

**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 through 91.13, and 30:4-92.

**Source and Effective Date**

R.2003 d.225, effective May 2, 2003.  
See: 34 N.J.R. 4325(a), 35 N.J.R. 2483(a).

**Chapter Expiration Date**

Chapter 20, Community Release Programs, expires on May 2, 2008.

**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. See: Source and Effective Date. See, also, section annotations.

**CHAPTER TABLE OF CONTENTS****SUBCHAPTER 1. GENERAL PROVISIONS**

- 10A:20-1.1 Purpose
- 10A:20-1.2 Scope
- 10A:20-1.3 Definitions
- 10A:20-1.4 Authority
- 10A:20-1.5 Forms

**SUBCHAPTERS 2 THROUGH 3. (RESERVED)****SUBCHAPTER 4. RESIDENTIAL COMMUNITY RELEASE AGREEMENT PROGRAMS AND MUTUAL AGREEMENT PROGRAMS**

- 10A:20-4.1 Contract/agreement between the New Jersey Department of Corrections and community agencies
- 10A:20-4.2 Administration of Residential Community Programs
- 10A:20-4.3 Duties of correctional facility staff responsible for coordinating release to residential community programs
- 10A:20-4.4 General eligibility criteria for residential community programs
- 10A:20-4.5 Specific eligibility criteria for residential community programs
- 10A:20-4.6 (Reserved)
- 10A:20-4.7 Exclusions from residential community programs
- 10A:20-4.8 Inmate application, eligibility and review by the Institutional Community Release Agreement Program Coordinator
- 10A:20-4.9 Medical/dental/psychological review of applicants for residential community programs
- 10A:20-4.10 Institutional Classification Committee's (I.C.C.) review and disposition
- 10A:20-4.11 Forwarding documents to the Office of Community Programs

- 10A:20-4.12 Role of the Division of Programs and Community Services, Office of Community Programs and the Residential Community Program Victim Notification Classification Committee
- 10A:20-4.13 Notification of inmate assignment to a residential community program
- 10A:20-4.14 New Jersey State Parole Board hearing
- 10A:20-4.15 New Jersey State Parole Board extension after inmate is approved for program and is awaiting placement
- 10A:20-4.16 New Jersey State Parole Board extension for residents of a residential community program
- 10A:20-4.17 Preparation for transfer to a residential community program
- 10A:20-4.18 Transportation of inmate
- 10A:20-4.19 Residential community program rules, regulations and discipline
- 10A:20-4.20 Testing for prohibited substances
- 10A:20-4.21 Health care coverage
- 10A:20-4.22 Emergency medical, dental and mental health services
- 10A:20-4.23 Nonemergency medical, dental and mental health services
- 10A:20-4.24 Medication or prescription extensions
- 10A:20-4.25 Inmate work credits
- 10A:20-4.26 Inmate wages in Substance Use Disorder Treatment Programs
- 10A:20-4.27 On-site evaluation and approval or disapproval of pre-release employment sites
- 10A:20-4.28 Notification of local law enforcement authorities
- 10A:20-4.29 Monitoring employment/education sites
- 10A:20-4.30 Maintenance fees
- 10A:20-4.31 Payment of fines, penalties and restitution
- 10A:20-4.32 Bank accounts
- 10A:20-4.33 Personal property
- 10A:20-4.34 Resident passes and furloughs
- 10A:20-4.35 Overnight furlough limitations
- 10A:20-4.36 Overnight furlough exclusions
- 10A:20-4.37 Escapes
- 10A:20-4.38 Residential community program staff authorized to report escapes
- 10A:20-4.39 Procedure for reporting an escape
- 10A:20-4.40 Writing the escape charge
- 10A:20-4.41 Persons authorized to remove inmates from a residential community program
- 10A:20-4.42 Nondisciplinary administrative returns
- 10A:20-4.43 Disciplinary and/or emergency transfer

**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 Agreement 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 Agreement 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 responsi-

bilities 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.

### 10A:20-1.2 Scope

(a) This chapter shall be applicable to the State correctional facilities and Residential Community Release Agreement 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).

### 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 Agreement 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 Agreement 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 Agreement 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 formal 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 Agreement 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 Agreement Programs and Mutual Agreement Programs.

"Residential Community Program Victim Notification Classification 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 Agreement 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".

### 10A:20-1.4 Authority

Pursuant to N.J.S.A. 30:4-91.2, the Commissioner, New Jersey Department of Corrections, or designee may designate as a place of confinement any available, suitable and appropriate facility whether owned by the State or otherwise, and may at any time transfer an inmate from one place of confinement to another.

### 10A:20-1.5 Forms

(a) The following forms related to residential community programs are available by accessing the Department of Corrections computer network (DOCNet). Interested individuals who do not have access to DOCNet may obtain copies of