

See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).
In (e), inserted N.J.A.C. reference.

10A:3-9.8 Emergencies

Escorting officers shall immediately notify the Superintendent or his or her designee, if an emergency arises during

the transportation of an inmate. If time or other considerations make it impossible to contact the Superintendent, the local law enforcement authorities may be notified by the escorting officer without prior clearance by the Superintendent.

Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

10A:3-9.9 Transporting parole violators and escapees with physical injuries

(a) Prior to accepting responsibility for an injured parole violator or escapee to be escorted, the escort officer shall make every effort to obtain written information on how the injury occurred and whether medical aid was administered. A copy of a medical report shall be obtained to aid medical authorities at the receiving correctional facility.

(b) If a medical report is not available, the escort officer shall request the supervisor on duty at the sending correctional facility to provide a brief written statement that the injury was received prior to turning over the custody of the parole violator or escapee.

(c) Upon arrival at the receiving correctional facility, Central Control shall be notified so that the parole violator or escapee may be promptly seen by the medical department.

(d) The physical condition of the injured parole violator or escapee shall be recorded photographically by the receiving correctional facility. A full and accurate description of the injury shall be recorded.

(e) A brief written report of the injury shall be submitted pursuant to N.J.A.C. 10A:22, REPORTS.

Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

10A:3-9.10 Clothing

(a) Escorting officers going to any Federal court or when directed by the supervisor shall wear civilian clothing. All other escorting officers shall wear uniforms.

(b) Inmates shall wear civilian clothing on court trips.

Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

10A:3-9.11 Interstate Escort Unit

(a) The Interstate Escort Unit within the Division of Operations shall be responsible for the return of parole violators and escapees from out-of-state and the transfer of inmates under the Interstate Corrections Compact. The Unit shall also assist, on an emergency basis, in escorting inmates on writ to the courts, trips to outside medical facilities or other movements within State boundaries.

(b) Unless otherwise specified, the Supervising Interstate Escort Officer shall be in charge in all matters relating to the interstate transportation of New Jersey escapees, parole violators and/or Interstate Corrections Compact transfers. Whenever correctional facility employees are assigned to assist the Interstate Escort Unit for such trips, they shall be

responsible to the Supervising Interstate Escort Officer for the duration of the assignment.

(c) Current Federal Aviation Administration rules applicable to any phase of aircraft use in transporting inmates shall be maintained by the Interstate Escort Unit.

Administrative Correction to (c).

See: 24 N.J.R. 3093(a).

Amended by R.1997 d.41, effective January 21, 1997.

See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

In (c), deleted provision for development of guidelines for air transport of inmates.

10A:3-9.12 Medical transportation

(a) In emergency situations when a non-ambulatory medium, maximum or close custody inmate is in need of hospitalization or treatment outside of the correctional facility, he or she shall be transported by ambulance, or by a State-owned vehicle if an ambulance is unavailable. A State-owned vehicle shall be used to transport an ambulatory inmate who is in need of hospitalization or treatment outside of the facility.

(b) When an inmate is transported by ambulance, an officer shall accompany him or her in the ambulance and another officer shall follow the ambulance in a back-up car. When an inmate is transported by a State-owned vehicle, the ratio of escorting officers to inmates shall be governed by N.J.A.C. 10A:3-9.3(h) TRANSPORTATION OF INMATES.

(c) The use of mechanical restraints and equipment when transporting an inmate for hospitalization or treatment shall be governed by N.J.A.C. 10A:3-3 and the nature of the illness or injury.

(d) When a reduced custody inmate requires medical transport, the Superintendent or his or her designee shall make a determination with respect to the specific staffing and security arrangements required. In these cases, a careful review shall be made of the individual case to determine the appropriate vehicle, staffing and security arrangements for each trip.

Amended by R.1991 d.503, effective October 7, 1991.

See: 23 N.J.R. 1259(a), 23 N.J.R. 3031(b).

Corrected N.J.A.C. cite in (c).

Amended by R.1997 d.41, effective January 21, 1997.

See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

Applied section to medium and close custody inmates.

