

10A:17-6.2 Consultation with the Coordinator, Chaplaincy Services

The Superintendent or designee shall consult with the Coordinator, Chaplaincy Services, on professional, technical and administrative matters related to correctional facility chaplaincy and religious activities.

10A:17-6.3 Coordination and supervision of religious activities

(a) The Supervisor of Chaplaincy Services, Chaplain or other designated staff person shall be responsible to the Superintendent or designee for coordinating and supervising the religious activities of the correctional facility and ensuring that the requirements of N.J.A.C. 10A:17-5, Religion, are fulfilled.

(b) If the correctional facility does not have a Supervisor of Chaplaincy Services, the Superintendent shall designate a staff person to be responsible for coordinating and supervising the religious activities of the correctional facility.

10A:17-6.4 Correctional facility Chaplains

(a) Each correctional facility Chaplain shall:

1. Serve as minister of the faith he or she represents;
2. Serve as liaison between correctional facility authorities, the inmates whose faiths are not represented in the correctional facility and the representatives of those faiths in the community;
3. Provide ministerial services to staff members when requested;
4. Represent the correctional facility in matters regarding religious activities in the community as they relate to the programs of the correctional facility; and
5. Serve as liaison to community clergy, to encourage their understanding of confined persons with special needs and to enlist the cooperation of community clergy in planning correctional facility religious activities.

(b) Each Chaplain shall keep informed of new developments and trends in correctional facility chaplaincy services.

(c) Each Chaplain shall remain in good standing with his or her denomination, and the Chaplain shall be permitted to attend meetings and conferences that are essential to his or her professional standing.

(d) The Supervisor of Chaplaincy Services or a staff person designated by the Superintendent shall prepare monthly and annual reports of the religious activities of the correctional facility pursuant to N.J.A.C. 10A:17-5.22 and 10A:17-6.8.

10A:17-6.5 Recruiting chaplains

(a) The Coordinator, Chaplaincy Services and the Chaplaincy Consulting Committee shall be responsible for re-

cruiting candidates for chaplaincy positions and for increasing the public awareness of the vital need for chaplaincy services in a correctional facility setting. Recruitment may be done on a personal basis and/or by advertising.

(b) The Coordinator, Chaplaincy Services may place advertisements for a vacant correctional facility chaplaincy position in interdenominational publications such as, but not limited to, newspapers and newsletters.

(c) When recruiting for a vacant correctional facility chaplaincy position, all documents obtained from the applicant(s), such as an application(s) and/or resume(s) shall be forwarded to the Coordinator, Chaplaincy Services for review, verification of credentials and filing pursuant to N.J.A.C. 10A:17-6.9.

(d) When recruiting candidates for correctional facility chaplaincy positions, emphasis shall be placed on the following:

1. Academic credentials;
2. Experience; and
3. Other qualifications needed to provide the services of the position.

10A:17-6.6 Chaplaincy Consulting Committee

(a) The purpose of the Chaplaincy Consulting Committee is to help ensure that:

1. Religious ministry is provided for persons while incarcerated in the correctional facilities of the Department of Corrections;
2. The concerns of the religious community are represented in the development and implementation of religious policies practiced in correctional facilities; and
3. Inmates are provided their right to freedom of religious affiliation(s) and voluntary worship in accordance with the rules established in this chapter.

(b) The Chaplaincy Consulting Committee shall be responsible for recruiting, interviewing and recommending candidates to fill correctional facility chaplaincy positions.

(c) The Chaplaincy Consulting Committee shall consist of the following:

1. Representatives from the religious community appointed as official representatives of their respective faith groups;
2. Representatives from the Department of Corrections and Human Services designated by their respective Commissioners;
3. Representatives from the New Jersey State Institutional Chaplains Association; and
4. The Coordinator, Chaplaincy Services.

10A:17-6.7 Selecting chaplains

(a) The Coordinator, Chaplaincy Services shall maintain a file of resumes of applicants for chaplaincy positions pursuant to N.J.A.C. 10A:17-6.9.

(b) When a vacancy in a chaplaincy position occurs at a correctional facility, the Superintendent or designee shall notify the Coordinator, Chaplaincy Services who shall be responsible for notifying the Chaplaincy Consulting Committee.

(c) The Chaplaincy Consulting Committee shall review all applications and arrange interviews for the applicants who meet the qualifications for the correctional facility chaplaincy position.

(d) Upon completion of the interviews, the Chaplaincy Consulting Committee shall recommend two or more candidates to the Superintendent. The Superintendent may request the names of additional candidates for consideration should the Superintendent deem such action necessary.

(e) The Superintendent shall select the applicant to fill the vacancy.

10A:17-6.8 Reports

(a) The Supervisor of Chaplaincy Services, Chaplain or a staff person designated by the Superintendent shall submit monthly and annual reports of chaplaincy activities to the Superintendent or designee.

