

CHAPTER 5

CLOSE CUSTODY UNITS

Authority

N.J.S.A. 30:1B-6 and 30:1B-10; and P.L. 2007, c. 204.

Source and Effective Date

R.2008 d.97, effective March 25, 2008.
See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

Chapter Expiration Date

Chapter 5, Close Custody Units, expires on March 25, 2013.

Chapter Historical Note

Chapter 5, Close Custody Units, was adopted as R.1986 d.409, effective October 6, 1986. See: 18 N.J.R. 1067(a), 18 N.J.R. 2016(a).

Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, was readopted as R.1991 d.358, effective June 17, 1991. See: 23 N.J.R. 1260(a), 23 N.J.R. 2143(a).

Subchapter 7, Temporary Close Custody, was adopted as R.1992 d.365, effective September 21, 1992. See: 24 N.J.R. 1676(a), 24 N.J.R. 3314(a). Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, expired on June 17, 1996.

Chapter 5, Close Custody Units, was adopted as new rules by R.1996 d.369, effective August 5, 1996. As part of R.1996 d.369, Subchapter 6, Transitional Protective Custody, was repealed. See: 28 N.J.R. 2782(a), 28 N.J.R. 3791(b).

Subchapter 6, Security Threat Group Management Unit, was adopted as new rules by R.1998 d.465, effective September 8, 1998. See: 30 N.J.R. 2148(a), 30 N.J.R. 3242(b).

Pursuant to Executive Order No. 66(1978), Chapter 5, Close Custody Units, expired on August 5, 2001.

Chapter 5, Close Custody Units, was adopted as new rules by R.2002 d.388, effective December 2, 2002. See: 34 N.J.R. 2929(a), 34 N.J.R. 4205(a).

Chapter 5, Close Custody Units, was readopted as R.2008 d.97, effective March 25, 2008. As a part of R.2008 d.97, Subchapter 1, Introduction, was renamed General Provisions; and Subchapter 4, Capital Sentence Unit (C.S.U.), was repealed, effective April 21, 2008. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10A:5-1.1 Purpose
- 10A:5-1.2 Scope
- 10A:5-1.3 Definitions
- 10A:5-1.4 Forms

SUBCHAPTER 2. MANAGEMENT CONTROL UNIT (M.C.U.)

- 10A:5-2.1 Referrals for placement in the Management Control Unit (M.C.U.)
- 10A:5-2.2 Composition of the Management Control Unit Review Committee (M.C.U.R.C.)
- 10A:5-2.3 Responsibilities of the Management Control Unit Review Committee (M.C.U.R.C.)
- 10A:5-2.4 Criteria for assigning inmates to the Management Control Unit (M.C.U.)
- 10A:5-2.5 Assignment to the Management Control Unit (M.C.U.)

- 10A:5-2.6 Procedures for the Management Control Unit Review Committee (M.C.U.R.C.) hearings
- 10A:5-2.7 Appeal of Management Control Unit Review Committee (M.C.U.R.C.) decisions
- 10A:5-2.8 Use of Prehearing Management Control Unit prior to the Management Control Unit Review Committee (M.C.U.R.C.) meeting
- 10A:5-2.9 Use of Prehearing Management Control Unit during an emergency
- 10A:5-2.10 Review of inmates placed in the Management Control Unit (M.C.U.)
- 10A:5-2.11 Annual review of inmate status in the Management Control Unit (M.C.U.)
- 10A:5-2.12 Ventilation, heating, lighting and sanitation
- 10A:5-2.13 Food
- 10A:5-2.14 Grooming, showering and shaving
- 10A:5-2.15 Medical and psychiatric services
- 10A:5-2.16 Personal items
- 10A:5-2.17 Disposition of inmate's personal possessions not authorized in the Management Control Unit (M.C.U.)
- 10A:5-2.18 Correctional facility clothing, bedding and linen
- 10A:5-2.19 Legal services
- 10A:5-2.20 Correspondence, visits and telephone calls
- 10A:5-2.21 Exercise and recreation
- 10A:5-2.22 Education
- 10A:5-2.23 Visits by professional staff
- 10A:5-2.24 Work opportunities
- 10A:5-2.25 Social, psychological and counseling program
- 10A:5-2.26 Commissary
- 10A:5-2.27 Withdrawal of personal items or activities
- 10A:5-2.28 Special custodial responsibilities
- 10A:5-2.29 Disciplinary action within the Management Control Unit (M.C.U.)
- 10A:5-2.30 Program monitoring, review and modification
- 10A:5-2.31 Compliance with all other rules

SUBCHAPTER 3. ADMINISTRATIVE SEGREGATION

- 10A:5-3.1 Admission to administrative segregation
- 10A:5-3.2 Special Administrative Segregation Review Committee (S.A.S.R.C.)
- 10A:5-3.3 Separate facilities
- 10A:5-3.4 Ventilation, heating, lighting, sanitation and observation
- 10A:5-3.5 Food
- 10A:5-3.6 Grooming, showering and shaving
- 10A:5-3.7 Medical and psychiatric services
- 10A:5-3.8 Personal items
- 10A:5-3.9 Correctional facility clothing, bedding and linen
- 10A:5-3.10 Inmate legal service
- 10A:5-3.11 Reading material
- 10A:5-3.12 Correspondence, visits and telephone calls
- 10A:5-3.13 Recreation
- 10A:5-3.14 Education
- 10A:5-3.15 Visits by professional and correctional supervisory staff
- 10A:5-3.16 Work opportunities
- 10A:5-3.17 Psychological/psychiatric evaluations
- 10A:5-3.18 Withdrawal of personal items or activities
- 10A:5-3.19 Selection of staff
- 10A:5-3.20 Records

