to another, the inmate shall be responsible for notifying correspondents of the change of address.

(b) For a period not to exceed three months, the correctional facility from which the inmate is transferred shall forward all incoming correspondence to the correctional facility to which the inmate has been transferred.

(c) Any correspondence received after the three month period shall be returned to the sender. If the sender cannot be identified, the correspondence shall be marked "Refused" and returned to the United States Postal Service unopened.

§10A: 18-2.20 Forwarding correspondence to an inmate released on parole or at expiration of maximum sentence

(a) Designated staff at each correctional facility shall obtain an inmate's forwarding address at or about the time of the inmate's release on parole or at the expiration of the inmate's maximum sentence.

(b) The inmate shall be asked whether correspondence received at the correctional facility should be forwarded to the inmate.

(c) Upon the inmate's request, correspondence shall be forwarded.

(d) Certified or registered mail shall not be forwarded, but shall be returned to the sender.

(e) Correspondence shall be forwarded for a maximum of three months from the date of the inmate's release. Correspondence received thereafter shall be returned to the sender. If the sender cannot be identified, the correspondence shall be marked "Refused" and returned to the United States Postal Service unopened.

§10A: 18-2.21 Forwarding correspondence to an inmate remanded to a close custody unit

(a) When an inmate is remanded to a county jail or other facility in which he or she is temporarily detained to await trial for a prior offense or for any other reasons, correspondence received for the inmate at the correctional facility shall be forwarded to the other facility, upon the inmate's request.

(b) Designated staff at the correctional facility shall develop written procedures for forwarding an inmate's correspondence when the inmate is remanded to a close custody unit. These procedures shall include a form that the inmate shall sign before the inmate is transferred to the other facility indicating whether the inmate wishes correspondence forwarded.

§10A: 18-2.22 Forwarding correspondence of an inmate who has escaped

(a) All incoming correspondence addressed to an inmate who has escaped from a correctional facility shall be returned to the sender with an indication that the inmate is no longer in custody.

(b) If the incoming mail does not have a return address, it shall be opened to determine the sender.

(c) If the sender cannot be identified, the correspondence shall be resealed and returned to the United States Postal Service.

§10A: 18-2.23 Correspondence to and from illiterate inmates

(a) If an inmate is unable to read or write, the social worker assigned to the inmate's housing unit shall, upon request, assist the inmate in maintaining community ties by:

1. Writing a letter as dictated by the inmate; and
2. Reading incoming correspondence to the inmate.

§10A: 18-2.24 Cost of mailing correspondence for nonindigent inmates

(a) If a nonindigent inmate has funds in his or her account, the nonindigent inmate shall be charged for the cost of mailing correspondence.

(b) If the nonindigent inmate has temporarily overdrawn the account or has a balance in the account, but the balance is not sufficient to pay the total cost of mailing the correspondence, the correctional facility shall:

- 1.** Ensure that the correspondence is mailed via First Class or standard mail whichever costs less;
- 2.** Remove from the nonindigent inmate's account the amount available in accordance with (c) below;
- 3.** Charge the nonindigent inmate's account the amount owed the correctional facility; and
- 4.** Advise the nonindigent inmate in writing of the amount owed and the reason therefor.

(c) Until the correctional facility has been reimbursed in full for the cost of mailing correspondence via First Class or standard mail whichever is lower, the Business Manager or designee shall:

- 1.** Remove from the nonindigent inmate's account any amount of funds in excess of the one time monthly amount of \$ 15.00 for reimbursement for the full cost of mailing correspondence in accordance with N.J.A.C. 10A:2-2;
- 2.** Note in the nonindigent inmate's account each removal of funds from an inmate's account;
- 3.** Provide to the nonindigent inmate a monthly account statement to include each removal of funds for the cost of mailing correspondence from the nonindigent inmate's account; and
- 4.** Reimburse to the correctional facility the funds collected from the inmate for the cost of mailing correspondence. Reimbursements shall be made in accordance with applicable State and Departmental internal management policies.

(d) Mailing costs are regarded as collectable if a nonindigent inmate is paroled or released prior to making full reimbursement of funds owed for correspondence mailing costs.

§10A: 18-2.25 Cost of mailing correspondence by indigent inmates

(a) For indigent inmates, the correctional facility shall provide letter writing materials and shall assume the cost of mailing not more than 12 letters per month so that the indigent inmate as defined in N.J.A.C. 10A:1-2.2 can maintain community ties with family and personal friends.

(b) The correctional facility shall only assume the cost of First Class or standard postage and shall not assume the cost of postage on:

- 1.** Registered mail;
- 2.** Certified mail;
- 3.** Preferential mail; or
- 4.** Insured mail.

§10A: 18-2.26 Inmate use of interoffice correspondence

(a) Inmates shall not be permitted to use either the pink or the blue and white interoffice envelopes which are purchased for use by State employees.

(b) Inmates using or possessing State interoffice envelopes shall be charged with Prohibited Act .210--possession of anything not authorized for retention or receipt by an inmate or not issued through regular correctional facility channels (See N.J.A.C. 10A:4-4.1).

(c) In instances where a correctional facility provides envelopes to inmate groups, plain white envelopes shall be provided.

(d) Inmates corresponding with Department Central Office staff, or with staff at other correctional facilities, or with the State Parole Board, shall be permitted to use the facility's "truck mail" delivery service, but the inmates must use their own envelopes and mark the envelopes "INTEROFFICE" or "TRUCK MAIL."

(e) Inmates shall not be permitted to use the "truck mail" delivery services to correspond with persons in other State Departments or Agencies or with inmates in other correctional facilities. Inmates attempting to do so shall be charged with Prohibited Act .709--failure to comply with a written rule or regulation of the correctional facility (See N.J.A.C. 10A:4-4.1).

(f) Except as described in (d) above, all outgoing correspondence shall be sent through First Class or standard mail at the inmate's expense.

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 18. MAIL, VISITS, AND TELEPHONE
SUBCHAPTER 3. LEGAL CORRESPONDENCE

§10A: 18-3.1 Reserved

§10A: 18-3.2 Identification of outgoing legal correspondence

- (a) All outgoing legal correspondence shall be clearly marked with the inmate's name and number on the envelope.
- (b) An inmate who is sending legal correspondence out of the correctional facility shall be responsible for clearly marking "legal mail" on the front and back of the envelope.
- (c) The absence of the "legal mail" designation shall not mean that the correspondence may be treated as non-legal correspondence if the address on the envelope clearly indicates that it is being sent to a legal correspondent as enumerated in the definition of "legal correspondence" in N.J.A.C. 10A:1-2.2 or in the definition of "legitimate public official" in N.J.A.C. 10A:18-1.3.

§10A: 18-3.3 Identification of incoming legal correspondence

- (a) The return address on the outside of an envelope should clearly indicate that the correspondence is being sent from a legal correspondent as established in the definition for "legal correspondence" in N.J.A.C. 10A:1-2.2.
- (b) Mail sent from a legal correspondent shall be considered legal correspondence and shall be handled in accordance with this subchapter.
- (c) The absence of a particular name of an attorney or judge shall not preclude the correspondence from being treated as legal correspondence if the return address indicates an office or court as established in the definition for "legal correspondence" in N.J.A.C. 10A:1-2.2.

§10A: 18-3.4 Inspection of incoming legal correspondence

- (a) Incoming legal correspondence shall be opened and inspected by designated correctional facility staff for contraband only.
- (b) Incoming legal correspondence shall be opened and inspected only in the presence of the inmate to whom it is addressed.
- (c) Incoming legal correspondence shall not be read or copied. The content of the envelope may be removed and shaken loose to ensure that no contraband is included. After the envelope has been inspected the correspondence shall be given to the inmate.
- (d) The correctional facility may require that the inmate sign a slip acknowledging receipt of the incoming legal correspondence.
- (e) Where there is substantial reason to believe that the incoming correspondence is not legal in nature or that it contains disapproved content pursuant to N.J.A.C. 10A:18-2.14, the Administrator shall immediately notify the appropriate Assistant Commissioner. The incoming legal correspondence shall not be inspected in a manner other than as outlined in this subchapter without first obtaining instructions from the appropriate Assistant Commissioner.
- (f) The New Jersey Department of Corrections (NJDOC) reserves the right to access, read, preserve, and disclose any information as it reasonably believes is necessary to:

1. Detect, prevent, or otherwise address fraud or security issues (including, without limitation, the filtering of messages and attachments);
2. Satisfy any applicable law, regulation, legal process, or governmental request;
3. Enforce this chapter, including investigation of potential violations thereof;
4. Respond to user support requests; or
5. Protect the rights, property, or safety of the vendor and the facilities.

(g) Incoming correspondence shall be opened and inspected for contraband, but it shall not be read, unless there is reason to believe that the correspondence contains disapproved content pursuant to N.J.A.C. 10A:18-2.14. If there is reason to believe that the correspondence contains disapproved content, the correspondence shall be read only upon prior authorization of the Administrator, or designee.

(h) Incoming electronic correspondence, including electronic emails, e-photos, e-books, and e-videos are actively viewed and monitored in accordance with the service provider's terms of service. Delivery of electronic correspondence may be delayed as its content may be pending review and approval. In addition, if an inmate's privileges and access to electronic communications devices and sending or receiving electronic correspondence are suspended for any reason, such correspondence shall not be sent or delivered.

§10A: 18-3.5 Certified, preferential, insured, or registered mail

(a) Legal correspondence need not be sent by certified or registered mail.

(b) If an inmate has sufficient funds in his or her account to cover the costs of mailing and the inmate prefers to use certified, preferential, insured, or registered mail, the inmate shall be permitted to do so at his or her expense.

§10A: 18-3.6 Proof of service

Inmates who have insufficient funds to send legal correspondence as certified or registered mail and who are concerned that they have no proof of service where regular mail is employed, shall be advised that under the rules of court, an affidavit of service filed with the clerk of the court shall be sufficient proof of service.

§10A: 18-3.7 Cost of mailing legal correspondence for nonindigent inmates

(a) If a nonindigent inmate has funds in his or her account, the nonindigent inmate shall be charged for the total cost of mailing legal correspondence.

(b) If the nonindigent inmate has temporarily overdrawn his or her account or has a balance in the account, but the balance is not sufficient to pay the total cost of mailing the legal correspondence, the cost of mailing shall be handled in accordance with N.J.A.C. 10A:18-2.24.

§10A: 18-3.8 Cost of mailing legal correspondence by indigent inmates

(a) The correctional facility shall provide letter writing materials and shall assume the cost of mailing legal correspondence for indigent inmates as defined in N.J.A.C. 10A:1-2.2.

(b) The cost of mailing legal correspondence shall extend only to First Class or standard postage and shall not include:

1. Registered mail;
2. Certified mail;
3. Preferential mail; or

4. Insured mail.

§10A: 18-3.9 Forwarding legal correspondence to an inmate transferred to another correctional facility

(a) Whenever an inmate is transferred from one correctional facility to another, the inmate shall be responsible for notifying his or her correspondents of the change of address.

(b) For a period not to exceed three months, the correctional facility from which the inmate is transferred shall forward all regular incoming legal correspondence to the correctional facility to which the inmate has been transferred.

(c) Any legal correspondence received after the three month period shall be returned to the sender.

§10A: 18-3.10 Forwarding legal correspondence to an inmate released on parole or released after expiration of maximum sentence

(a) The correctional facility shall obtain an inmate's forwarding address at or about the time of the inmate's release on parole or at the expiration of the inmate's maximum sentence.

(b) The inmate shall be asked whether legal correspondence received at the correctional facility should be forwarded to him or her.

(c) Upon the inmate's request, the correctional facility shall forward the legal correspondence to him or her.

(d) The correctional facility shall not forward certified or registered mail, but shall return it to the sender.

(e) Legal correspondence shall be forwarded for a maximum of three months from the date of the inmate's release. Legal correspondence received thereafter shall be returned to the sender.

§10A: 18-3.11 Forwarding legal correspondence to an inmate remanded to a close custody unit

(a) When an inmate is remanded to a county jail or other facility in which he or she is temporarily detained to await trial for a prior offense or for any other reasons, legal correspondence received for the inmate at the correctional facility shall be forwarded to the other facility, upon the inmate's request.

(b) Designated staff at the correctional facility shall develop written procedures for forwarding an inmate's legal correspondence when the inmate is remanded to a close custody unit. These procedures shall include a form that the inmate shall sign before the inmate is transferred to the other facility indicating whether the inmate wishes the legal correspondence forwarded.

§10A: 18-3.12 Forwarding legal correspondence to an inmate who has escaped

(a) All incoming legal correspondence addressed to an inmate who has escaped from a correctional facility shall be returned to the sender with an indication that the inmate is no longer in custody.

(b) If the incoming legal correspondence does not have a return address, it shall be opened to determine the sender.

(c) If the sender cannot be identified, the correspondence shall be destroyed.

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 18. MAIL, VISITS, AND TELEPHONE
SUBCHAPTER 6. VISIT PRIVILEGES

§ 10A:18-6.1 Inmate visit privileges

- (a)** Inmates shall be informed of new or revised rules and procedures regarding visits by posting appropriate notices in each housing area and other appropriate areas of the correctional facility.
- (b)** Notice of new or revised rules and procedures regarding visits shall be given to each Inmate Liaison Committee. These Committees shall be responsible for notifying the inmate population.
- (c)** During the admission orientation program, new inmates shall be given a description and explanation of the rules and procedures regarding visits.
- (d)** New or revised rules and procedures regarding visits shall be incorporated into the next revision of the Inmate Handbook.
- (e)** Written visit regulations shall be available for all staff, inmates, and visitors.
- (f)** Visitation privileges shall be afforded to inmates who have not had their contact visit privileges suspended as part of a disciplinary sanction(s) as set forth at N.J.A.C. 10A:4-5.1.
 - 1.** Contact visit privileges shall be afforded to those inmates who do not represent a substantial security risk.
 - 2.** Non-contact visit privileges shall be afforded to those inmates classified as high risk inmates who present a substantial security risk.
- (g)** All visitation privileges can be suspended as part of a disciplinary sanction as set forth at N.J.A.C. 10A:4-5.1.

§ 10A:18-6.2 List of visitors

- (a)** Upon admission, inmates are responsible for submitting a list of names and addresses of their potential visitors to the Administrator or designee.
- (b)** Inmates are responsible for submitting any subsequent revisions to their list of visitors in accordance with internal management procedures of the correctional facility.

§ 10A:18-6.3 Approval of potential visitors

- (a)** The correctional facility Administrator or designee may approve the following persons to visit an inmate:
 - 1.** Relatives (see N.J.A.C. 10A:1-2.2). For the purposes of this subchapter, "relative" shall also include grandparents, cousins and aunts and uncles;
 - 2.** Close friends;
 - 3.** Clergy; and
 - 4.** Persons who may have a constructive influence on the inmate.
- (b)** Any person with an adult criminal conviction or who is currently on probation or parole who wishes to visit an inmate shall disclose such criminal history. Such persons shall not be automatically excluded from visiting an inmate. The nature and extent of an individual's criminal record, plus their history of recent criminal activity, shall be weighed against the benefits of visitation in determining visitation eligibility. Failure to provide such disclosure shall result in the visitor being banned from visiting an inmate committed to the custody of the Department of

Corrections for a minimum of 60 days and the visitor shall be required to apply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges.

(c) Persons determined, by substantial evidence, to have a harmful influence upon the inmate or to constitute a threat to the security of the correctional facility shall be banned from visiting an inmate committed to the custody of the Department of Corrections for a minimum of 365 days and the visitor shall be required to apply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges.

(d) At the discretion of the Administrator, former employees of the Department of Corrections may be permitted to visit an inmate. The decision of the Administrator shall be made on a case-by-case basis after due consideration of the security interests involved, and after the Administrator is satisfied that the visit will not pose a threat to the safe, secure and orderly operation of the correctional facility.

