

RULE PROPOSALS

INTERESTED PERSONS

The Department of Corrections provides notices of rule proposals in the New Jersey Register (N.J.R.), a semi-monthly official publication of the Office of Administrative Law which contains all State agency rule proposals and adoptions. The following paragraph is quoted from the Proposal section of the New Jersey Register:

Interested persons may submit comments, information or arguments concerning any of the rule proposals in this issue until the date indicated in the proposal. Submissions and any inquiries about submissions should be addressed to the agency officer specified for a particular proposal.

The required minimum period for comment concerning a proposal is 30 days. A proposing agency may extend the 30-day comment period to accommodate public hearings or to elicit greater public response to a proposed new rule or amendment. Most notices of proposal include a 60-day comment period, in order to qualify the notice for an exception to the rulemaking calendar requirements of N.J.S.A. 52:14B-3. An extended comment deadline will be noted in the heading of a proposal or appear in a subsequent notice in the Register.

At the close of the period for comments, the proposing agency may thereafter adopt a proposal, without change, or with changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-6.3. The adoption becomes effective upon publication in the Register of a notice of adoption, unless otherwise indicated in the adoption notice. Promulgation in the New Jersey Register establishes a new or amended rule as an official part of the New Jersey Administrative Code.

CORRECTIONS

THE COMMISSIONER

Social Services

Proposed Readoption with Amendments: N.J.A.C. 10A:17

Authorized By: Gary M. Lanigan, Commissioner, Department of Corrections.

Authority: N.J.S.A. 30:1B-6, 30:1B-10, and 37:1-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2016-031.

Submit written comments by May 6, 2016, to:

Kathleen Cullen, Administrative Rules Unit

Office of the Commissioner

New Jersey Department of Corrections

PO Box 863

Trenton, NJ 08625-0863

or via e-mail at: ARU@doc.nj.gov

The agency proposal follows:

Summary

Pursuant to Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, N.J.A.C. 10A:17, Social Services, was scheduled to expire on January 21, 2016. Pursuant to N.J.S.A. 52:14B-5.1.c(2), as the Department of Corrections (“Department” or “NJDOC”) submitted this notice of proposal to the Office of Administrative Law on that date, the chapter expiration is extended 180 days to July 19, 2016. The Department has reviewed these rules and, with the exception of the amendments proposed, has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. The rules are, therefore, proposed for readoption at this time.

Subchapter 1 sets forth policies and procedures for the social services included in this chapter. The Department proposes to replace “Supervisor of Volunteers” at N.J.A.C. 10A:17-1.3 with “Volunteer Services Site Coordinator” as the role has changed.

Amendments are proposed to N.J.A.C. 10A:17-1.4(a) to eliminate reference to the DOCNet system and obtaining forms from the Administrative Rules Unit since two of the three forms (Religious Vegetarian Meals and Marriage/Civil Union Request Form) have been integrated into

the inmate inquiry system located in each facility. The third form (Volunteer Application) is proposed for deletion from N.J.A.C. 10A:17-1.4(a) and inclusion at subsection (b) with the other volunteer forms. At N.J.A.C. 10A:17-1.4(b), the Department proposes to replace the form for “Request for Criminal History Background Information” with the “Application for Clearance and Issuance of Identification Cards” since the criminal history background information is now incorporated into the identification card application. The three volunteer forms set forth in N.J.A.C. 10A:17-4.1(b) are now available on the internet at <http://www.state.nj.us/corrections/pages/nonprofitInformation.html> and this reference to the website is proposed for inclusion at N.J.A.C. 10A:17-1.4(b).

Subchapter 2 sets forth responsibilities of the Department’s volunteer services program. The Department proposes to change “Supervisor of Volunteers” to “Volunteer Services Site Coordinator” since the role has changed at N.J.A.C. 10A:17-2.2, 2.3(a), (c), and (d), 2.4, 2.5(a) and (b), 2.6(b) and (c), 2.10(c), 2.11(e), 2.14(a), (b), and (c), 2.19(a), and 2.20(a), (b), and (c). Rewording of N.J.A.C. 10A:17-2.3(b) is proposed to make clear that volunteers are recruited based on need as determined by the Department and not based on the services a volunteer may wish to provide. This approach to volunteer services is necessary for the safety and security of the volunteers, staff, and for the security and orderly operations of the correctional facility. The Department proposes to replace the volunteer criteria (“other qualifications appropriate for providing a needed service”) at N.J.A.C. 10A:17-2.3(b)5 with “skills” to reflect the current volunteer criteria utilized. At N.J.A.C. 10A:17-2.9(a), the list of volunteer services is proposed to be updated and recodified, since volunteer involvement is limited to replace “crafts” and “recreation” activities with “recreational and leisure” activities, to add a qualification that vocational placement “assistance” is provided, not vocational placement, and to delete “group or

individual Counseling.”

