

CHAPTER 14**INMATE HYGIENE AND GROOMING; USE OF TOBACCO PRODUCTS; INMATE IDENTIFICATION PHOTOGRAPHS; HOUSEKEEPING AND SANITATION; CLOTHING, BEDDING AND LAUNDRY****Authority**

N.J.S.A. 30:1B-6, 30:1B-10 and 53:1-20.17 et seq.

Source and Effective Date

R.2007 d.94, effective February 28, 2007.
See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Chapter Expiration Date

Chapter 14, Inmate Hygiene and Grooming; Use of Tobacco Products; Inmate Identification Photographs; Housekeeping and Sanitation; Clothing; Bedding and Laundry, expires on February 28, 2012.

Chapter Historical Note

Chapter 14, Sanitation and Hygiene, was adopted as R.1996 d.90, effective February 20, 1996. See: 27 N.J.R. 4846(a), 28 N.J.R. 1209(a). Pursuant to Executive Order No. 66(1978), Chapter 14, Sanitation and Hygiene, expired on February 20, 2001.

Chapter 14, Inmate Hygiene and Grooming; Use of Tobacco Products; Inmate Identification Photographs; Housekeeping and Sanitation; Clothing, Bedding and Laundry, was adopted as new rules by R.2002 d.30, effective January 22, 2002. See: 33 N.J.R. 3614(a), 34 N.J.R. 495(a).

Subchapter 3A, DNA Identification and Sample Collection, was adopted as new rules by R.2004 d.395, effective October 18, 2004. See: 36 N.J.R. 3225(b), 36 N.J.R. 4826(a).

Chapter 14, Inmate Hygiene and Grooming; Use of Tobacco Products; Inmate Identification Photographs; Housekeeping and Sanitation; Clothing; Bedding and Laundry, was readopted as R.2007 d.94, effective February 28, 2007. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS**10A:14-1.1 Purpose**

(a) The purpose of this chapter is to establish policies and procedures for:

1. The maintenance and practice of good hygiene and grooming habits for inmates;
2. The purchase and distribution of sanitary/hygienic/grooming supplies to nonindigent and indigent inmates;
3. The provision of sufficient time for grooming;
4. Provisions for inmate identification photographs;
5. The establishment of guidelines governing housekeeping and sanitation;
6. The establishment of guidelines governing clothing, bedding and laundry;
7. An inmate orientation program that includes the provisions of this chapter; and
8. The establishment of correctional facility internal management procedures that include the provisions of this chapter.

10A:14-1.2 Scope

This chapter shall be applicable to State correctional facilities under the jurisdiction of the Department of Corrections, unless the context clearly indicates otherwise.

Amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Substituted "State correctional facilities under the jurisdiction of the Department of Corrections" for "all inmates within the Division of Operations".

10A:14-1.3 Definitions

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

"Basic clothing issue" means the initial State clothing issue provided to all inmates, as deemed appropriate based on gender and weather conditions.

"Commissary purchased clothing" means personal clothing purchased at the correctional facility commissary by the inmate.

"Special clothing issue" means clothing issued to inmates assigned to specific work details such as, but not limited to, food services, hospital, farm, sanitation, mechanical services and outside details.

"State clothing issue" means all clothing issued by the New Jersey Department of Corrections.

New Rule, R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Former N.J.A.C. 10A:14-1.3, Forms, recodified to N.J.A.C. 10A:14-1.4.

10A:14-1.4 Forms

The following form shall be reproduced by each correctional facility from an original that is available by contacting the Field Services Unit, New Jersey Department of Corrections:

360-I Remedial Action Plan Report.

Recodified from N.J.A.C. 10A:14-1.3 by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Former N.J.A.C. 10A:14-1.4, Written correctional facility internal management procedures, recodified to N.J.A.C. 10A:14-1.5.

10A:14-1.5 Written correctional facility internal management procedures

(a) The Administrator or designee at each correctional facility shall develop written internal management procedures regarding the provisions established in this chapter. These written procedures shall be incorporated into the correctional facility Inmate Handbook (see N.J.A.C. 10A:8-3).

(b) New and revised written internal management procedures regarding the provisions established in this chapter shall be

posted in each housing unit and incorporated into the next publication of the correctional facility Inmate Handbook.

Recodified from N.J.A.C. 10A:14-1.4 and amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a), substituted "The Administrator or designee at each" for "Each"; and in (b), substituted "the provisions established in this chapter" for "inmate hygiene and grooming, inmate identification photographs, housekeeping and sanitation, clothing, bedding and laundry". Former N.J.A.C. 10A:14-1.5, Inmate orientation, recodified to N.J.A.C. 10A:14-1.6.