(e) Employees of the Department of Corrections who have relatives incarcerated in facilities under the jurisdiction of the New Jersey Department of Corrections shall be permitted to visit an inmate in accordance with [N.J.A.C. 10A:18-6.4](#).

(f) Approval of special visits shall be in accordance with [N.J.A.C. 10A:18-6.5](#).

(g) Approval of visits between incarcerated family members shall be in accordance with [N.J.A.C. 10A:18-6.6](#).

(h) Approval of visits by attorneys and court related persons shall be in accordance with [N.J.A.C. 10A:18-6.7](#).

(i) Approval of visits by children shall be in accordance with [N.J.A.C. 10A:18-6.8](#).

(j) No person shall coerce an inmate to add a potential visitor to their list of visitors.

§ 10A:18-6.4 Employee visits with incarcerated relatives

(a) Employees of the Department of Corrections who have relatives incarcerated in facilities under the jurisdiction of the New Jersey Department of Corrections shall be permitted to visit an incarcerated relative provided the Administrator is satisfied that there is no threat to the orderly operation of the correctional facility.

(b) An employee of the Department of Corrections who wishes to visit a relative incarcerated in a correctional facility under the jurisdiction of the New Jersey Department of Corrections shall submit a written request for permission to visit the incarcerated relative to the Administrator of the correctional facility at which the relative is housed.

(c) The Administrator may schedule the visit during regular visiting hours or at special times, according to the orderly administration and staffing of the correctional facility.

§ 10A:18-6.5 Special visits

(a) Special visits may be authorized by the correctional facility Administrator or designee.

Special visits include:

1. Visits from persons who have come long distances;
2. Visits to hospitalized inmates;
3. Visits to inmates in disciplinary status; and
4. Visits between inmates and:
 - i. Members of the clergy;
 - ii. Social service agency representatives;
 - iii. Prospective employers;
 - iv. Foreign counsels;

- v. Sponsors; and
- vi. Parole advisors.

(b) The Administrator or designee may approve or disapprove a visit from a visitor who accompanies a person on the approved list.

(c) Close Custody visits shall be governed by N.J.A.C. 10A:5, Close Custody Units.

§ 10A:18-6.6 Visits between incarcerated relatives

(a) Visits shall be permitted between incarcerated relatives (see N.J.A.C. 10A:1-2.2) that are incarcerated in facilities under the jurisdiction of the New Jersey Department of Corrections.

(b) The following requirements must be met before visits between incarcerated relatives shall be permitted:

1. Relative relationships must be substantiated by documentation found in the classification folder or from other appropriate resources;

2. Visits must be approved by the Classification Committee(s); and

3. The cost of the visit shall be borne by the inmates involved.

(c) The Business Manager or designee of the correctional facility shall predetermine the expenses involved in arranging a visit between relatives and a detailed statement of expenses shall be prepared in accordance with N.J.A.C. 10A:3-9.13(c).

(d) The frequency, duration and time of the visits must be coordinated between the correctional facilities involved and shall be subject to the other sections of the subchapter.

§ 10A:18-6.7 Attorneys and court related personnel visits

(a) Attorneys licensed in any jurisdiction and representatives of attorneys shall be permitted contact visits during regular business hours when sufficient space and staff are available.

(b) At the request of the attorneys referenced in (a) above, representatives of attorneys may be granted contact visits. Such representatives shall include, but not be limited to, the following:

1. Investigators;

2. Investigative aides;

3. Expert witnesses;

4. Paralegals; and

5. Law students.

(c) A written notice or a telephone request from an attorney shall be required a minimum of 24 hours in advance of an intended visit. The purpose of the advance notice is to ensure the availability of:

1. Space;

2. Staff; and

3. The inmate.

(d) The advance written notice or telephone request from an attorney shall include the following information:

1. Name of the attorney or representative;

2. Name of the inmate to be interviewed;

3. Name of the attorney for whom the representative is acting;

4. Name of the organization the attorney or their representative represents (if any);

5. A written statement from the attorney or their representative providing any disclosures set forth in N.J.A.C. 10A:18-6.3 and 6.9 and affirming compliance with the provisions set forth in this subchapter; and

6. Date and time the interview is sought.

(e) Form 292-I Request for Attorney-Client Contact Visit, is available locally in each correctional facility, and may be used to verify the inmate's desire to meet with the requesting attorney in the context of an attorney-client relationship.

(f) Appropriate identification is required of attorneys and attorney representatives who visit the inmate at a correctional facility.

(g) Contact visits with attorneys or their representatives may be restricted or prohibited when, in the judgement of the correctional facility Administrator or designee, the inmate is exhibiting inappropriate behavior or is especially dangerous, or when necessary to ensure the safe, secure and orderly operation of the correctional facility. Contact visits may also be denied where the attorney or representative poses a threat to the security or orderly operation of the correctional facility.

(h) In those cases in which contact visits have been denied, every effort shall be made to provide a non-contact visit that is consistent with the safe, secure and orderly operation of the correctional facility.

(i) The Administrator or designee may authorize a visit without prior written notice, under exceptional circumstances.

§ 10A:18-6.8 Visits from children

(a) Children under the age of 18 shall not be permitted to visit unless accompanied by an adult family member of the child defined as a "relative." (see N.J.A.C. 10A:18-6.3.)

(b) In unusual circumstances, exceptions to (a) above may be made by special approval of the Administrator or designee.

(c) The adult family member of the child shall be fully responsible for the supervision of the child and for obtaining any parental consent that may be necessary for the child to accompany said family member on the visit.

§ 10A:18-6.9 Notification to prospective visitors

(a) The correctional facility Administrator or designee shall be responsible to write a letter of information, in English and translated into Spanish, which provides the pertinent visit regulations with which prospective visitors should be familiar. This letter shall include, but is not limited to, the:

- 1.** Visiting times;
- 2.** Number of permissible visitors;
- 3.** Guidelines for visits by children;
- 4.** Identification required;
- 5.** Smoking policy;
- 6.** Zero tolerance policies (see N.J.A.C. 10A:4-12);
- 7.** Notification that in accordance with N.J.A.C. 10A:18-6.14, all visitors, their belongings and vehicles are subject to searches while on the premises of a facility under the jurisdiction of the Department of Corrections;

8. Notification that a visitor(s) who enters the premises of a facility under the jurisdiction of the Department of Corrections and refuses to submit to a search shall be:

i. Banned from visiting an inmate committed to the custody of the Department of Corrections for 60 days and required to reapply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges; and

ii. Directed to immediately leave the premises of the facility under the jurisdiction of the Department of Corrections;

9. Notification that a positive indication as a result of a canine search and/or scanning/testing device search is probable cause to believe that criminal activity has or is taking place and, the visitor(s) shall be:

i. Detained;

ii. Subject to search and arrest; and

iii. In accordance with N.J.A.C. 10A:18-6.14, if a controlled dangerous substance is discovered on, in the possession of, or in the vehicle of the visitor(s), the visitor shall be permanently banned from visiting an inmate committed to the custody of the Department of Corrections;

10. Notification that the prospective visitor must provide disclosure as to whether he or she is a volunteer, employee or former employee of the Department of Corrections or any other law enforcement agency, and/or whether he or she has an adult criminal conviction or is currently on probation or parole.

11. Directions to the correctional facility; and

12. Provisions of N.J.S.A. 2C:29-6 which prescribe specific penalties for introducing contraband into a correctional facility.

(b) Copies of the letter of information shall be posted in the visiting areas of the correctional facility.

(c) An inmate may choose one household which shall be notified by correctional facility staff as to the occupants' approval as visitors. The approved visitors shall receive a copy of the correctional facility's letter of information. Such notification shall be transmitted within five business days from the day the inmate is received at the correctional facility.

(d) When an individual is not approved as a visitor, notice of and reasons for the exclusion shall be given to the inmate who submitted the individual's name. The inmate may appeal the decision to the Administrator who shall respond, in writing, within 10 business days of receipt of the appeal.

(e) Procedures on how the inmate can change his or her list of approved visitors shall be incorporated into the Inmate Handbook.

§ 10A:18-6.10 Visitor identification

(a) Adult visitors must have photo identification when visiting an inmate.

(b) One of the following is an acceptable form of visitor identification:

1. A current photo driver's license;

2. A current photo Welfare/Medicaid card;

3. A current employment photo I.D. card;

4. A current passport; or

5. A photo identification card issued by a municipal, county, State or Federal office (such as, but not limited to, a non-driver photo ID issued by a State motor vehicle agency).

(c) Social Security cards shall not be used as a means of identification.

(d) Inability to establish identity should be reported to the Administrator or designee.

§ 10A:18-6.11 Visiting schedule

(a) The Administrator shall establish a visiting schedule consistent with the orderly and efficient operation of the correctional facility.

(b) When the restriction of visiting on scheduled visit days is a hardship to a visitor, arrangements for suitable hours on other days may be made.

(c) Evening visit schedules may be established where the number of staff permit.

(d) Limitation on the length or frequency of visits may be imposed to avoid overcrowded conditions in the visiting area(s) or when deemed necessary by the Administrator or the highest ranking administrator on duty.

§ 10A:18-6.12 Number of visitors

(a) The Administrator shall establish written regulations as to the maximum number of persons who may visit an inmate at one time.

(b) These regulations should be interpreted flexibly because their purpose is to prevent overcrowding in the visiting room or unusual difficulty in supervising a visit.

§ 10A:18-6.13 Treatment of visitors

All correctional staff members shall treat visitors in a professional, dignified, courteous and respectful manner.

§ 10A:18-6.14 Search of visitors

(a) Signs written in English and Spanish shall be posted in both the visiting area and visiting entrances stating that, as a condition of visitation, all visitors, their belongings and vehicles are subject to search(es) while on the premises of the Department of Corrections.

(b) All visitors entering the premises of a facility under the jurisdiction of the Department of Corrections shall be required to submit to a search(es), such as, but not limited to, a passive canine, scanning/testing device and pat search.

(c) If a visitor refuses to submit to a search, and there is no reasonable suspicion that the visitor is in possession of contraband, the visitor shall be directed to immediately leave the premises of the facility under the jurisdiction of the Department of Corrections. No visit shall be permitted, the visitor shall be banned from visiting an inmate(s) committed to the custody of the Department of Corrections for 60 calendar days and the visitor shall be required to reapply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges.

(d) A male or female custody staff member(s) or scanning/testing device operator(s) may be assigned to conduct scanning/testing device searches of visitors regardless of the gender of the visitors as long as no physical contact is required. A custody staff member of the same gender shall be assigned to conduct searches of visitors that require physical contact, such as, but not limited to, pat searches.

(e) In the event that a custody staff member with the rank of Sergeant or above receives information sufficient to form reasonable suspicion that a visitor is carrying contraband, or when contraband has been detected or indicated on a visitor, the visitor shall be pat searched. If contraband is discovered during the pat search of the visitor, the visitor shall be detained and the Special Investigations Division Investigator shall be contacted.

(f) In the event a correctional facility staff member receives information, which leads the staff member to believe that a visitor will be concealing contraband on his or her person, the Administrator or designee shall be contacted immediately. The Administrator or designee shall

contact the chief or designee of the Special Investigations Division who shall then contact the appropriate office of the county prosecutor having jurisdiction. Upon issuance of an appropriately executed search warrant, a Special Investigation Division Investigator shall be present at the correctional facility before and during the conducting of the strip search.

(g) An approved strip search shall be conducted in private by a custody staff member(s) of the same gender as the visitor. No member of the opposite gender of the visitor shall be present in the room during the approved strip search.

(h) All contraband discovered during the search of a visitor shall be confiscated by the custody staff member performing the search, and a written report shall be submitted to the Administrator.

(i) The written report shall specify:

1. The name of the custody staff member who performed the search;
2. The name of the inmate who was to receive the visit;
3. The name and address of the visitor who was searched;
4. The time of the search;
5. The type of search and scanning/testing device used, if any, and the results if any;
6. The description of the items confiscated; and
7. The specific reason for confiscating the items.

(j) All contraband and evidence seized shall be turned over to the Special Investigations Division Investigator.

(k) If a controlled dangerous substance is discovered on, in the possession of, or in the vehicle of a visitor(s) who is on the premises of a facility under the jurisdiction of the Department of Corrections:

1. The Special Investigations Division shall immediately be contacted;
2. The visitor(s) shall be detained;
3. The visitor(s) shall be subject to search and arrest;
4. No visit shall be permitted; and
5. The visitor(s) shall be permanently banned from visiting an inmate(s) committed to the custody of the Department of Corrections.

(l) The Administrator shall decide whether the visitor shall continue to have visitation privileges except as established in (k) above and in the case of a termination of contact visits sanction as established in N.J.A.C. 10A:4-5.1(c).

(m) All searches shall be conducted in a professional and dignified manner, with maximum courtesy and respect for the visitor's person.

§ 10A:18-6.15 Search of inmates

All inmates shall be subject to a search(es) such as, but not limited to, a scanning/testing device, canine, passive canine and/or pat search before a visit, and a scanning/testing device, canine, passive canine, pat search and/or strip search after a visit, in accordance with procedures established by N.J.A.C. 10A:3-5, Searches of inmates and facilities.

§ 10A:18-6.16 Supervision of visits

(a) Visits shall be supervised to help prevent the passage of contraband and to ensure the security and orderly operation of the correctional facility.

(b) The staff member in charge of the visiting room shall be responsible for ensuring that all visits are conducted in a quiet, orderly and dignified manner.

(c) The staff member(s) supervising visits should be cognizant of any articles passed between the inmate and the visitor. If there is a reasonable suspicion that articles are being passed which constitute contraband or are otherwise in violation of the law or regulations, the articles shall be confiscated and examined.

(d) Handshaking, embracing and kissing shall be permitted, within appropriate bounds, at the beginning and end of the visit in order to minimize the opportunity to introduce contraband into the correctional facility.

1. An inmate and visitor may hold hands during the visit.
2. Time restrictions regarding contact shall not apply to small children.

§ 10A:18-6.17 Play areas for children

If a correctional facility provides play areas for children of visitors, signs shall be posted in both English and Spanish stating that children who use the area must be supervised by the parents or a relative and that the area and equipment are used at their own risk.

§ 10A:18-6.18 Gifts of money from visitors

(a) A visitor(s) may only bring a check, other than a personal check, such as, but not limited to, official State or government checks or checks from a legitimate business or law practice to the correctional facility for deposit in an inmate's account. Cash and money orders shall not be accepted.

(b) When a visitor(s) brings a check, other than a personal check, for deposit in the inmate's account, the correctional facility shall:

1. Accept the funds;
2. Establish and/or maintain an appropriate record of funds received;
3. Issue a signed receipt to the visitor(s); and
4. Retain a copy of the receipt.

(c) Each correctional facility may place a limit on the amount of funds which an inmate is permitted to receive, per day, from one visitor or a combination of visitors.

(d) To fund an inmate's accounts utilizing an electronic funds transfer system will require the information in (d)1 below. A link to the electronic funds transfer system can be found on the Department's website at: <http://www.state.nj.us/corrections/pages/FundOffenders.html>. This electronic transfer system enables the transfer of funds for a fee from personal computers, smartphones, via the Internet, by calling a toll free number, or on a walk-in basis at certain retail stores.

1. The fee to submit funds to an inmate's account utilizing the electronic transfer system varies based on the amount transferred and the method of transfer, as defined in the contract between the State and the system vendor. The table of fees is available on the Department's website listed in (d) above. Regardless of what method of funding is utilized under this subsection, the contributor of funds must submit and register utilizing the following:

- i. The inmate's identification number;
- ii. The contributor's name, address, and phone number;
- iii. An e-mail address and password; and
- iv. A method to transfer funds electronically (that is, a credit card or debit card).

2. Funds may also be added to an inmate's account for no fee by submitting a money order along with the form available on the Department's website at:

<http://www.state.nj.us/corrections/pages/FundOffenders.html>. The money order and deposit form must be submitted via mail to the address on the deposit form.

