

**CHAPTER 5
CLOSE CUSTODY UNITS**

Authority

N.J.S.A. 30:1B-6 and 30:1B-10; and P.L. 2007, c. 204.

Source and Effective Date

R.2008 d.97, effective March 25, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Chapter Expiration Date

Chapter 5, Close Custody Units, expires on March 25, 2013.

Chapter Historical Note

Chapter 5, Close Custody Units, was adopted as R.1986 d.409, effective October 6, 1986. See: 18 N.J.R. 1067(a), 18 N.J.R. 2016(a).

Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, was readopted as R.1991 d.358, effective June 17, 1991. See: 23 N.J.R. 1260(a), 23 N.J.R. 2143(a).

Subchapter 7, Temporary Close Custody, was adopted as R.1992 d.365, effective September 21, 1992. See: 24 N.J.R. 1676(a), 24 N.J.R. 3314(a). Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, expired on June 17, 1996.

Chapter 5, Close Custody Units, was adopted as new rules by R.1996 d.369, effective August 5, 1996. As part of R.1996 d.369, Subchapter 6, Transitional Protective Custody, was repealed. See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Subchapter 6, Security Threat Group Management Unit, was adopted as new rules by R.1998 d.465, effective September 8, 1998. See: 30 N.J.R. 2148(a), 30 N.J.R. 3242(b).

Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, expired on August 5, 2001.

Chapter 5, Close Custody Units, was adopted as new rules by R.2002 d.388, effective December 2, 2002. See: 34 N.J.R. 2929(a), 34 N.J.R. 4205(a).

Chapter 5, Close Custody Units, was readopted as R.2008 d.97, effective March 25, 2008. As a part of R.2008 d.97, Subchapter 1, Introduction, was renamed General Provisions; and Subchapter 4, Capital Sentence Unit (C.S.U.), was repealed, effective April 21, 2008. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

10A:5-1.1 Purpose

(a) The purpose of this chapter is to establish rules for:

1. Assigning inmates to close custody units;
2. Reviewing the progress of inmates assigned to close custody units;
3. Releasing inmates from close custody units, when appropriate;
4. Operating the Management Control Unit, Administrative Segregation Unit, Protective Custody Unit, and Security Threat Group Management Unit; and
5. Placement in temporary close custody.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a)4, deleted "Capital Sentence Unit" preceding "Protective Custody Unit"; and in (a)5, substituted "temporary close custody" for "Temporary Custody".

10A:5-1.2 Scope

This chapter shall be applicable to the Division of Operations unless otherwise indicated.

10A:5-1.3 Definitions

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

"Adjustment Committee" means the Committee within a correctional facility that is authorized to hear and adjudicate inmate violations or prohibited acts.

"Administrative segregation" means removal of an inmate from the general population of a correctional facility to a close custody unit because of one or more disciplinary infractions.

"Administrative Segregation Level Program" means a three level program established within an Administrative Segregation Unit. The levels are described as follows:

1. Level 1 is the program entry level in which an inmate's possessions, activities, privileges and amenities shall be most highly restricted;
2. Level 2 is the level in which an inmate's possessions, activities, privileges and amenities shall be less restricted than level 1 and more restricted than level 3; and

educational program(s) shall be in writing and signed by the inmate. Until the inmate reaches the age of 18, a parent or guardian must also sign a decision not to participate in an educational program(s). A decision to participate in an educational program(s) may be made at any time thereafter, until the inmate reaches age 22.

10A:5-3.15 Visits by professional and correctional supervisory staff

(a) A member of the correctional facility social work staff shall make visits to the Administrative Segregation Unit five days per week and shall be available as soon as administratively possible to interview individual inmates as requested. When appropriate, referrals to other departments or staff members shall be made.

(b) The correctional facility chaplain shall also visit as soon as administratively possible the Administrative Segregation Unit as requested by individual inmates to provide religious counseling or other pastoral services.

(c) The supervisor in charge of the Administrative Segregation Unit shall make daily visits to the Unit and shall be available as soon as administratively possible to interview individual inmates as requested.

10A:5-3.16 Work opportunities

Work opportunities may be made available to inmates assigned to an Administrative Segregation Unit to the extent possible in accordance with security considerations, limited resources, and availability of physical facilities and budgetary constraints.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Substituted "accordance with" for "light of".

