

**CHAPTER 9  
CLASSIFICATION PROCESS**

**Authority**

N.J.S.A. 30:1B-6 and 30:1B-10.

**Source and Effective Date**

R.2007 d.379, effective November 14, 2007.  
See: 39 N.J.R. 2445(a), 39 N.J.R. 5340(b).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 9, Classification Process, expires on November 14, 2014. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 9, Classification Process, was adopted as R.1987 d.48, effective January 20, 1987. See: 18 N.J.R. 1649(a), 19 N.J.R. 218(a).

Pursuant to Executive Order No. 66(1978), Chapter 9, Classification Process, expired on January 20, 1992.

Chapter 9, Classification Process, was adopted as new rules by R.1992 d.79, effective February 18, 1992. See: 23 N.J.R. 3721(a), 24 N.J.R. 612(a).

Pursuant to Executive Order No. 66(1978), Chapter 9, Classification Process, was readopted as R.1997 d.122, effective February 14, 1997. See: 29 N.J.R. 80(b), 29 N.J.R. 880(a). As a part of R.1997 d.122, effective March 17, 1997, Subchapter 9, Reception and Placement Process for Male Juveniles; Subchapter 10, Juvenile Institutional Classification Committee (J.I.C.C.); and Subchapter 11, Juvenile Female Classification Committee (J.F.C.C.), were repealed. See: 29 N.J.R. 80(b), 29 N.J.R. 880(a).

Chapter 9, Classification Process, was readopted as R.2002 d.190, effective May 24, 2002. See: 34 N.J.R. 1082(a), 34 N.J.R. 2030(a).

Chapter 9, Classification Process, was readopted as R.2007 d.379, effective November 14, 2007. As a part of R.2007 d.379, Subchapter 1, Introduction, was renamed General Provisions; Subchapter 6, Inter-Institutional Classification Committee (I.I.C.C.), was renamed Institutional Classification Reception Committee (I.C.R.C.); Subchapter 7, Special Classification Committee (S.C.C.), was renamed Inter-Institutional Transfer; and Subchapter 9, Community Corrections Classification Committee (C-4), and Subchapter 10, Residential Community Program Notification Committee, were adopted as new rules, effective December 17, 2007. See: Source and Effective Date. See, also, section annotations.

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## SUBCHAPTER 1. GENERAL PROVISIONS

**10A:9-1.1 Purpose**

(a) The purpose of this chapter is to:

1. Establish objective criteria and a standardized process for inmate evaluation, custody level assignment, and correctional facility assignment;
2. Establish the responsibilities and functions of the Institutional Classification Committees (I.C.C.);
3. Establish eligibility criteria for reduced custody status;
4. Establish provisions for the award and forfeiture of commutation time and work credits;

5. Establish provisions for the transfer of inmates between correctional facilities;

6. Establish provisions for the parole recommendation process for inmates incarcerated pursuant to N.J.S.A. 2C:47 and 2A:164; and

7. Establish rules to fulfill the functions of the Department of Corrections as enumerated in N.J.A.C. 10A:1-1.1.

Amended by R.1992 d.79, effective February 18, 1992.

See: 23 N.J.R. 3721(a), 24 N.J.R. 612(a).

Added (a)7.

Amended by R.1997 d.122, effective March 17, 1997.

See: 29 N.J.R. 80(b), 29 N.J.R. 880(a).

Deleted (a)6, relating to a process for assignment and transfer of juvenile offenders; and recodified (a)7 as (a)6.

Amended by R.2001 d.425, effective November 19, 2001.

See: 33 N.J.R. 2390(a), 33 N.J.R. 3947(a).

In (a), added a new 1 and recodified former 1 through 6 as 2 through 7.

Amended by R.2002 d.190, effective June 17, 2002.

See: 34 N.J.R. 1082(a), 34 N.J.R. 2030(a).

Rewrote the section.

**10A:9-1.2 Scope**

(a) This chapter shall be applicable to the Division of Operations unless otherwise indicated.

(b) N.J.A.C. 10A:9-8 shall be applicable to inmates sentenced under N.J.S.A. 2C:47 and 2A:164 who are housed at either the Adult Diagnostic and Treatment Center (A.D.T.C.) or other facilities.

Amended by R.1997 d.122, effective March 17, 1997.

See: 29 N.J.R. 80(b), 29 N.J.R. 880(a).

Substantially amended section.

**10A:9-1.3 Definitions**

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

“Assaultive offense” means a criminal conviction for an offense involving violence or use of force, or any offense involving the threat or attempted use of force or violence including, but not limited to, a sexual offense, carjacking, and kidnapping.

“Assessment scale” means a fixed progressive reference system used as a measurement standard to determine the relative value, degree, importance, rank, or rating of factors including, but not limited to, criminal and/or assaultive offenses or prohibited acts, escape history, time to expiration of sentence or parole, inmate age, education, employment history, alcohol/drug use, or correctional facility program participation.

“Classification Committee” means a group of correctional staff members that have been designated to make decisions related to the needs of inmates from admission to discharge.