§ 10A:18-6.19 Denial, termination or suspension of a visit

(a) An inmate's visiting privileges shall not be denied because of a violation of correctional facility regulations, other than those regulations specifically related to or concerned with visiting privileges, except in the case of a termination of contact visits sanction as established in [N.J.A.C. 10A:4-5.1\(c\)](#).

(b) A visit may be denied, terminated or suspended and a visiting privilege suspended under the following circumstances:

1. The visitor(s) is under the influence of drugs or alcohol;
 2. Space is unavailable;
 3. The visitor(s) refuses to submit to search procedures;
 4. The visitor(s) refuses or fails to produce sufficient identification or falsifies identifying information;
 5. The visitor has failed to provide any disclosures required by [N.J.A.C. 10A:18-6.3](#) and [6.9](#);
 6. The inmate has not complied with the provisions at [N.J.A.C. 10A:18-6.2](#) to request the addition of a potential visitor to their visitor list;
 7. The visitor has been banned from visiting an inmate for a designated period of time and has failed to apply for reinstatement of visit privileges in accordance with [N.J.A.C. 10A:18-6.3](#);
 8. When no contact between the visitor and the inmate has been ordered by a court of jurisdiction;
 9. The visit rules of the correctional facility are violated by the visitor, provided that such rules are posted;
 10. Children are disturbing other persons in the correctional facility or visiting area;
 11. Physical contact between the visitor and inmate that is in excess of [N.J.A.C. 10A:18-6.16\(d\)](#);
 12. Any action that affects the ability of the staff to ensure the safe, secure and orderly operation of the correctional facility and the visiting room; or
 13. A violation of the Zero Tolerance Drug/Alcohol Policy as defined in [N.J.A.C. 10A:1-2.2](#).
- (c)** Except in the case of a termination of contact visits sanction as established in [N.J.A.C. 10A:4-5.1\(c\)](#), prior to the denial or termination of visiting privileges for circumstances listed in (b) above, less restrictive action should be instituted. Such action may include:
1. Warning the inmate and/or visitor of improper conduct; and/or
 2. Transferring the visit to a non-contact visiting area.

§ 10A:18-6.20 Request to reinstate contact visit privileges

(a) An inmate may request the reinstatement of contact visit privileges that were terminated in accordance with [N.J.A.C. 10A:4-5.1](#) and 12. After 365 days from the date the sanction was imposed, the inmate may forward a written request for reinstatement of contact visit privileges to the Administrator or designee. If a request is not produced by the inmate, no consideration of reinstatement shall be extended. The Administrator or designee shall review and approve or disapprove the reinstatement of contact visit privileges. The inmate may appeal the decision of the Administrator or designee to the Assistant Commissioner or designee, Division of Operations.

(b) The reinstatement of contact visit privileges for an inmate who has been found guilty of a second or subsequent prohibited act identified in a zero tolerance policy as established in

N.J.A.C. 10A:4-5.1 and 12 will be considered after the inmate has completed all consecutive sanctions imposed and has submitted a request to the Administrator designee.

§ 10A:18-6.21 Suspension of visiting program under emergency conditions

(a) The Administrator of a correctional facility shall notify the Commissioner of the Department of Corrections whenever the safety, security and orderly operation of the correctional facility is seriously threatened.

(b) The Commissioner shall determine if an emergency exists at the correctional facility and shall make a public declaration to this effect through the Department of Corrections Office of Public Information.

(c) In order to return the correctional facility to a safe, secure and orderly operation, the Administrator may suspend certain programs for the duration of the emergency. The Administrator shall consult with the Commissioner regarding the suspension of programs.

(d) The visiting program, including visits to inmates by attorneys and attorney representatives, may be suspended for the duration of an emergency. Information concerning such suspension shall be made part of the public announcement of an emergency.

(e) A public declaration shall be made through the Department of Corrections Office of Public Information when the state of emergency has passed, and the scheduling of visits by attorneys and attorney representatives shall be reinstated beginning no later than 24 hours from this public declaration. A statement to this effect shall be made in the public declaration.

(f) The public declaration that the state of emergency has passed shall also contain a statement as to whether the visiting program shall be reinstated. If the visiting program is not to be reinstated, a second public declaration shall be made announcing the date that the visiting program shall be reinstated.

(g) The scheduling of visiting, in terms of the number of visitors, times of visitation and frequency of visits, shall be subject to special conditions as determined by the Administrator in consultation with the Commissioner. Efforts shall be made to supply all such pertinent information in the public declaration announcing reinstatement of the visiting program.

§ 10A:18-6.22 Video visit availability, monitoring, restrictions, and limitations

(a) Video visits are available only in a limited number of correctional facilities, at this time, that have the network capacity and necessary vendor-provided equipment. Inmates should check their correctional facility and unit specific Inmate Handbooks for availability, as well as any additional restrictions or limitations that may apply.

(b) Video visits are monitored and recorded for the entire video visit session. Conduct that is inappropriate in any manner, including indecent exposure will not be tolerated. If, at any time during a video visit, the custody officer deems an inmate's conduct is inappropriate, the video session will be subject to immediate termination without warning. If the video session is terminated for inappropriate conduct, related costs will not be refunded.

(c) Inmates shall not agree to, authorize, or encourage any third-party to:

- 1.** Use the video visit service to transmit any content that is unlawful, defamatory, harassing, abusive, fraudulent, obscene, or is otherwise objectionable; or
- 2.** Use the video visit service for any fraudulent or inappropriate purpose, or in violation of prohibited acts at N.J.A.C. 10A:4-1.1 or the Inmate Handbook. Violation of this paragraph may result in immediate termination of an inmate's, or other user's account, and may subject an inmate, or other user, to State and Federal penalties and other legal consequences.

(d) Video visits service should not be used by attorneys to communicate with incarcerated individuals, as the content of the visit will not be treated as privileged and confidential.

New Jersey Administrative Code

TITLE 10A. CORRECTIONS

CHAPTER 18. MAIL, VISITS, AND TELEPHONE

SUBCHAPTER 7. BEDSIDE, PRIVATE VIEWING, AND FUNERAL VISITS

§ 10A:18-7.1 Reserved

§ 10A:18-7.2 Authority

(a) Pursuant to N.J.S.A. 30:4-8.1, the correctional facility Administrator may, at his or her own discretion, authorize and permit the attendance of an inmate at the bedside of a dying relative, or at a private viewing, when no relatives or friends are present, of a deceased relative as defined in N.J.A.C. 10A:1-2.2 and this subsection within a six-month period of time. Should the relative previously visited at bedside expire more than six months after the date of the bedside visit, the Administrator may authorize the private viewing visit. For the purposes of this subchapter, "relative" shall mean:

1. Parent;
2. Legal guardian;
3. Any other relative who can be verified as having acted for a period of time as a parent or guardian of an inmate in accordance with (d) below;
4. Spouse;
5. Domestic partner;
6. Partner in a civil union couple;
7. Child; and
8. Sibling.

(b) An inmate shall not be permitted to visit relatives or friends during the private viewing of a deceased relative unless the Administrator has made a recommendation to, and received approval from, the appropriate Assistant Commissioner.

(c) An inmate shall not be permitted to attend or participate in a funeral service unless the Administrator has made a recommendation to, and received approval from, the appropriate Assistant Commissioner.

(d) The Administrator may, at his or her discretion and in accordance with (a) above, authorize and permit the attendance of an inmate at the bedside of a dying relative and/or the private viewing of a deceased relative in addition to those relatives listed in N.J.A.C. 10A:1-2.2 and this section, when it can be verified that the relative, such as, but not limited to, a grandparent, acted for a period of time, as a parent or guardian of the inmate.

§ 10A:18-7.3 Verification

(a) The burden is on the inmate to prove that the ill or deceased person is a relative as defined in N.J.A.C. 10A:1-2.2 and this subchapter.

(b) The Administrator or designee shall verify the illness or death of the relative.

§ 10A:18-7.4 Eligibility

- (a) The correctional facility Administrator or designee shall determine whether an inmate is eligible to go on a bedside, private viewing, and/or funeral visit.
- (b) If the Administrator is in doubt as to the propriety of permitting a particular inmate to leave the correctional facility under the circumstances enumerated in this subchapter, the Administrator shall consult with the appropriate Assistant Commissioner.

§ 10A:18-7.5 Ineligibility

- (a) Pursuant to N.J.S.A. 30:4-8.1, the inmate shall not be permitted to go on a bedside, private viewing, or funeral visit that is outside the State of New Jersey.
- (b) The inmate shall not be permitted to go on a bedside, private viewing or funeral visit that is in a private residence.
- (c) The correctional facility Administrator is not required to permit bedside, private viewing or funeral visits if:
 - 1. The visit will interfere with the security or orderly operation of the correctional facility;
 - 2. The inmate has demonstrated a poor correctional facility adjustment;
 - 3. The inmate is a known escape risk;
 - 4. The inmate has a history of guilty findings for serious disciplinary offenses;
 - 5. The inmate is recognized as untrustworthy;
 - 6. The inmate is a highly publicized person whose reappearance in the community under any conditions other than strict compliance with the laws governing parole and release would cause unfavorable comment in the community; or
 - 7. The location of the bedside visit, private viewing or funeral could place either the escorting custody staff member(s) or the inmate in jeopardy.

§ 10A:18-7.6 Security

During the bedside private viewing or funeral visit, the inmate shall at all times be in the custody of one or more custody staff members.

§ 10A:18-7.7 Court ordered private viewing, or funeral visits

All court orders for bedside, private viewing, or funeral visits shall be referred immediately to the Office of the Commissioner for visit authorization.

§ 10A:18-7.8 Payment of visit expenses

- (a) The inmate or the inmate's family shall reimburse the correctional facility for all travel and other necessary expenses.
- (b) No inmate shall be denied approval for a bedside, private viewing, or funeral visit solely because of the inability of the inmate and his or her family to pay travel and other expenses. In the event that an inmate is indigent and it can be verified that the inmate's family is unable to reimburse the correctional facility for the expenses of a bedside, private viewing, or funeral visit, the correctional facility shall assume the expenses of the visit.
- (c) The Business Office of the correctional facility shall predetermine the expenses claimed for reimbursement upon the approval of the Administrator.

(d) In accordance with N.J.A.C. 10A:3-9.13(c), a detailed written statement of expenses shall be prepared to determine the amount of reimbursement due.

§ 10A:18-7.9 Availability of video visits

Video visits, as set forth at N.J.A.C. 10A:18-6.22, may be available for bedside, private viewing, and funeral visits, based on the availability of the necessary technology.

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 18. MAIL, VISITS, AND TELEPHONE
SUBCHAPTER 8. TELEPHONE PRIVILEGES

§ 10A:18-8.1 Written procedures

(a) Designated staff at each correctional facility shall develop and implement written procedures, which provide inmates with reasonable and equitable access to public telephones. These procedures shall specify:

1. Hours of telephone availability;
2. Establishing and changing individual inmate telephone number calling or IPIN list;
3. Maximum length of telephone calls; and
4. Any limitation and/or condition on telephone calls.

§ 10A:18-8.2 Notice to inmates-telephone privileges

(a) Inmates are afforded the privilege of placing phone calls from designated public phones in each correctional facility to any phone number subscribed to by an individual at a verifiable address. Limitations and conditions may be placed on telephone privileges by the Administrator of each correctional facility on a case-by-case basis consistent with individual circumstances and the responsibilities associated with the safe and secure operation of a correctional facility. Conditions and/or limitations on telephone privileges may include revocation of telephone privileges for abuse of the privilege and/or other disciplinary infractions and sanctions as set forth at N.J.A.C. 10A:4-5.1.

(b) Inmate calls are not permitted to toll-free numbers (800, 888, 877, 866, 855, 844, etc.) or information service numbers (976, 411, 611, 911, 555-1212, etc.).

(c) Inmate calls may not involve three-way calls or transfers to any other number.

§ 10A:18-8.3 Monitoring of telephone calls

All inmate telephone calls may be monitored and recorded except calls to the Special Investigations Division and legal telephone calls which are made in accordance with N.J.A.C. 10A:18-8.6.

§ 10A:18-8.4 Cost of telephone calls

Outgoing telephone calls made by inmates shall be collect calls, or paid for by other authorized methods, such as an approved debit calling system, with the exception of telephone calls between incarcerated relatives, which shall be handled in accordance with N.J.A.C. 10A:18-8.7.

§ 10A:18-8.5 Emergency telephone calls

(a) An inmate shall be permitted to make monitored telephone calls of reasonable length, as determined by the monitor, in emergencies such as, but not limited to:

1. The serious illness of a relative;
2. The death of a relative; or

3. Impending disaster related to the inmate's property which cannot be deferred until regular mail delivery.

(b) Whenever an emergency telephone call for an inmate is received by the correctional facility:

1. The telephone number and name of the calling party shall be taken;
2. The particulars of the telephone call shall be noted;
3. The Social Service Department shall check, to the extent possible, the validity of the telephone call;
4. The Social Service Department shall inform the inmate of the validated telephone call within 24 hours from the time the call was received; and
5. The inmate shall be permitted to return the emergency telephone call.

(c) In the event emergency telephone calls are received after regular correctional facility working hours, on weekends or holidays and a social worker is not available to perform the duties in (b) above within 24 hours, a custody supervisor on duty shall check the validity of the emergency telephone call and follow the procedures outlined in (b) above.

§ 10A:18-8.6 Legal telephone calls

(a) The Administrator of the correctional facility shall establish written rules and regulations by which legal telephone calls may be made by:

1. Inmates;
2. Inmate paralegals; and
3. Professional staff.

(b) Legal telephone calls may be made to the following individuals or agencies for assistance in legal research and/or preparation of legal documents:

1. Office of the Public Defender;
2. Regional Legal Services;
3. Court Clerks;
4. Attorneys; and
5. The Corrections Ombudsperson.

§ 10A:18-8.7 Telephone calls between incarcerated relatives

(a) Telephone calls shall be permitted between incarcerated relatives (see N.J.A.C. 10A:1-2.2).

(b) Telephone calls between incarcerated relatives shall be permitted if:

1. The relative relationship has been substantiated through documentation found in the classification folder or other appropriate resources;
2. The telephone calls have been approved by the Institutional Classification Committee (I.C.C.);
3. The full costs of the telephone calls are borne by the inmates involved; and
4. The frequency, duration and time of the calls are coordinated between the correctional facilities involved, subject to other provisions of this subchapter.

§ 10A:18-8.8 Telephone use by authorized inmate groups

(a) Correctional facilities are not obligated to provide direct telephone lines to inmate groups or organizations.

(b) Authorized inmate groups and organizations may be permitted to make telephone calls to achieve approved objectives of that group in accordance with written rules and regulations established by the Administrator.

(c) Authorized groups and organizations shall assume the cost of telephone calls that are made in furtherance of their approved objectives.

(d) Telephone calls may be monitored at the discretion of the Administrator or designee.

§ 10A:18-8.9 Telephone use in Close Custody Units

Inmate access to telephones in Close Custody Units shall be governed by N.J.A.C. 10A:5, Close Custody Units.

EXHIBIT J

**N.J.A.C. 10A:3-5.1 – 5.6 Search of Inmates and
Facilities**

**N.J.A.C. 10A:3-6 Contraband and Disposition of
Contraband**

Form 171-I Seizure of Contraband Report

Form 171-II Inmate Receipt, Contraband Seizure

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 3. SECURITY AND CONTROL
SUBCHAPTER 5. SEARCHES OF INMATES AND FACILITIES

§ 10A:3-5.1 Purpose

Facilities and inmates may be searched as provided by this subchapter for the purpose of controlling and deterring the introduction and concealment of contraband. Procedures for disposition of contraband set forth in N.J.A.C. 10A:3-6, Contraband and Disposition of Contraband, are fully applicable to this subchapter.