10A:5-3.17 Psychological/psychiatric evaluations

(a) Every inmate in the Administrative Segregation Unit for six months shall receive a psychiatric or psychological evaluation and shall receive a psychiatric or psychological evaluation every two months thereafter. The evaluation shall consider, but not be limited to, the following factors:

1. The inmate's adjustment to his or her surroundings;
2. The likelihood of the inmate conforming his or her behavior to correctional facility rules and regulations; and
3. The likelihood of the inmate posing a threat to the safe, orderly and secure operations of the correctional facility.

(b) The results of the evaluation shall be available to the S.A.S.R.C. for its periodic review of the inmate. This evaluation shall not preclude the S.A.S.R.C. from directing that additional evaluations be made where they deem it necessary.

10A:5-3.18 Withdrawal of personal items or activities

(a) Whenever, in the judgment of the custody staff member in charge of an Administrative Segregation Unit, there is imminent danger that an inmate will destroy clothing or any items usually permitted the inmate in the cell, or do injury to self, to another person, or to property with such items, the custody staff member may deprive the inmate of such items, if practicable. Every effort shall be made to supply a substitute for the item or to permit the inmate to use the item under the supervision of the custody staff member.

(b) Whenever an inmate is deprived of any usually authorized item or activity, a written report shall immediately be forwarded to the Administrator or designee and the supervisor of the Administrative Segregation Unit which shall identify the inmate and the item or activity. In addition, the S.A.S.R.C. shall review any such restriction within one week. Any continued restriction shall be permitted only with the written authorization of the S.A.S.R.C.

(c) Such restrictions shall be reviewed on a weekly basis to determine whether there is reasonable certainty that the danger to person or property is no longer imminent and the restriction may be lifted.

10A:5-3.19 Selection of staff

All custody, treatment and administrative staff for Administrative Segregation Units shall be selected in accordance with Department of Personnel regulations and the terms and conditions of all collective bargaining agreements and contracts entered into between the various working units and the Department of Corrections.

10A:5-3.20 Records

(a) The following information on inmates confined in an Administrative Segregation Unit shall be available in the Unit for the use of appropriate staff:

1. The inmate's name and number;
2. Previous housing locations;
3. Unit cell or room assignments;
4. The date admitted;
5. The disciplinary charge leading to administrative segregation;
6. Special medical or psychiatric problems on an as needed basis; and
7. The date beyond which the inmate may not be retained in the Administrative Segregation Unit on the instant offense.

(b) All unusual behavior shall be noted in the Unit log book together with the time and date of the incident. Unusual incidents shall also be reported pursuant to N.J.A.C. 10A:21, Reports.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In the introductory paragraph of (a), substituted "appropriate" for "the custodial".

SUBCHAPTER 4. (RESERVED)

SUBCHAPTER 5. PROTECTIVE CUSTODY

Subchapter Historical Note

Petition for Rulemaking. See: 41 N.J.R. 3115(a).

10A:5-5.1 Admission to Protective Custody

(a) An inmate may be placed in Protective Custody by any of the following means:

1. On the recommendation of the Special Investigations Division (S.I.D.);
2. On the recommendation of a sentencing court or prosecutor, subject to approval of the Administrator. The recommendation must be accompanied by a statement of justifiable reasons to support such placement;
3. On the recommendation of a correctional facility non-custody staff person or a custody staff member of the rank of Sergeant or above. Emergency placement shall be reviewed and approved within 24 hours by the Shift Supervisor;
4. On the order of the Administrator; Assistant Commissioner, Division of Operations; Chief of Staff; Deputy Commissioner; or Commissioner; or
5. Voluntarily, on the inmate's request.

(b) If an inmate voluntarily requests placement in Protective Custody, he or she shall fill out and sign Form 146—I Voluntary—Protective Custody Consent in which the reasons for requesting Protective Custody are stated. If the inmate's reasons cannot be verified or are deemed to be frivolous by the Administrator or designee, placement in Protective Custody may be denied or the inmate released from Protective Custody.