The Department proposes to reflect the upgrade of the index data files and incorporation of the information contained in those files into the Volunteer Information Tracking System (VITS) at N.J.A.C. 10A:17-2.11 and 2.19(a)2. Additional information regarding VITS status updates is proposed to be added at N.J.A.C. 10A:17-2.11(e). At N.J.A.C. 10A:17-2.15, the Department proposes to change “Supervisor of Volunteers” to “Departmental Coordinator of Volunteer Services” due to a change of responsibilities. With the proposed elimination of the term “Supervisor of Volunteers,” responsibilities have in some cases been reassigned to the Departmental Coordinator of Volunteer Services and corresponding changes are proposed at N.J.A.C. 10A:17-2.1 and 2.21(a) and (b). In addition, the volunteer program responsibilities of the facility Administrator appearing at N.J.A.C. 10A:17-2.15 and 2.21(a) and (b) are now associated with the Assistant Commissioner, and corresponding changes are also proposed.

Given the constant need to maintain safety and security, and the nature of volunteer services, a qualifying statement is proposed at N.J.A.C. 10A:17-2.16(a) that these services may not always be available based on the availability of time and/or space within each facility. At N.J.A.C. 10A:17-2.20(c) and 2.21(b), an amendment is proposed to eliminate the term “appropriate” as it is superfluous.

Subchapter 3 is reserved.

Subchapter 4 sets forth the responsibilities of the Office of Transitional Services, the provision of social services, caseload and staffing matters, information regarding a social work manual, and reports. At N.J.A.C. 10A:17-4.1(a)2, the phrase “treatment planning” is proposed to be changed to “reintegration planning” and at N.J.A.C. 10A:17-4.3(a)8 and (a)8iii, the phrase “treatment and discharge plan” is proposed to be changed to “program and discharge plan” as

social services administers reintegration and program plans, whereas health services administers treatment plans. Changes of a similar nature are proposed at N.J.A.C. 10A:17-4.3(a)7, modifying “individual and group counseling” to “group process interventions” and at N.J.A.C. 10A:17-4.3(a)7ii, a technical correction is proposed adding the phrase “crisis intervention in” emergency situations to conform to current practice. The Department proposes to delete N.J.A.C. 10A:17-4.3(a)7iv, v, and vi, as these services are provided by health services. At N.J.A.C. 10A:17-4.3(a)8ii, the Department proposes to delete the reference to orientation as social services provides other services individually mentioned in this chapter and not the entire orientation program. In addition, the phrase “beginning at intake” is proposed to be added to N.J.A.C. 10A:17-4.3(a)8iii to clarify that the discharge plan is a program and not treatment and that it starts upon inmate intake.

At N.J.A.C. 10A:17-4.6(b), the Department proposes to delete the word “appropriate” as it is superfluous. Proposed new paragraph (b)2 is added to include “Director, Office of Transitional Services.” The topic of this section is the social work manual, which is not distributed to the Director of Custody Operations, therefore, paragraph (b)4 is proposed for deletion to reflect current practice. Due to the technology changes, data storage abilities, and the use of emailing reports, changes are proposed at N.J.A.C. 10A:17-4.7(a) to reflect current reporting processes by removing reference to “copies of monthly and annual” Social Work reports; changing reference from “Social Work Department” reports to “Social Work” reports; and deleting reference to the correctional facility Administrator or designee, ensuring reports are submitted to Transitional Services. Emailing reports has simplified report sharing and the frequency of reports.

