

3. Completion of release arrangement, including the person or agency to whom the inmate is to be released;
4. Return of inmate's personal property;
5. Verification that no facility property leaves with the inmate;
6. Completion of any pending action, such as grievances or claims for damages or lost possessions; and
7. Collection of restitution or fees owed to the facility.

Amended by R.1991 d.143, effective March 18, 1991.
See: 22 N.J.R. 3714(c), 23 N.J.R. 860(a).

Deleted list of types of inmates who should not be confined in same cell or living space.

Amended by R.2000 d.332, effective August 7, 2000.
See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (a), added 7.

Amended by R.2011 d.059, effective February 22, 2011.

See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

In the introductory paragraph of (a), substituted "Staff at each" for "Each".

SUBCHAPTER 22. CLASSIFICATION

10A:31-22.1 Written classification policies and procedures

(a) Staff at each adult county correctional facility shall develop written policies and procedures for classifying inmates which include the following:

1. The composition and responsibilities of the Classification Committee;
2. The initial classification of inmates;
3. The review of the classification of inmates; and
4. The reassignment or transfer of inmates from one program and/or facility to another.

Amended by R.2011 d.059, effective February 22, 2011.
See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

In the introductory paragraph of (a), substituted "Staff at each" for "Each".

10A:31-22.2 Classification and housing of inmates

(a) The classification and housing of inmates shall be based upon available space and either:

1. The objective classification scoring system; or
2. The reception classification system, which shall be based upon the following factors regarding the inmate:
 - i. Sex;
 - ii. Age;
 - iii. Size;
 - iv. Offense;

- v. Previous incarcerations;
- vi. Aggressive and passive/dependent behavior;
- vii. Problems, such as, but not limited to, alcoholism and drug addiction(s);
- viii. Physical illness;
- ix. Mental status;
- x. Confinement status, such as pretrial detainee or sentenced inmate; and
- xi. Security needs.

(b) The classification of inmates in the categories in (a) above may be modified based on the direct observation and supervision of individual inmates, and in such instances each classification decision shall be fully documented.

(c) The classification of State prisoners housed in county correctional facilities remains the responsibility of the New Jersey Department of Corrections.

(d) Segregation of inmates by race, color, creed, or national origin shall be prohibited.

Amended by R.1991 d.143, effective March 18, 1991.
See: 22 N.J.R. 3714(c), 23 N.J.R. 860(a).

Changed terms from "misdemeanors" and "felons"; also changed "first offenders" and "habitual criminals".

Amended by R.2000 d.206, effective May 15, 2000.

See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).

Rewrote the section.

Amended by R.2010 d.134, effective July 6, 2010.

See: 42 N.J.R. 34(a), 42 N.J.R. 1379(a).

In the introductory paragraph of (a)2, inserted a comma following "system"; and in (a)2i, substituted "Sex" for "Gender".

10A:31-22.3 Male and female inmates' access to programs and activities

Male and female inmates, depending on their custody levels, shall have equal access to all programs and activities, but integrated participation by male and female inmates in programs and activities is not required.

Recodified from N.J.A.C. 10A:31-22.4 by R.2000 d.206, effective May 15, 2000.

See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).

Text of former N.J.A.C. 10A:31-22.3, Segregation of inmates based upon race, color, creed or national origin, recodified to N.J.A.C. 10A:31-22.2(d).

10A:31-22.4 Initial classification

(a) Initial classification of sentenced inmates shall be completed within two weeks after admission from court or transfer from another institution, except where there are clear and convincing reasons to do otherwise.

(b) Wherever possible, inmates shall initially be assigned to an intake area until appropriately classified and medically screened pursuant to N.J.A.C. 10A:31-13.9.

Amended by R.1995 d.421, effective August 7, 1995.
 See: 27 N.J.R. 1728(a), 27 N.J.R. 2928(a).
 Recodified from N.J.A.C. 10A:31-22.5 by R.2000 d.206, effective May 15, 2000.
 See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).
 Former N.J.A.C. 10A:31-22.4, Male and female inmates' access to programs and activities, recodified to N.J.A.C. 10A:31-22.3.