§ 10A:3-5.2 Search plan

- (a) Each correctional facility shall develop and implement a comprehensive written plan governing routine and random searches of facilities and inmates. Each plan shall be submitted to the Office of the Commissioner or designee for review and approval on or before February 15 of each year.
- (b) Each correctional facility shall appoint a custody staff member of the rank of Correction Major as Institutional Search Plan Coordinator.
- (c) The Institutional Search Plan Coordinator shall submit monthly data to the Administrator and the Indicator Report Coordinator. The data shall include, but not be limited to, information regarding searches completed and contraband recovered. The reported data shall be included in the Monthly Indicator Report.

§ 10A:3-5.3 Searches of inmates and facilities

- (a) All facility residential, work, training, visit areas and other areas to which inmates have access shall be searched thoroughly for contraband on a routine, continuing basis. Searches shall be unannounced and irregularly timed, and may be limited to a specific building or area.
- (b) Procedures to be utilized in conducting searches shall be as set forth in an internal management document prepared by each correctional facility Administrator or designee to be promulgated pursuant to the search plan required by N.J.A.C. 10A:3-5.2. Such procedures may provide that an inmate may be excluded from entry into an area being searched to facilitate the safe and effective performance of the search.
- (c) Searches of inmates shall be conducted in a professional and dignified manner, with maximum courtesy and respect for the inmate's person, and under sanitary conditions.
- (d) No inmate shall be searched as punishment or discipline except as provided by N.J.A.C. 10A:3-5.10.

§ 10A:3-5.4 Inspection of security devices

- (a) All bars and sashes, locks, windows, doors, lock boxes and other security devices shall be inspected daily to detect any tampering or defect.
- (b) Emergency keys shall be checked at least quarterly to determine that they work properly.

(c) Inspections of security devices shall be conducted continuously and systematically but scheduled to avoid an observable or predictable routine. The results of all inspections shall be submitted in writing to the shift commander for review by a Correction Major.

§ 10A:3-5.5 Use of scanning/testing devices

(a) Searches of inmates, areas, and objects by the use of scanning/testing devices may be done routinely and randomly, where necessary for security purposes. This may be, but is not limited to, a walk-through device or a handheld device that is passed over the fully clothed body of the inmate. A scanning/testing device may also be utilized in conjunction with a strip search or body cavity search.

(b) Scanning/testing device searches of inmates may be conducted by male or female custody staff members or scanning/testing device operators subject to the limitations set forth in N.J.A.C. 10A:3-5.7 and 5.8.

(c) Body imaging scanning equipment may be utilized for the purpose of searching inmates. The use of body imaging scanning equipment shall be limited to searches conducted in any of the following circumstances:

1. When an inmate enters or leaves the correctional facility;
2. Any time before or after an inmate is placed in close custody, prehearing restrictive housing, administrative segregation, protective custody, psychological observation, or suicide watch;
3. Any time before or after an inmate has a contact visit in which the inmate and a visitor are permitted physical contact with each other;
4. After an inmate has been in any area where the inmate has had access to dangerous or valuable items;
5. During a mass search of an inmate housing unit or inmate work area;
6. When a custody staff member with a rank of sergeant or above determines that there exists a reasonable suspicion that an inmate is carrying or concealing contraband on the inmate's person, or in the inmate's anal or vaginal cavity; or
7. When a custody staff member with a rank of sergeant or above determines that the search is reasonably necessary for safety and security.

(d) Notwithstanding the provisions of any other law to the contrary, the body image scanning equipment may be operated by an employee of a correctional facility or other law enforcement officer.

(e) Prior to operating body imaging scanning equipment, an employee or officer shall successfully complete a training course approved by the Police Training Commission pursuant to P.L. 1961, c. 56 (N.J.S.A. 52:17B-66 et seq.).

(f) Body imaging scanning equipment shall be operated in compliance with all manufacturer standards, guidelines, instructions, recommendations, and safety precautions for inmates and equipment operators.

§ 10A:3-5.6 Pat search

(a) A pat search shall be conducted while the inmate is fully clothed. A pat search includes both the touching of the inmate's body through clothing, including hair, dentures, etc., and a thorough examination into pockets, cuffs, seams, etc., and all personal property in the inmate's possession.

(b) Pat searches of inmates may be conducted at any time in the following circumstances:

1. Prior to the departure or return of the inmate to or from any area where the inmate has had access to dangerous or valuable items;
2. Prior to entering or departing the visiting area; or
3. Under any other circumstances where conditions indicate a need for such searches, such as, but not limited to, upon departure of inmates from kitchen or dining areas.

(c) In addition to the foregoing routine searches, a pat search may be conducted at any time when there is a reasonable suspicion that the inmate is carrying contraband. Factors which may form the basis for such search may include, but not be limited to:

1. Personal observations of activities or conditions which may be interpreted in light of the custody staff member's experience and knowledge of the inmate as indicating the possession of contraband; or
2. Information received from a third party who is believed to be reliable.

(d) Pat searches may be conducted by either male or female custody staff members upon male inmates. Except in emergent circumstances, pat searches shall only be conducted by female custody staff members upon female inmates.

New Jersey Administrative Code

TITLE 10A. CORRECTIONS

CHAPTER 3. SECURITY AND CONTROL

SUBCHAPTER 6. CONTRABAND AND DISPOSITION OF CONTRABAND

§ 10A:3-6.1 Procedures for handling contraband upon discovery

(a) Whenever an item, article or material is determined to be contraband, it shall be immediately seized.

1. The custody staff member or staff member making the seizure shall submit the contraband to the unit supervisor who shall submit it to the Special Investigations Division or Central Control of the correctional facility, together with a fully completed Form 171--I, Seizure of Contraband Report. The contraband report must be submitted no later than the end of the shift during which the contraband was seized.

2. Care should be taken at all times to carefully record the chain of possession of the contraband.

3. The custody staff member or staff member shall also give the inmate from whose control or possession contraband is taken, an itemized, signed and dated receipt (Form 171--II, Inmate, Receipt, Contraband Seizure), a copy of which shall also go to the Special Investigations Division or to the correctional facility Central Control. The contents of this form shall be either read or explained to the inmate if necessary.

4. When contraband is removed from mail, such as, but not limited to, letters and packages, the custody staff member or staff member making the seizure shall send the inmate to whom the mail was addressed a completed copy of Form 171--II indicating that the specified items were removed.

5. The inmate shall have three business days to appeal the seizure to the Administrator or designee.

(b) The Special Investigations Division or correctional facility Central Control shall maintain a log of all Seizure of Contraband and Inmate Receipt forms (Forms 171-I and 171-II). It shall be the responsibility of these units to record the disposition of the contraband on the Seizure of Contraband Report (Form 171-I).

(c) All contraband seized shall be clearly and appropriately marked and securely stored by the Special Investigations Division or the correctional facility Central Control.

(d) If disciplinary charges are issued in connection with the seizure of contraband, the Special Investigations Division or the correctional facility Central Control shall present evidence of the contraband at the disciplinary hearing unless the contraband was seized pursuant to N.J.A.C. 10A:3-6.5. If the contraband was seized pursuant to N.J.A.C. 10A:3-6.5, the Disciplinary Hearing Officer/Adjustment Committee shall arrange to view the contraband outside the inmate's presence.

(e) Contraband shall be disposed of by the Special Investigations Division or the correctional facility Central Control in accordance with this subchapter.

§ 10A:3-6.2 Disposal of contraband personal property seized in reception units

(a) When an inmate arrives at a Department of Corrections reception unit with items of personal property not authorized for retention or possession, the items shall be seized.

(b) The staff member making the seizure shall give the inmate an itemized, signed and dated receipt for the property seized, and shall notify the inmate that such items are contraband, and that the inmate has three business days, from the date of the seizure of the contraband, to appeal the classification of any or all items as contraband to the Administrator or designee.

- 1.** If the Administrator or designee determines that any or all of the items are not contraband, they shall be returned to the inmate.
- 2.** If the Administrator or designee determines that any item is contraband, the inmate shall be given two business days to indicate which of the following means of disposal should be used with respect to the property. The contraband shall be:
 - i.** Mailed to a designated relative or friend of the inmate at the inmate's expense;
 - ii.** Given to a visitor for disposal;
 - iii.** Donated by the inmate to a charitable organization at the inmate's expense; or
 - iv.** Destroyed at the inmate's request.
- 3.** If the inmate fails to indicate the desired disposition, the property shall be disposed of at the option of the Administrator or designee of the correctional facility in which the reception unit is located.

(c) Disciplinary reports shall not be issued to an inmate entering a reception unit for possession of unauthorized or excessive personal property.

§ 10A:3-6.3 Disposal of contraband personal property seized within a correctional facility

(a) When contraband is seized within a correctional facility, appropriate disciplinary reports shall be written and issued pursuant to N.J.A.C. 10A:3-6.7.

(b) The staff member making the seizure shall give the inmate an itemized, signed and dated receipt (Form 171--II) for the property seized and shall notify the inmate that such items are contraband and that the inmate has the right to appeal the classification of any or all items as contraband through the disciplinary process.

- 1.** If the Disciplinary Hearing Officer/Adjustment Committee determines that any or all items are not contraband or if the Administrator or designee, on appeal, determines that an item is not contraband it shall be returned to the inmate.
- 2.** If the Disciplinary Hearing Officer/Adjustment Committee determines that any or all items are contraband, the contraband shall be retained and shall not be disposed of until all appeal proceedings are exhausted to include any appeal to the New Jersey Appellate Division when appropriate. Otherwise, the inmate shall be given two business days following receipt of the Disciplinary Hearing Officer/Adjustment Committee decision, or the decision of the Administrator or designee if the disciplinary decision is appealed, to indicate to the Special Investigations Division or Central Control which of the following means shall be used to dispose of the contraband. The contraband shall be:
 - i.** Mailed to a designated relative or friend of the inmate at the inmate's expense;
 - ii.** Donated by the inmate to a charitable organization at the inmate's expense; or
 - iii.** Destroyed at the inmate's request.

3. Where the inmate fails to indicate the desired disposition, the property shall be disposed of at the option of the Administrator or designee.
4. For verifiable cases of inmates who have no family and no visitors, special arrangements to store property at the facility in which the inmate is housed may be approved on a case-by-case basis by the Administrator or designee and in accordance with N.J.A.C. 10A:1, Administration, Organization and Management.



State of New Jersey
DEPARTMENT OF CORRECTIONS
SEIZURE OF CONTRABAND REPORT

Form 171-I
Rev. 10/2010
NJAC
10A:3-6
Page 1 of 2

PART I

Please Print or Type

Correctional Facility

Name of inmate in possession or control of contraband

Number

Housing Unit

Inmates Involved:

Number:

Housing Unit:

Date of seizure: _____

Time: _____ ☐ am ☐ pm

Location of seizure: _____

Reasons for Seizure:

- | | |
|--|--|
| 1. Not authorized for retention/receipt. | 3. Altered from original form. |
| 2. Exceeds stated correctional facility limits. | 4. Not acquired through proper correctional facility channels. |
| 5. Exceeds reasonable safety, security, sanitary or space considerations. | |
| 6. May be harmful and/or poses threat to security or orderly operation of the correctional facility. | |

Items seized:

Reasons for Seizure:

1	2	3	4	5	6
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Disciplinary charge(s) issued: ☐ Yes ☐ No To: _____

If Yes, specify prohibited act(s), number and description _____

Name(s) of staff making seizure: _____

Printed name & title/rank

Seizure made on:

(Date) _____ at (Time) _____ ☐ am ☐ pm



State of New Jersey
DEPARTMENT OF CORRECTIONS
SEIZURE OF CONTRABAND REPORT

Form 171-I
Rev. 10/2010
NJAC
10A:3-6
Page 2 of 2

PART II

Item(s) received:

from _____
Name Rank/Title Signature

by _____
Name Rank/Title Signature

Time: _____ ☐ am ☐ pm _____
Date

Item(s) placed in evidence storage-Central Control:

Time: _____ ☐ am ☐ pm _____
Date

by _____
Name Rank/Title Signature

Item(s) removed from evidence storage-Central Control:

Time: _____ ☐ am ☐ pm _____
Date

by _____
Name Rank/Title Signature

Item(s) received in Special Investigation Division:

Time: _____ ☐ am ☐ pm _____
Date

by _____
Name Rank/Title Signature



State of New Jersey
DEPARTMENT OF CORRECTIONS

Form 171-II
Rev. 1/15/96
NJAC
10A:3-6

INMATE RECEIPT, CONTRABAND SEIZURE
RECIBO DEL CONFINADO, CONFISCACIÓN DE CONTRABANDO

Correctional Facility [Institución de Corrección]

Please Print or Type [Sírvese usar letra de molde o máquina de escribir]

Date [Fecha]: _____ Time [Hora]: _____ ☐ AM ☐ PM

Name of Inmate [Nombre del Confinado] _____ Number [Número] _____ Housing Unit [Unidad de Vivienda] _____

The following item(s), found in your possession or under your control, has been seized as contraband for this reason(s): [El(Los) siguiente(s) artículo(s) se encontró(aron) en su posesión o bajo su control y se le confiscó(aron) como contrabando por esta(s) razón(es):]

Reasons for Seizure [Razones de la Confiscación]:

- Not authorized for retention/receipt. [No está autorizado para retenerlo/recibirlo.]
- Exceeds stated correctional facility limits. Sobrepasa los límites estipulados de la institución de corrección.]
- Altered from original form. [Se alteró de su forma original.]
- Not acquired through proper correctional facility channels. [No se adquirió por las vías apropiadas de la institución de corrección.]
- Exceeds reasonable safety, security, sanitary or space considerations. Sobrepasa las consideraciones razonables de seguridad, sanidad o espacio.]
- May be harmful and/or poses a threat to the security or orderly operation of the correctional facility. [Podrá ser dañoso y/o representa una amenaza para la seguridad o el funcionamiento ordenado de la institución de corrección.]

Reasons for Seizure [Razones de la Confiscación]

Items seized [Artículos confiscados]:

	1	2	3	4	5	6
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- If no disciplinary charges have been issued, you have three business days from the date of this receipt to send a written appeal to the Administrator containing information as to why this item should not be considered contraband. [Si no se han emitido cargos disciplinarios, usted tiene tres días hábiles a partir de la fecha de este recibo para enviarle una apelación escrita al Administrador que contenga la información con respecto al porqué esta artículo no se debe considerar como contrabando.]
- If disciplinary charges have been issued, your appeal is through the disciplinary process. [Si se han emitido cargos disciplinarios, su apelación será por medio del proceso disciplinario.]

Printed name & title/rank of staff making the seizure

Signature of staff making the seizure

Acknowledgement of receipt [Acuse de recibo]:

Date [Fecha]

Signature of Inmate [Firma del confinado]

Number [Número]

Time [Hora]

☐ AM ☐ PM

Inmate refuses to sign [El confinado se niega a firmar]:

Date

Printed name & title/rank of staff member

Signature of staff member

Time

☐ AM ☐ PM

EXHIBIT K

N.J.A.C. 10A:22 Records

New Jersey Administrative Code
TITLE 10A. CORRECTIONS
CHAPTER 22. RECORDS
SUBCHAPTER 1. GENERAL PROVISIONS

§ 10A:22-1.1 Purpose

(a) The purpose of this chapter is to set forth provisions for:

1. The release and examination of inmate records;
2. The expungement or sealing of inmate records; and
3. Requests for government records pursuant to N.J.S.A. 47:1A-1 et seq.

§ 10A:22-1.2 Scope and applicability

The rules in this chapter shall be applicable to the records of the Department of Corrections.

§ 10A:22-1.3 Definitions

The following terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Custodian" or "custodian of records" means any individual appointed by the Commissioner to administer the provisions of the Open Public Records Act in the Department of Corrections.

"Data file" means a collection of data stored on a computer.

