

10A:23-2.11 Training

During the 48 hour period preceding an execution, the Office of Institutional Support Services (O.I.S.S.) and the New Jersey State Prison Administrator shall arrange for training in execution procedures for all personnel who are designated to provide a service during an execution.

Administrative correction, effective January 27, 1989.

See: 21 N.J.R. 558(a).

Institutional name change.

Amended by R.1992 d.283, effective July 6, 1992.

See: 24 N.J.R. 1677(a), 24 N.J.R. 2452(a).

Revised (a).

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.12 Execution chamber and executioners' room

(a) The execution chamber shall be equipped with a cardiac monitor. The monitor shall be positioned to provide visual access to the team physicians, but to be obscured from vision by the witnesses.

(b) An emergency cart will be located at the exterior wall of the room. The emergency cart shall contain such equipment, supplies and medications as may be needed to revive the inmate in the event a last minute Stay of Execution is imposed.

(c) The executioners' room shall contain equipment, supplies, execution substances and medications as are specified pursuant to N.J.A.C. 10A:23-2.9.

Amended by R.1992 d.283, effective July 6, 1992.

See: 24 N.J.R. 1677(a), 24 N.J.R. 2452(a).

Revised (c).

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.13 Preparation of the execution substances and medications

At least one hour prior to the time set for the execution, the Commissioner or his or her designee shall remove the execution substances and medications to be used in the execution from the place of storage and give the substances and medications to the person(s) designated by the O.I.S.S. Director. Upon receipt of the execution substances and medications, the designated person(s) shall be escorted to the executioners' room to prepare the execution materials.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.14 Execution

(a) Upon arrival of the condemned at the execution chamber, assigned personnel shall position the stretcher and connect necessary operating systems in accordance with Capital Sentence Unit procedures. The physicians shall take their positions to observe the condemned inmate and the cardiac monitor.

(b) The Commissioner or his or her designee shall, in the presence of the assembled witnesses and news media representatives, read the official death sentence Warrant.

(c) Upon order of the Commissioner or his or her designee, the executioners shall perform the duties and responsibilities conferred on them by law.

(d) Upon completion of the execution procedures, the physicians shall enter the execution chamber, examine the deceased and confirm death. The witnesses shall then be escorted from the witness room. Pursuant to written Capital Sentence Unit procedures, the deceased shall be removed from the execution chamber and transported to a waiting vehicle.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.15 Stay of execution

If, during any stage of the execution, a Stay of Proceedings is ordered, execution procedures shall be halted and the witnesses shall be removed. Life sustaining procedures shall immediately be initiated. Where medically indicated, the inmate may be transferred to the health care facility designated by the Commissioner or his or her designee for further treatment.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.16 Death certificates

(a) Immediately after the execution, the physicians shall examine the deceased and shall prepare a written report stating the nature of the examination and occurrence of death.

(b) The Commissioner shall prepare and sign a separate certificate setting forth the time and place of the execution and stating that the execution was conducted in conformity to the sentence of the Court and provisions of N.J.S.A. 2C:11-3.

(c) The Commissioner's certificate shall be filed within 10 days in the Superior Court in the county in which the person executed was convicted.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.17 Disposition of the deceased

Immediately after the execution, the deceased shall be transported to the county morgue. The disposition of the body shall be in accordance with N.J.S.A. 2C:49-9 and N.J.A.C. 10A:16-7, Critical Illness or Death of Inmates.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.18 Memorial or religious service for the deceased

Except as provided under N.J.S.A. 2C:49-9b, no memorial, religious or other services shall be held at New Jersey State Prison over the body of the deceased.

Administrative correction, effective January 27, 1989.

See: 21 N.J.R. 558(a).

Institutional name change.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.19 Clean up procedures

(a) Upon removal of the deceased, personnel designated by the New Jersey State Prison Administrator shall gather all used and unused execution substances, medications and syringes. These items shall be maintained in a secure receptacle in an area designated by the Administrator. The Administrator shall request that an Internal Affairs Investigator monitor these activities and provide security.

(b) All stored materials shall be retained in a secure location for a period of 10 working days. Thereafter, the Administrator shall order them to be destroyed and/or disposed of in accordance with internal management procedures and accepted practices.

Administrative correction, effective January 27, 1989.

See: 21 N.J.R. 558(a).

Institutional name change.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.20 Report of execution procedures

(a) The New Jersey State Prison Administrator shall assign a member of his or her staff to monitor the entire execution process and to keep a detailed written record of the proceedings.

(b) The written record shall be given to the Administrator in its original form, within 24 hours after completion of the execution.

(c) The report shall not be considered a public record for any purpose other than as specified by the New Jersey State Prison Administrator or Commissioner.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).

10A:23-2.21 Procedures and post orders

(a) The New Jersey State Prison shall develop detailed written procedures and post orders consistent with this Subchapter. Each functional unit or team involved in the execution shall formulate and prepare detailed written procedures, governing their role which shall be consistent with the implementation of the Death Sentence Act and this Subchapter.

(b) The New Jersey State Prison's written procedures and post orders shall be submitted to the Chairperson of the Capital Sentence Unit Committee for review.

Administrative correction, effective January 27, 1989.

See: 21 N.J.R. 558(a).

Institutional name change.

Amended by R.1996 d.530, effective November 18, 1996.

See: 28 N.J.R. 4157(a), 28 N.J.R. 4875(a).