Subchapter 5 sets forth rules pertaining to, but not limited to, religious activities, restrictions, religious meals, religious holidays, interfaith activity, and community volunteers for religious

activity. The Department proposes to change the phrase “the chaplain may visit” (an inmate/inmates) to “the chaplain shall make services available to all” (inmates) at N.J.A.C. 10A:17-5.15(a) and (b) as a clarification that the availability of services shall be required of chaplains to ensure that all inmates are provided the option and opportunity for religious counseling. The added requirement that religious group leaders must be approved by the Administrator is proposed at N.J.A.C. 10A:17-5.15(b) to reinforce N.J.A.C. 10A:18-6.3 and 6.5, which state that all visitors must be approved by the Administrator. When a request for a new religious group is initiated, the Department proposes to include the Religious Issues Committee in the review of the application at N.J.A.C. 10A:17-5.18(b) in an effort to provide a broader perspective when considering the application. At N.J.A.C. 10A:17-5.21(d), the responsibility to maintain records is proposed to also include the chaplain by adding the phrase “chaplain and/or.”

Subchapter 6 sets forth the rules regarding chaplaincy services and the Religious Issues Committee. The titles of “correctional facility Director of Custody Operations or designee, with the rank of Captain” are proposed for deletion and replacement with “Correction Major” at N.J.A.C. 10A:17-6.6(a)3 to be consistent with current Civil Service Commission titles. The Department proposes to change the designation of a non-voting member on the Religious Issues Committee to reflect current practice by replacing the “Office of the Attorney General” with “Special Legal Advisor to the Commissioner, or designee.” Since the responsibility to select chaplains now lies with the Office of Community Programs and Outreach Services in consultation with the Administrator, it is proposed that N.J.A.C. 10A:17-6.7(e) be amended to reflect current practice.

Subchapter 7 sets forth rules for inmate marriage and civil unions. An amendment of a technical nature is proposed at N.J.A.C. 10A:17-7.7(a) to render the language of the subsection

consistent with the heading and other provisions of the subsections. At N.J.A.C. 10A:17-7.1 and 7.4, references to furlough in connection with inmates in correctional facilities are proposed for deletion as furloughs are not granted to inmates in correctional facilities. At N.J.A.C. 10A:17-7.5(a), the Department proposes to replace reference to “advisor” with “liaison” since social services staff do not advise inmates but act as a liaison in some cases.

Subchapter 8 sets forth rules on recreation and leisure time activities. The Department proposes to modify the subchapter as it refers to recreational staff and recreational program as the staff and a formal program was phased out seven to eight years ago. More specifically, the changes proposed include removing references to recreational staff and recreational program at N.J.A.C. 10A:17-8.1(b), 8.2(a) and (d), and 8.3 (heading) as they no longer apply; replacing the word “program” with “activity” at N.J.A.C. 10A:17-8.9(a) since the program no longer exists and delete the phrase “under the direction of an assigned instructor on a regular basis” as the related position no longer exists; deleting N.J.A.C. 10A:17-8.1(a) and 8.2(c) as it relates to recreational staff and no longer applies; replacing “scheduled” with “permitted” at N.J.A.C. 10A:17-8.6(a), as recreational activities are no longer scheduled but they are permitted; adding the clarifying phrase “when appropriate and authorized by the Administrator or designee” at N.J.A.C. 10A:17-8.10(c); replace “recreational staff” with “designated staff” at N.J.A.C. 10A:17-8.16(a) to reflect current responsibilities; and replacing “Supervisor of Recreation” with “Administrator” and replace “Administrator” with “Assistant Commissioner” at N.J.A.C. 10A:17-8.17 and 8.18 to reflect current responsibilities.

As the Department has determined that the comment period for this notice of proposal shall be 60 days, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for readoption with amendments will continue to allow various social services to be provided to inmates that are intended to be beneficial to inmates throughout their incarceration. Such services have the potential to positively impact inmates, their families, and society at large. The amendments to job roles, responsibilities and processes proposed to this chapter are also expected to have a positive social impact as the changes reflect current practice.

Economic Impact

Additional funding is not necessary to implement the requirements of the rules proposed for readoption with amendments. The cost of meeting and maintaining the requirements of the chapter is met by the Department through the established budget with funds allocated by the State.

Federal Standards Statement

The rules proposed for readoption with amendments are promulgated under the authority of the rulemaking requirements of the Department of Corrections as established at N.J.S.A. 30:1B-6 and 30:1B-10. The rules reflect current practice and are not subject to any Federal statutes, requirements, or standards; therefore, a Federal standards analysis is not required.