(c) In all cases of involuntary placement in Protective Custody, the Administrator or designee shall gather facts, information and available documentation to support or reject the request and shall order such additional investigation as is deemed necessary for a clear understanding of the case.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a)3, substituted "correctional facility" for "prison"; and in (a)4, inserted "Deputy Commissioner;".

Petition for Rulemaking.

See: 41 N.J.R. 3115(b).

10A:5-5.2 Hearing procedure for involuntary placement in Protective Custody

(a) An inmate under consideration for placement in Protective Custody shall be given written notice on Form

146—II Notice of Protective Custody Hearing - Involuntary, as soon as practicable.

(b) An inmate in emergency Protective Custody shall be given written notice on Form 146—II no later than three business days after emergency placement.

(c) The written notice shall be given to the inmate at least 24 hours prior to the in-person hearing. The notice shall be signed by the staff person delivering it and the date and time of delivery shall be noted.

(d) The notice shall include the following:

1. A statement of reasons used by the administration to initiate the Protective Custody hearing procedure;
2. The date of the Protective Custody hearing; and
3. Notification that the inmate may present any relevant evidence supporting or contesting placement in Protective Custody.

(e) Evidence may consist of:

1. Witnesses' written statements;
2. Documents related to the nature of threat of harm involved; or
3. Other facts relevant to the need or lack of need for placement in Protective Custody.

(f) At the time of receipt of the notice, the inmate shall be given the opportunity to present the basis for any opposition to involuntary placement in Protective Custody. The inmate shall not, however, be required to make any statement at this time. The information contained in the notice, together with any statement or evidence provided by the inmate at the time of receipt of the notice, shall be reviewed by the Administrator or designee immediately to determine whether, pending the completion of a thorough investigation, there is a reasonable basis to conclude that the inmate is in need of Protective Custody.

(g) Illiterate inmates or inmates otherwise unable to adequately collect and present the facts shall receive the assistance of a counsel substitute assigned by the Disciplinary Hearing Officer/Adjustment Committee or Administrator or designee. An interpreter shall be utilized, if needed, at the discretion of the Disciplinary Hearing Officer/Adjustment Committee.

(h) The Disciplinary Hearing Officer/Adjustment Committee shall have the discretion to keep the hearing within reasonable limits and to refuse to permit the collection and presentation of evidence which is not necessary for an adequate understanding of the case. The Disciplinary Hearing Officer/Adjustment Committee may order further investigation and reports where deemed necessary and shall exercise control over all presentations to prevent lack of relevancy,

harassment, abuse or repetitiveness and to ensure that the hearing does not develop into an adversarial proceeding.

(i) Inmates placed in emergency Protective Custody or under consideration for placement in Protective Custody shall receive a hearing within 20 business days after receipt of the notice, unless there are exceptional circumstances, unavoidable delays, or reasonable postponements.

(j) At the hearing, the inmate shall be informed of all information related to the inmate's case, with the exception of information designated confidential.

(k) When reviewing confidential informant information, the Disciplinary Hearing Officer/Adjustment Committee shall inquire into the reliability of the informant and the information, and shall utilize such information only after satisfied that it is reasonably reliable. Whenever informant information is used, the inmate shall be informed of the general character of the information, if practicable. The details of the informant information shall be withheld on grounds of confidentiality.

1. In any case in which the Disciplinary Hearing Officer or Adjustment Committee's decision is based on evidence that includes confidential information, adjudication shall contain:

i. A concise summary of the facts on which the Disciplinary Hearing Officer or Adjustment Committee concluded that the informant was credible or his or her information reliable; and

ii. The informant's statement (either in writing or as reported) in language that is factual rather than a conclusion, and based on the informant's knowledge of the matters contained in such statement.

2. The Disciplinary Hearing Officer or Adjustment Committee is not permitted to disclose the identity of the informant.

(l) Within 10 business days of the hearing, the Disciplinary Hearing Officer/Adjustment Committee shall provide a written notice of decision and a summary of the evidence relied upon.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Section was "Hearing procedure for involuntary placement to Protective Custody". In (a), substituted "Hearing - Involuntary," for "Hearing Involuntary"; in (d)1, substituted "used" for "utilized"; in (e)2, substituted "related to" for "bearing on"; in (g), inserted "or designee"; in (i), inserted a comma following "notice" and "delays"; and in (j), substituted "related to" for "bearing on".

