

**CHAPTER 17**

**SOCIAL SERVICES**

**Authority**

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R.1998 d.367, effective July 20, 1998.  
See: 30 N.J.R. 1720(a), 30 N.J.R. 2619(b).

**Executive Order No. 66(1978) Expiration Date**

Chapter 17, Social Services, expires on July 20, 2003.

**Chapter Historical Note**

Chapter 17, Social Services, became effective with Subchapter 9, Referral of Handicapped Children for Adult Educational Services, as R.1986 d.480, effective December 15, 1986. See: 18 N.J.R. 2102(a), 18 N.J.R. 2457(b). Subchapter 2, Volunteer Service Program, Subchapter 5, Religion, and Subchapter 6, Institutional Chaplaincy, were adopted as R.1988 d.241, effective June 6, 1988. See: 20 N.J.R. 167(a), 20 N.J.R. 1224(b). Subchapter 8, Recreation and Leisure Time Activities, was adopted as R.1989 d.470, effective September 5, 1989. See: 21 N.J.R. 665(a), 21 N.J.R. 2793(a). Subchapter 3, Volunteers in Parole Program (V.I.P.P.), was adopted as R.1990 d.488, effective October 1, 1990 (operative October 15, 1990). See: 22 N.J.R. 1981(a), 22 N.J.R. 3149(b).

Pursuant to Executive Order No. 66(1978), Chapter 17, Social Services, expired on December 15, 1991 and was adopted as new rules by R.1992 d.49, effective February 3, 1992. See: 23 N.J.R. 3065(a), 24 N.J.R. 468(a). Subchapter 7, Inmate Marriage, was adopted as R.1992 d.55, effective February 3, 1992. See: 23 N.J.R. 3422(a), 24 N.J.R. 469(a).

Pursuant to Executive Order No. 66(1978), Chapter 17, Social Services, expired on February 3, 1997.

Chapter 17, Social Services, was adopted as new rules by R.1998 d.367, effective July 20, 1998. See: Source and Effective Date.

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#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 10A:17-1.1 Purpose

(a) The purpose of this chapter is to establish policies and procedures for:

1. Volunteer service programs;
2. Social work and services;
3. Religion;
4. Correctional facility/unit chaplaincy services;
5. Inmate marriage;
6. Recreation and leisure time activities; and

7. The referral of handicapped children for adult educational services.

##### 10A:17-1.2 Scope

This chapter shall be applicable to State correctional facilities and State sentenced inmates under the jurisdiction of the Department of Corrections.

##### 10A:17-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Supervisor of Volunteers” means a staff member, within a correctional facility, who is responsible for coordinating and supervising the Volunteer Service Program of the correctional facility and its satellite unit(s).

“Volunteer” means a person who provides services which supplement the functions and activities of employees of the New Jersey Department of Corrections without receiving monetary remuneration or material gain.

##### 10A:17-1.4 Forms

(a) The following forms related to social services shall be reproduced by each correctional facility from originals that are available by contacting the Standards Development Unit, New Jersey Department of Corrections:

1. 370-I Religious Vegetarian Diet; and
2. 450-I Volunteer Application;

(b) The following forms related to the Volunteers in Parole Program (V.I.P.P.) shall be obtained from the Bureau of Parole, New Jersey Department of Corrections:

1. 608.5 V.I.P.P. Volunteer Rules and Responsibilities;
2. 608.6 General Waiver; and
3. 608.7 Volunteer Performance Evaluation.

(c) The following forms related to the Volunteers in Parole Program (V.I.P.P.) shall be reproduced by each District Parole Office from originals that are available by contacting the Office of Internal Affairs, New Jersey Department of Corrections:

1. IAU-12 Request for Criminal History Record Information; and
2. DOC-345 Application for Clearance and Issuance of a Temporary Identification Card.

#### SUBCHAPTER 2. VOLUNTEER SERVICE PROGRAM

##### Cross References

Community volunteers, see N.J.A.C. 10A:17-5.14.

1. Handled in accordance with N.J.A.C. 10A:1-10, Research;
2. Handled in accordance with N.J.A.C. 10A:22, Records; and
3. Conducted under the supervision of the correctional facility/ unit Supervisor of Social Work or designee.

## SUBCHAPTER 5. RELIGION

### 10A:17-5.1 Freedom of religious affiliation and voluntary worship

(a) Each inmate has the right to freedom of religious affiliation and voluntary religious worship while incarcerated, but the exercise of such right may be subject to reasonable restrictions.

(b) Inmates in the general population of a correctional facility who desire to participate in a religious service, meeting or activity that has been approved by the Superintendent or designee shall be permitted to do so unless there is a threat to the safe, secure or orderly operation of the correctional facility.

### 10A:17-5.2 Religious proselytizing inmate

(a) No person shall disparage an inmate's religious beliefs or deliberately seek to persuade an inmate to change his or her religious affiliation.

(b) While under the jurisdiction of the New Jersey Department of Corrections, an inmate shall not be prevented from voluntarily changing religious preference.

(c) An inmate may change religious affiliation by contacting the chaplain who represents the faith group to which the inmate is seeking affiliation.

### 10A:17-5.3 Inmate attendance at community religious activities

(a) Inmates with the Department of Corrections, including satellite units, except as established in (b) below, shall not be permitted to attend worship services and/or religious activities in the community.

(b) Worship service and/or religious activity attendance by inmates residing in community residential centers shall be governed by the contract between the New Jersey Department of Corrections and the provider, and the provisions of N.J.A.C. 10A:20.