Jobs Impact

The rules proposed for readoption with amendments reflect current practice and will cause neither the generation nor the loss of any jobs.

Agriculture Industry Impact

The rules proposed for readoption with amendments reflect current practice and shall have no impact on the agriculture industry.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the rules proposed for readoption

with amendments reflect current practice and do not impose reporting, recordkeeping, or other compliance requirements on small businesses, as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for readoption with amendments affect inmates, the New Jersey Department of Corrections, and governmental entities responsible for the enforcement of the chapter.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments have no impact on housing affordability and there is an extreme unlikelihood that the rules would evoke a change in the average cost associated with housing in New Jersey. The rules proposed for readoption with amendments pertain to social services for inmates and housing for inmates is provided by the Department and related government agencies.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments have no impact on smart growth development and the rules do not evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey. The rules proposed for readoption with amendments pertain to social services for inmates and housing for inmates provided by the Department and related government agencies.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 10A:17.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

48 NJR 369(a)
March 7, 2016
Filed January 21, 2016

SUBCHAPTER 1. GENERAL PROVISIONS

10A:17-1.3 Definitions

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

...

"[Supervisor of] Volunteer[s] **Services Site Coordinator**" means a staff member, within a correctional facility, who is responsible for coordinating and supervising the Volunteer Service Program of the correctional facility and its satellite unit(s).

...

10A:17-1.4 Forms

(a) The following forms related to social **and religious** services are available [by accessing the Department of Corrections computer network (DOCNet). Interested individuals who do not have access to DOCNet may obtain copies of forms by contacting the Administrative Rules Unit, New Jersey Department of Corrections] **on the Inmate Inquiry System in each facility:**

1. 370-I Religious Vegetarian Meals; **and**
2. 380-I Marriage/Civil Union Request Form[; and].
- [3. 450-I Volunteer Application.]

(b) The following forms **related to volunteer services** are available [by contacting the correctional facility Supervisor of Volunteers] **on the internet at**

<http://www.state.nj.us/corrections/pages/nonprofitInformation.html>:

1. Volunteer Application;

[1.] **2.** (No change in text.)

[2. IAU-12 Request for Criminal History Background Information.]

3. IDU: A0003 Application for Clearance and Issuance of Identification Cards.

SUBCHAPTER 2. VOLUNTEER SERVICE PROGRAM

10A:17-2.2 [Supervisor of] Volunteer[s] **Services Site Coordinator**

(a) The Administrator shall designate a correctional facility staff member to function as the [Supervisor of] Volunteer[s if there is no Supervisor of Volunteer Services position] **Services Site Coordinator.**

(b) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall be responsible for the coordination and supervision of the Volunteer Service Program of the correctional facility.

(c) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall:

1. – 6 (No change.)

10A:17-2.3 Recruiting volunteers

(a) Volunteers may be recruited by the [Supervisor of] Volunteer[s] **Services Site Coordinator** or by other interested individuals.

(b) When recruiting volunteers, emphasis shall be placed on the service(s) [to be provided] **needed, as determined by the Department,** and the following qualifications of the prospective volunteer:

1. – 4. (No change.)

[5. Other qualifications appropriate for providing a needed service.]

5. Skills.

10A:17-2.4 Eligibility for Volunteer Service Program

(a) – (b) (No change.)

(c) A person with an arrest history may participate in the Volunteer Service Program if his or her volunteer application is approved by the [Supervisor of] Volunteer[s] **Services Site Coordinator**, the Administrator, and the [appropriate] Assistant Commissioner.

(d) Each member of a group wishing to participate in the Volunteer Service Program shall submit an individual application pursuant to this subchapter. Group member applications shall be reviewed[,] **and** approved or disapproved by the [Supervisor of] Volunteer[s] **Services Site Coordinator**.

10A:17-2.5 Volunteer application

(a) Any person desiring to serve as a volunteer shall be subject to certain background checks and shall obtain from the [Supervisor of] Volunteer[s] **Services Site Coordinator** the following forms:

1. – 2. (No change.)

[3. IAU--12 Request for Criminal History Background Information.]

3. IDU: A0003 Application for Clearance and Issuance of Identification Cards.

(b) The applicant shall complete and sign **the** forms in (a) above and return such forms to the [Supervisor of] Volunteer[s] **Services Site Coordinator** for review.