10A:14-1.6 Inmate orientation

Correctional facility internal management procedures regarding the provisions established in this chapter shall be fully explained to all inmates as a formal part of the correctional facility orientation program in accordance with N.J.A.C. 10A:8-2.

Recodified from N.J.A.C. 10A:14-1.5 and amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Substituted "the provisions established in this chapter" for "inmate hygiene and grooming, inmate identification photographs, housekeeping and sanitation, clothing, bedding and laundry".

Former N.J.A.C. 10A:14-1.6, Detention and Close Custody Unit provisions, recodified to N.J.A.C. 10A:14-1.7.

10A:14-1.7 Detention and Close Custody Unit provisions

(a) The provisions established in this chapter shall apply to inmates assigned to the Detention Program unless otherwise established in N.J.A.C. 10A:4-10 or the Detention Program internal management procedures.

(b) The provisions established in this chapter shall apply to inmates assigned to Close Custody Units unless otherwise established in N.J.A.C. 10A:5 or the Close Custody Unit internal management procedures.

Recodified from N.J.A.C. 10A:14-1.6 by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

SUBCHAPTER 2. INMATE PERSONAL HYGIENE AND GROOMING**10A:14-2.1 Sanitary/hygiene/grooming kit**

(a) A sanitary/hygiene/grooming kit which includes a minimum of the following items shall be provided at no cost to all inmates upon initial admission to the State prison system:

1. Soap;
2. Deodorant;
3. A toothbrush and toothpaste or toothpowder;
4. A comb;
5. Shaving supplies;

6. Toilet paper; and
7. Feminine hygiene supplies for women.

10A:14-2.2 Grooming, showering and shaving

(a) Inmates in general population shall be permitted to shower and shave daily, unless an emergency situation or security hazard exists.

(b) All inmates are expected to maintain an adequate level of personal cleanliness and hygiene in accordance with the internal management procedures established by the correctional facility.

(c) Inmates who do not maintain an adequate level of personal cleanliness and hygiene may be subject to disciplinary action as set forth in N.J.A.C. 10A:4.

10A:14-2.3 Procedures for purchasing and issuing supplies

(a) General population inmates shall be permitted to purchase sanitary and grooming articles from the commissary of the correctional facility at regularly scheduled times.

(b) The appropriate sanitary/hygiene/grooming items shall be provided to all inmates who have been determined to be indigent as this term is defined in N.J.A.C. 10A:1-2.

(c) Personal sanitary/hygiene/grooming needs shall not be denied inmates for punitive reasons.

Amended by R.2007 d.94, effective April 2, 2007.
See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a), substituted "sanitary" for "sanitation".

10A:14-2.4 Time for grooming

(a) Sufficient time for grooming shall be provided to general population inmates in the morning, at mealtime, and at bedtime.

(b) Sufficient time for grooming shall be provided to general population inmates at times deemed necessary by the Administrator or designee such as, but not limited to, before or after an inmate's job detail (for example, food, medical, sanitation or mechanical service details).

(c) The time for general population inmate grooming shall be coordinated with work schedules and other program activities.

10A:14-2.5 Hair

(a) Inmates shall be permitted to have the hair style or length of hair they choose, including beards and mustaches, provided their hair is kept clean and does not present a safety hazard, or a health, sanitary or security problem.

(b) When the length, style or condition of an inmate's hair is found to present a safety hazard, or a health, sanitary or

security problem, the inmate shall be required to trim or cut his or her hair or wear an appropriate protective head and/or beard covering.

(c) Barbering and hair care services shall be provided to inmates as needed. Hair shall be cut under sanitary conditions and in an area that can easily be observed by staff. Hair care equipment shall be stored securely when not in use. A current inventory of hair cutting equipment shall be maintained.

(d) Inmates shall not be permitted to possess or wear wigs or artificial hairpieces, unless the Administrator or designee has authorized use, such as for medical reasons.

Amended by R.2007 d.94, effective April 2, 2007.
See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a) and (b), inserted "or a" and substituted "sanitary" for "sanitation"; in (a), substituted "hair they choose" for "personal choice"; and in (d), inserted "or designee".

10A:14-2.6 Tobacco products

(a) To enhance a clean air environment and due to the health and hygiene hazards associated with the use of certain tobacco products and the risks posed to non-smokers by passive inhalation, smoking shall not be permitted in any correctional facility building or vehicle (see N.J.S.A. 26:3D-57).

(b) Except where smoking is prohibited by program or unit internal management procedures, smoking may be permitted in designated outdoor areas as determined by the Administrator.

(c) An inmate who violates rules or correctional facility or unit internal management procedures regarding the use of tobacco products shall be subject to disciplinary procedures in accordance with N.J.A.C. 10A:4.