10A:31-22.5 Classification hearing

All sentenced inmates may be given 48 hours notice prior to their classification hearing and may have the opportunity to appear and participate in their hearing.

Recodified from N.J.A.C. 10A:31-22.6 by R.2000 d.206, effective May 15, 2000.

See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).

Former N.J.A.C. 10A:31-22.5, Initial classification, recodified to N.J.A.C. 10A:31-22.4.

Amended by R.2011 d.059, effective February 22, 2011.

See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

Substituted "shall" for "may" twice.

10A:31-22.6 Appeal of Classification Committee decision

All sentenced inmates shall be given the opportunity to appeal the decision of the Classification Committee to the adult county correctional facility Administrator or designee.

Recodified from N.J.A.C. 10A:31-22.7 and amended by R.2000 d.206, effective May 15, 2000.

See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).

Substituted a reference to the county correctional facility Administrator for a reference to the Jail Administrator. Former N.J.A.C. 10A:31-22.6, Classification hearing, recodified to N.J.A.C. 10A:31-22.5.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

Substituted a reference to adult county correctional facilities for a reference to county correctional facilities.

10A:31-22.7 (Reserved)

Recodified to N.J.A.C. 10A:31-22.6 by R.2000 d.206, effective May 15, 2000.

See: 31 N.J.R. 3908(a), 32 N.J.R. 1772(a).

SUBCHAPTER 23. REMISSION OF TIME FROM SENTENCE

10A:31-23.1 Eligibility for cash or remission of time from sentence

(a) Inmates who are employed in productive occupations while incarcerated in an adult county correctional facility shall receive compensation for such employment that may be in the form of cash or remission of time from sentence or both (see N.J.S.A. 30:4-92). Such remission of time shall be subject to provisions, limitations and preclusions set forth in State law, such as, but not limited to N.J.S.A. 39:4-50.

1. An inmate employed under this section may receive remission of time from sentence not to exceed one day for each five days of productive occupation. Any remission

granted under this section shall not affect deductions for good behavior as otherwise provided by law.

2. In addition, all minimum security inmates who are considered sufficiently trustworthy to be employed in honor camps, farms or details, may receive further remission of time from sentence at the rate of three days per month for each month of such employment (see N.J.S.A. 30:4-92).

(b) Inmates in adult county correctional facilities, who are employed in the community pursuant to N.J.A.C. 10A:31-25, Work Release Program, are eligible for diminution of sentence as set forth in N.J.S.A. 30:8-50. The inmate may be granted a diminution of not more than one-quarter of his or her term if the inmate's conduct, diligence and general attitude meet such diminution.

(c) Inmates who are receiving credits while participating in a Work Release Program under (b) above may also, in appropriate circumstances, receive work credits under (a) above. Such additional credits may be granted only where the inmate engages in a productive occupation in the adult county correctional facility in addition to the inmate's participation in the Work Release Program.

(d) As permitted in this section, any remission of time shall in no way affect deduction for good behavior as otherwise provided in N.J.S.A. 2A:164-24.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

Amended by R.2011 d.012, effective January 3, 2011.

See: 42 N.J.R. 2195(a), 43 N.J.R. 53(b).

In the introductory paragraph of (a), substituted "shall" for "may" following "facility"; inserted "that may be" and inserted the last sentence; in (a)1, substituted ". Any" for ", but" following "occupation"; in (a)2, substituted "may" for "shall" and inserted "(see N.J.S.A. 30:4-92)"; and in (d), substituted "As permitted in this section, any" for "Any".

10A:31-23.2 Records and audits

(a) Designated staff from the New Jersey State Department of Corrections shall periodically audit records pertinent to the remission of time or cash payments for periodic occupation or minimum security status of inmates. Such audits shall be conducted not less than annually.

(b) The remission of time or cash payment records shall indicate the following:

1. The dates the inmate was placed upon and removed from productive occupation and/or minimum security status;
2. The reason for removal from productive occupation or minimum security status;
3. The time the inmate earned while in productive occupation or on minimum security status; and
4. The cash remuneration, if any, the inmate received while in productive occupation.