

(d) When the research activity involves the review of inmate or parolee records or the participation of inmates or parolees, the correctional facility Superintendent, Parole District Supervisor, community program supervisor, or operational unit supervisor shall complete the designated section of Form 980-I and submit the Form to the Director, Office of Policy and Planning for review, who in turn shall submit the Form to the appropriate Assistant Commissioner with a recommendation for approval or disapproval.

1. The Assistant Commissioner shall review Form 980-I and shall approve or disapprove the request to conduct research by signing and dating the designated section on Form 980-I and shall then submit Form 980-I to the Commissioner for final review.

2. The Commissioner shall retain the final review authority of any request to conduct research which involves the review of inmate or parolee records or the participation of inmates or parolees.

3. The Commissioner shall approve or disapprove the request to conduct research by signing and dating the designated section on Form 980-I and shall return Form 980-I to the Assistant Commissioner.

4. The Assistant Commissioner shall retain a copy of the signed Form 980-I and return the original to the correctional facility Superintendent, Parole District Supervisor, community program supervisor, or operational unit supervisor.

Administrative Correction.
See: 26 N.J.R. 2581(a).

10A:1-10.3 Express written inmate/parolee consent requirement

(a) The express written consent of the inmate and/or parolee shall be required:

1. To ensure that direct inmate participation in any research project is on a voluntary basis; and
2. To authorize inspection or release of records pursuant to N.J.A.C. 10A:22-2.8.

(b) In order to obtain written consent of an inmate or parolee to directly participate in a research activity, Form 980-II Inmate/Parolee Research Participation Consent shall be completely filled in and signed by:

1. The inmate/parolee;
2. A witness; and
3. The correctional facility Superintendent, Parole District Supervisor, community program supervisor, or operational unit supervisor.

10A:1-10.4 Refusal to participate in research

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

(b) Refusal by an inmate or parolee to participate in research shall not constitute a reason for imposing penalties upon the inmate or parolee.

10A:1-10.5 Inmate/parolee records

Confidentiality of inmate/parolee 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, Records.

10A:1-10.6 Research findings

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

10A:1-10.7 Written procedures

(a) Each correctional facility Superintendent, community program supervisor, operational unit supervisor, and the Assistant Commissioner, Division of Parole and Community Programs shall ensure the development of written procedures governing research projects and activities consistent with the requirements of this subchapter.

(b) These written procedures shall be reviewed at least annually and updated as necessary and signed and dated by the Superintendent, Parole District Supervisor, community program supervisor, or operational unit supervisor.

SUBCHAPTER 11. PERSONAL PROPERTY OF INMATES

10A:1-11.1 Inmate's responsibility for personal property

While incarcerated within a correctional facility, the inmate shall be responsible for his or her own personal property and shall keep personal property at his or her own risk.

10A:1-11.2 Permissible personal property

(a) Each correctional facility shall develop a written list of permissible personal property items and the number of permissible personal property items which may be retained in the possession of the inmate.

(b) The listing and any regulations concerning inmate personal property shall be published in each correctional facility Inmate Handbook (see N.J.A.C. 10A:8-3).

(c) New or revised lists or regulations not included in the current correctional facility Inmate Handbook shall be post-

(d) Copies of written notices to the inmate about personal property shall become a permanent part of the inmate's classification folder (see N.J.A.C. 10A:1-11.10).

Amended by R.1989 d.45, effective January 17, 1989.
See: 20 N.J.R. 2746(a), 21 N.J.R. 163(a).

Added new (c) and recodified old (c) to (d).
Amended by R.1992 d.269, effective July 6, 1992.
See: 24 N.J.R. 1465(a), 24 N.J.R. 2451(c).

Revised (d).

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) 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).

New Rule, R.1992 d.269, effective July 6, 1992.
See: 24 N.J.R. 1465(a), 24 N.J.R. 2451(c).
Old section 11.9 "Records", recodified to 11.10.

10A:1-11.10 Records

(a) Copies or originals of the following shall become a permanent part of the inmate's classification folder.

1. Any written notices to the inmate about personal property;
2. Any receipts received or obtained for mailing personal property; and
3. Signed IIS-1M Inmate Inventory Sheet(s).

Recodified from 10A:1-11.9 by R.1992 d.269, effective July 6, 1992.
See: 24 N.J.R. 1465(a), 24 N.J.R. 2451(c).

Old section 10A:1-11.10 was "Written procedures".
Amended by R.1996 d.469, effective October 7, 1996.
See: 28 N.J.R. 3701(a), 28 N.J.R. 4481(a).

10A:1-11.11 Written procedures

Each correctional facility shall develop written policy and procedures consistent with this subchapter.

Recodified from 10A:1-11.10 by R.1992 d.269, effective July 6, 1992.
See: 24 N.J.R. 1465(a), 24 N.J.R. 2451(c).