10A:5-5.3 Appeal procedures for Protective Custody placement

(a) The inmate shall be advised of the opportunity to appeal to the Administrator or designee at the time that the inmate is provided with the Protective Custody hearing decision (Form 146—III Protective Custody Hearing Adjudication).

(b) The inmate shall have five business days from the date he or she receives the Protective Custody decision to submit a letter of appeal.

(c) All appeals shall be reviewed by the Administrator and the following factors shall be considered:

1. Whether there was compliance with this subchapter;
2. Whether the decision was based on reliable information; and
3. Whether the decision to place the inmate in Protective Custody was justifiable considering the inmate's safety and the continued secure, orderly operation of the correctional facility.

(d) Within 10 business days of receipt of the appeal, the Administrator may:

1. Approve the Disciplinary Hearing Officer/Adjustment Committee's decision;
2. Modify the Disciplinary Hearing Officer/Adjustment Committee's decision; or
3. Order further hearings.

(e) In all cases, the inmate shall be notified in writing of the Administrator's decision.

Petition and Action on Petition for Rulemaking.
See: 39 N.J.R. 5377(a).

10A:5-5.4 Review of inmates in Protective Custody Units

(a) Each inmate in Protective Custody, whether voluntary or involuntary, shall be reviewed every three months, or more often if necessary, by the Institutional Classification Committee (I.C.C.).

(b) An inmate who is placed in Protective Custody involuntarily shall, in every case, have an in-person hearing once per year in accordance with procedures specified in N.J.A.C. 10A:5-5.2 and 5.3.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a), substituted "necessary" for "feasible".

10A:5-5.5 Release of inmates in Protective Custody Units

(a) An inmate who has voluntarily signed himself or herself into Protective Custody may sign himself or herself out upon completion of a release form, provided the Institutional Classification Committee (I.C.C.) and the Administrator or designee are satisfied that there is no known danger to the inmate's well-being.

(b) An inmate who has been placed in Protective Custody involuntarily may be released by the Administrator or designee, upon recommendation by the I.C.C. when they are satisfied that the conditions giving rise to the inmate's placement in Protective Custody have abated or do not exist.

(c) Inmates released from involuntary Protective Custody shall, when appropriate, be referred to the CRAF Intake Unit for assignment to a suitable correctional facility.

10A:5-5.6 Ventilation, heating, lighting, sanitation, observation

(a) Ventilation and reasonable temperature shall be maintained on a 24-hour basis. Light of sufficient intensity (100 watts if requested and if compatible with existing electrical load capacity) shall be maintained to allow visual observations of inmates at all times. Partial curtains may be permitted over the cell door, at the discretion of the Administrator.

(b) When admitted, inmates shall not be placed in cells that are unsanitary or have malfunctioning sanitary fixtures or lights. Daily inspections shall be made to ensure the cells are kept secure and sanitary.

(c) Toilets that are flush controlled from outside the cells shall be flushed as often as is necessary to maintain good sanitary standards.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (b), substituted "are unsanitary" for "lack cleanliness" and deleted "; clean" following "secure".

10A:5-5.7 Food

(a) Protective Custody inmates shall be served the regular correctional facility meals from the "Menu of the Day" unless a special diet is prescribed by a physician or a religious vegetarian diet has been approved by the correctional facility chaplain.

(b) Disposable utensils shall be used when necessary.

10A:5-5.8 Grooming, showering and shaving

(a) Barbering and hair care services shall be provided as needed.

(b) Each inmate in Protective Custody shall be given the opportunity to shave and shower not less than three times per week, unless permitting these activities would present an undue security hazard.

10A:5-5.9 Medical services

(a) A member of the medical staff, which can be a registered nurse, nurse practitioner, doctor or other authorized health care personnel, shall be available in the Unit on a daily basis to assess medical needs. Any inmate wishing to see a doctor shall notify the medical staff member or the housing custody staff member of his or her sick call request.

(b) Medical and psychiatric emergencies shall be attended to immediately. Requests for medical attention for inmates in non-emergency situations shall be responded to by the physician or medical person designated by the physician within 24 hours.

