

Amended by R.2002 d.407, effective December 16, 2002.  
See: 34 N.J.R. 3050(a), 34 N.J.R. 4444(b).

In (a), inserted "an adult" preceding "family member" and "of the child" preceding "defined" and amended the N.J.A.C. reference; in (b), substituted "Administrator" for "Superintendent"; in (c), inserted "of the child" preceding "shall be responsible".

#### 10A:18-6.9 Notification to prospective visitors

(a) The correctional facility Administrator or designee shall be responsible to write a letter of information, in English and translated into Spanish, which provides the pertinent visit regulations with which prospective visitors should be familiar. This letter shall include, but is not limited to, the:

1. Visiting times;
2. Number of permissible visitors;
3. Guidelines for visits by children;
4. Identification required;
5. Smoking policy;
6. Zero tolerance policies (see N.J.A.C. 10A:4-12);
7. Notification that in accordance with N.J.A.C. 10A:18-6.14, all visitors, their belongings and vehicles are subject to searches while on the premises of a facility under the jurisdiction of the Department of Corrections;

8. Notification that a visitor(s) who enters the premises of a facility under the jurisdiction of the Department of Corrections and refuses to submit to a search shall be:

i. Banned from visiting an inmate committed to the custody of the Department of Corrections for 60 days and required to reapply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges; and

ii. Directed to immediately leave the premises of the facility under the jurisdiction of the Department of Corrections;

9. Notification that a positive indication as a result of a canine search and/or scanning/testing device search is probable cause to believe that criminal activity has or is taking place and, the visitor(s) shall be:

- i. Detained;
- ii. Subject to search and arrest; and
- iii. In accordance with N.J.A.C. 10A:18-6.14, if a controlled dangerous substance is discovered on, in the possession of, or in the vehicle of the visitor(s), the visitor shall be permanently banned from visiting an inmate committed to the custody of the Department of Corrections;

10. Directions to the correctional facility; and

11. Provisions of N.J.S.A. 2C:29-6 which prescribe specific penalties for introducing contraband into a correctional facility.

(b) Copies of the letter of information shall be posted in the visiting areas of the correctional facility.

(c) An inmate may choose one household which shall be notified by correctional facility staff as to the occupants' approval as visitors. The approved visitors shall receive a copy of the correctional facility's letter of information. Such notification shall be transmitted within five business days from the day the inmate is received at the correctional facility.

(d) When an individual is not approved as a visitor, notice of and reasons for the exclusion shall be given to the inmate who submitted the individual's name. The inmate may appeal the decision to the Administrator who shall respond, in writing, within 10 business days of receipt of the appeal.

(e) Procedures on how the inmate can change his or her list of approved visitors shall be incorporated into the Inmate Handbook.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Inserted new (a)5 and recodified former (a)5 as (a)6.  
Amended by R.1998 d.526, effective November 2, 1998.  
See: 30 N.J.R. 2810(a), 30 N.J.R. 3965(a).

In (a), rewrote the introductory paragraph, added a new 6 and recodified former 6 and 7 as 7 and 8.

Amended by R.2001 d.197, effective June 18, 2001.  
See: 32 N.J.R. 2637(a), 33 N.J.R. 2082(a).

In (a), substituted "Administrator" for "Superintendent" in the introductory paragraph, added new 7 through 9 and recodified former 7 and 8 as 10 and 11; in (d), substituted "Administrator" for "Superintendent".

Emergency amendment, R.2005 d.435, effective November 15, 2005, (to expire January 14, 2006).

See: 37 N.J.R. 4575(a).

In (a)6, substituted "tolerance policies (see N.J.A.C. 10A:4-12)" for "Tolerance Drug/Alcohol Policy."  
Adopted concurrent amendment, R.2006 d.58, effective January 11, 2006.

See: 37 N.J.R. 4575(a), 38 N.J.R. 993(a).

Provisions of R.2005, d.435, adopted without change.

#### 10A:18-6.10 Visitor identification

(a) Adult visitors must have photo identification when visiting an inmate.

(b) One of the following is an acceptable form of visitor identification:

1. A current photo driver's license;
2. A current photo Welfare/Medicaid card;
3. An employment photo I.D. card;
4. A current passport; or
5. A joint connection photo I.D. card. No other form of identification is needed with this card.