(b) Copies of monthly and annual reports shall be forwarded by the Supervisor of Chaplaincy Services, Chaplain or a designated staff person to the Coordinator, Chaplaincy Services.

10A:17-6.9 Files and records of the Coordinator, Chaplaincy Services

(a) The Coordinator, Chaplaincy Services, shall maintain files containing up-to-date resumes and applications of qualified candidates who are interested in correctional facility chaplaincy positions.

(b) The Coordinator, Chaplaincy Services shall maintain copies of the monthly and annual reports of religious activities submitted to the Superintendent or designee.

SUBCHAPTER 7. INMATE MARRIAGE**10A:17-7.1 Procedure for submitting a request to marry**

(a) An inmate, who is 18 years of age or older and wishes to marry while serving a sentence at a State correctional facility, shall submit a written request to marry to the Superintendent of the correctional facility at which the inmate is currently assigned at least 90 days in advance of the proposed date of the wedding.

(b) An inmate may submit a request to marry outside of the correctional facility if the inmate is eligible for escorted or unescorted furlough, or the inmate may submit a request to marry within the correctional facility if the inmate is ineligible for furlough or prefers that the marriage ceremony be performed at the correctional facility.

(c) A request to marry shall not qualify an inmate for furlough who is otherwise ineligible for furlough.

(d) The request to marry shall include:

1. The name of the inmate;
2. The number of the inmate;
3. The name of the intended spouse;
4. The address of the intended spouse;
5. The ages of the intended spouse and the inmate;
6. The present marital status of the inmate and the intended spouse;
7. The proposed date of the ceremony, to include:
 - i. A request for approval to use the correctional facility chapel on the proposed date including the type of ceremony preferred such as civil or religious; or
 - ii. A request for a furlough to coincide with the proposed date of marriage including the address where the ceremony will be performed; and
8. A summary of the action, if any, the inmate has taken regarding compliance with the requirements for:
 - i. A marriage license; and
 - ii. Other provisions of State law;
9. A signed statement from the inmate indicating the inmate and/or intended spouse will pay in advance all expenses incurred including, but not limited to:
 - i. The marriage license;
 - ii. The provision of custody staff dependent on the inmate's custody classification (N.J.A.C. 10A:3-9);
 - iii. The fee per custody staff which is the maximum salary of a Senior correction officer at time and a half;
 - iv. The State vehicle mileage cost established by the Director, Division of Budget and Accounting;
 - v. The projected number of meals of the escorts and inmate based on the rate in the current State of New Jersey Travel Regulations; and
 - vi. The tolls and parking expenses;
10. A signed statement from the inmate indicating there are no legal restrictions which would prohibit the marriage under law; and

11. A signed statement from the inmate authorizing the release of information to the intended spouse which includes the inmate's custody status, the length and type of sentence and any active detainees. Medical information and any information deemed confidential shall be released to the intended spouse only when specifically authorized by a signed statement from the inmate.

10A:17-7.2 Decision on requests to marry

(a) The decision of approval or disapproval of an inmate's request to marry shall be made by the Superintendent who shall make use of a designated committee to assist in the decision making. The committee shall consist of:

1. The Social Work Supervisor;
2. A chaplain;
3. A custody staff person with the rank of Lieutenant or above; and
4. Any other staff member(s) designated by the Superintendent.

(b) Upon receipt of the inmate's request to marry, the Superintendent shall refer the request to the committee for an in-depth review.

10A:17-7.3 Committee considerations

(a) The committee shall consider all of the relevant factors pertaining to an inmate's request to marry and submit written recommendations for approval or disapproval to the Superintendent within 30 days of the request.

(b) Consideration by the committee shall not be construed as an assurance that an inmate's request to marry will be approved.

(c) An inmate's request to marry may be considered for approval if:

1. The inmate has made a satisfactory correctional facility adjustment;
2. The inmate's marriage would not present a risk to security or the orderly operation of the correctional facility;
3. The inmate's intended spouse is not presently incarcerated; and
4. The inmate is able to comply with all of the requirements of the State laws governing marriage.

(d) The committee may consider other factors such as:

1. The inmate's maturity;
2. The inmate's emotional stability;
3. The length and type of sentence;

4. The inmate's ability to make a rational, informed decision concerning entering the marriage relationship; and/or

5. Other factors deemed appropriate by the committee for consideration.

(e) The committee may request an updated psychological and/or psychiatric evaluation when such is deemed necessary to properly deliberate upon the inmate's maturity, emotional stability or ability to make a rational and informed decision concerning marriage.

(f) An inmate's request to marry may be considered and recommended for approval when the inmate can meet the criteria in (c) above and upon combination of such factors under (d) above and any evaluation under (e) above which the committee considers appropriate.

10A:17-7.4 Notification of decision

(a) The Superintendent or designee shall provide to the inmate written notification of approval or disapproval of the request to marry as soon as possible after receiving and reviewing the recommendation of the committee.

