

(c) The Superintendent may overrule the approval of an application for a Residential Community Release Agreement Program by the I.C.C. when the Superintendent has information which was not available to the I.C.C. when the Residential Community Release Agreement Program application was approved.

(d) The Institutional Community Release Agreement Program Coordinator shall attend all meetings of the I.C.C. when Residential Community Release Agreement Program cases are being reviewed.

(e) The Institutional Community Release Agreement Program Coordinator will notify the inmate, in writing, of the status of the inmate's application to a Residential Community Release Agreement Program.

Public Notice: Receipt of and Action on Petition for Rulemaking.  
See: 29 N.J.R. 4347(b), 29 N.J.R. 4682(a).

#### **10A:20-4.11 Forwarding documents to the Bureau of Contract Administration**

(a) Following approval of an inmate to participate in a Residential Community Release Agreement Program, the Institutional Community Release Agreement Program Coordinator shall submit Form 686-I Community Program Application and MR-030 Community Release Medical Examination Form to the Bureau of Contract Administration along with two copies of the following:

1. Up-to-date classification material for the inmate-applicant which includes a psychological evaluation not more than six months old;
2. The progress sheet from the inmate's classification folder and any other relevant information regarding the inmate's correctional facility adjustment and program participation;
3. The inmate's criminal history record (rap sheet);
4. The inmate's parole plan;
5. The New Jersey State Parole Board hearing decision, if available;
6. Form I-4 Request for Pre-Parole Report, when it has not been previously completed, or a request to re-check the Pre-Parole Report if it is over 12 months old, or, if available, the results of the Pre-Parole investigation;
7. A recent inmate photograph with physical description on the reverse side;
8. The status of detainers on file;
9. The Pre-Sentence Report;
10. The court commitment order when fines, penalties or restitution are part of the sentence; and
11. Keep separate orders.

#### **10A:20-4.12 Role of the Bureau of Contract Administration**

(a) The Bureau of Contract Administration shall assign the inmate to a Residential Community Release Agreement Program based on the inmate's treatment needs and bed space availability.

(b) The Bureau of Contract Administration shall prepare the transfer orders necessary for the inmate to be transferred from the correctional facility to the contract agency.

(c) A waiting list of inmates approved for assignment to the Residential Community Release Agreement Programs shall be maintained by the Bureau of Contract Administration.

#### **10A:20-4.13 Notification to contract agency that an inmate has been assigned to the Community Release Agreement Program; contract agency responsibility**

After Form 686-I Section III. Authorization for Release of Information has been signed by the inmate, classification material shall be forwarded by the Bureau of Contract Administration to the contract agency at which the inmate has been assigned. The contract agency must handle classification material with strict confidentiality.

#### **10A:20-4.14 New Jersey State Parole Board hearing**

New Jersey State Parole Board hearings for inmates assigned to Residential Community Release Agreement Programs shall be arranged and conducted in accordance with N.J.A.C. 10A:71-3 and any applicable statutes.

#### **10A:20-4.15 New Jersey State Parole Board extension after inmate is approved for program and is awaiting placement**

(a) When an inmate receives a New Jersey State Parole Board extension, after the inmate has been approved for transfer and is on the waiting list for a bed, the Bureau of Contract Administration shall request an updated parole eligibility date.

(b) When the inmate's updated parole eligibility date indicates that the inmate will be eligible again for placement in a Residential Community Release Agreement Program within the next three months, the application shall be held in the Bureau of Contract Administration "Pending File" until the name is eligible.

(c) When the inmate is eligible for placement in a Residential Community Release Agreement Program, the Bureau of Contract Administration shall request that the Institutional Community Release Agreement Program Coordinator forward updated information, such as the psychological evaluation, progress sheet(s) and medical review to the Bureau for review.

**10A:20-4.16 New Jersey State Parole Board extension for halfway house residents**

(a) When an inmate's parole eligibility date has been extended, the parent correctional facility, the Regional Institution, the Bureau of Contract Administration and the Director of the halfway house shall determine whether the inmate will remain at the halfway house by reviewing the following:

1. The updated parole eligibility date;
2. The inmate's overall progress and adjustment in the Residential Community Release Agreement Program;
3. The inmate's prognosis for successfully completing the program if allowed to remain;
4. The total length of time the inmate will be in the program; and
5. Any other pertinent information.

(b) When an inmate's parole eligibility date has been extended, and the inmate's parole eligibility date would extend participation in the residential Community Release Agreement Program beyond 18 months, the inmate shall be returned to the correctional facility, but the inmate may reapply when eligible.

(c) Parole eligibility dates shall not be projected in determining appropriate placement of inmates in halfway houses or other Residential Community Release Agreement Programs.

**10A:20-4.17 Preparation for transfer to contract agency**

(a) A complete medical and dental checkup shall be given each inmate prior to an inmate's transfer to a contract agency.

(b) A check for the money remaining in the inmate's account shall accompany the inmate to the contract agency.

(c) Copies of the transfer authorization shall be sent by the Bureau of Contract Administration to appropriate personnel at:

1. The parent correctional facility;
2. The regional institution;
3. The New Jersey State Parole Board; and
4. The appropriate District Parole Office.

(d) The District Parole Office shall, in turn, notify the affected law enforcement authority of the inmate's transfer to the contract agency and of the inmate's furlough address.

(e) The Bureau of Contract Administration shall be notified immediately of the cancellation of an impending transfer of an inmate to a contract agency so that another inmate may be selected for placement.

(f) The Institutional Community Release Agreement Program Coordinator shall encourage and assist the inmate, when appropriate, in obtaining documents that will be necessary in the inmate's search for employment and should be processed, if possible, prior to transfer. These documents may include:

1. A Social Security card;
2. A driver's license; and/or
3. A birth certificate

(g) Inmate personal property shall be handled in accordance with N.J.A.C. 10A:1-11.7.

**10A:20-4.18 Transportation of inmate**

(a) The parent correctional facility shall be responsible for making the arrangements necessary for transporting the inmate to the contract agency through Central/Medical Transportation.

(b) Inmates may be transported without restraint to the contract agency in a State owned passenger vehicle.

(c) After an inmate has been assigned to, and is living at, a Residential Community Release Agreement Program, the inmate shall be transported to a correctional facility in accordance with internal management practices and procedures established to provide transportation between Residential Community Release Agreement Programs and other correctional facilities.

**10A:20-4.19 Contract agency rules, regulations and discipline**

(a) An orientation to the contract agency and written rules and regulations shall be given to the inmate immediately following the inmate's arrival at the contract agency.

(b) Inmate residents who violate contract agency rules and regulations shall be subject to such restriction of privileges by contract agency staff as would apply to other inmate residents. Such restrictions shall be imposed in accordance with procedures developed by contract agency staff and agreed upon by the Commissioner, Department of Corrections or designee and the director of the contract agency (see N.J.A.C. 10A:4).

(c) Major disciplinary violations shall be reported immediately to the regional institution and the Bureau of Contract Administration.

(d) Major disciplinary violation charges shall result in the immediate transfer of the inmate to a correctional facility within the New Jersey Department of Corrections. Major disciplinary violations shall include, but are not limited to:

1. Charges by law enforcement authorities for violation of law, except minor traffic and municipal violation;