"Government record" or "record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of official business by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of official business by any such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof. The terms shall not include inter-agency or intra-agency advisory, consultative, or deliberative material. A government record shall not include information which is deemed to be confidential in accordance with N.J.S.A. 47:1A-1 et seq.

"Open Public Records Act" or "OPRA" means N.J.S.A. 47:1A-1 et seq. as amended and supplemented.

"Request" means a written request, sufficiently clear to understand the information being sought.

§ 10A:22-1.4 Forms

(a) The following form related to a request for a government record shall be obtained from the Department of Corrections record custodian, the Department of Corrections website at www.state.nj.us/corrections, or at correctional facilities:

1. Form 110 Department of Corrections Request for Government Records.

§ 10A:22-1.5 Identity theft prevention and reporting

(a) Pursuant to the Identity Theft Prevention Act at N.J.S.A. 56:11-44 et seq. and definitions relative to the security of personal information at N.J.S.A. 56:8-161, in order to prevent identity theft, Departmental staff shall be responsible for safeguarding "personal information" as this term is defined in N.J.A.C. 10A:1-2.2. Additionally, Departmental staff shall be responsible for taking reasonable steps to ensure that all records containing personal information are not lost, stolen, inappropriately accessed or released, and for complying with any related internal management procedures.

(b) In the event that an incident that may constitute a breach of security is suspected or discovered, the staff member discovering the suspected breach of security shall report same to their immediate supervisor. Supervisory/administrative staff shall ensure that any such incident is reported through the administrative chain of command to the Commissioner. For purposes of rules regarding identity theft, "breach of security" means unauthorized access to electronic files, media or data containing personal information that compromises the security, confidentiality or integrity of personal information when access to the personal information has not been secured by encryption or by any other method or technology that renders the personal information unreadable or unusable. Good faith acquisition of personal information by an employee for a legitimate business purpose is not a breach of security, provided that the personal information is not used for a purpose unrelated to Departmental business or subject to further unauthorized disclosure.

(c) All reports related to identity theft shall be provided to the Commissioner or designee in accordance with internal management procedures. The Commissioner or designee shall report the incident of identity theft to the Department of Law and Public Safety, Division of State Police for investigation and handling as appropriate.

§ 10A:22-2.1 Information pertaining to a victim(s)

(a) Pursuant to N.J.S.A. 47:1A-2.2, a person convicted of any indictable offense under the laws of this State, any other state or the United States shall be denied access to a government record if the record contains personal information pertaining to the person's victim(s) or family member(s) of a victim(s).

(b) An exception to (a) above may be made only if a court, upon motion by the requester or his or her representative, has determined that the information is necessary to assist in the defense of the requester. The inmate or representative thereof shall submit the determination by the court to the custodian of records for review and release authorization determination.

§ 10A:22-2.2 Designation of custodian of records

(a) The Commissioner, Department of Corrections shall designate a custodian or alternate custodians as may be determined necessary and who shall be responsible for accepting requests for access to records held or controlled by the Department.

(b) Contact information for the custodian of records for the Department of Corrections is as follows:

1. Custodian of Records
Office of Legal and Regulatory Affairs
Department of Corrections

PO Box 863

Trenton, New Jersey 08625-0863; or

2. Department of Corrections website at www.state.nj.us/corrections, the State OPRA Central website at www.state.nj.us/opra and otherwise made available to the public.

§ 10A:22-2.3 Records designated confidential

(a) In addition to records designated as confidential pursuant to the provisions of N.J.S.A. 47:1A-1 et seq., any other law, rule promulgated under the authority of any statute or Executive Order of the Governor, resolution of both houses of the Legislature, Executive Order of the Governor, Rules of Court or any Federal law, Federal regulation or Federal order, the following records shall not be considered government records subject to public access pursuant to N.J.S.A. 47:1A-1 et seq.:

1. Informant documents and statements;
 2. Special Investigations Division investigations records and reports, provided that redaction of information would be insufficient to protect the safety of any person or the safe and secure operation of a correctional facility;
 3. A record, which consists of any alcohol, drug or other substance abuse information, testing, assessment, evaluation, report, summary, history, recommendation or treatment, including any assessment instruments;
 4. Any information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation;
 5. A report or record relating to an identified individual, which, if disclosed, would jeopardize the safety of any person or the safe and secure operation of the correctional facility or other designated place of confinement;
 6. Comprehensive criminal history information (rap sheet);
 7. Records of another department or agency allocated to that department in the possession of the Department of Corrections when those records are made confidential by a rule of that department or agency allocated to that department adopted pursuant to N.J.S.A. 47:1A-1 et seq., and Executive Order No. 9 (1963) or pursuant to another law authorizing the department or agency to make records confidential or exempt from disclosure;
 8. The Department of Corrections Disaster/Terrorism Contingency Report;
 9. All internal management procedures, or any portion thereof, including any portions of those procedures and/or any indexes or lists identifying the procedures related to the following: safety and security measures, inmate movement, staffing, investigative techniques, contraband detection, intelligence gathering techniques, structural or physical plant designs, surveillance techniques, and search techniques;
 10. Records related to involuntary or voluntary protective custody;
 11. Records related to security threat groups or security threat group investigations or validations;
 12. Records and/or content related to inmate phone, e-mail, or visit information;
 13. Log books; and
 14. Surveillance footage of areas located within a correctional facility's secured perimeter.
- (b) An inmate shall not be permitted to inspect, examine or obtain copies of documents concerning any other inmate.

§ 10A:22-2.4 (Reserved)

§ 10A:22-2.5 Availability of records and information to non-Department of Corrections agencies or individuals

(a) Information from inmate records shall be provided to law enforcement agencies or individuals, who request such information in the performance of their public duties.

(b) Inmate records may be made available to the following non-Department of Corrections agencies or individuals:

1. Courts of competent jurisdiction;
2. The Attorney General;
3. A county prosecutor;
4. The New Jersey State Parole Board;
5. A county probation department; and
6. Police departments.

(c) The Administrator or designee shall determine the records of inmates that shall be made available to government agencies or other authorized non-Department of Corrections individuals upon request. These agencies and individuals include, but are not limited to, the following:

1. The Social Security Administration;
2. The Veterans Administration;
3. Attorneys of record in pending cases, or investigating claims;
4. Law enforcement agencies other than those in (b) above; or
5. Medical or mental health doctors.

10A:22-2.6 Availability of records and information to staff

(a) Information from inmate records shall be provided to staff who have a clear and specific need to know the information for use in connection with their work responsibilities as determined by the Administrator or designee. The amount of information necessary or relevant for staff performance of duties shall be determined by the Administrator or designee.

(b) Medical and mental health records or information shall be provided as determined by the Administrator and the responsible health authority and as limited below:

1. The complete file shall be available to medical or mental health staff involved in treating the inmate and/or drafting reports concerning the inmate's condition; and
2. Medical or mental health information may be made available to Department of Corrections staff to whom the information is relevant in connection with the staff person's need to make a decision concerning the inmate such as, but not limited to, job placement, and discipline. Only that amount of information that is necessary shall be provided to authorized staff.

(c) In the event a question arises as to the disclosure of medical or mental health information to staff, the question shall be referred to the Department of Corrections, Director of Health Services for review and decision which shall be final.

§ 10A:22-2.7 Availability of medical records to inmates

- (a)** In accordance with N.J.A.C. 13:35-6.5, an inmate may obtain a copy of his or her medical records by submitting a written request, on Form MR-022, to the Medical Department.
- (b)** The responsible health authority or designee shall provide a copy of the medical records to the inmate within 30-calendar days.
- (c)** The MR--022 form shall be maintained in the appropriate inmate medical file.
- (d)** Copies of mental health records related to routine mental health care, treatment and counseling shall be provided to inmates. However, copies of mental health records generated by professional mental health staff, such as evaluative or administrative assessment reports, or reports that, if disclosed, would compromise the safety of the inmate or others, or the security or orderly operation of the correctional facility, shall not be provided to inmates without court order or consent protective agreement.
- (e)** Information may be withheld if, in the opinion of the responsible health authority or Administrator, release of the information would:
 - 1. Be harmful to the inmate;
 - 2. Jeopardize the safety or well-being of other individuals;
 - 3. Compromise the privacy rights of other individuals; and/or
 - 4. Have a substantial adverse impact on the orderly operation of the correctional facility.
- (f)** Photocopies of the medical record shall be provided in accordance with this section to nonindigent inmates at the rate of \$.10 per page and at no charge to the indigent inmate as defined in N.J.A.C. 10A:1-2.2.

§ 10A:22-2.8 Medical discharge summary

- (a)** Pursuant to N.J.S.A. 30:1B-6.2, a medical discharge summary shall be provided to each inmate at least 10 days prior to release from a State correctional facility.
- (b)** The medical discharge summary shall include instructions on how to obtain a copy of the inmate's full medical record.
- (c)** Pursuant to N.J.S.A. 30:1B-6.2 and in accordance with N.J.A.C. 13:35-6.5, the inmate may request a copy of his or her full medical record. The copy of the inmate's full medical record shall be provided in a safe and secure manner at no charge to the inmate.

§ 10A:22-2.9 (Reserved)

§ 10A:22-2.10 (Reserved)

§ 10A:22-2.11 Juvenile records and information

- (a)** Social, medical, mental health, legal and other records pertaining to juveniles shall be strictly safeguarded from public inspection.
- (b)** Juvenile records shall be made available only to the following agencies or persons:
 - 1. Courts of competent jurisdiction;
 - 2. A county probation department;
 - 3. The Attorney General;
 - 4. A county prosecutor;
 - 5. The juvenile's parent(s) or guardian;

6. The attorney of the juvenile;
 7. The Department of Children and Families, if providing care or custody of the juvenile;
 8. A law enforcement agency of New Jersey, another state or the United States for the purposes of law enforcement; or
 9. Any person or agency interested in a case or in the work of the agency keeping the records, by order of the court for good cause shown; and
 10. Any institution to which the juvenile is currently committed.
- (c) Pursuant to N.J.S.A. 2A:4A-60, at the time of charge, adjudication or disposition, information as to the identity of a juvenile charged with an offense, the offense charged, the adjudication and disposition shall, upon request, be disclosed to:
1. The victim or a family member of the victim;
 2. Any law enforcement agency which investigated the offense;
 3. The person or agency which filed the complaint;
 4. Any law enforcement agency in the municipality where the juvenile resides;
 5. A party in a subsequent legal proceeding involving the juvenile, upon approval by the court; or
 6. The principal, on a confidential basis, of the school where the juvenile is enrolled for use by the principal and such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety, or discipline in the school or to planning programs relevant to the juvenile's educational and social development provided that no record of such information shall be maintained except as authorized by regulation of the Department of Education.

§ 10A:22-2.12 Reimbursement for costs of copying

(a) Pursuant to N.J.S.A. 47:1A-5, except as otherwise provided in this subchapter, correctional facilities and other administrative units within the Department of Corrections may charge the following fees for copying government records:

\$ 0.05 per letter size page or smaller, and \$ 0.07 per legal size page or larger.

(b) Governmental agencies or officers who request records in the performance of their official duties shall be exempt from payment of fees for copying records.

(c) The copying fees for records other than government records shall also be based on the fee schedule in (a).

(d) When or if fees for the copying of government records change in accordance with N.J.S.A. 47:1A-5, these changes shall be published as a public notice in the New Jersey Register, and revised in (a) through a notice of administrative change pursuant to N.J.A.C. 1:30-2.7.

(e) Additional fees may be imposed in connection with a request for government records in accordance with N.J.S.A. 47:1A-1 et seq.

EXHIBIT L

N.J.A.C. 10A:1-10 Research

New Jersey Administrative Code

TITLE 10A. CORRECTIONS

CHAPTER 1. ADMINISTRATION, ORGANIZATION, AND MANAGEMENT

SUBCHAPTER 10. RESEARCH

§ 10A:1-10.1 General research and experimentation provisions

(a) No experimentation shall be conducted involving the use of inmates or employees of the New Jersey Department of Corrections except as provided by court order, consent decree, or other legal processes.

(b) The New Jersey Department of Corrections may authorize research projects that are conducted in accordance with this subchapter.

(c) Inmates shall not be permitted to receive compensation of any kind for their research participation from any agency or entity conducting a research project.

§ 10A:1-10.2 Departmental Research Review Board (DRRB)

The Commissioner or designee authorizes the use of a Departmental Research Review Board (DRRB) to be responsible for the review of research requests and to provide recommendations for approval or disapproval of such research requests.

§ 10A:1-10.3 Procedure for submitting and handling requests to conduct research projects to the Departmental Research Review Board (DRRB)

(a) Any person(s) or agency(ies) who wishes to conduct research projects shall complete and submit, to the Department of Corrections, the research request application package, which is available by contacting:

Departmental Research Review Board

Office of Compliance and Strategic Planning

New Jersey Department of Corrections

PO Box 863

Trenton, New Jersey 08625-0863

DOC_Research@doc.nj.gov

(b) In addition to completion of the research request application as instructed in the application package provided by the Department, a researcher shall also provide any additional information as may be required by the Department concerning a particular research project.

(c) The DRRB shall review the research request application package. This review shall consider whether or not the research will:

- 1.** Adversely affect the maintenance of security and/or the orderly operation of the correctional facility or unit;
 - 2.** Create any risks to subjects of the research;
 - 3.** Involve the review of inmate records and adequately protect the confidentiality of certain data; and/or
 - 4.** Require inmate or staff participation, such as an interview or to respond to questionnaires.
- (d)** In addition to the considerations set forth in (c) above, the DRRB shall review considerations that may arise pertaining to a specific research project.
- (e)** The DRRB shall make a recommendation for approval or disapproval to the Commissioner of the Department of Corrections. The Commissioner shall make the final approval or disapproval determination.
- (f)** The DRRB shall be responsible for providing notification of the final determination to the agency or entity requesting the research.

§ 10A:1-10.4 Express written inmate informed consent requirement

(a) Express written informed consent of the inmate or staff member shall be required:

- 1.** To ensure that direct inmate and staff participation in any research project is on a voluntary basis; and
- 2.** To authorize inspection of release of records pursuant to N.J.A.C. 10A:22.

§ 10A:1-10.5 Refusal to participate in research

(a) An inmate or staff member shall not be required or coerced to participate in research activities.

(b) Refusal by an inmate to participate in research shall not result in adverse consequences or penalties for the inmate.

§ 10A:1-10.6 Inmate records

Confidentiality of inmate records and procedures for release or examination of records by authorized individuals or agencies shall be in accordance with N.J.A.C. 10A:22-2, Government records.

§ 10A:1-10.7 Research findings

The persons(s) or agency(s) who completes a research project must, prior to publication or any dissemination, make available the research findings or the results to the correctional facility Administrator, community program supervisor, or operational unit supervisor and the Commissioner, New Jersey Department of Corrections, for review and comments.

§ 10A:1-10.8 Written internal management procedures

Each correctional facility Administrator, community program supervisor, operational unit supervisor, and the appropriate Assistant Commissioner shall ensure the related written internal management procedures governing research projects and activities consistent with the requirements of this subchapter are reviewed at least annually and updated as necessary.

EXHIBIT M

**N.J.A.C. 10A:19 News Media and Public Information
Dissemination**

N.J.S.A. 30:4-91.22 Attorney Visits

New Jersey Administrative Code

TITLE 10A. CORRECTIONS

CHAPTER 19. NEWS MEDIA AND PUBLIC INFORMATION DISSEMINATION

SUBCHAPTER 1. GENERAL PROVISIONS

§ 10A:19-1.1 Purpose

(a) The purpose of this chapter is to set forth provisions for:

- 1.** Disseminating information to the public; and
- 2.** Photographing, interviewing, recording, filming and/or videotaping inmates for public dissemination by the news media.

§ 10A:19-1.2 Reserved

§ 10A:19-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Freelancer" means an individual who is not under contract with a news service or publication and whose writings and/or services regarding the Department of Corrections are scheduled to be published or broadcast by a news service or publication as verified by the Office of Public Information.