(c) – (d) (No change.)

10A:17-2.6 Screening process

(a) (No change.)

(b) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall verify all pertinent information and approve or reject applicants after a thorough review has been made of the qualifications of the applicants and the needs of the correctional facility.

(c) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall notify all applicants, in writing, of whether they have been approved or disapproved for participation in the Volunteer Service Program.

10A:17-2.9 Volunteer assignments

(a) Volunteers shall be assigned to correctional facility services in accordance with the volunteer's interests and capabilities and in accordance with the needs of the correctional facility. Services to which volunteers may be assigned shall include, but are not limited to:

1. (No change.)

[2. Crafts;

3. Recreation;]

2. Recreational and leisure activities;

[4.] **3. Vocational placement assistance;**

[5. Group or individual counseling; and]

[6.] **4.** (No change in text.)

10A:17-2.10 Scheduling

(a) The services of the Volunteer Service Program shall be coordinated and scheduled by the [Supervisor of] Volunteer[s] **Services Site Coordinator** and approved, in writing, by the Administrator or designee.

(b) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall post a schedule of current volunteer services on the bulletin board of each housing unit. The schedule of volunteer services shall indicate the following:

1. – 5. (No change.)

(c) Any additions or changes in volunteer services shall be promptly posted on the bulletin board of each housing unit by the [Supervisor of] Volunteer[s] **Services Site Coordinator**.

(d) (No change.)

10A:17-2.11 Volunteer photo identification cards and [index data files] **Volunteer Information Tracking System (VITS)**

(a) – (b) (No change.)

(c) The [index] **VITS** data [files] for volunteers shall include:

1. – 3. (No change.)

(d) The [index data files] **VITS** for volunteers shall be [kept] **accessible** at the front entrance of the correctional facility, and shall be used only by authorized staff for identifying volunteers. Upon verification of the volunteer identification, the staff member on duty at the front entrance shall issue the volunteer photo I.D. card in accordance with N.J.A.C. 10A:17-2.12.

(e) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall [retain] **collect** all inactive volunteer photo I.D. cards, [and index data files in accordance with the approved record retention schedule] **submit them to the I.D. officer in the correctional facility, and update VITS to reflect the inactive volunteer status.**

10A:17-2.14 Performance evaluation

(a) The [Supervisor of] Volunteer[s] **Services Site Coordinator**, along with the volunteer's immediate supervisor, shall evaluate the performance of the volunteer after a trial period of four months using Form 450-III Volunteer Performance Evaluation.

(b) If the evaluation in (a) above is unsatisfactory, a consultation shall be scheduled between the volunteer, the [Supervisor of] Volunteer[s] **Services Site Coordinator**, the immediate supervisor, and any other appropriate staff member(s).

(c) After the consultation with the volunteer in (b) above has been completed, the [Supervisor of] Volunteer[s] **Services Site Coordinator** shall recommend to the Administrator the retention or termination of the volunteer.

10A:17-2.15 Volunteer service recognition

The [Supervisor of Volunteers may] **Departmental Coordinator of Volunteer Services will**, with approval from the [Administrator] **Assistant Commissioner**, schedule an annual event to acknowledge the contribution of volunteers.

10A:17-2.16 Curtailing, suspending, or discontinuing the services of a volunteer

(a) The Administrator may curtail, suspend, or discontinue the services of a volunteer for reasons, which include, but are not limited to:

- 1.-6. (No change.)
7. Any prohibited conduct contained in the volunteer contract; [and]
8. Any conduct [which] **that** threatens the order or security of the correctional facility or the safety of the volunteer[.]; **and**

9. When time or space is limited, or when delivery of volunteer services conflicts with the normal operation of the correctional facility.

10A:17-2.19 Records

(a) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall maintain a current record of the following:

1. (No change.)
2. The [volunteer index data file] **VITS** information as set forth at N.J.A.C. 10A:17-2.11; and
3. (No change.)

10A:17-2.20 Reporting responsibilities

(a) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall prepare monthly and annual reports of volunteer services and submit the reports in accordance with N.J.A.C. 10A:21, Reports.

(b) A list of volunteer applicants who have been approved or rejected shall be included in the monthly report of the [Supervisor of] Volunteer[s] **Services Site Coordinator**.

