

10A:20-4.42 Nondisciplinary administrative returns

(a) Situations warranting an administrative return of an inmate to the correctional facility may include, but are not limited to:

1. An inmate needing medical treatment which is required to be obtained at the correctional facility;
2. An inmate failing to make a satisfactory adjustment although the inmate has not committed a major infraction;
3. An inmate displaying signs of becoming a potential escape risk; and/or
4. The correctional facility receiving a detainer which requires a change in the inmate's community custody status.

(b) In cases when an inmate is being returned to the correctional facility for administrative reasons, the director or designee shall prepare a report using Form CA:44.2b Disciplinary/Administrative Discharge Summary, which indicates the reason(s) for the return.

(c) A copy of the report shall be given to the custody staff member who is transporting the inmate, and a copy shall be faxed to the Office of Community Programs. The report shall include the following information:

1. The detailed reasons for the return of the inmate; and
2. A summary of the inmate's overall attitude and adjustment while in the residential community program.

Amended by R.2003 d.225, effective June 2, 2003.

See: 34 N.J.R. 4325(a), 35 N.J.R. 2483(a).

Rewrote (b) and (c).

10A:20-4.43 Disciplinary and/or emergency transfer

(a) When an inmate violates a prohibited act(s) that is listed in N.J.A.C. 10A:20-4.19, the inmate shall be transferred to a Department of Corrections correctional facility in accordance with N.J.A.C. 10A:20-4.18.

(b) Copies of reports, notices and other documents related to an inmate's return from a residential community program shall be given to the custody staff member(s) who is transporting the inmate, and copies shall be faxed by the Director or designee of the residential community program to the Office of Community Programs. These reports shall include, but not be limited to, Form 259 Disciplinary Report, and Form CA:44.2b Disciplinary/Administrative Discharge Summary.

(c) In accordance with N.J.A.C. 10A:9-6.5, the Inter-Institutional Classification Committee (I.I.C.C.) shall, at the next regularly scheduled meeting, review the disciplinary transfers of inmates from residential community programs to correctional facilities within the New Jersey Department of Corrections.

Amended by R.2003 d.225, effective June 2, 2003.

See: 34 N.J.R. 4325(a), 35 N.J.R. 2483(a).

Rewrote (b); in (c), substituted "residential community programs" for "Residential Community Release Agreement Programs".