(c) Social Security cards shall not be used as a means of identification.

(d) Inability to establish identity should be reported to the Administrator or designee.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (a), substituted "Adult visitors" for "All visitors"; and in (b), deleted signature card from list acceptable forms of identification.

Amended by R.2002 d.407, effective December 16, 2002.

See: 34 N.J.R. 3050(a), 34 N.J.R. 4444(b).

In (a), inserted "photo" preceding "identification"; in (b), inserted "photo" following "current" in 1 and 2; in (d), substituted "Administrator" for "Superintendent".

#### 10A:18-6.11 Visiting schedule

(a) The Administrator shall establish a visiting schedule consistent with the orderly and efficient operation of the correctional facility.

(b) When the restriction of visiting on scheduled visit days is a hardship to a visitor, arrangements for suitable hours on other days may be made.

(c) Evening visit schedules may be established where the number of staff permit.

(d) Limitation on the length or frequency of visits may be imposed to avoid overcrowded conditions in the visiting area(s) or when deemed necessary by the Administrator or the highest ranking administrator on duty.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Guidelines for establishing visiting schedules broadened.

Amended by R.2002 d.407, effective December 16, 2002.

See: 34 N.J.R. 3050(a), 34 N.J.R. 4444(b).

In (a) and (d), substituted "Administrator" for "Superintendent".

#### 10A:18-6.12 Number of visitors

(a) The Administrator shall establish written regulations as to the maximum number of persons who may visit an inmate at one time.

(b) These regulations should be interpreted flexibly because their purpose is to prevent overcrowding in the visiting room or unusual difficulty in supervising a visit.

Amended by R.2002 d.407, effective December 16, 2002.  
See: 34 N.J.R. 3050(a), 34 N.J.R. 4444(b).

Substituted "Administrator" for "Superintendent".

#### 10A:18-6.13 Treatment of visitors

All correctional staff members shall treat visitors in a professional, dignified, courteous and respectful manner.

#### 10A:18-6.14 Search of visitors

(a) Signs written in English and Spanish shall be posted in both the visiting area and visiting entrances stating that, as a condition of visitation, all visitors, their belongings and

vehicles are subject to search(es) while on the premises of the Department of Corrections.

(b) All visitors entering the premises of a facility under the jurisdiction of the Department of Corrections shall be required to submit to a search(es), such as, but not limited to, a passive canine, scanning/testing device and pat search.

(c) If a visitor refuses to submit to a search, and there is no reasonable suspicion that the visitor is in possession of contraband, the visitor shall be directed to immediately leave the premises of the facility under the jurisdiction of the Department of Corrections. No visit shall be permitted, the visitor shall be banned from visiting an inmate(s) committed to the custody of the Department of Corrections for 60 days and the visitor shall be required to reapply in writing to the Administrator for approval/disapproval of the reinstatement of visit privileges.

(d) A male or female custody staff member(s) or scanning/testing device operator(s) may be assigned to conduct scanning/testing device searches of visitors regardless of the gender of the visitors as long as no physical contact is required. A custody staff member of the same gender shall be assigned to conduct searches of visitors that require physical contact, such as, but not limited to, pat searches.

(e) In the event that a custody staff member with the rank of Sergeant or above receives information sufficient to form reasonable suspicion that a visitor is carrying contraband, or when contraband has been detected or indicated on a visitor, the visitor shall be pat searched. If contraband is discovered during the pat search of the visitor, the visitor shall be detained and the Special Investigations Division Investigator shall be contacted.

(f) In the event a correctional facility staff member receives information which leads the staff member to believe that a visitor will be concealing contraband on his or her person, the Administrator or designee shall be contacted immediately. The Administrator or designee may ask the local magistrate to issue a search warrant so that the visitor may be strip searched in accordance with (g) below. The information given to the magistrate must establish probable cause to search. A Special Investigations Division Investigator shall be contacted and shall be present at the correctional facility before the strip search is conducted.

(g) An approved strip search shall be conducted in private by a custody staff member(s) of the same gender as the visitor. No member of the opposite gender of the visitor shall be present in the room during the approved strip search.

(h) All contraband discovered during the search of a visitor shall be confiscated by the custody staff member performing the search, and a written report shall be submitted to the Administrator.

(i) The written report shall specify: