

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (a), substituted "to ensure the supply of" for "for"; and in (b), substituted "shall" for "should".

### 10A:31-3.22 Plumbing and mechanical space

(a) All plumbing space or any other mechanical space shall have an access door with a detention type locking device. No opening shall remain uncovered that is in excess of four inches.

(b) All ventilation ducts located within the security perimeter of the facility must contain security bars no more than four inches on center.

Recodified from 10A:31-3.24 and amended by R.1995 d.421, effective August 7, 1995.

See: 27 N.J.R. 1728(a), 27 N.J.R. 2928(a).

## SUBCHAPTER 4. PERSONNEL

### 10A:31-4.1 Personnel manual

A personnel manual shall be issued to each employee, who shall sign a receipt acknowledging receipt of the manual.

Amended by R.1998 d.222, effective May 4, 1998.

See: 30 N.J.R. 772(a), 30 N.J.R. 1617(a).

Rewrote the section.

### 10A:31-4.2 Policy and procedure manual

A policy and procedure manual for operating and maintaining the facility shall be available to each employee.

Amended by R.1998 d.222, effective May 4, 1998.

See: 30 N.J.R. 772(a), 30 N.J.R. 1617(a).

Rewrote the section.

### 10A:31-4.3 Affirmative Action Program

Each facility shall develop and implement an Affirmative Action Program, which is approved by the appropriate agency, and complies with all laws and government regulations.

### 10A:31-4.4 Employee records

(a) A current, accurate and confidential personnel record shall be maintained for each employee.

(b) Employee records shall be protected against unwarranted examination.

(c) Employees shall be permitted to review their personnel files, challenge inaccurate information, and have inaccurate information corrected or removed from their files.

(d) Pursuant to the Identity Theft Prevention Act at N.J.S.A. 56:11-44 et seq. and definitions relative to the security of personal information at N.J.S.A. 56:8-161, in order to

prevent identity theft, adult county correctional facility staff shall be responsible for safeguarding "personal information" as this term is defined in N.J.A.C. 10A:31-1.3 and for complying with related rules at N.J.A.C. 10A:31-6.7.

Amended by R.2007 d.64, effective February 20, 2007.

See: 38 N.J.R. 4622(b), 39 N.J.R. 652(b).

Added (d).

### 10A:31-4.5 Employee performance evaluation

(a) Each employee shall have an annual written performance evaluation based upon defined job criteria and performance standards. The results of the performance evaluation shall be discussed with the employee.

(b) Appeals of the results of a performance evaluation shall be made through appropriate channels.

## SUBCHAPTER 5. TRAINING AND STAFF DEVELOPMENT

### 10A:31-5.1 Training and Staff Development Program

(a) The Training and Staff Development Program shall consider the physical characteristics of the adult county correctional facility, its overall mission and the type of offenders served.

(b) The facility Training and Staff Development Program for all employees and all custody staff subject to the Police Training Act (N.J.S.A. 52:17B-66 et seq.) shall be coordinated and supervised by a qualified training officer.

Amended by R.1993 d.324, effective July 6, 1993.

See: 25 N.J.R. 1817(a), 25 N.J.R. 2884(a).

Amended by R.1995 d.421, effective August 7, 1995.

See: 27 N.J.R. 1728(a), 27 N.J.R. 2928(a).

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (b), substituted "custody staff" for "correction officers".

#### Case Notes

Sheriff required to accept inmates committed to him for jailing. State v. Hughes, 230 N.J.Super. 223, 553 A.2d 349 (A.D.1989).

### 10A:31-5.2 Training officer

(a) The training officer shall have responsibility for planning and implementing:

1. The Police Training Commission (P.T.C.) training program; and
2. Civilian employee training programs.

(b) In an adult county correctional facility of over 100 employees, a full time training officer shall be employed.

Amended by R.1993 d.324, effective July 6, 1993.

See: 25 N.J.R. 1817(a), 25 N.J.R. 2884(a).

**10A:31-5.3 Orientation and training for employees**

(a) All new employees shall receive orientation training prior to job assignment and additional training on an as-needed basis.

(b) Orientation shall cover the following subjects related to the adult county correctional facility:

1. Policies;
2. Organizational structure;
3. Programs; and
4. Regulations.

(c) All civilian employees who work in direct and continuing contact with inmates shall receive training that covers, at a minimum:

1. Security procedures;
2. Supervision of inmates;
3. Report writing;
4. Inmate rules and regulations;
5. Grievance and disciplinary procedures;
6. Rights and responsibilities of inmates;
7. Emergency procedures;
8. First aid;
9. Human relations and communication skills;
10. Special needs of minorities and women;
11. Crisis intervention;
12. Significant legal issues; and
13. Problem solving and guidance.