10A:3-9.13 Transportation costs in a civil action

(a) The costs of transporting an inmate to court for civil action will be paid by the Department of Corrections when:

1. The cause of action is related to the inmate's confinement;

2. The cause of action is a Family Court matter such as, but not limited to, matrimonial and child custody; or

3. The inmate is a defendant and the plaintiff is a governmental entity.

(b) The cost of transporting an inmate to court for a civil action other than those listed in (a) above shall be paid in advance of the transportation by:

1. The inmate;
2. The inmate's attorney or representative; and/or
3. The person bringing the civil action against the inmate or that person's representative.

(c) The correctional facility Business Office shall prepare a detailed written statement of expenses using the following criteria to determine the cost of transportation due:

1. The number of correction officers and/or supervisor required for the inmate's custody classification handled in accordance with this subchapter;
2. The fee per correction officer/supervisor which is the maximum salary of each representative title at time and a half;
3. The State vehicle mileage cost which is established by the Director, Division of Budget and Accounting, Department of Treasury. The overall State vehicle cost shall be based on the mileage rate times the sum of the number of miles to and from the destination;
4. The cost of meals;
 - i. The projected number of meals for inmates and correction officers which shall be established in accordance with the State of New Jersey Travel Regulations, Department of Treasury.
 - ii. The fee charged for each meal (breakfast, lunch and/or dinner) which shall be based on the rate in the current State of New Jersey Travel Regulations, Department of Treasury.
 - iii. The cost of meals which shall be the projected number of meals times the per meal fee established by the State of New Jersey Travel Regulations, Department of Treasury; and
5. All tolls and parking expenses.

(d) The total costs of transporting an inmate to court for civil actions must be received in the form of a certified check made payable to the "Treasurer, State of New Jersey" and submitted for processing to the correctional facility Business Office.

New Rule, R.1996 d.62, effective February 5, 1996.
See: 27 N.J.R. 3273(a), 28 N.J.R. 853(a).

10A:3-9.14 Written procedures

Each correctional facility/unit responsible for inmate transportation shall prepare written procedures governing the transportation of inmates outside of the correctional facility and from one jurisdiction to another, consistent with the requirements of this Subchapter. These procedures shall be made available to all personnel involved in transporting inmates and shall be reviewed at least annually and updated as necessary.

Recodified from 10A:3-9.13 by R.1996 d.62, effective February 5, 1996.
See: 27 N.J.R. 3273(a), 28 N.J.R. 853(a).
Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).

SUBCHAPTER 10. SECURITY PROCEDURES FOR ADMINISTRATIVE TRANSFERS OF INMATES FROM SATELLITE UNITS AND COMMUNITY BASED PROGRAMS

10A:3-10.1 Use of mechanical restraints

(a) Inmates assigned to satellite units and community based facilities may be transferred to medical or dental appointments, approved interviews, Parole Board Hearings and other similar destinations without the use of mechanical restraints, such as, handcuffs and security belts.

(b) When an inmate is to be returned to a correctional facility for any reason that creates an increased likelihood of an escape attempt, staff members of the satellite unit or community based program shall put into effect the security measures necessary to prevent an escape.

(c) Satellite units and community based programs shall notify the appropriate correctional facility when a decision has been made to remove an inmate from the program. The correctional facility shall assign escorting officers to make the transfer. The escorting officers shall routinely carry restraint equipment in order that the transfer will be made in a safe and secure manner.

(d) The inmate shall not be informed of his or her impending removal from the program prior to the arrival of escorting officers from the correctional facility responsible for making the transfer. Upon arrival of the escorting officers, the inmate to be transferred shall be identified and he or she shall immediately be secured with mechanical restraints in accordance with N.J.A.C. 10A:3-3.

Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).
In (d), inserted N.J.A.C. references.

10A:3-10.2 Inmate's personal property

(a) All of the handcuffed inmate's personal property shall be packed in his or her presence to ensure an accurate inventory.

(b) In instances when the inmate's behavior, while his or her personal property is being packed, becomes disruptive to the extent that it poses a threat to the orderly operation of the unit, the inmate shall be removed from the facility and his or her personal property shall be forwarded to the

receiving correctional facility immediately following the transfer.

10A:3-10.3 Inmate supervision

(a) An escorting officer and/or facility staff member(s) shall be in the presence of the inmate during the entire transfer process.

Amended by R.1997 d.41, effective January 21, 1997.
See: 28 N.J.R. 4840(a), 29 N.J.R. 356(a).