"News media representative" means an individual with valid press credentials who provides any means of communication to the public.

§ 10A:19-1.4 Forms

Forms related to public information are available internally within the Department of Corrections and are to be used for inmate consent for the news media and as a news media representative/freelancer agreement.

§ 10A:19-2.1 Office of Public Information

(a) The Office of Public Information, within the Office of the Commissioner of the New Jersey Department of Corrections, is responsible for dissemination of all information to: the news media; general public; governmental agencies; community and social organizations; and Department of Corrections personnel.

(b) The Office of Public Information is also responsible for creating an awareness of, and publicizing information about, innovative programs and services; referring public inquiries and complaints to the appropriate DOC staff; and coordinating all public communications including, but not limited to: speaking engagements; interviews; press releases; media tours; annual reports; and Department of Corrections pamphlets and brochures.

(c) The Office of Public Information, in consultation with the Commissioner, or designee, shall be responsible for: preparing news releases, fact sheets, and reports describing and explaining

events, policies, and activities of the Department of Corrections; arranging for news media representative and/or freelancer interviews with personnel and inmates within the Department of Corrections; and ensuring that current and accurate information is available on the Department of Corrections website at www.state.nj.gov/corrections.

§ 10A:19-2.2 Reserved

§ 10A:19-2.3 Release of information

Employees of the Department of Corrections shall not impart information to news media representatives, freelancers or other persons not officially connected with a correctional facility or the Department of Corrections without prior notification to the Commissioner or designee except as provided in N.J.A.C. 10A:22. This section shall not restrict the right of employees to comment on public policy or other issues of public concern in a manner which will not interfere with the security or orderly operation of a correctional facility, or result in a breach of necessary confidentiality.

§ 10A:19-2.4 Newsworthy events

(a) The Office of Public Information, New Jersey Department of Corrections, shall be notified of upcoming newsworthy events at least one week before the event.

(b) The Office of Public Information shall evaluate the newsworthiness of events and provide for appropriate news coverage.

(c) Events considered newsworthy shall include, but are not limited to:

1. Supervisory staff appointments;
2. Approval of Federal grants;
3. New construction;
4. Expansion or addition of services;
5. Significant changes in programs;
6. Opening of new correctional facilities;
7. Open houses;
8. Inspection tours;
9. Special events;
10. Volunteer activities and social functions of a commemorative or programmatic nature;
11. Public appearances by Department of Corrections personnel;
12. Participation of Department of Corrections personnel at conferences;
13. Publication of books, pamphlets or articles by Department of Corrections personnel;
14. Creation and/or operation of special programs or projects by inmates; and
15. Any other event worthy of public notice.

§ 10A:19-2.5 Emergency situations

(a) The Office of Public Information, New Jersey Department of Corrections, shall be informed of all incidents of an unusual nature, which occur at a correctional facility or involve inmates or staff, that may stimulate inquiries from the news media.

(b) In emergency situations, such as, but not limited to, disturbances; unusual or unexpected deaths or injuries to inmates, employees, volunteers or visitors; and escapes, the Administrator

or designee shall immediately notify the appropriate Assistant Commissioner or designee, and at the direction of the Assistant Commissioner or designee, the Office of Public Information.

(c) After obtaining full information from the correctional facility, the Office of Public Information may release the pertinent facts to the news media with the approval of the Commissioner or designee.

(d) If it is determined that public knowledge of emergency situations or ongoing investigations would threaten the maintenance of order, safety, or security within a correctional facility, the Office of Public Information shall release information to the news media at a later more appropriate time.

(e) Information concerning the suspension of visiting programs within correctional facilities shall be disseminated in accordance with N.J.A.C. 10A:18-6, Visits.

§ 10A:19-2.6 News media representative and/or freelancer contacts

All news media representative and/or freelancer inquiries shall be processed in the Office of Public Information, New Jersey Department of Corrections, in accordance with N.J.A.C. 10A:19-3, News Media Representative and/or Freelancer Contacts with Correctional Facilities and Inmates.

§ 10A:19-2.7 (Reserved)

§ 10A:19-2.8 Public access to information

(a) Members of the public may obtain general information and/or contact the Department of Corrections by:

1. Accessing the official Department of Corrections website at www.state.nj.gov/corrections. Informational categories available on the website include, but are not limited to, offender search and offender statistics, correctional facility names, locations, and phone numbers, in the news press releases, New Jersey Administrative Code Title 10A, Department of Corrections rule proposals, frequently asked questions, careers in corrections, and information regarding the Open Public Records Act (OPRA);
2. Writing to the New Jersey Department of Corrections, Office of Public Information at PO Box 863, Trenton, New Jersey 08625-0863; and
3. Telephoning the Department of Corrections at (609) 292-4036.

§ 10A:19-3.1 Interviewing and photographing inmates by news media representatives and/or freelancers

(a) An inmate may be photographed, interviewed, recorded, filmed, and/or videotaped by news media representatives and/or freelancers:

1. If the inmate has sufficient mental capacity to understand the nature and implication of these activities;
2. If the inmate indicates approval, in writing, on the inmate consent form; and
3. If such activity does not interfere with the security or orderly running of a correctional facility, satellite unit or residential facility.

(b) In the event an inmate is a juvenile sentenced as an adult or an inmate does not have sufficient mental capacity to understand the nature and implication of being photographed,

interviewed, recorded, filmed and/or videotaped by news media representatives and/or freelancers, the written consent of the inmate's guardian shall be required.

§ 10A:19-3.2 (Reserved)

§ 10A:19-3.3 Requests by news media representatives and freelancers

(a) All requests by news media representatives and freelancers to photograph, interview, record, film and/or videotape an inmate(s) shall be submitted in writing, in person, or by telephone to the Office of Public Information, New Jersey Department of Corrections for review.

(b) The Office of Public Information shall verify the affiliation of each news media representative or freelancer.

(c) In order for a request to be considered, the publisher or company that the freelancer represents shall submit a statement to the Office of Public Information which indicates that the product of the freelancer will be published or broadcast.

§ 10A:19-3.4. Decision on news media representative and/or freelancer requests

(a) The Office of Public Information, New Jersey Department of Corrections, in consultation with the Commissioner or designee, shall review and make a decision regarding all requests by news media representatives and/or freelancers to photograph, interview, record, film and/or videotape an inmate(s) and shall notify the Administrator of the correctional facility of the decision in writing. If the request is approved, the Office of Public Information shall provide to the Administrator written verification of the name and number of the inmate(s) and the audio/visual mode(s) that has been authorized.

(b) The Administrator of the correctional facility, in consultation with the Commissioner or designee, may request a subsequent review of the approval from the Office of Public Information to news media representatives and/or freelancers when the interests of discipline, safety, security, and/or the orderly operation of the correctional facility would be disrupted by the inmate or the activity of the news media representatives and/or freelancers. If the decision is overturned and the request denied after the subsequent review, the Administrator shall provide a written report within 24 hours to the Commissioner or designee as to the reasons therefor.

(c) Inmate contact visits with news media representatives and/or freelancers shall be prohibited when the inmate has been found guilty of a prohibited act identified in a zero-tolerance policy as defined at N.J.A.C. 10A:1-2.2 and established at N.J.A.C. 10A:4-4.1. In those cases in which contact visits have been terminated, every effort will be made to provide a noncontact visit consistent with the orderly operation of the correctional facility.

§ 10A:19-3.5 Inmate consent

(a) When a request by the news media representative and/or freelancer to photograph, interview, record, film and/or videotape an inmate(s) has been approved by the Office of Public Information and the correctional facility Administrator, a staff member designated by the Administrator shall provide the inmate with the inmate consent form for the inmate's review.

(b) The inmate shall indicate approval of the news media representative and/or freelancer request by signing the inmate consent form in the presence of the designated staff member.

(c) The Administrator of the correctional facility shall notify the Office of Public Information of the inmate's decision.

§ 10A:19-3.6 Notification of news media representative and/or freelancer

The Office of Public Information, New Jersey Department of Corrections, shall notify the news media representative and/or freelancer, by telephone, of the final decision to approve or disapprove the request to photograph, interview, record, film and/or videotape an inmate(s).

§ 10A:19-3.7 News media and/or freelancer agreement

(a) Upon arrival at the correctional facility, the news media representative and/or freelancer shall present valid press credentials or other identification approved by the Office of Public Information, New Jersey Department of Corrections, and complete and sign the News Media Representative/Freelancer Agreement.

(b) Photographing, interviewing, recording, filming, or videotaping of an inmate by any news media representative and/or freelancer shall not be permitted to take place prior to the signing of the News Media Representative/Freelancer Agreement and the completion of a signed inmate consent form.

(c) The originals of all related inmate consent and media agreements shall be retained by the correctional facility. A copy of these forms shall be provided to the news media representative and/or freelancer, and a copy shall be forwarded to the Office of Public Information, New Jersey Department of Corrections.

2024 New Jersey Revised Statutes

Title 30 - Institutions and Agencies

Section 30:4-91.22 – Residential community release program; attorneys and certain representatives of attorneys authorized to visit incarcerated clients.

Universal Citation: NJ Rev Stat § 30:4-91.22 (2024)

30:4-91.22 Residential community release program; attorneys and certain representatives of attorneys authorized to visit incarcerated clients.

1. a. Attorneys who are licensed in any jurisdiction shall be permitted to have contact visits with clients who are incarcerated in a residential community release program. At the request of the attorney, representatives of the attorney shall also be permitted to have contact visits. Such representatives shall include, but not be limited to, the following:

- (1) investigators;
- (2) investigative aides;
- (3) expert witnesses;
- (4) paralegals; and
- (5) law students.

b. The visits shall take place in the residential community release program facilities upon request of the attorney.

L.2015, c.25, s.1.

EXHIBIT N

RCRP Transportation Incentive Pilot Program

**Form 686-II Community Programs Application
Checklist**

**Residential Community Reintegration Program
Quarterly Staff Roster**

Subcontractor Utilization Plan

**N.J.S.A. 30:1B-6.5 Dignity for Incarcerated Primary
Caretaker Parents Act**

**Primary Caretaker Parent Intake Form and
Application**



State of New Jersey


DEPARTMENT OF CORRECTIONS
WHITTLESEY ROAD
PO Box 863
TRENTON NJ 08625-0863

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

VICTORIA L. KUHN, ESQ.
Commissioner

TO: Residential Community Reintegration Programs
Chief Executive Officers
Facility Directors

FROM: Darcella Patterson Sessoms, Chief Programs and Reintegration Services 

DATE: December 18, 2023

SUBJECT: Transportation Incentive Pilot Program

I am pleased to announce a new opportunity for the RCRPs. As shared with you at the November 29, 2023 NJDOC/RCRP CEO meeting, the New Jersey Department of Corrections' (NJDOC) Division of Programs and Reintegration Services has developed a Residential Community Reintegration Program (RCRP) Transportation Incentive Pilot Program. This pilot program is effective on January 1, 2024. Its continuation is contingent upon available funding in the NJDOCs' state fiscal year budgets for the RCRPs and satisfactory participation and compliance with the specified events noted below.

The Transportation Incentive Pilot Program was developed to off-set costs of participation in two specific events as follows:

1. Motor Vehicle Commission (MVC) Events - The Transportation Incentive Pilot Program is offered as an incentive for compliance with the monthly MVC events held at NJDOCs' Central Office Headquarters. The Fair Release and Reentry Act of 2009 (P.L. 2021, c. 312) mandates non-driver's identification processing for all IPs prior to release. The RCRPs which are compliant with the MVC processing event's scheduled arrival times and attendee and documentation requirements, are eligible for mileage and a portion of driver's salary reimbursement as outlined in the attached Transportation Incentive Calculation Spreadsheet – MVC Event.

2. Laser Tattoo Removal Pilot Program - The Transportation Incentive Pilot Program is offered as an incentive for participation in the Laser Tattoo Removal Pilot Program. RCRPs are eligible for mileage and a portion of the driver's salary reimbursement as outlined in the attached Transportation Incentive Calculation Spreadsheet – SOMA and Youth Fountain tabs. The reimbursement is available for each date the IPs attend appointments at the SOMA and Youth Fountain medical provider's offices.

The agency's fiscal officer should submit the attached Transportation Incentive Pilot Program Request Form with the payment voucher for RCRP billing. Upon OCP verification of having satisfactory compliance, adjustments will be processed once per month. For RCRPs that bill twice per month, the form may be submitted with the second half of the month payment voucher for RCRP billing.

Information on the Transportation Incentive Pilot Program Compliance is subject to desk audit for reconciliation with transportation logs, on-time RCRP arrival and departure times at the above events, and invoices from the medical providers of laser tattoo removal services.

Should you have any questions or require additional information, please contact Office of Community Programs' Kerry Pimentel at (609) 292 - 4036 extension 5459 or via email at Kerry.L.Pimentel@doc.nj.gov. Thank you.

DMW:kp
Attachments

c: Victor L. Kuhn, Esq, Commissioner
Rosalind Preston, Assistant Commissioner, Division of Programs
Donna Gies, Assistant Commissioner, Division of Administration
Denise Webb, Director, Office of Community Programs
Kerry Pimentel, Supervising Contract Administrator

NUDOC COHQ - MVC Event

		Mileage reimbursement (roundtrip @ \$.47 per mile)	Driver Salary - 2 Hours	Total Cost	Driver Salary - 3 Hours	Total Cost	Driver Salary - 4 Hours	Total Cost	Driver Salary - 5 Hours	Total Cost
RCRP	Mileage One Way									
Clinton House	4	\$3.76	\$32.00	\$35.76						
CURA	60	\$56.40	\$32.00	\$88.40	\$48.00	\$104.40	\$64.00	\$120.40	\$80.00	\$136.40
Fenwick House	82	\$77.08	\$32.00	\$109.08	\$48.00	\$125.08	\$64.00	\$141.08	\$80.00	\$157.08
Fletcher House	37	\$34.78	\$32.00	\$66.78	\$48.00	\$82.78	\$64.00	\$98.78		
Garrett House	36	\$33.84	\$32.00	\$65.84	\$48.00	\$81.84	\$64.00	\$97.84		
The Harbor	59	\$55.46	\$32.00	\$87.46	\$48.00	\$103.46	\$64.00	\$119.46	\$80.00	\$135.46
Hope Hall	30	\$28.20	\$32.00	\$60.20	\$48.00	\$76.20	\$64.00	\$92.20		
Hemm House	60	\$56.40	\$32.00	\$88.40	\$48.00	\$104.40	\$64.00	\$120.40	\$80.00	\$136.40
Kintock Bridgeton TX	85	\$79.90	\$32.00	\$111.90	\$48.00	\$127.90	\$64.00	\$143.90	\$80.00	\$159.90
Kintock Bridgeton WR	85	\$79.90	\$32.00	\$111.90	\$48.00	\$127.90	\$64.00	\$143.90	\$80.00	\$159.90
Kintock Legacy	85	\$79.90	\$32.00	\$111.90	\$48.00	\$127.90	\$64.00	\$143.90	\$80.00	\$159.90
Kintock Newark	58	\$54.52	\$32.00	\$86.52	\$48.00	\$102.52	\$64.00	\$118.52	\$80.00	\$134.52
Tully House	59	\$55.46	\$32.00	\$87.46	\$48.00	\$103.46	\$64.00	\$119.46	\$80.00	\$135.46

Youth Fountain - Laser Tattoo Removal

		Mileage reimbursement (roundtrip @ \$.47 per mile)	Driver Salary - 2 Hours	Driver Salary - 3 Hours	Driver Salary - 4 Hours	Driver Salary - 5 Hours	Driver Salary - 6 Hours	
	Mileage One Way		Total Cost	Total Cost	Total Cost	Total Cost	Total Cost	Total Cost
RCRP								
Clinton House	29	\$27.26	\$32.00	\$59.26	\$48.00	\$75.26	\$64.00	\$91.26
Fletcher House	60	\$56.40	\$32.00	\$88.40	\$48.00	\$104.40	\$64.00	\$120.40
Garrett House	60	\$56.40	\$32.00	\$88.40	\$48.00	\$104.40	\$64.00	\$120.40
Hope Hall	62	\$58.28	\$32.00	\$90.28	\$48.00	\$106.28	\$64.00	\$122.28
Kintock Bridgeton TX	101	\$94.94	\$32.00	\$126.94	\$48.00	\$142.94	\$64.00	\$158.94
Kintock Bridgeton WR	101	\$94.94	\$32.00	\$126.94	\$48.00	\$142.94	\$64.00	\$158.94
Kintock Legacy	101	\$94.94	\$32.00	\$126.94	\$48.00	\$142.94	\$64.00	\$158.94

Residential Community Reintegration Program (RCRP) Transportation Incentive Pilot Program Request Form

	RCRP	DESTINATION	TRIP DATE	START TIME	END TIME	DURATION	TOTAL DUE
sample	Fletcher	Tattoo Removal- Youth Fountain	1/10/2024	8:00 AM	12:00 PM	4 hours	\$136.40
1							
2							
3							
4							
5							
6							
7							
TOTAL							\$0.00

By signing below, I certify the information on this financial report has been verified against the RCRP transportation logs and is accurate to the best of my knowledge. I understand this report is subject to desk audit for reconciliation with transportation logs and resident departure and arrival times.