(c) The [Supervisor of] Volunteer[s] **Services Site Coordinator** shall submit copies of the monthly and annual reports to the Departmental Coordinator of Volunteer Services, Administrator, and the office of the [appropriate] Assistant Commissioner.

10A:17-2.21 Internal management procedures and post orders

(a) [Designated staff at each correctional facility] **The Departmental Coordinator of Volunteer Services** shall develop written internal management procedures and post orders to govern the Volunteer Service Program.

1. The [Administrator] **Assistant Commissioner** shall review and sign the internal management procedures and post orders at least annually. [Designated staff at each correctional facility] **The Departmental Coordinator of Volunteer Services** shall update the internal management procedures and post orders in (a) above as necessary.

(b) [Designated staff at each correctional facility] **The Departmental Coordinator of Volunteer Services** shall submit a copy of the written procedures governing the Volunteer Service Program to the [appropriate] Assistant Commissioner for review and approval on or before September 30 of each year.

SUBCHAPTER 4. SOCIAL WORK AND SERVICES

10A:17-4.1 Responsibilities of the Office of Transitional Services

(a) The Office of Transitional Services is responsible for the continuum of care for inmates, which includes, but is not limited to:

1. (No change.)

2. Overseeing inmate risks/needs assessment, [treatment] **reintegration** planning, service delivery, discharge planning, and aftercare development;

3. – 4. (No change.)

(b) – (e) (No change.)

10A:17-4.3 Provision of social services

(a) The goal of providing social services in a correctional facility/unit shall be to respond to the social needs of the inmate and to the management needs of the correctional facility/unit by maintaining and delivering a diversified range of services. These services may include, but are not limited to:

1. – 6. (No change.)

7. Services directed toward assisting inmates cope with interpersonal problems of an emotional, behavioral, or familial nature including, but not limited to:

[i. Individual and group counseling;]

i. Group process interventions;

ii. [Emergency] **Crisis interventions in emergency** situations, such as a serious illness or death in the family;

iii. The deterioration or termination of a relationship with a loved one; **or**

[iv. Mental health issues;

v. Behavioral problems;

vi. Attempted suicide; or]

[vii.] **iv.** (No change in text.)

8. Activities that support the development of a [treatment] **program** plan and support classification activity including, but not limited to:

i. (No change.)

ii. Intake[, orientation] and assessment interviews;

iii. [Treatment] **Program** and discharge plan development **beginning at intake** that includes an aftercare component;

iv. – v. (No change.)

9. – 10. (No change.)

10A:17-4.6 Social [work manual] **Work Manual**

(a) (No change.)

(b) Copies of the Social Work Manual shall be distributed or made available to:

1. The [appropriate] Assistant Commissioner;

2. The Director, Office of Transitional Services;

[2.] **3.** (No change in text.)

[3.] **4.** The Associate Administrator or [appropriate] Assistant Superintendent(s);

[4. The Director of Custody Operations;]

5. – 7. (No change.)

(c) (No change.)

10A:17-4.7 Reports

(a) [Copies of monthly and annual] Social Work [Department] reports shall be submitted to the correctional facility Administrator or designee [who shall ensure that such reports are submitted to the Director of the Office of Transitional Services or designee].

(b) (No change.)

SUBCHAPTER 5. RELIGION

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

(a) The chaplain [may visit an] **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 [may visit] **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. [or a] **An approved** volunteer religious [group] 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) - (d) (No change.)

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

(a) (No change.)

(b) The Administrator shall, after consultation with the chaplain [and], the Coordinator, Chaplaincy Services, **and the Religious Issues Committee**, consider all relevant factors, which shall include, but are not limited to, the following:

1. – 3. (No change.)

(c) - (d) (No change.)

10A:17-5.21 Files and records

(a) - (c) (No change.)

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

1. - 4. (No change.)

SUBCHAPTER 6. CORRECTIONAL FACILITY/UNIT CHAPLAINCY AND RELIGIOUS
ISSUES COMMITTEE

10A:17-6.6 Composition and responsibilities of the Religious Issues Committee

(a) The Religious Issues Committee shall consist of the following Departmental staff:

1.-2. (No change.)

[3. A correctional facility Director of Custody Operations or designee, with the rank of Captain
and;]

3. Correction Major; and

4. (No change.)

