



STATE OF NEW JERSEY
DEPARTMENT OF CORRECTIONS

MUNICIPAL DETENTION

RULE EXEMPTIONS*

INSPECTION AUTHORITY 10A:34

N.J.S.A. 30:1-15

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COMMISSIONER**

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OFFICE OF COUNTY SERVICES
*Municipal Inspection Unit***

**These are a guideline and typically the items on this list will NOT be approved for a rule exemption.*

10A:34-2.3 CODES, REGULATIONS AND LAWS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(c)	All municipal detention facilities shall be in compliance with the New Jersey Uniform Fire Code, NJAC 5:70, in all aspects of fire safety.	<input checked="" type="checkbox"/>

10A:34-2.5 CELL SPECIFICATIONS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(i)	Each cell is numbered or lettered for proper identification.	<input checked="" type="checkbox"/>

10A:34-2.6 CELL EQUIPMENT		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(b) 1	Bunks or platforms are topped with hardwood at least two-inches thick or an approved fire retardant mattress.	<input checked="" type="checkbox"/>
(b) 2	Approved fire retardant mattresses are provided for detainees confined overnight in those cells that have bunks or raised platforms topped with hardwood.	<input checked="" type="checkbox"/>
(e)	All cell equipment is secured with tamper resistant fasteners.	<input checked="" type="checkbox"/>
(f)	Approved security type light fixtures affording a minimum of 20 foot candle illumination are provided for each cell.	<input checked="" type="checkbox"/>
(g)	Ventilation grilles used inside cell shall be rated for maximum-security use.	<input checked="" type="checkbox"/>

10A:34-2.7 HOLDING ROOMS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(b) 11	Each holding room is numbered or lettered for proper identification.	<input checked="" type="checkbox"/>
(b) 12	Each holding room contains a steel bench firmly affixed to the floor, wall or both, or a raised concrete platform.	<input checked="" type="checkbox"/>
(b) 15	All holding room equipment is secured with tamper resistant fasteners.	<input checked="" type="checkbox"/>
(b) 16	Approved security type light fixtures affording a minimum of 20 foot candle illumination are provided for each holding room.	<input checked="" type="checkbox"/>
(c)	The hardwood topping on the steel bench or concrete platform shall be firmly affixed.	<input checked="" type="checkbox"/>

10A:34-2.8 CELL CORRIDORS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
	Security type light fixtures secured with tamper-resistant fasteners, and affording a minimum of 20 foot candle illumination are provided.	<input checked="" type="checkbox"/>
(j)	An emergency panic button, not accessible to detainees, shall be provided.	<input checked="" type="checkbox"/>
(k)	Access to a cordless or cell phone or a telephone jack shall be provided in the cell corridor.	<input checked="" type="checkbox"/>

10A:34-2.9 SALLYPORT		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(c)	A weapons locker is provided in the sallyport entrance area or in a location convenient to the detainee entrance.	<input checked="" type="checkbox"/>

10A:34-2.10 SANITATION		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	The detention facility has developed written procedures for the control of vermin and pests.	<input checked="" type="checkbox"/>
(b)	The detention facility has developed written procedures which require daily sanitation inspections of all detention areas.	<input checked="" type="checkbox"/>

10A:34-3.1 SECURITY AND KEY CONTROL		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	A security inspection of the cellblock area is conducted weekly and a written report submitted to the administrator or officer in charge of security.	<input checked="" type="checkbox"/>
(b)	Cells, cellblock and sallyport areas are not used as storage areas.	<input checked="" type="checkbox"/>
(c)	Weapons are prohibited within the security perimeter of the cellblock area.	<input checked="" type="checkbox"/>
(d) 1	A key control system, which provides an accurate accounting of the location and possession of each key, is used.	<input checked="" type="checkbox"/>

10A:34-3.1 SECURITY AND KEY CONTROL		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(d) 2	All keys are numbered.	<input checked="" type="checkbox"/>
(d) 3	At least one duplicate key is available for each lock. The duplicate key(s) shall be maintained in an area accessible to staff at all times.	<input checked="" type="checkbox"/>
(e)	A written escape procedure has been developed to be followed in the event of an escape.	<input checked="" type="checkbox"/>

10A:34-3.2 SEARCH OF DETAINEES		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	Each detainee is thoroughly searched prior to placement in a cell.	<input checked="" type="checkbox"/>