RCRP Program Director:

Signature:

(Print)

Date:

OCP Supervising Contract Administrator **Approval** and date:

OCP Supervising Contract Administrator **Disapproval** and date:

**NEW JERSEY DEPARTMENT OF CORRECTIONS
OFFICE OF COMMUNITY PROGRAMS
COMMUNITY PROGRAM APPLICATION CHECKLIST**

Inmate's Name _____
SBI Number _____ Prison Number _____
Institution _____

In accordance with N.J.A.C. 10A:20–4.11, the Institutional Community Release Agreement Program Coordinator (CRC) shall submit Form 686 – I, COMMUNITY PROGRAM APPLICATION, with two copies (unless otherwise indicated) of the following documents:

REQUIREMENTS	SUBMITTED
COMMUNITY PROGRAM APPLICATION FORM 686 – I <i>(One copy only)</i>	
INMATE FACE SHEET REPORT	
INMATE PROGRESS NOTES REPORT	
JUDGEMENT(S) OF CONVICTION	
PRE-SENTENCE REPORT <i>(Including official version of offense)</i>	
COMMUNITY RELEASE MEDICAL EXAMINATION FORM (MR – 030)	
PSYCHOLOGICAL EVALUATION <i>(With Full Minimum AND Community Release Approval)</i> (Refer to N.J.A.C. 10A: 20-4.4)	
A-304 <i>(Current Indictment or MPSV)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
ASSIGNMENT TO COLUMBUS HOUSE ONLY	<input type="checkbox"/> YES <input type="checkbox"/> NO
SUPPLEMENTAL DOCUMENTATION	Please check all that apply: <input type="checkbox"/> Individual Program Plan <input type="checkbox"/> Career Readiness Skills Report <input type="checkbox"/> Vocational Certificate(s) <input type="checkbox"/> Approved Pre-Parole Report <input type="checkbox"/> NJSPB Hearing Decision

Comments: _____

Coordinator Signature _____ Date _____

RCAP Name: _____

Type of Program: _____

Address: _____

Year: _____

Months: _____

[illegible]

**New Jersey Department of Corrections
Office of Community Programs
Quarterly Staff Roster**



SUBCONTRACTOR UTILIZATION FORM

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

BID SOLICITATION # AND TITLE: _____

VENDOR NAME: _____

List All Businesses To Be Used As Subcontractors. Attach Additional Sheets If Necessary.
If the Bid Solicitation has subcontracting set-aside goals, and the Vendor has not achieved the goals,
Vendor must attach information documenting its good faith effort to achieve the goals.

SUBCONTRACTOR'S NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

FEIN: _____

EMAIL: _____

ESTIMATED VALUE OF WORK TO BE SUBCONTRACTED: _____

DESCRIPTION OF WORK TO
BE SUBCONTRACTED: _____

IS THE SUBCONTRACTOR IS A SMALL BUSINESS?

IF YES, SMALL BUSINESS CATEGORY: _____

IS THE SUBCONTRACTOR IS A DISABLED VETERAN-OWNED BUSINESS?

SUBCONTRACTOR'S NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

FEIN: _____

EMAIL: _____

ESTIMATED VALUE OF WORK TO BE SUBCONTRACTED: _____

DESCRIPTION OF WORK TO
BE SUBCONTRACTED: _____

IS THE SUBCONTRACTOR IS A SMALL BUSINESS?

IF YES, SMALL BUSINESS CATEGORY: _____

IS THE SUBCONTRACTOR IS A DISABLED VETERAN-OWNED BUSINESS?

SUBCONTRACTOR'S NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

FEIN: _____

EMAIL: _____

ESTIMATED VALUE OF WORK TO BE SUBCONTRACTED: _____

DESCRIPTION OF WORK TO
BE SUBCONTRACTED: _____

IS THE SUBCONTRACTOR IS A SMALL BUSINESS?

IF YES, SMALL BUSINESS CATEGORY: _____

IS THE SUBCONTRACTOR IS A DISABLED VETERAN-OWNED BUSINESS?

CHAPTER 288

AN ACT concerning incarcerated primary caretaker parents, amending P.L.2005, c.155, and supplementing Title 30 and Title 52 of the Revised Statutes.

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

C.30:1B-6.5 Short title.

1. This act shall be known and may be cited as the “Dignity for Incarcerated Primary Caretaker Parents Act.”

C.30:1B-6.6 Findings, declarations relative to incarcerated primary caretaker parents.

2. The Legislature finds and declares:

a. A growing segment of the prison population typically is excluded from the criminal justice reform conversation and does not get the attention it deserves: primary caretaker parents behind bars. According to the Sentencing Project, in 2004, 52 percent of inmates in state prisons and 63 percent in federal prisons were parents of minor children. Most parents in prison are fathers, but the rate of female incarceration in America is growing at an alarming rate. While the number of fathers in prison increased 76 percent between 1991 and 2007, the number of mothers in prison increased by 122 percent during that period.

b. Presumably, the considerable growth in incarcerated parents represents a considerable growth in incarcerated primary caretaker parents. This is significant because these parents face unique challenges. Their incarceration is not their burden to alone share; it also greatly impacts their family. Many incarcerated primary caretaker parents also are faced with difficult and competing choices, like whether to use their limited funds to communicate with their children or in the case of female inmates, to purchase hygiene products in the commissary.

c. Therefore, it is necessary to create a strengthened Corrections Ombudsperson in the Office of the Corrections Ombudsperson to enforce the rights of inmates, provide access to the benefits to which they are entitled, and ensure accountability, transparency, monitoring, and continued improvements within all correctional facilities.

d. It is time for this State to focus on its incarcerated primary caretaker parents and provide them with the protections they deserve.

C.30:1B-6.7 Definitions relative to incarcerated primary caretaker parents.

3. As used in this act:

“Department” means the Department of Corrections.

“Isolated confinement” means the confinement of an inmate in a correctional facility, pursuant to disciplinary, administrative, protective, investigative, medical, or other classification, in a cell or similarly confined holding or living space, alone or with other inmates, for approximately 23 hours or more per day, with severely restricted activity, movement, and social interaction, and shall include, but not be limited to, administrative segregation, disciplinary segregation, solitary confinement, and protective segregation.

“Office” means the Office of the Corrections Ombudsman.

“Primary caretaker parent” means any inmate who has a child under the age of 18, who prior to the inmate’s incarceration, spent the majority of days in the care of the inmate parent, and whose access to that child has not been terminated by court order, the inmate’s own request, or other circumstance.

“Restraint” mean any physical restraint or mechanical device used to control the movement of a inmate’s or detainee’s body and limbs, including, but not limited to, shackles, flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security or tether chain, or a convex shield.

C.30:1B-6.8 Duties of Commissioner.

4. The Commissioner of Corrections shall:

a. place an inmate who has a minor child in a State correctional facility as close as possible to that child’s place of residence at the request of the inmate and prior to

sentencing;

b. establish policies that encourage and promote visitation, particularly for inmates who are primary caretaker parents, including, but not limited to:

(1) requiring the visitation program be in operation at least six days per week, including Saturday and Sunday, for at least three hours per visit;

(2) prohibiting restrictions on the number of minor children allowed to visit an inmate;

(3) authorizing up to three adult visitors; and

(4) authorizing contact visits;

c. prohibit the isolated confinement of a pregnant woman;

d. prohibit a staff member of, or medical service provider for, a correctional facility from restraining a woman known to be pregnant or applying restraints during any stage of labor, any pregnancy related medical distress, delivery, or postpartum;

e. provide parenting classes to primary caretaker parents;

f. provide appropriate trauma informed care to inmates who are primary caretaker parents and train correctional police officers on how to interact with inmates who are victims of trauma;

g. allow former inmates who have returned to society, after appropriate internal clearance, to mentor current inmates who are incarcerated primary caretaker parents and assist these inmates with reentry efforts;

h. require standard feminine hygiene products, including but not limited to, tampons and sanitary pads, be provided at the request of and free of charge to female inmates, and petroleum jelly, aspirin, ibuprofen, and any other item deemed appropriate by the commissioner, to be made available to inmates from the commissary or medical department;

i. restrict correctional police officers and other department employees from entering the restrooms and shower facilities of inmates of the opposite sex when occupied except when deemed necessary by the commissioner; and

j. allow all pregnant women and inmates who are primary caretaker parents to enroll in residential drug abuse and mental health programs provided they meet the requirements of those programs.

C.30:1B-6.9 Responsibilities of chief executive officer, warden.

5. The chief executive officer or warden of each county correctional facility shall:

a. establish policies that encourage and promote visitation, particularly for inmates who are primary caretaker parents, including, but not limited to:

(1) requiring in-person visitation three days per week, including Saturday and Sunday, for at least 30 minutes per visit;

(2) prohibiting restrictions on the number of children allowed to visit an inmate consistent with current regulations;

(3) authorizing up to two adult visitors; and

(4) providing consistent access to contact visits;

(5) authorizing contact visits with children;

b. prohibit the isolated confinement of a pregnant woman;

c. prohibit a staff member of, or medical service provider for, a county correctional facility from restraining a woman known to be pregnant or applying restraints during any stage of labor, any pregnancy related medical distress, delivery, or postpartum;

d. provide parenting classes to inmates who are primary caretaker parents;

e. provide trauma informed care to inmates who are primary caretaker parents and train correctional police officers on how to interact with inmates who are victims of trauma;

f. allow former inmates who are participating members of a non-profit or reentry organization mentorship or visitation program approved by the chief executive officer or warden to mentor current inmates who are incarcerated primary caretaker parents and assist these inmates with reentry efforts;

g. require standard feminine hygiene products, including but not limited to tampons and sanitary pads, be provided at the request of and free of charge to female inmates, and

petroleum jelly, aspirin, ibuprofen, and any other item deemed appropriate by the chief executive officer or warden, to be provided at the request of and free of charge to inmates;

h. restrict correctional police officers and other department employees from entering the restrooms and shower facilities of inmates of the opposite sex when occupied except when deemed necessary by the chief executive officer or warden; and

i. allow all pregnant women and inmates who are primary caretaker parents to enroll in residential drug abuse and mental health programs provided they meet the requirements of those programs.

6. Section 26 of P.L.2005, c.155 (C.52:27EE-26) is amended to read as follows:

C.52:27EE-26 Office of Corrections Ombudsperson; transfer of functions.

26. Office of Corrections Ombudsperson; transfer of functions.

a. All functions, powers, and duties now vested in the Corrections Ombudsperson in the Department of the Public Advocate are hereby transferred to and assumed by the Office of the Corrections Ombudsperson in, but not of, the Department of the Treasury. For the purposes of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the Office of the Corrections Ombudsperson is hereby allocated to the Department of the Treasury, but, notwithstanding this allocation, the Office of the Ombudsperson shall be independent of any supervision or control by the Department of the Treasury or by any board or officer thereof.

b. Whenever, in any law, rule, regulation, order, reorganization plan, contract, document, judicial, or administrative proceeding, or otherwise, reference is made to the Corrections Ombudsperson in the Department of the Public Advocate the same shall mean and refer to the Office of the Corrections Ombudsperson in, but not of, the Department of the Treasury.

c. The office shall be responsible for:

(1) providing information to inmates and their families;

(2) promoting public awareness and understanding of the rights of inmates;

(3) identifying systemic issues and responses upon which the Governor and Legislature may act; and

(4) ensuring compliance with relevant statutes, rules, regulations, and policies concerning corrections facilities, services, and treatment of inmates under the jurisdiction of the department.

d. The Corrections Ombudsperson shall serve as the head of the Office of the Corrections Ombudsperson.

(1) The corrections ombudsperson shall be appointed by the Governor from qualified persons of recognized judgment, independence, objectivity, and integrity, who are qualified by training or experience in corrections law and policy.

(2) A person shall be disqualified from being appointed as ombudsperson if the person or the person's spouse:

(a) is or has been employed by or participates in the management of a business entity or other organization receiving funds from the department within the last five years;

(b) owns or controls, directly or indirectly, any interest in a business entity or other organization receiving funds from the department within the last five years;

(c) uses or receives any amount of tangible goods, services, or funds from the department; or

(d) is required to register as a lobbyist because of the person's activities for compensation on behalf of a profession related to the operation of the department or the office.

e. The corrections ombudsperson shall hold the office for a term of five years and continue to hold the office until reappointed or the appointment of a successor. The Governor may remove the ombudsperson only for neglect of duty, misconduct, or the inability to perform duties. Any vacancy shall be filled by similar appointment for the remainder of the unexpired term.

f. The corrections ombudsperson shall report directly to the Governor.

g. The office shall be adequately funded and staffed with the requisite number of employees with expertise and training necessary to carry out the duties of the office.

h. The corrections ombudsperson may employ assistants to perform duties and exercise the same powers as the ombudsperson.

i. A person may not serve as an assistant corrections ombudsperson or employee of the office if the person or the person's spouse:

(a) is or has been employed by or participates in the management of a business entity or other organization receiving funds from the Department within the last five years;

(b) owns or controls, directly or indirectly, any interest in a business entity or other organization receiving funds from the department within the last five years;

(c) uses or receives any amount of tangible goods, services, or funds from the department; or

(d) is required to register as a lobbyist because of the person's activities for compensation on behalf of a profession related to the operation of the department or the office.

j. The corrections ombudsperson may employ technical experts and other employees or consultants necessary to perform the duties of the office.

7. Section 28 of P.L.2005, c.155 (C.52:27EE-28) is amended to read as follows:

C.52:27EE-28 Corrections Ombudsperson; duties.

28. Corrections Ombudsperson; duties.

a. The Corrections Ombudsperson shall establish and implement procedures for eliciting, receiving, processing, responding, and resolving complaints from inmates, their families, other interested citizens, public officials, and government agencies concerning conditions in the correctional facilities noted in section 27 of P.L.2005, c.155 (C.52:27EE-27).

b. To implement the provisions of P.L.2019, c.288, the ombudsperson shall:

(1) establish priorities for use of the resources available to the ombudsperson;

(2) maintain a Statewide toll-free telephone number, a collect telephone number, a website, and a mailing address for the receipt of complaints and inquiries;

(3) provide information, as appropriate, to inmates, family members and representatives of inmates, department employees, and others regarding the rights of inmates;

(4) provide technical assistance to support inmate participation in self-advocacy;

(5) monitor compliance with applicable federal, State, county, and municipal laws, rules, regulations, and policies related to the health, safety, welfare, and rehabilitation of inmates;

(6) monitor and participate in legislative and policy developments affecting correctional facilities;

(7) establish a Statewide uniform reporting system to collect and analyze data related to complaints received by the ombudsperson regarding the department;

(8) establish procedures to receive, investigate, and resolve complaints;

(9) establish procedures to gather stakeholder input into the ombudsperson's activities and priorities, which shall include holding public meetings at least quarterly;

(10) by November 1st of each year, annually submit to the Governor's office and the Legislature, and make publicly available, a report that is both aggregated and disaggregated by each facility and includes, at a minimum, the following information:

(a) the budget and expenditures of the ombudsperson;

(b) the number of complaints received and resolved by the ombudsperson;

(c) a description of significant systemic or individual investigations or outcomes achieved by the ombudsperson in the preceding year;

(d) any outstanding or unresolved concerns or recommendations of the ombudsperson; and

(e) input and comments from stakeholders regarding the ombudsperson's activities during the preceding year.