Amended by R.2007 d.94, effective April 2, 2007.
See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

Section was "Use of tobacco products". In (a), inserted "(see N.J.S.A. 26:3D-57)".

SUBCHAPTER 3. INMATE IDENTIFICATION PHOTOGRAPHS

10A:14-3.1 Identification (ID) photographs

(a) New ID photographs shall be taken when:

1. An inmate intentionally changes his or her appearance such as, but not limited to, a change in hair style, the growth or removal of facial hair, weight gain or weight loss;
2. An inmate's appearance changes due to circumstances beyond the control of the inmate such as, but not limited to, hair, weight gain or weight loss due to illness; or

3. An inmate voluntarily changes his or her appearance in order to comply with a program safety, health or sanitary recommendation.

(b) Inmates shall reimburse the correctional facility for the cost of the ID photograph except when:

1. The inmate is indigent as this term is defined in N.J.A.C. 10A:1-2;

2. The inmate's appearance changes due to circumstances beyond his or her control; or

3. The inmate voluntarily changes his or her appearance in order to comply with a program safety, health or sanitary recommendation.

Amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a)3 and (b)3, substituted "sanitary" for "sanitation".

SUBCHAPTER 3A. DNA IDENTIFICATION AND SAMPLE COLLECTION

10A:14-3A.1 DNA identification and sample collection

(a) Designated staff of the Department of Corrections shall conduct inmate DNA sample collection for identification, analysis and storage pursuant to the DNA Database and Databank Act of 1994 (see N.J.S.A. 53:1-20.17 et seq.).

(b) Inmates shall be subject to DNA sample collection upon commencement of incarceration and/or prior to release from custody, and as otherwise required by judicial proceedings, order of the court or law.

(c) In the event that an inmate refuses to promptly provide a required DNA sample, the inmate shall be subject to disciplinary action, and the DNA sample shall be collected as mandated by judicial proceedings, order of the court or law.

(d) In accordance with N.J.S.A. 53:1-20.22, as determined by designated Departmental staff, no inmate DNA sample shall be collected when the Division of State Police has previously received a DNA sample from the inmate which was adequate for successful analysis and identification.

(e) The Administrator or designee shall ensure that inmate DNA samples collected in accordance with N.J.S.A. 53:1-20.17 et seq. and a State of New Jersey DNA Databank Specimen Submission Form are forwarded to the designated forensic laboratory for identification, analysis and deposit pursuant to the DNA Database and Databank Act of 1994 (see N.J.S.A. 53:1-20.17 et seq.).

Amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a) and (e), inserted "see"; in (a), substituted "Designated staff of the" for "The"; and in (e), inserted "and a State of New Jersey DNA Databank Specimen Submission Form".

10A:14-3A.2 Documentation of DNA sample collection

(a) The Administrator or designee shall ensure that designated Departmental staff document DNA sample collection information in the inmate classification folder and the electronic inmate information system.

(b) Each time an inmate DNA sample is collected, a State of New Jersey DNA Databank Specimen Submission Form shall be completed and signed by designated Departmental staff. The inmate shall be required to sign and date the form and a copy of the form shall be maintained in the inmate classification folder. In the event the inmate refuses to sign the form, designated Departmental staff shall document such refusal on the form.

Amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a) and (b), substituted "classification folder" for "file"; and in the first sentence of (b), substituted "Departmental" for "Department".

SUBCHAPTER 4. HOUSEKEEPING AND SANITATION

10A:14-4.1 Housekeeping

(a) Housekeeping schedules of daily, weekly and periodic cleaning duties shall be developed and maintained by staff at each correctional facility. These schedules shall set forth the type and frequency of cleaning assignments necessary to maintain all areas of the facility and grounds in a clean, orderly and safe condition.

(b) Cleaning activities shall be supervised to help ensure the work performed is appropriate, the equipment is in good working order and supplies are used in accordance with manufacturer instructions.

(c) Inmates shall keep their immediate living and working areas clean.

Amended by R.2007 d.94, effective April 2, 2007.

See: 38 N.J.R. 5306(a), 39 N.J.R. 1311(b).

In (a), inserted "staff at".

10A:14-4.2 Waste disposal

(a) Liquid, solid and recyclable wastes shall be appropriately separated, stored, collected, and disposed of in a manner that will protect the health and safety of all persons within a correctional facility and avoid the creation of a nuisance or hazard.

(b) Garbage shall be stored in durable rust-resistant, watertight, rodent-proof, and cleanable containers with tightfitting lids.

(c) Appropriate disposal containers shall be provided for tobacco products in those designated outdoor areas where smoking is permitted.