

4. Whether other available dispositions are adequate to regulate the inmate's behavior within acceptable limits.

(c) Confirmation shall be made where the Institutional Classification Committee (I.C.C.) determines that the sanction is appropriate and within acceptable limits, and where the inmate's presence in the general population could pose a threat to the safe, secure and orderly operations of the correctional facility.

(d) The Institutional Classification Committee (I.C.C.) shall provide written notice to the inmate of its decision confirming, modifying or overruling the administrative segregation sanction together with its reasons therefor.

(e) A copy of the I.C.C. notice shall be filed in the inmate's classification folder.

(f) Not all correctional facilities within the Department of Corrections contain Administrative Segregation Units. If an inmate receives a sanction which includes administrative segregation, but is housed in a correctional facility which does not have an Administrative Segregation Unit, the sanction first must be reviewed by the Institutional Classification Committee (I.C.C.) of the correctional facility in which the inmate is housed. If the sanction is confirmed, the request to transfer the inmate shall be referred to the Inter-Institutional Classification Committee (I.I.C.C.), which shall approve or disapprove the transfer of the inmate to a correctional facility within the Division of Operations which has an Administrative Segregation Unit.

Amended by R.1990 d.120, effective February 20, 1990.
See: 21 N.J.R. 3409(a), 22 N.J.R. 661(b).

At (a) reference to Edna Mahan Correctional Facility for Women added and new (f)-(k) added.

Amended by R.1991 d.358, effective July 15, 1991.
See: 23 N.J.R. 1260(a), 23 N.J.R. 2143(a).

Replaced word "confirmation" with the word "review" indicating that the administrative segregation part of a sanction, at the Edna Mahan Correctional Facility for Women, would be referred by the Disciplinary Hearing Officer to Institutional Classification Committee for review at the committee meeting.

Amended by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

10A:5-3.2 Special Administrative Segregation Review Committee (S.A.S.R.C.)

(a) The Special Administrative Segregation Review Committee (S.A.S.R.C.) is a subcommittee of the Inter-Institutional Classification Committee (I.I.C.C.) which is responsible for providing a bimonthly review of the status of inmates assigned to all Administrative Segregation Units.

(b) The Director of the Division of Operations shall designate voting members, whose titles shall not be lower than Assistant Superintendent, to serve on the S.A.S.R.C. on a six month rotating basis. The S.A.S.R.C. shall be composed of:

1. One voting member who shall be a representative of New Jersey State Prison;
2. One voting member who shall be a representative from another Prison Complex facility; and

3. One voting member who shall be a representative from a Youth Complex facility.

(c) The Director shall designate a chairperson from among the voting members to serve a six month or extended term, as determined by the Director.

(d) An in-house psychiatrist or psychologist and a representative of the Classification Department shall attend each meeting of the S.A.S.R.C. but they will have no voting power.

(e) The S.A.S.R.C. shall meet as frequently as is necessary to accomplish the business of the S.A.S.R.C., and the meetings shall be held at a facility designated by the members.

(f) An inmate, who has been assigned to an Administrative Segregation Unit for a period of 365 days or less, shall have his or her case reviewed every 60 days by the S.A.S.R.C. in order to evaluate the inmate's behavior while in the Administrative Segregation Unit.

(g) An inmate, who has been assigned to an Administrative Segregation Unit for a period of more than 365 days, shall have his or her case reviewed by the S.A.S.R.C. every six months, or more frequently if deemed necessary by the S.A.S.R.C., to evaluate the inmate's behavior while in the Administrative Segregation Unit.

(h) The S.A.S.R.C. review shall not necessitate the inmate's presence although the Committee may, where it deems necessary, require the inmate to appear, unless he or she refuses to appear without the use of force.

(i) Upon review of the inmate's behavior, the S.A.S.R.C. may determine that the inmate should be released from the Administrative Segregation Unit. The S.A.S.R.C. shall determine that an inmate should be released from the Administrative Segregation Unit when it concludes that:

1. The initial need for placement in the Administrative Segregation Unit no longer exists;
2. The inmate has clearly demonstrated by his or her behavior that he or she can and will adequately conform to the rules and regulations of correctional facilities;
3. The inmate's presence in the general population will not pose a threat to the safe, secure and orderly operations of a correctional facility; and
4. The inmate's presence in the general population prior to completion of the sanction as specified by the Disciplinary Hearing Officer/Adjustment Committee would not adversely affect the goals of a correctional facility.

(j) If the S.A.S.R.C. determines not to release the inmate from the Administrative Segregation Unit, the inmate shall be so advised in writing, together with the reasons therefor,

unless security considerations preclude their disclosure, in which case a notation as to the Committee's reasons and an explanation of how security would be adversely affected shall be placed in the inmate's folder.

(k) If the S.A.S.R.C. determines to release the inmate, it shall give the inmate written notice of its decision. The inmate shall be:

1. Released into the general population of the correctional facility in which he or she has been confined in the Administrative Segregation Unit;
2. Referred to the Management Control Unit Review Committee (M.C.U.R.C.) for the Management Control Unit (M.C.U.);
3. Referred for a protective custody hearing; or
4. Referred to the Inter-Institutional Classification Committee (I.I.C.C.) for possible transfer to a correctional facility as determined by the S.A.S.R.C.

(l) If the inmate is transferred to general population and wishes a transfer to another correctional facility, he or she shall submit a request to the Institutional Classification Committee (I.C.C.) for consideration by the Inter-Institutional Classification Committee (I.I.C.C.)

(m) The S.A.S.R.C. is authorized to assign inmates to an appropriate correctional facility in accordance with the guidelines established for the Inter-Institutional Classification Committee (I.I.C.C.).

(n) The decision of the S.A.S.R.C. to assign an inmate to another correctional facility shall be confirmed by the Inter-Institutional Classification Committee (I.I.C.C.) at its next regularly scheduled meeting. The inmate shall receive written notice of this decision.

(o) The appropriate Director shall be contacted for assistance when the transfer of an inmate from administration segregation status to another correctional facility cannot be completed because of a lack of available bed space.

(p) Upon final confirmation of the inmate's assignment by the Inter-Institutional Classification Committee (I.I.C.C.) and approval by the appropriate Director, the receiving correctional facility shall be responsible for immediately contacting the sending correctional facility and making the arrangements necessary for transferring the inmate.

Administrative correction, effective January 27, 1989.
See: 21 N.J.R. 558(a).

Institutional name change.
Amended by R.1990 d.120, effective February 20, 1990.
See: 21 N.J.R. 3409(a), 22 N.J.R. 661(b).

New (g) added, recodified (g)-(o) to (h)-(p) and established different periods for review for inmates assigned to Administrative Segregation Units for periods longer than 365 days.
Amended by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

10A:5-3.3 Separate facilities

Whenever possible, areas utilized for Administrative Segregation Units shall be physically separate from other programs in the correctional facility.

Recodified from 10A:5-3.6 by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Former section, "Admission to the Vroom Administrative Segregation Unit", repealed.

10A:5-3.4 Ventilation, heating, lighting, sanitation and observation

(a) Ventilation and reasonable temperature shall be maintained on a 24 hour basis.

(b) Light of sufficient intensity shall be maintained to allow visual observation of inmates at all times.

(c) Partial curtains may be permitted over the cell door, at the discretion of the Superintendent.

(d) When admitted, inmates shall not be placed in the cells that lack cleanliness or have malfunctioning sanitary fixtures or lights. Daily inspections shall be made to insure the cells are kept secure, clean and sanitary.

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

Recodified from 10A:5-3.7 by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Former section, "Vroom-Administrative Segregation Review Committee", repealed.

10A:5-3.5 Food

(a) Segregated inmates shall be served the normal correctional facility meals on the "Menu of the Day" or such special diet as shall be prescribed.

(b) Disposable utensils shall be used when necessary.

Recodified from 10A:5-3.8 by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Former section, "Role of the Inter-Institutional Classification Committee (I.I.C.C.) in review of inmates in the Vroom Administrative Segregation Unit", repealed.

10A:5-3.6 Grooming, showering and shaving

(a) As needed, barbering and hair care services shall be provided.

(b) Each inmate in an Administrative Segregation Unit 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.

Recodified from 10A:5-3.9 by R.1996 d.369, effective August 5, 1996.
See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Former N.J.A.C. 10A:5-3.6, "Separate facilities", recodified to 10A:5-3.3.