(b) [A representative of the Office of the Attorney General] **The Special Legal Advisor to the Commissioner, or designee**, may serve as a non-voting member for the purposes of providing advice.

(c) (No change.)

10A:17-6.7 Selecting chaplains

(a) - (d) (No change.)

(e) The **Director of the Office of Community Programs and Outreach Services, in consultation with the** Administrator shall select the applicant to fill the vacancy.

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) - (c) (No change.)

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

1. - 6. (No change.)

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; [or]

[ii. A request for a furlough to coincide with the proposed date of marriage or civil union, including the address where the ceremony or civil union solemnization will be performed;]

8. - 12. (No change.)

10A:17-7.4 Notification of decision

(a) (No change.)

(b) The notification shall indicate:

1. Whether the inmate's request for a [furlough to coincide with the] proposed date of marriage or civil union has been approved; [or]

2. – 3. (No change.)

(c) - (d) (No change.)

10A:17-7.5 Social Services Department

(a) A staff member from the Social Services Department shall be assigned to act as [an advisor] **a liaison** to assist the inmate and the intended spouse or partner in [an] **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) (No change.)

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

(a) All aspects of the marriage **ceremony** or civil union solemnization [ceremony] 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) - (j) (No change.)

SUBCHAPTER 8. RECREATION AND LEISURE TIME ACTIVITIES

10A:17-8.1 [Staff assigned to] Recreation and Leisure Time Activities [Program]

[(a) The Supervisor of Recreation shall be responsible for the direction and supervision of the Recreation and Leisure Time Activities Program of the correctional facility.]

[(b)] Volunteers may be used to assist the [recreation staff] **inmates** in designated [program] **recreational** activities (see N.J.A.C. 10A:17-2, Volunteer Service Program).

10A:17-8.2 Inmate recreation aides or paraprofessionals

(a) Inmates may be assigned to the Recreation and Leisure Time Activities [Program] to serve as inmate recreation aides or paraprofessionals.

(b) (No change.)

[(c) Inmate recreation aides or paraprofessionals shall be trained by the recreation staff and receive close supervision from a staff member.]

[(d)] (c) When inmate participation in the Recreation and Leisure Time Activities [Program] constitutes a regular work assignment, the inmate shall be paid as an inmate recreation aide or paraprofessional.

10A:17-8.3 Physical facilities utilized by the Recreation and Leisure Time Activities [Program]

(a) - (d) (No change.)

10A:17-8.6 Scheduling active and quiet recreation

(a) [Planned recreation program] **Recreation** activities shall be [scheduled] **permitted** year round, and athletic activities shall be [scheduled] **permitted** according to the season.

(b) - (h) (No change.)

10A:17-8.9 Arts and crafts program

(a) An organized arts and crafts [program] **activity** authorized by the Administrator or designee may be provided, when available[, under the direction of an assigned instructor on a regular basis].

(b) – (d) (No change.)

10A:17-8.10 Music

(a) – (b) (No change.)

(c) Inmate vocal groups, instrumental groups, and soloists may perform for the inmate general population and for groups who visit the correctional facility **when appropriate and authorized by the Administrator or designee.**

(d) (No change.)

10A:17-8.16 Staff reference area on recreation

(a) [Recreational] **Designated** staff members at each correctional facility may subscribe to several recreation and physical education journals and newsletters.

(b) A reference area may be provided at each correctional facility where current books on recreation and physical education may be available for use by [recreation] staff members.

10A:17-8.17 Budget requests

The [Supervisor of Recreation] **Administrator** shall submit an annual budget request to the [Administrator] **Assistant Commissioner** or designee [which] **that** specifies the resources necessary

to purchase materials, equipment, and supplies to conduct the Recreation and Leisure Time Activities [Program].

10A:17-8.18 Report of major recreation and leisure time activities

The [Supervisor of Recreation] **Administrator** shall submit a monthly report to the [Administrator] **Assistant Commissioner** or designee, which indicates all major recreation and leisure time activities conducted that month and the number of inmates who participated in each activity.

10A:17-8.19 Written internal management procedures

Each correctional facility Administrator or designee shall ensure that written internal management procedures governing the Recreation and Leisure Time Activities [Program] are developed in accordance with this subchapter. These internal management procedures shall be made available to all personnel involved and shall be reviewed at least annually and amended as necessary.