10A:34-3.3 PAT SEARCH		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	A pat search <u>shall</u> be conducted while the detainee is fully clothed. A pat search includes both the touching of the detainee's body through clothing, including hair, dentures, etc., and a thorough examination into pockets, cuffs, seams, etc., and all personal property in the detainee's possession.	<input checked="" type="checkbox"/>
(b)	Pat searches of detainees may be conducted at any time where conditions indicate a need for such searches.	<input checked="" type="checkbox"/>
(c)	In addition to the foregoing routine searches, a pat search may be conducted at any time when there is a reasonably clear indication that the detainee is carrying contraband.	<input checked="" type="checkbox"/>
(d)	Pat searches may be conducted by either male or female custody staff members regardless of the gender of the inmate.	<input checked="" type="checkbox"/>

	10A:34-3.3 PAT SEARCH	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption

	10A:34-3.4 STRIP SEARCH OF A PERSON(S) WHO HAS BEEN DETAINED OR ARRESTED FOR COMMISSION OF AN OFFENSE OTHER THAN A CRIME	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
		<input checked="" type="checkbox"/>

	10A:34-3.5 STRIP SEARCHES OF A PERSON(S) LAWFULLY CONFINED IN MUNICIPAL DETENTION FACILITY WHO IS CHARGED WITH COMMITTING A CRIME	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
		<input checked="" type="checkbox"/>

	10A:34-3.6 BODY CAVITY SEARCHES OF A PERSON(S) WHO HAS BEEN DETAINED OR ARRESTED FOR COMMISSION OF AN OFFENSE OTHER THAN A CRIME	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
		<input checked="" type="checkbox"/>

	10A:34-3.7 BODY CAVITY SEARCHES OF A PERSON(S) LAWFULLY CONFINED IN A MUNICIPAL DETENTION FACILITY WHO IS CHARGED WITH COMMITTING A CRIME	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
		<input checked="" type="checkbox"/>

	10A:34-3.8 REPORTS REGARDING STRIP OR BODY CAVITY SEARCHES	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
		<input checked="" type="checkbox"/>

	10A:34-3.9 USE OF SCANNING/TESTING DEVICES	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
	Searches of detainees, areas of and objects by the use of scanning/testing devices may be done routinely and randomly where necessary for security purposes. Scanning/testing devices may be, but are not limited to, a walk-through devices or a hand held device.	<input checked="" type="checkbox"/>

	10A:34-3.10 MONITORING SYSTEMS	
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a) 2	This facility has an audio monitoring system. <i>(If need is determined)</i>	<input checked="" type="checkbox"/>

10A:34-3.10 MONITORING SYSTEMS		
(a) 3	This facility has a video monitoring system. <i>(If need is determined)</i>	<input checked="" type="checkbox"/>
(b)	The monitoring system shall remain activated at all times that detainees are present due to the added measure of safety and security it provides. The monitoring system shall not be used as a substitute for physical cell checks of detainees. <i>(if need determined)</i>	<input checked="" type="checkbox"/>
(c)	If video is used for surveillance of the cells, care shall be taken that there is no intrusion of privacy in the area around the sanitary unit. <i>(if need determined)</i>	<input checked="" type="checkbox"/>
(d)	If a determination is made that audio and video monitoring of the cell(s) is required, and is either not installed or not functioning as designed, face-to-face monitoring of the detainees shall be required, as set forth in N.J.A.C. 10A:34.	<input checked="" type="checkbox"/>

10A:34-3.11 CANINE SEARCHES		NO Rule Exemption
	All detainees and their possessions and all municipal detention facilities, areas, objects and properties may be subject to searches by a canine team(s), specially trained to discover and indicate to the handler(s) the presences of various substances and materials.	<input checked="" type="checkbox"/>

10A:34-4.1 SUPERVISION AND CARE OF DETAINEES		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a) 1	Staff assigned to supervise detainees receives training in the supervision and care of detainees.	<input checked="" type="checkbox"/>
(a) 2	Special training is provided for the supervision and care of detainees of the opposite gender.	<input checked="" type="checkbox"/>

