

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. 26:3D-57, 30:1B-6, 30:1B-10, and 53:1-20.17 et seq.

Source and Effective Date

R.2014 d.147, effective August 26, 2014.
See: 46 N.J.R. 579(a), 46 N.J.R. 2042(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 August 26, 2021.

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

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 14, Inmate Hygiene and Grooming; Use of Tobacco Products; Inmate Identification Photographs; Housekeeping and Sanitation; Clothing, Bedding and Laundry, was scheduled to expire on February 28, 2014. See: 43 N.J.R. 1203(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.2014 d.147, effective August 26, 2014. As a part of R.2014 d.147, the chapter was renamed Inmate Hygiene and Grooming; Use of Tobacco Products; Inmate Identification Photographs; Housekeeping and Sanitation; Clothing, Bedding, and Laundry, effective October 6, 2014. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS**SUBCHAPTER 1. GENERAL PROVISIONS**

10A:14-1.1	Purpose
10A:14-1.2	Scope
10A:14-1.3	Definitions
10A:14-1.4	Forms
10A:14-1.5	Written correctional facility internal management procedures
10A:14-1.6	Inmate orientation
10A:14-1.7	Detention and Close Custody Unit provisions

SUBCHAPTER 2. INMATE PERSONAL HYGIENE AND GROOMING

10A:14-2.1	Sanitary/hygiene/grooming kit
10A:14-2.2	Grooming, showering and shaving
10A:14-2.3	Procedures for purchasing and issuing supplies
10A:14-2.4	Time for grooming
10A:14-2.5	Hair
10A:14-2.6	Tobacco products

SUBCHAPTER 3. INMATE IDENTIFICATION PHOTOGRAPHS

10A:14-3.1	Identification (ID) photographs
10A:14-3.2	Temporary inmate photograph identification (ID) card for inmates being released

SUBCHAPTER 3A. DNA IDENTIFICATION AND SAMPLE COLLECTION

10A:14-3A.1	DNA identification and sample collection
10A:14-3A.2	Documentation of DNA sample collection

SUBCHAPTER 4. HOUSEKEEPING AND SANITATION

10A:14-4.1	Housekeeping
10A:14-4.2	Waste disposal
10A:14-4.3	Control of vermin and pests
10A:14-4.4	Inspections by correctional facility staff members
10A:14-4.5	Inspections by the State Department of Health and Senior Services
10A:14-4.6	Policies of the Division of Operations, Field Services Unit

SUBCHAPTER 5. CLOTHING, BEDDING AND LAUNDRY

10A:14-5.1	Basic clothing issue
10A:14-5.2	Bureau of State Use Industries/DEPTCOR
10A:14-5.3	Replenishing inmate basic clothing issue
10A:14-5.4	Inmate accountability for State clothing issue
10A:14-5.5	Special clothing issue
10A:14-5.6	Inmate release clothing
10A:14-5.7	Personal clothing
10A:14-5.8	Marking State clothing issue
10A:14-5.9	Condemning of clothing
10A:14-5.10	Clothing storage
10A:14-5.11	Bedding and towels
10A:14-5.12	Correctional facility/unit laundry services
10A:14-5.13	Central Laundry policies and procedures
10A:14-5.14	Records

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 house-keeping 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.

"Smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance that contains tobacco or any other matter that can be smoked.

"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.

"Tobacco paraphernalia" includes ignition device, rolling paper, pipe, or any product used to inhale or ingest a tobacco product.

"Tobacco products" includes, but is not limited to, cigars, cigarettes, pipe tobacco, chewing tobacco, smokeless tobacco, etc., but excludes nicotine lozenges.

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.

Amended by R.2014 d.147, effective October 6, 2014.

See: 46 N.J.R. 579(a), 46 N.J.R. 2042(b).

Added definitions "Smoking", "Tobacco paraphernalia", and "Tobacco products".

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) An inmate shall not be permitted to smoke, use, or possess tobacco products or associated tobacco paraphernalia at any time.

(c) An inmate who violates rules or correctional facility or unit internal management procedures regarding the use or possession of tobacco products or associated tobacco paraphernalia 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)".

Amended by R.2014 d.147, effective October 6, 2014.

See: 46 N.J.R. 579(a), 46 N.J.R. 2042(b).

Rewrote (b); and in (c), inserted "or possession" and "or associated tobacco paraphernalia".

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".

10A:14-3.2 Temporary inmate photograph identification (ID) card for inmates being released

(a) Inmates being released from the custody of the New Jersey Department of Corrections shall be issued a temporary inmate photograph ID card immediately prior to release from custody except as set forth in (c) below. The temporary inmate photograph ID card shall be prepared by the Identification Officer at the correctional facility from which the inmate is being released and shall be issued to the inmate by the releasing custody staff member on the date of release from custody.

(b) The temporary inmate photograph ID card shall include an effective and expiration date; therefore, it shall be the responsibility of the released inmate to obtain valid photograph identification at, or prior to the expiration date indicated on the temporary inmate photograph ID card.

(c) As determined by appropriate and authorized correctional facility staff, inmates shall not be issued a temporary inmate photograph ID card when:

1. Inmates are being involuntarily civilly committed;
2. Inmates have certain detainers, such as, but not limited to, immigration detainers; and
3. Such cards are deemed unnecessary due to other program, parole or custody assignments.

New Rule, R.2008 d.328, effective November 3, 2008.

See: 40 N.J.R. 4287(a), 40 N.J.R. 6464(b).

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 reposit 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".