(d) It is recommended that the facility's administrative and senior managerial staff receive additional training in management skills each year.

(e) Library and reference services shall be available to complement the Training and Staff Development Program.

(f) All personnel authorized to use firearms shall be trained in weaponry on a continuing, in-service basis as required by the Gun Control Act (N.J.S.A. 2C:39-6j).

(g) Custody staff shall complete the Police Training Commission (P.T.C.) approved course at a P.T.C. approved school (see N.J.S.A. 52:17B-66 et seq.).

Amended by R.1993 d.324, effective July 6, 1993.

See: 25 N.J.R. 1817(a), 25 N.J.R. 2884(a).

Amended by R.1995 d.421, effective August 7, 1995.

See: 27 N.J.R. 1728(a), 27 N.J.R. 2928(a).

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (a), deleted "civilian" preceding "employees"; and rewrote (g).

**SUBCHAPTER 6. MANAGEMENT INFORMATION SYSTEM AND RECORDS****10A:31-6.1 Inmate population accounting system**

(a) An inmate population accounting system shall be utilized which provides the following information:

1. The arresting agency;
2. The sentencing court;
3. The charge(s);
4. The date of booking;
5. The amount of bail and whether bail was posted;
6. The date of release on bail;
7. The time detained;
8. The sentence imposed;
9. The work and other programs in which inmates are participating;
10. The date and manner of release (other than bail);
11. Fines imposed, restitution penalties, etc.; and
12. Other relevant information.

**10A:31-6.2 Intake form**

(a) An intake form shall be completed for every inmate admitted to the facility which shall include, but is not limited to, the following information:

1. The inmate's picture;
2. The booking number;
3. The date and time of intake;
4. The name and aliases of the inmate;
5. The court and sentence, if sentenced;
6. The inmate's last known address;
7. The date and time of commitment and authority therefor;
8. The name, title and signature of delivering officer;
9. The specific charge(s);
10. The sex of the inmate;
11. The age of the inmate;
12. The date of birth of the inmate;
13. The place of birth of the inmate;
14. The race of the inmate;
15. The occupation of the inmate;

16. The last place of employment;
17. The education attained;
18. The religion of the inmate;
19. Medical information to include:
  - i. Medical insurance coverage;
  - ii. Any open wounds or sores requiring treatment; and
  - iii. Evidence of disease, body vermin, tattoos, or other notable scars or conditions.
20. The name and relationship of next of kin;
21. The address of next of kin;
22. The number and state of the inmate's driver's license;
23. The disposition of motor vehicle, where applicable;
24. The Social Security number of the inmate;
25. The amount of cash and/or property of the inmate; and
26. Any additional remarks.

#### 10A:31-6.3 Inmate population movement

(a) The facility shall maintain a report of inmate population movement. This report shall include the following:

1. The number of inmates in the facility;
2. The inmates' names, numbers, and housing assignments;
3. The number and types of daily admissions and releases; and
4. The count at close of day.

#### 10A:31-6.4 Inmate records

(a) The facility shall maintain inmate records which contain, but are not limited to:

1. Intake information;
2. Commitment papers and court orders;
3. Cash and property receipts (signed by inmates);
4. Reports of disciplinary action and unusual occurrences; and
5. Work record and program involvement.

(b) Inmate records shall be reviewed and maintained by qualified personnel to ensure that these records are current and accurate.

(c) Medical and/or mental health information shall be verified promptly with other agencies.

#### 10A:31-6.5 Information pertaining to a victim(s)

(a) Pursuant to N.J.S.A. 47:1A-2.2, a person convicted of any indictable offense under the laws of this State, any other state or the United States shall be denied access to a government record if the record contains personal information pertaining to the victim(s) of an inmate or to the family member(s) of the victim(s).

(b) An exception to (a) above may be made only if a court, upon motion by the requester or his or her representative, has determined that the information is necessary to assist in the defense of the requester. The inmate or representative thereof shall submit the determination by the court to the record custodian for review and release authorization.

Repeal and New Rule, R.2006 d.59, effective February 6, 2006.  
See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).  
Former section was "Public records."

#### 10A:31-6.6 Access to records

(a) Requests for access to records held or controlled by the adult county correctional facility shall be submitted to the custodian of a government record in accordance with the Open Public Records Act.

(b) Contact information for the record custodian for the adult county correctional facility may be obtained from the adult county correctional facility or by accessing a facility website if available.