SUBCHAPTER 4. (RESERVED)

SUBCHAPTER 5. PROTECTIVE CUSTODY

- 10A:5-5.1 Assignment to Prehearing Protective Custody or Admission to a Protective Custody Unit
- 10A:5-5.2 Hearing procedure for involuntary placement in a Protective Custody Unit
- 10A:5-5.3 Appeal procedures for an involuntary Protective Custody placement

- 10A:5-5.4 Review of all inmates in Protective Custody Units
- 10A:5-5.5 Release of inmates in Protective Custody Units
- 10A:5-5.6 Ventilation, heating, lighting, sanitation, observation
- 10A:5-5.7 Food
- 10A:5-5.8 Grooming, showering and shaving
- 10A:5-5.9 Medical services
- 10A:5-5.10 Personal items
- 10A:5-5.11 Correctional facility clothing, bedding and linen
- 10A:5-5.12 Inmate legal services
- 10A:5-5.13 Correspondence, visits and telephone calls
- 10A:5-5.14 Recreation
- 10A:5-5.15 Education
- 10A:5-5.16 Visits by professional and correctional facility supervisory staff
- 10A:5-5.17 Work opportunities
- 10A:5-5.18 Psychological examination
- 10A:5-5.19 Withdrawal of personal items or activities
- 10A:5-5.20 (Reserved)
- 10A:5-5.21 Records
- 10A:5-5.22 Disciplinary action within Protective Custody Units
- 10A:5-5.23 Transfers; record maintenance
- 10A:5-5.24 Correctional facility procedures

SUBCHAPTER 6. SECURITY THREAT GROUP MANAGEMENT UNIT

- 10A:5-6.1 Scope
- 10A:5-6.2 Prohibited security threat group(s) and activity(ies)
- 10A:5-6.3 Security Threat Group Management Unit(s)
- 10A:5-6.4 Responsibilities of the Intelligence Section of the Special Investigations Division
- 10A:5-6.5 Security threat group designation and member identification
- 10A:5-6.6 Responsibilities of the Administrator and Assistant Commissioner
- 10A:5-6.7 Prehearing Security Threat Group Management Unit Status
- 10A:5-6.8 Security Threat Group Management Unit Hearing Committee
- 10A:5-6.9 Procedure for conducting the Security Threat Group Core Membership Hearing
- 10A:5-6.10 Use of Prehearing Security Threat Group Management Unit Status during an emergency
- 10A:5-6.11 Security Threat Group Management Unit placement appeal
- 10A:5-6.12 Security Threat Group Management Unit Phase Program
- 10A:5-6.13 Security Threat Group Management Unit Hearing Committee phase review
- 10A:5-6.14 Procedure for conducting the review hearing to determine Security Threat Group Management Unit inmate phase movement
- 10A:5-6.15 Inmate appeal of Security Threat Group Management Unit Hearing Committee phase review decision
- 10A:5-6.16 Compliance with all rules and placements
- 10A:5-6.17 Personal items
- 10A:5-6.18 Disposition of inmate personal possessions not authorized in the Security Threat Group Management Unit
- 10A:5-6.19 Ventilation, heating, lighting and sanitation
- 10A:5-6.20 Food
- 10A:5-6.21 Commissary
- 10A:5-6.22 Grooming, showering and shaving
- 10A:5-6.23 Recreation
- 10A:5-6.24 Legal services
- 10A:5-6.25 Correctional facility library and Inmate Law Library
- 10A:5-6.26 Education
- 10A:5-6.27 Work opportunities
- 10A:5-6.28 Medical and psychiatric services
- 10A:5-6.29 Mail, visits and telephone
- 10A:5-6.30 Packages
- 10A:5-6.31 Reassignment to Security Threat Group Management Unit
- 10A:5-6.32 **Staff training**
- 10A:5-6.33 Custody status
- 10A:5-6.34 Inmate records

SUBCHAPTER 7. TEMPORARY CLOSE CUSTODY

- 10A:5-7.1 Placement in temporary close custody

SUBCHAPTER 1. GENERAL PROVISIONS

10A:5-1.1 Purpose

(a) The purpose of this chapter is to establish rules for:

1. Assigning inmates to close custody units;
2. Reviewing the progress of inmates assigned to close custody units;
3. Releasing inmates from close custody units, when appropriate;
4. Operating the Management Control Unit, Administrative Segregation Unit, Protective Custody Unit, and Security Threat Group Management Unit; and
5. Placement in temporary close custody.

Amended by R.2008 d.97, effective April 21, 2008.

See: 40 N.J.R. 85(a), 40 N.J.R. 2111(b).

In (a)4, deleted "Capital Sentence Unit" preceding "Protective Custody Unit"; and in (a)5, substituted "temporary close custody" for "Temporary Custody".

10A:5-1.2 Scope

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

10A:5-1.3 Definitions

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

"Adjustment Committee" means the Committee within a correctional facility that is authorized to hear and adjudicate inmate violations or prohibited acts.

"Administrative segregation" means removal of an inmate from the general population of a correctional facility to a close custody unit because of one or more disciplinary infractions.

"Administrative Segregation Level Program" means a three level program established within an Administrative Segregation Unit. The levels are described as follows:

1. Level 1 is the program entry level in which an inmate's possessions, activities, privileges and amenities shall be most highly restricted;
2. Level 2 is the level in which an inmate's possessions, activities, privileges and amenities shall be less restricted than level 1 and more restricted than level 3; and