(11) promote awareness among department employees, inmates, and family members and other members of the public regarding:

(a) how the Office of Corrections Ombudsperson may be contacted;

(b) the purpose of the office; and

(c) the services provided by the office.

(12) provide assistance to an inmate or family member whom the ombudsperson determines is in need of assistance, including advocating with an agency, provider, or other person in the best interests of the inmate;

(13) make appropriate referrals under any of the powers and duties of the office, including to appropriate law enforcement authorities when criminal complaints by inmates are received by the office;

(14) attend any relevant training provided to correctional officers and participate in other appropriate professional training;

(15) notwithstanding any other provision of law to the contrary, review criminal investigations to ensure the investigations were accurate, unbiased, and thorough without investigating alleged criminal behavior; and

(16) adopt and comply with rules, policies, and procedures necessary to implement the provisions of P.L.2019, c.288.

C.52:27EE-28.1 Investigations of inmate complaints.

8. The corrections ombudsperson shall conduct investigations of inmate complaints in accordance with the provisions of this section.

a. The ombudsperson may initiate and attempt to resolve an investigation upon the ombudsperson's own initiative, or upon receipt of a complaint from an inmate, a family member, a representative of an inmate, a department employee, or any other person, including but not limited to any of the following that may adversely affect the health, safety, welfare, or rights of inmates:

(1) abuse or neglect;

(2) department decisions or administrative actions;

(3) inactions or omissions;

(4) policies, rules, or procedures; or

(5) alleged violations of law by the department that may adversely affect the health, safety, welfare, or rights of inmates.

b. If the ombudsperson does not investigate a complaint, the ombudsperson shall notify the complainant of the decision not to investigate and the reasons for the decision.

c. The ombudsperson shall not investigate any complaints relating to an inmate's underlying criminal conviction.

d. The ombudsperson shall not investigate a complaint from a department employee that relates to the employee's employment relationship with the department or the administration of the department, unless the complaint is related to the health, safety, welfare, and rehabilitation of inmates.

e. The ombudsperson shall attempt to resolve any complaint at the lowest possible level.

f. The ombudsperson may refer complainants and others to appropriate resources, agencies, or departments.

g. The ombudsperson shall not impose any fee for the submission or investigation of complaints.

h. The ombudsperson shall remain neutral and impartial and shall not act as an advocate for the complainant or for the department.

i. At the conclusion of an investigation of a complaint, the ombudsperson shall render a public decision on the merits of each complaint, except that the documents supporting the decision are subject to relevant confidentiality provisions. The ombudsperson shall communicate the decision to the inmate, if appropriate, and to the department. The ombudsperson shall state its recommendations and reasoning if, in the ombudsperson's opinion, the department or any employee should:

(1) further consider the matter;

(2) modify or cancel any action;

(3) alter a rule, practice, or ruling;

(4) explain in detail the administrative action in question; or

(5) rectify an omission.

j. At the ombudsperson's request, the department shall, within the time specified, inform the ombudsperson about any action taken on the recommendations or the reasons

for not complying with the recommendations.

k. If the ombudsperson concludes, based on the investigation, that there has been, or continues to be, a significant issue regarding an inmate's health, safety, welfare, or rehabilitation, the ombudsperson shall report the finding to the Governor and the Legislature.

l. Before announcing a conclusion or recommendation that expressly, or by implication, criticizes a person or the department, the ombudsperson shall consult with that person or the department. The ombudsperson may request to be notified by the department, within a specified time, of any action taken on any recommendation presented. The ombudsperson shall notify the inmate, if appropriate, of the actions taken by the department in response to the ombudsperson's recommendations.

m. The ombudsperson shall make available to inmates confidential means by which to report concerns or otherwise submit complaints to the ombudsperson, which may include electronic means or a locked box, accessible only by the ombudsperson and the employees of the ombudsperson. All measures shall be taken to ensure there is no risk or credible fear of retaliation against inmates for submitting complaints to the ombudsperson.

n. Submission of complaints to the ombudsperson shall not be part of the department administrative grievance or appeal process, and the ombudsperson's decisions shall not constitute agency action. Nothing in this section shall be deemed to constitute part of the administrative exhaustion process. The ombudsperson shall not require inmates to file grievances or other inquiries as part of the department's system to be considered ripe for review by the ombudsperson.

C.52:27EE-28.2 Inspections of State correctional facilities.

9. The corrections ombudsperson shall conduct inspections of State correctional facilities in accordance with the provisions of this section.

a. The ombudsperson shall conduct regular inspections of all department facilities and issue public reports of all inspections.

b. Except for ongoing criminal investigations, Prison Rape Elimination Act (PREA) investigations, or other information, records, or investigations deemed confidential by the Special Investigations Division of the department, and with the exception of Special Investigations Division evidence rooms, the ombudsperson may inspect, examine, or assess all aspects of a facility's operations and conditions including, but not limited to:

- (1) staff recruitment, training, supervision, and discipline;
- (2) inmate deaths or serious injuries;
- (3) incidences of physical and sexual assault;
- (4) medical and mental-health care;
- (5) use of force;
- (6) inmate violence;
- (7) conditions of confinement;
- (8) inmate disciplinary processes;
- (9) inmate grievance processes;
- (10) substance-abuse treatment;
- (11) educational, vocational, and other programming;
- (12) family visitation and communication practices; and
- (13) rehabilitation, reentry, and integration practices.

c. Except as provided in subsection b. of this section, the ombudsperson shall utilize a range of methods to gather and substantiate facts, including observations, interviews with inmates, inmate surveys, document and record reviews, reports, statistics, and performance-based outcome measures.

d. Facility and other governmental officials are authorized and shall be required to cooperate fully and promptly with inspections.

e. Except as provided in subsection b. of this section, the ombudsperson shall be vested with the authority to conduct both scheduled and unannounced inspections of any part or all of the facility at any time. The ombudsperson shall adopt procedures to ensure that unannounced inspections are conducted in a reasonable manner.

f. Facility administrators shall be provided an opportunity to review reports and provide feedback about them to the ombudsperson before their dissemination to the public,

but the release of the reports is not subject to approval from any entity or person outside the office.

g. Reports shall apply legal requirements, best correctional practices, and other criteria to objectively and accurately review and assess a facility's policies, procedures, programs, and practices; identify systemic problems and the reasons for them; and proffer possible solutions to those problems.

h. Subject to reasonable privacy and security requirements, or as may be necessary to protect the safety or privacy of persons or the safe, secure, and orderly operation of State correctional facilities, as determined by the department or the Special Investigations Division, the ombudsperson's reports shall be public, accessible through the Internet, and distributed to the media, Legislature, Attorney General, and Governor.

i. Facility administrators shall publicly respond to monitoring reports; develop and implement in a timely fashion action plans to rectify problems identified in those reports; and to semi-annually inform the public of their progress in implementing these action plans.

j. The ombudsperson shall continue to assess and report on previously identified problems and the progress made in resolving them until the problems are resolved.

C.52:27EE-28.3 Access to facilities, records.

10. The corrections ombudsperson shall be provided access to correctional facilities and inmate records in accordance with the provisions of this section.

a. Subject to the provisions of subsection b. of this section, and except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), the ombudsperson shall have reasonable access to correctional facilities at all times necessary to ensure that a full investigation of an incident of abuse or neglect has been conducted.

b. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), access to investigate a complaint shall be afforded when:

- (1) an incident is reported or a complaint is made to the office;
- (2) the ombudsperson reasonably determines there is cause to believe that an incident has or may have occurred;
- (3) the ombudsperson determines that there is or may be imminent danger of serious abuse or neglect of an inmate;
- (4) the ombudsperson has referred the incident or complaint to the department for investigation; and
- (5) the department has declined to investigate the incident or complaint.

c. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), the ombudsperson shall have reasonable access to all department facilities, including all areas which are used by inmates, all areas which are accessible inmates, and to programs for inmates for the purpose of:

- (1) providing information about person's rights and the services available from the office, including the name, address, and telephone number of the office; and
- (2) monitoring compliance with respect to the rights and safety of inmates.

d. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), the ombudsperson shall be vested with the authority to regularly meet, interview, and privately and confidentially communicate with any person, including staff and inmates, both formally and informally, by telephone, mail, and in person.

e. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), the ombudsperson has the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department that the ombudsperson considers necessary in an investigation of a complaint or the inspection of a facility. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), the department may, upon the request of the ombudsperson, assist the ombudsperson in obtaining releases for those documents which are specifically restricted or privileged for use by the ombudsperson, provided however, the department shall not be liable in the case of a refusal to execute a release.

f. Except as provided in subsection b. of section 9 of P.L.2019, c.288 (C.52:27EE-28.2), following notification from the ombudsperson with a written demand for access to agency records, the delegated department staff shall provide the ombudsperson with access

to the requested documentation not later than 20 business days after the ombudsperson's request.

g. Upon notice and request by the ombudsperson, a State, county, or municipal government agency or entity that has records relevant to a complaint or an investigation conducted by the ombudsperson shall provide the ombudsperson with access to the records.

h. The ombudsperson shall work with the department to minimize disruption to the department's operations due to ombudsperson activities and shall comply with the department's security clearance processes, provided those processes do not impede the ombudsperson from carrying out the responsibilities set forth in this section.

i. The ombudsperson shall be authorized to hold public hearings, to subpoena witnesses and documents, and to require that witnesses testify under oath.

j. The ombudsperson shall enact procedures to enable facility administrators, line staff, inmates, and others to transmit information confidentially to the monitoring entity about the facility's operations and conditions. Adequate safeguards shall be established to protect persons who transmit information to the monitoring entity from retaliation and threats of retaliation.

k. Facility and other governmental officials shall be authorized and required to cooperate fully and promptly with the ombudsperson. To the greatest extent possible and consistent with the ombudsperson's duties and responsibilities under P.L.2019, c.288 (C.30:1B-6.5 et al.), the ombudsperson shall collaboratively and constructively work with administrators, legislators, and other appropriate persons to improve the facility's operations and conditions.

C.52:27EE-28.4 Correspondence, communication confidential, protected.

11. Correspondence and communication with the corrections ombudsperson shall be confidential and protected as privileged correspondence in the same manner as legal correspondence or communication.

a. The ombudsperson shall establish confidentiality rules and procedures for all information maintained by the office.

b. The ombudsperson shall treat all matters under investigation, including the identities of recipients of ombudsperson services, complainants, and persons from whom information is acquired, as confidential, except as far as disclosures may be necessary to enable the ombudsperson to perform the duties of the office and to support any recommendations resulting from an investigation. Upon receipt of information that, by law, is confidential or privileged, the ombudsperson shall maintain the confidentiality of the information and shall not further disclose or disseminate the information except as provided by applicable federal or State law or as authorized by this section.

c. To the extent the ombudsperson reasonably believes necessary, the ombudsperson:

(1) shall reveal information obtained in the course of providing services to prevent reasonably certain death or substantial bodily harm; and

(2) may reveal information obtained in the course of providing ombudsperson services to prevent the commission of a crime.

d. If the ombudsperson believes it is necessary to reveal investigative records pursuant to subsection c. of this section, the ombudsperson shall provide a copy of what is intended to be disclosed to the department for review and application of legal exemptions prior to releasing the records to any other person. If the ombudsperson personally receives identifying information concerning a member of the corrections staff during the course of an investigation that the ombudsperson determines is unrelated or unnecessary to the subject of the investigation or recommendation for action, the ombudsperson shall not further disclose the information. If the ombudsperson determines that the disclosure is necessary to an investigation or recommendation, the ombudsperson shall contact the staff member, as well as the bargaining unit representative before any disclosure.

C.52:27EE-28.5 Prohibited actions.

12. A civil action shall not be brought against any employee of the Office of the Ombudsperson for the good faith performance of responsibilities under P.L.2019, c.288.

a. A discriminatory, disciplinary, or retaliatory action shall not be taken against a department employee, subcontractor, or volunteer, an inmate, or a family member or representative of an inmate for any communication made, or information given or disclosed, to aid the office in carrying out its responsibilities, unless the communication or information is made, given, or disclosed maliciously or without good faith.

b. This section is not intended to infringe on the rights of an employer to supervise, discipline, or terminate an employee for other reasons.

C.52:27EE-28.6 Advisory board.

13. An advisory board shall be established to advise the Office of the Corrections Ombudsperson. The Governor shall appoint three positions, the President of the Senate shall appoint three positions, and the Speaker of the General Assembly shall appoint three positions. The advisory board shall designate positions for representatives of the following areas of expertise: investigations, health care, sexual assault victims' advocacy, social work, occupational safety and health, and research and data analysis. At least one position on the advisory board shall be filled by a family member of an inmate or by a formerly incarcerated person.

14. This act shall take effect on the first day of the seventh month next following enactment.

Approved January 9, 2020.



FORM 225

Eff.
10/2022

State of New Jersey
DEPARTMENT OF CORRECTIONS

PRIMARY CARETAKER PARENT INTAKE FORM AND APPLICATION

INCARCERATED PERSON NAME (Printed)

SBI Number

Date

A Primary caretaker parent is defined as any incarcerated person who has a child under the age of 18, who prior to the incarcerated person's incarceration, spent the majority of days in the care of the incarcerated person parent, and who's access to that child has not terminated by court order, the incarcerated person's own request, or other circumstance.

1. Based upon above definition are you a primary caretaker? ☐ Yes ☐ No

ONLY COMPLETE THE FOLLOWING QUESTIONS IF YOU MARKED YES TO ABOVE QUESTION:

1. Do you request to participate in the Primary Caretaker Visit Program? ☐ Yes ☐ No

2. Do you request to be assigned to a facility closest to your child(ren) ☐ Yes ☐ No

If yes, what facility? _____

Incarcerated Person Signature

COMPLETE THE FOLLOWING TO APPLY FOR PRIMARY CARETAKER VISIT PROGRAM OR
FACILITY ASSIGNMENT DUE TO BEING A PRIMARY CARETAKER:

Child's Name	DOB	AGE	Current Address	Current Caretaker (Name and Relationship)
1. _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____
_____	_____	_____	_____	_____



FORM 225

Eff.
10/2022

State of New Jersey
DEPARTMENT OF CORRECTIONS

PRIMARY CARETAKER PARENT INTAKE FORM AND APPLICATION
(continued)

Primary Caretaker Adult Visitors-*Note, 3 adults may be identified as those that will accompany the approved children to the visit. They MUST be approved on the visit list and must be present for the scheduled visit.

NAME	ADDRESS	RELATION TO IP	RELATION TO IP (Name and Relationship)
1. _____ _____	_____ _____	_____ _____	_____ _____
2. _____ _____	_____ _____	_____ _____	_____ _____
3. _____ _____	_____ _____	_____ _____	_____ _____

3. Are you married/civil union? ☐ Yes ☐ No

a. If yes, what is your spouse/partner name? _____

4. Are there any court orders or legal matters, including but not limited to: involvement with The Department of Children and Families (DCF), restraining orders with the custodial parent, termination of parental rights, other? ☐