Repeal and New Rule, R.2006 d.59, effective February 6, 2006.  
See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).  
Former section was "Confidential records."

#### 10A:31-6.7 Identity theft prevention and reporting

(a) Pursuant to the Identity Theft Prevention Act at N.J.S.A. 56:11-44 et seq. and definitions relative to security of personal information at N.J.S.A. 56:8-161, in order to prevent identity theft, adult county correctional facility staff shall be responsible for safeguarding "personal information" as this term is defined in N.J.A.C. 10A:31-1.3. Additionally, adult county correctional facility staff shall be responsible for taking reasonable steps to ensure that all records containing personal information are not lost, stolen, inappropriately accessed or released and for complying with any related internal management procedures.

(b) In the event that an incident which may constitute a breach of security is suspected or discovered, the staff member discovering the suspected breach shall report it to their immediate supervisor. Supervisory/administrative staff shall ensure that any such incident is reported through the administrative chain of command to the Administrator. For purposes of rules regarding identity theft, "breach of security" means unauthorized access to electronic files, media or data containing personal information that compromises the security, confidentiality or integrity of personal information when access to the personal information has not been secured

by encryption or by any other method or technology that renders the personal information unreadable or unusable. Good faith acquisition of personal information by an employee or agent of the adult county correctional facility for a legitimate business purpose is not a breach of security, provided that the personal information is not used for a purpose unrelated to business or subject to further unauthorized disclosure.

(c) All reports related to identity theft shall be provided to the Administrator or designee in accordance with internal management procedures of the adult county correctional facility. The Administrator or designee shall report the incident of identity theft to the governing body of the county or to the County Board of Freeholders.

Repealed by R.2006 d.59, effective February 6, 2006.  
See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Limitation on inmate and parolee records."  
New Rule, R.2007 d.64, effective February 20, 2007.  
See: 38 N.J.R. 4622(b), 39 N.J.R. 652(b).

Section was "Reserved".

#### **10A:31-6.8 Availability of information to non-institutional persons or outside agencies**

(a) Information from adult inmate records shall be provided to law enforcement agencies or persons, who request it in the performance of their public duties.

(b) Adult inmate records may be made available to the following agencies or persons:

1. Courts of competent jurisdiction;
2. The Attorney General;
3. A county prosecutor;
4. The State Parole Board;
5. A county probation department; and
6. Police departments.

(c) Upon advice of the County Counsel, selected records of adult inmates shall be made available to government agencies or other authorized persons upon request. These agencies and persons include, but are not limited to, the following:

1. The Social Security Administration;
2. The Veterans Administration;
3. Attorneys of record in pending cases, or investigating claims;
4. Law enforcement agencies other than those in (b) above; or
5. Medical or psychiatric doctors.

Amended by R.2000 d.332, effective August 7, 2000.  
See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (b)5, substituted "Division" for "Bureau"; and in (c), deleted a reference to the Department of Corrections' Special Assistance for Legal Affairs, Office of the Deputy Commissioner.

Amended by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

In (a), deleted "and parolee" and reference to N.J.A.C. 10A:31-6.10; in introductory paragraph (b), deleted "or parolee"; deleted (b)5; recodified former (b)6-7 as (b)5-6; in introductory paragraph (c), deleted "or parolees."

#### **10A:31-6.9 Availability of information to adult county correctional facility personnel**

(a) Information from inmate records shall be provided to adult county correctional facility personnel on a limited basis.

(b) Information may be provided only to personnel who have a clear and specific need to know the information for use in connection with their work responsibilities.

(c) The provision of information shall be determined by the Administrator or designee in accordance with written policies and procedures established by the facility.

Amended by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Rewrote the section adding designation (a) and subsections (b) and (c).

#### **10A:31-6.10 (Reserved)**

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Procedure for release of confidential inmate or parolee records."

#### **10A:31-6.11 (Reserved)**

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Records authorized by the inmate or parolee for inspection or release."

#### **10A:31-6.12 (Reserved)**

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Litigation."

#### **10A:31-6.13 Reimbursement for costs of copying**

(a) Pursuant to N.J.S.A. 47:1A-5, except as otherwise provided in this subchapter, adult county correctional facilities may charge the following fees for copying government records.

- |                               |                 |
|-------------------------------|-----------------|
| 1. First through 10th page    | \$0.75 per page |
| 2. Eleventh through 20th page | \$0.50 per page |
| 3. All pages over 20          | \$0.25 per page |

(b) Governmental agencies or officers shall be exempt from payment of fees for copying records.

(c) The copying fees for documents or records other than government records shall also be based on the fee schedule in (a) above.