10A:34-4.1 SUPERVISION AND CARE OF DETAINEES		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(b)	Physical cell checks of detainees are made every 30-minutes.	<input checked="" type="checkbox"/>
(c)	Closer surveillance, which includes cell checks at least every 15 minutes, shall be made for detainees who are: A security risk; 1. A suicide risk; 2. Demonstrating unusual or bizarre behavior; and/or 3. Exhibiting signs of mental illness.	<input checked="" type="checkbox"/>
(d)	A record of the physical cell checks is maintained.	<input checked="" type="checkbox"/>
(d) 1	The record contains the detainee's full name.	<input checked="" type="checkbox"/>
(d) 2	The record contains the gender of the detainee.	<input checked="" type="checkbox"/>
(d) 3	The record contains the date and time the detainee was initially placed in a cell.	<input checked="" type="checkbox"/>
(d) 4	The record contains the date and time the detainee was released.	<input checked="" type="checkbox"/>
(d) 5	The record contains the date and time of each physical cell check.	<input checked="" type="checkbox"/>
(d) 6	The record contains the signature of the staff member conducting physical cell checks.	<input checked="" type="checkbox"/>
(e)	Detainees who become injured or who become ill while in custody shall be seen by appropriate medical personnel without delay. A record of the date and time of the medical visit shall be maintained. Seriously ill or injured detainees shall be transported immediately to the nearest hospital.	<input checked="" type="checkbox"/>
(f)	Special medication is provided to detainees if the need is verified by a physician.	<input checked="" type="checkbox"/>

10A:34-4.1 SUPERVISION AND CARE OF DETAINEES		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(g)	Detainees confined during regular meal periods are provided with a meal.	<input checked="" type="checkbox"/>
(h)	Telephone calls are permitted for the purpose of, but not limited to, notifying relatives, obtaining legal representation, and posting bail.	<input checked="" type="checkbox"/>

10A:34-4.2 HOUSING OF DETAINEES		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
	Male and female detainees are separated by sight and sound from each other.	<input checked="" type="checkbox"/>

10A:34-4.3 SUICIDE PREVENTION AND CONTROL		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	Each municipal detention facility shall develop written policies and internal management procedures to govern the identification, placement, and monitoring of the detainees who are deemed to be at risk for suicide. These policies and procedures shall include, but not limited to:	<input checked="" type="checkbox"/>
	1. Evaluation procedures at admission	
	2. Close observation procedures for those deemed at risk; and	<input checked="" type="checkbox"/>
	3. Procedures for handling attempts to commit suicide.	<input checked="" type="checkbox"/>
	4. The location of the emergency rescue tool. An emergency rescue tool shall be made available to the custody member(s) working in the cellblock or holding room area.	<input checked="" type="checkbox"/>

10A:34-4.4 REPORTING DEATHS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	Written Policy and Procedures requires that at the death of a detainee, notification is to be given by the Chief of Police to the Director, Office of Community Programs and Outreach Services, Department of Corrections, within three working days.	<input checked="" type="checkbox"/>
(b)	Written Policy and Procedures requires that following the notification in (a) above and within two weeks, a written report shall be submitted by the Chief of Police to the Director, Office of Community Programs and Outreach Services, Department of Corrections, that shall contain, at a minimum, the following information:	<input checked="" type="checkbox"/>

10A:34-4.4 REPORTING DEATHS		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
	1. Detainee's name, age and sex	<input checked="" type="checkbox"/>
	2. Date and time of admission into the cell or holding room	<input checked="" type="checkbox"/>
	3. Reason for placement in cell or holding room	<input checked="" type="checkbox"/>
	4. Logbook entries noting the times of each physical cell check	<input checked="" type="checkbox"/>
	5. Circumstances surrounding the death	<input checked="" type="checkbox"/>
	6. Findings of the investigating custody staff member	<input checked="" type="checkbox"/>

10A:34-4.5 PROTECTION FROM ABUSE		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(a)	All persons detained, arrested, or lawfully confined to a municipal detention facility shall be protected by municipal detention facility staff from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.	<input checked="" type="checkbox"/>
(b)	In accordance with the Federal Prison Rape Elimination Act of 2003 (PREA), 42 U.S.C. 15601 et seq., <i>a zero tolerance for the incidence of sexual assault</i> shall be maintained at municipal detention facilities.	<input checked="" type="checkbox"/>

10A:34-4.5 PROTECTION FROM ABUSE		
ITEMS	STANDARDS FOR FACILITY	NO Rule Exemption
(c)	Appropriate disciplinary action shall be taken against facility staff who engage in abusive behavior and, when necessary, these cases will be referred to county prosecutor.	<input checked="" type="checkbox"/>

