

CHAPTER 20

RESIDENTIAL COMMUNITY PROGRAMS

Authority

N.J.S.A. 30:1B-6, 30:1B-10, 30:4-91.3, 91.8, 91.9, 91.11, 91.12 and 91.13, and 30:4-92.

Source and Effective Date

R.2008 d.266, effective August 8, 2008.
See: 40 N.J.R. 2647(a), 40 N.J.R. 5040(a).

Chapter Expiration Date

Chapter 20, Residential Community Programs, expires on August 8, 2013.

Chapter Historical Note

Chapter 20, Community Release Programs, was adopted as R.1992 d.80, effective February 18, 1992. See: 23 N.J.R. 3624(a), 24 N.J.R. 616(a), 24 N.J.R. 953(a). Pursuant to Executive Order No. 66(1978), Chapter 20 expired on February 18, 1997.

Chapter 20, Community Release Programs, was adopted as R.1997 d.473, effective November 3, 1997. See: 29 N.J.R. 3779(b), 29 N.J.R. 4682(a).

Chapter 20, Community Release Programs, was readopted as R.2003 d.225, effective May 2, 2003. As a part of d.225, Chapter 20, Community Release Programs was renamed Chapter 20, Residential Community Programs, effective June 2, 2003. See: 34 N.J.R. 4325(a), 35 N.J.R. 2483(a).

Chapter 20, Residential Community Programs, was readopted as R.2008 d.266, effective August 8, 2008. As a part of R.2008 d.266, Subchapter 4, Residential Community Release Agreement Programs and Mutual Agreement Programs, was renamed Residential Community Release Programs and Mutual Agreement Programs, effective September 2, 2008. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

10A:20-1.1 Purpose

(a) The purpose of the chapter is to:

1. Establish the eligibility criteria for Residential Community Release Programs, such as assessment and treatment centers, halfway houses, and Substance Use Disorder Treatment Programs;

2. Establish policies and procedures for the administration of Residential Community Release Programs, such as

assessment and treatment centers, halfway houses, and Substance Use Disorder Treatment Programs;

3. Establish the eligibility criteria, and policies and procedures for the Department of Corrections related responsibilities for the administration of Mutual Agreement Programs;

4. Provide for required notifications pursuant to N.J.S.A. 30:4-91.8, 91.9, 91.11 and 91.13 when an inmate is being considered for participation in a residential community program; and

5. Provide for the establishment of a Community Relations Advisory Board(s) in accordance with N.J.S.A. 30:4-91.12.

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

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

In (a), inserted "assessment and treatment centers," preceding "halfway houses" and substituted "Use Disorder" for "Abuse" following "Substance" in 1 and 2, and added 3 through 5.

Amended by R.2008 d.266, effective September 2, 2008.

See: 40 N.J.R. 2647(a), 40 N.J.R. 5040(a).

In (a)1 and (a)2, deleted "Agreement" following "Release"; and in (a)1, substituted a comma for a semicolon following the first occurrence of "Programs".

10A:20-1.2 Scope

(a) This chapter shall be applicable to the State correctional facilities and Residential Community Release Programs under the jurisdiction of the Department of Corrections unless otherwise indicated.

(b) This chapter shall be applicable to State-sentenced inmates under the jurisdiction of the 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).

Amended by R.2008 d.266, effective September 2, 2008.

See: 40 N.J.R. 2647(a), 40 N.J.R. 5040(a).

In (a), deleted "Agreement" following "Release".

10A:20-1.3 Definitions

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

"Assessment and Treatment Center" means a Residential Community Release Program that provides eligible inmates with a comprehensive assessment of their needs and risks, an orientation to a treatment regimen, and a referral to a halfway house, Substance Use Disorder Treatment Program, or Mutual Agreement Program.

"Contract agency" means a Residential Community Release Program that has entered into a formal contract with the New Jersey Department of Corrections to provide an Assessment and Treatment Center, a halfway house, or Substance Use Disorder Treatment Program.

"Furlough plan" means a written plan which specifies a home or destination approved by a District Parole Office for an inmate to visit while the inmate is on furlough.

"Halfway house" means a Residential Community Release Program with specific emphasis on employment and educational activities in the context of treatment and rehabilitation.

"Health care provider" means an entity that provides health care services to the inmate population.

"Mutual Agreement Program (MAP)" means the cooperative agreement between the New Jersey Department of Corrections and the New Jersey Department of Human Services in reference to State-licensed, residential, community-based substance use disorder treatment programs throughout New Jersey for community-based treatment of inmates under the jurisdiction of the New Jersey Department of Corrections.

"Residential Community Release Program (RCRP)" means Assessment and Treatment Centers, halfway houses, or Substance Use Disorder Treatment Programs under contract with the New Jersey Department of Corrections.

"Residential community programs" means community-based programs, such as Residential Community Release Programs and Mutual Agreement Programs.

"Residential Community Program Notification Committee" means a group of Departmental staff designated by the Commissioner or designee that shall be responsible to provide notification pursuant to N.J.S.A. 30:4-91.8 and to review comments submitted to the Department when an inmate is considered for participation in a residential community program.

"Responsible health authority" means a designated person within a correctional facility who is administratively responsible for arranging health care services to all inmates. When this authority is other than a physician, in the medical area, or a dentist in the dental area, medical and dental judgments rest with the designated licensed responsible physician or dentist.

"Substance Use Disorder Treatment Program" means a Residential Community Release Program with specific emphasis on alcohol and/or drug treatment.

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

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

Rewrote the section.

Amended by R.2006 d.151, effective May 1, 2006.

See: 38 N.J.R. 96(a), 38 N.J.R. 1836(a).

In the definition of "Mutual Agreement Program (MAP)", substituted "between" for "among", deleted "the New Jersey State Parole Board" and substituted "Human" for "Health and Senior"; and deleted the definition "Regional institution".

Amended by R.2008 d.266, effective September 2, 2008.

See: 40 N.J.R. 2647(a), 40 N.J.R. 5040(a).

In definitions "Assessment and Treatment Center", "Contract agency", "Halfway house", "Residential community programs" and "Substance Use Disorder Treatment Program", deleted "Agreement" following "Release"; in definition "Mutual Agreement Program (MAP)", deleted "formal" preceding "cooperative" and substituted "community-based" for "com-