10A:5-5.10 Personal items

(a) All inmates shall be admitted to Protective Custody dressed in clothing issued by the correctional facility after a thorough search for contraband.

(b) Each inmate shall be provided with the following items for use in the cell to the same extent as such items are provided for inmates in the general population:

1. Clothing required for use in cell;
2. Bedding and mattress;
3. Personal hygiene supplies;
4. Eating utensils;
5. Eyeglasses;
6. A wristwatch;
7. Religious indicia;
8. Legal materials;
9. Postage stamps; and
10. Reading and writing materials.

(c) The possession and use of radios, televisions, typewriters and other appliances in Protective Custody shall be subject to the same guidelines as those developed by the Administrator or designee for the general population.

(d) Written internal management procedures shall be in effect permitting inmates access to books and periodicals from the correctional facility's library and Inmate Law Library.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (c), inserted "or designee".

10A:5-5.11 Correctional facility clothing, bedding and linen

The issue and exchange of correctional facility clothing, bedding, linen, and the laundry service shall be handled in accordance with Unit internal management procedures or on the same basis as is available to the general inmate population.

10A:5-5.12 Inmate legal services

Inmates in Protective Custody shall be afforded legal access to courts pursuant to N.J.A.C. 10A:6, Inmate Access to Courts.

10A:5-5.13 Correspondence, visits and telephone calls

(a) Inmates in Protective Custody shall have the same correspondence opportunities that are available to inmates in the general population.

(b) Each correctional facility that has a Protective Custody Unit shall provide each inmate in the Unit with the opportunity to receive a minimum of one window visit per week, unless precluded by security conditions or other extraordinary circumstances.

(c) Each correctional facility which has a Protective Custody Unit shall provide each inmate in the unit the opportunity to make a minimum of one collect telephone call per week, excluding legal telephone calls (see N.J.A.C. 10A:6-2.8).

10A:5-5.14 Recreation

(a) Where physical facilities permit, each inmate in Protective Custody shall be allowed recreation and exercise outside the cell at least five hours per week, unless to do so would adversely affect the security or orderly operations of the correctional facility.

(b) Inmates in Protective Custody shall be given the opportunity for out-of-doors recreation for a minimum of one hour of the required five hours of recreation time per week, unless to do so would adversely affect the security or orderly operations of the correctional facility.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (b), inserted "of recreation time" and inserted a comma following "week".

10A:5-5.15 Education

(a) A member of the educational staff shall be assigned to develop individualized educational programs for approved inmates who are assigned to Protective Custody.

(b) Educational programs and services shall be provided for all inmates up to age 20 and up to age 22 for inmates with educational disabilities. An inmate may choose not to participate in available educational programs after the inmate has reached the age of 16. A decision not to participate in an educational program(s) shall be in writing and signed by the inmate. Until the inmate reaches the age of 18, a parent or guardian must also sign a decision not to participate in an educational program(s). A decision to participate in an educational program(s) may be made at anytime thereafter, until the inmate reaches age 22.

(c) The educational opportunities available to inmates in Protective Custody shall be comparable to those available to inmates in general population to the extent possible in accordance with security considerations, resources, budgetary constraints and Protective Custody Unit internal management procedures.

10A:5-5.16 Visits by professional and correctional facility supervisory staff

(a) A member of the correctional facility social services staff shall make visits to the Protective Custody Unit five

days per week and shall be available to interview individual inmates as soon as administratively possible when requested by the inmate. When appropriate, referrals to other departments or staff members shall be made.

(b) The correctional facility chaplain shall visit the Protective Custody Unit as soon as administratively possible when requested by individual inmates to provide religious counseling or other pastoral services.

(c) The Unit supervisor or designee in charge of the Protective Custody Unit shall make daily visits to the Unit and shall be available to interview individual inmates as soon as administratively possible when requested.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Section was "Visits by professional and correctional supervisory staff". In (a), substituted "services" for "work" and inserted "by the inmate".

10A:5-5.17 Work opportunities

Work opportunities shall be made available to inmates assigned to a Protective Custody Unit to the extent possible in accordance with security considerations, limited resources, and availability of physical facilities and budgetary constraints.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Substituted "accordance with" for "light of".

