

CORRECTIONS

THE COMMISSIONER

Inmate Abuse Reporting and Investigation

Adopted New Rules: N.J.A.C. 10A:7

Proposed: July 20, 2020, at 52 N.J.R. 1383(a).

Adopted: October 14, 2020, by Marcus O. Hicks Esq., Acting Commissioner, Department of Corrections.

Filed: October 15, 2020, as R.2020 d.121, **with non-substantial changes**, not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 30:1B-6 and 30:1B-10.

Effective Date: November 16, 2020.

Expiration Date: November 16, 2027.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The adopted new rules are promulgated under the authority of the rulemaking requirements of the Department of Corrections at N.J.S.A. 30:1B-6 and 30:1B-10. The adopted new rules are not subject to any Federal statutes, requirements, or standards; therefore, a Federal standards analysis is not required.

Full text of the adopted new rules follows (addition to proposal indicated in boldface with asterisks

thus; deletions from proposal indicated in brackets with asterisks ***[thus]***):

[10A:7.1.3]* *10A:7-1.3 (No change from proposal.)

10A:7-1.10 Failure to report inmate abuse

[(a)] After all administrative appeals are exhausted and a final adjudication is made, any person required to report suspected inmate abuse pursuant to this chapter who fails to make the report shall be liable to a penalty of not more than \$5,000. The penalty shall be collected and enforced by summary proceedings pursuant to the provisions of the Penalty Enforcement Law of 1999, P.L. 1999, c. 274 (N.J.S.A. 2A:58-10 et seq.). Each violation of this chapter shall constitute a separate offense.