(b) The notification shall indicate:

1. Whether the inmate's request for a furlough to coincide with the proposed date of marriage has been approved; or
2. Whether the inmate's request for use of the correctional facility for the marriage ceremony on the proposed date is approved.

(c) If the correctional facility is to be used for the ceremony and the date requested by the inmate is in conflict with previously scheduled activities, the Superintendent may select an alternate date which is mutually convenient for the correctional facility and the inmate.

(d) The Superintendent or designee shall provide the following information to the intended spouse:

1. The time, date and place of the impending marriage;
2. The custody status of the inmate, the length and type of sentence, any active detainees; and
3. The requirement of a premarital conference in accordance with N.J.A.C. 10A:17-7.5.

(e) The Superintendent or designee shall notify the Social Services Supervisor and, if a correctional facility religious ceremony was requested, the correctional facility chaplain of the approval or disapproval of the request to marry.

10A:17-7.5 Social Services Department

(a) A staff member from the Social Services Department shall be assigned to act as an advisor to assist the inmate and the intended spouse.

(b) A premarital conference meeting with the inmate and the intended spouse shall be held at the correctional facility to clarify any social, legal or financial issues regarding the impending marriage.

(c) If there is to be a civil ceremony, the staff member of the Social Services Department shall review, arrange and coordinate plans for the ceremony, including the request to a civil official who will perform the ceremony (see N.J.S.A. 37:1-13 for persons authorized to solemnize marriages).

10A:17-7.6 Correctional facility chaplain

(a) If an inmate's request for a religious service is approved, the chaplain shall interview the inmate to determine the specific faith-group requirements which need to be met.

(b) The decision as to whether the chaplain shall perform a marriage is within the chaplain's sole discretion.

(c) The chaplain, clergy or other authorized religious leader scheduled to perform the ceremony shall be granted the opportunity to conduct premarital sessions, such as, counseling in preparation for the solemnization of the marriage. Such sessions shall be arranged in accordance with correctional facility internal management procedures to ensure the secure and orderly operation of the facility.

(d) The chaplain shall review, arrange or coordinate plans for the ceremony, including the notification of the officiating clergy person or authorized religious leader, if the ceremony is not to be performed by the chaplain.

10A:17-7.7 Marriage ceremony

(a) All aspects of the marriage ceremony shall be conducted in accordance with this subchapter and correctional facility internal management and operational procedures, such as, but not limited to, procedures related to visitors to ensure the secure and orderly operation of the facility.

(b) A marriage ceremony conducted within the correctional facility shall be private with no attendant publicity.

(c) The marriage ceremony may be performed by one of the following officiants who is authorized by law to perform marriages in the State of New Jersey:

1. The correctional facility chaplain;
2. A religious leader from the community who visits the correctional facility; or
3. A person from the community.

(d) Witnesses and immediate family members shall not exceed six in number, excluding the officiant. For those instances in which the inmate and the intended spouse have a large number of verified immediate family members as defined in N.J.A.C. 10A:17-1.3 who wish to attend, the Superintendent may authorize immediate family members in excess of six people to attend the marriage ceremony.

(e) Pursuant to N.J.A.C. 10A:18-6 and correctional facility internal management procedures regarding visits, the witnesses from the community must be on the inmate's approved visiting list or receive authorization from the Superintendent to attend the marriage ceremony.

(f) Inmates from the same correctional facility may attend the marriage ceremony but their attendance shall not increase the maximum total of six witnesses and/or immediate family members. The Superintendent may refuse to permit an inmate(s) and/or limit the number of inmates permitted to attend the marriage ceremony in order to maintain security and the orderly operation of the correctional facility.

(g) The Superintendent may authorize the use of flowers, musical instruments, electronic musical equipment, and/or the taking of pictures at the marriage ceremony in accordance with the secure and orderly operation of the correctional facility.

(h) Photographers and/or musical groups from the public shall not be permitted to attend the marriage ceremony under any circumstances.

10A:17-7.8 Reception activities and consummation of the marriage

(a) There shall be no reception activities after a marriage ceremony has been performed within a correctional facility.

(b) The correctional facility shall not provide accommodations for the consummation of the marriage following the marriage ceremony.

10A:17-7.9 Fees and costs

(a) The correctional facility shall not be responsible for any costs incurred by inmates who marry.

(b) Financial obligations for such items as marriage licenses and fees for the person officiating, other than a full or part-time staff member of the correctional facility, shall be assumed by the marriage partners.

SUBCHAPTER 8. RECREATION AND LEISURE TIME ACTIVITIES

10A:17-8.1 Staff assigned to Recreation and Leisure Time Activities Program

(a) The Supervisor of Recreation shall be responsible for the direction and supervision of the Recreation and leisure time activities program of the correctional facility.

(b) Volunteers may be used to assist the recreation staff in designated Recreation and leisure time program activities (see N.J.A.C. 10A:17-2, Volunteer Service Program).