10A:5-5.18 Psychological examination

Every inmate assigned to a Protective Custody Unit shall have a psychological examination every six months, or whenever it appears that he or she is suffering from an emotional or psychological disorder.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Inserted a comma following "months".

10A:5-5.19 Withdrawal of personal items or activities

(a) Whenever, in the judgment of the custody supervisor of the Protective Custody Unit, there is imminent danger that an inmate will destroy property, clothing or any item usually permitted in the cell, or injure self, or another person, a custody staff member of the rank of Sergeant or above may deprive the inmate of such items, if practicable. In such cases, however, every effort shall be made to supply a substitute for the item or to permit the inmate to use the item under the supervision of the custody staff member.

(b) Whenever an inmate is deprived of any usually authorized item or activity, a written report shall immediately be forwarded to the Administrator or designee and the supervisor of the Protective Custody Unit shall identify the inmate and the item.

(c) The Institutional Classification Committee (I.C.C.) shall review any such restriction within one week. Any continued restriction shall be permitted only with the written authorization of the I.C.C.

(d) Such restrictions shall be reviewed on a weekly basis to determine whether there is reasonable certainty that the danger to person or property is no longer imminent and the restriction may be lifted.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a), inserted "property,"; deleted "the inmate" following "permitted" and "or to property with such items," following "another person,"; and substituted "injure self, or" for "do injury to self, to" and "cases" for "case".

10A:5-5.20 Selection of staff

All custody, treatment and administrative staff for Protective Custody Units shall be selected in accordance with New Jersey Department of Personnel regulations and the terms and conditions of all collective bargaining arrangements and/or contracts entered into between the various working units and the Department of Corrections.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Inserted a comma following "custody" and inserted "/or".

10A:5-5.21 Records

(a) The following information on inmates confined to Protective Custody shall be available in the Unit for the use of appropriate staff members:

1. The inmate's name and number;
2. Religion;
3. The previous housing location;
4. The unit cell or room assignment;
5. The date admitted;
6. Special medical or psychiatric problems on an as needed basis; and
7. The date on which yearly review hearing is required.

(b) All unusual behavior shall be noted in the Unit log book together with the time and date of the incident. Unusual incidents shall also be reported pursuant to N.J.A.C. 10A:21, Reports.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a)6, inserted "on an as needed basis".

10A:5-5.22 Disciplinary action within Protective Custody Units

The rules set forth in N.J.A.C. 10A:4, Inmate Discipline, shall be in full force and effect in the Protective Custody Units.

10A:5-5.23 Transfers; record maintenance

All transfers into or out of a Protective Custody Unit shall be entered on the inmate's classification progress notes.

Amended by R.2008 d.97, effective April 21, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Substituted "notes" for "record".

10A:5-5.24 Correctional facility procedures

(a) Each correctional facility that has a Protective Custody Unit shall be responsible for developing written unit internal management procedures and/or post orders consistent with this subchapter.

(b) These written unit internal management procedures and/or post orders shall be forwarded to the Commissioner or designee, New Jersey Department of Corrections, for review and approval on or before September 15 of each year.

SUBCHAPTER 6. SECURITY THREAT GROUP MANAGEMENT UNIT

10A:5-6.1 Scope

This subchapter shall be applicable to the Department of Corrections and provides rules regarding the identification of inmates as members and core members of a security threat group(s) and the placement of inmates identified as core members of a security threat group.

10A:5-6.2 Prohibited security threat group(s) and activity(ies)

(a) The Department of Corrections prohibits the organization and operation of a security threat group(s).

(b) The Department of Corrections prohibits security threat group activity(ies).

(c) The Department of Corrections prohibits the possession, receipt or exhibition of anything related to a security threat group such as, but not limited to, medallions, clothing, beads, artwork and literature.

(d) Evidence or information indicative of security threat group organization, operation or involvement in a security threat group activity(ies) shall result in disciplinary action and a finding of guilt shall subject the inmate to appropriate disciplinary sanctions.

10A:5-6.3 Security Threat Group Management Unit(s)

(a) The Commissioner shall designate a specific housing unit(s) to be utilized for inmates who have been identified as core members of a security threat group(s).

(b) There shall be no commingling of inmates in the Security Threat Group Management Unit with inmates in