### 10A:17-5.4 Physical facilities and equipment

(a) Dependent upon available resources and consistent with internal discipline, order, safety and security, the cor-

rectional facility shall provide adequate space and equipment so as to enable inmates to:

1. Participate in worship services or other religious rites;
2. Receive religious education; and
3. Receive religious counseling.

(b) During all phases of any religious program, the rules and policies related to the internal discipline, order, safety and security of the correctional facility shall be in effect.

### 10A:17-5.5 Inmate orientation

(a) During orientation, inmates shall be informed of the following:

1. Chaplaincy services;
2. Religious activities; and
3. Other aspects of the religious program.

### 10A:17-5.6 Scheduling of religious activity

(a) All religious services, activities or meetings shall be coordinated and scheduled by the Supervisor of Chaplaincy Service, Chaplain, or other designated staff person, subject to approval of the Superintendent or designee.

(b) Factors to be considered when scheduling religious activities shall include, but are not to be limited to:

1. Availability of staff;
2. Availability of space;
3. Availability of time; and
4. The maintenance of a secure and orderly operating correctional facility.

(c) The weekly schedule of religious services and activities shall be posted on each housing unit's bulletin area, and in conspicuous and accessible areas of the correctional facility. The schedule shall indicate the following:

1. Kind of religious service or activity being held;
2. Day(s) provided;
3. Time (beginning and ending);
4. Location; and
5. Person or group conducting activity.

(d) Any additions or changes in religious services and activity shall be promptly posted.

### 10A:17-5.7 Restrictions on congregate religious services

When, in the opinion of the Institutional Classification Committee (I.C.C.) and the Superintendent, there is substantial evidence that disruptive or illicit activity has occurred or is likely to occur, one or more inmates may have

their attendance at group worship restricted or denied, or a scheduled religious service, activity or meeting may be canceled or terminated.

#### 10A:17-5.8 Control of religious ritualistic elements

(a) Religious ritualistic elements, including, but not limited to, sacramental wine, fragrance oil in approved containers and matzo, which are necessary as part of the religious service, may be brought into the correctional facility only by the Chaplain or a volunteer religious group leader from the community.

(b) The highest ranking custody supervisor on duty shall be responsible for the secure storage of religious ritualistic elements.

(c) When religious ritualistic elements are to be used, these elements shall be issued by the highest ranking custody supervisor on duty only to the Chaplain or a volunteer religious group leader from the community.

(d) The Chaplain or a volunteer religious group leader from the community shall be responsible for the use and return of any excess religious ritualistic elements to the highest ranking custody staff supervisor on duty for secure storage following the use of the elements at religious services.

#### 10A:17-5.9 Religious diets

(a) Inmates may abstain from eating food items, served to the general population, which are prohibited by the inmate's religion. In such instance, the inmate may request a religious vegetarian diet and upon review and approval by the Chaplain in accordance with this subchapter, nutritionally balanced vegetarian meals shall be provided to all inmates who, due to religious beliefs, do not wish to eat meat. Such vegetarian meals shall be made available to inmates as an alternative to the "principal meal" which is provided to the rest of the inmate population.

(b) The vegetarian entree shall be provided at each of the three meals of the day (breakfast, lunch and dinner), seven days per week, except on those occasions when the principal meal served does not contain any meat, such as, but not limited to, a breakfast of juice and cereal. In such instances, all inmates will receive the same meal.

(c) All vegetarian diet meals, unless otherwise indicated, will be served as complete meals and not in supplement to, or as a choice between other dietary meals and regular meals.

#### 10A:17-5.10 Placement on the religious vegetarian diet

(a) In order to be considered for placement on the list of inmates approved for vegetarian diets, the inmate must complete Sections I and II of Form 370-I Religious Vegetarian Diet, which may be obtained on request from the housing unit Social Worker.

(b) The inmate shall forward Form 370-I Religious Vegetarian Diet, with Sections I and II completed, to the correctional facility Chaplain for review.

(c) The Chaplain may interview an inmate who has requested placement on the list of inmates approved for vegetarian diets if deemed necessary. In no case shall the interview be used to proselytize the inmate.

(d) The approved Form 370-I Religious Vegetarian Diet shall be forwarded by the Chaplain to the Institutional Classification Committee (I.C.C.) and the Chaplain shall notify the inmate.

(e) The Institutional Classification Committee shall submit the name of an inmate who has been approved for placement on a vegetarian diet to the Food Service Department.

(f) The disapproved Form 370-I Religious Vegetarian Diet shall be forwarded by the Chaplain to the Classification Department and the Chaplain shall notify the inmate. The Chaplain's decision is not subject to being overruled by the Institutional Classification Committee (I.C.C.).

(g) Disapproved requests for placement on a vegetarian diet may be appealed by the inmate in writing to the Superintendent or designee. The Superintendent shall respond within five business days giving statement of reasons for the decision.

(h) Any inmate who wishes to be added or deleted from the list of inmates approved for vegetarian diets shall provide 30 calendar days written notice to the correctional facility Chaplain using Form 370-I Religious Vegetarian Diet.

#### 10A:17-5.11 Religious holidays

(a) Religious holidays of recognized faith groups shall be acknowledged.

(b) Special religious services or activities may be scheduled for inmates of a particular faith so those inmates may observe their religious holidays. The scheduling of these special religious services and activities shall depend upon the following:

1. Availability of correctional facility space;
2. Availability of staff for supervision; and
3. Other essential operational considerations.