

CHAPTER 18

MAIL, VISITS AND TELEPHONE

Authority

N.J.S.A. 30:1B-6, 30:1B-10, 30:4-8.1 and 52:27EE-26; and Attorney General Law Enforcement Directive No. 2002-2, Approval of Search Warrant Applications, Execution of Search Warrants and Procedures to Coordinate Investigative Activities Conducted by Multiple Law Enforcement Agencies.

Source and Effective Date

R.2008 d.141, effective May 6, 2008.
See: 39 N.J.R. 5043(a), 40 N.J.R. 3309(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 18, Mail, Visits and Telephone, expires on May 6, 2015. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 18, Mail, Visits and Telephones, was adopted as R.1987 d.263, effective July 6, 1987. See: 19 N.J.R. 33(b), 19 N.J.R. 1214(b).

Pursuant to Executive Order No. 66(1978), Chapter 18, Mail, Visits and Telephone, was readopted as R.1992 d.262, effective May 27, 1992. See: 24 N.J.R. 1204(b), 24 N.J.R. 2627(a).

Subchapter 7, Bedside and Funeral Visits, was renamed as Subchapter 7, Bedside, Private Viewing, and Funeral Visits, by R.1996 d.489, effective October 21, 1996. See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b). Pursuant to Executive Order No. 66(1978), Chapter 18, Mail, Visits and Telephone, expired on May 27, 1997.

Chapter 18, Mail, Visits and Telephone, was adopted as R.1997 d.431, effective October 6, 1997. See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Subchapter 9, Restrictions on Sexually Oriented Materials at the Adult Diagnostic and Treatment Center, was adopted as R.1999 d.193, effective June 21, 1999. See: 31 N.J.R. 918(a), 31 N.J.R. 1615(a).

Chapter 18, Mail Visits and Telephone, was readopted as R.2002 d.407, effective November 19, 2002. See: 34 N.J.R. 3050(a), 34 N.J.R. 4444(b).

Chapter 18, Mail, Visits and Telephone, was readopted as R.2008 d.141, effective May 6, 2008. As a part of R.2008 d.141, Subchapter 1, Introduction, was renamed General Provisions, effective June 2, 2008. See: Source and Effective Date. See, also, section annotations.

Petition for Rulemaking. See: 42 N.J.R. 2150(a).

Law Review and Journal Commentaries

ACLU Plans Suit to Challenge Prison Censorship. Hanna W. Rosin, 132 N.J.L.J. No. 13, 3 (1992).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10A:18-1.1 Purpose
- 10A:18-1.2 Scope
- 10A:18-1.3 Definitions
- 10A:18-1.4 Forms
- 10A:18-1.5 Written internal management procedures

SUBCHAPTER 2. CORRESPONDENCE

- 10A:18-2.1 Notice to inmates
- 10A:18-2.2 Limitation on number of correspondents
- 10A:18-2.3 Limitation on number of postage stamps

- 10A:18-2.4 Correspondence in language other than English
- 10A:18-2.5 Correspondence to or from other inmates
- 10A:18-2.6 Inspection and identification of incoming correspondence
- 10A:18-2.7 Inspection of outgoing correspondence
- 10A:18-2.8 Legal correspondence
- 10A:18-2.9 Identification of sender of outgoing correspondence
- 10A:18-2.10 (Reserved)
- 10A:18-2.11 Registered, certified, preferential, or special delivery mail
- 10A:18-2.12 Correspondence processing
- 10A:18-2.13 Receipt of funds
- 10A:18-2.14 Disapproved correspondence
- 10A:18-2.15 Control of correspondence
- 10A:18-2.16 Procedures for handling withheld correspondence
- 10A:18-2.17 Procedure for handling correspondence removed from the inmate's possession
- 10A:18-2.18 Appeal and final disposition
- 10A:18-2.19 Forwarding correspondence to an inmate transferred to another correctional facility
- 10A:18-2.20 Forwarding correspondence to an inmate released on parole or at expiration of maximum sentence
- 10A:18-2.21 Forwarding correspondence to an inmate remanded to a detention facility
- 10A:18-2.22 Forwarding correspondence of an inmate who has escaped
- 10A:18-2.23 Correspondence to and from illiterate inmates
- 10A:18-2.24 Cost of mailing correspondence for nonindigent inmates
- 10A:18-2.25 Cost of mailing correspondence by indigent inmates
- 10A:18-2.26 Inmate use of interoffice correspondence

SUBCHAPTER 3. LEGAL CORRESPONDENCE

- 10A:18-3.1 Notice to inmates
- 10A:18-3.2 Identification of outgoing legal correspondence
- 10A:18-3.3 Identification of incoming legal correspondence
- 10A:18-3.4 Inspection of incoming legal correspondence
- 10A:18-3.5 Certified, preferential, insured, or registered mail
- 10A:18-3.6 Proof of service
- 10A:18-3.7 Cost of mailing legal correspondence for nonindigent inmates
- 10A:18-3.8 Cost of mailing legal correspondence by indigent inmates
- 10A:18-3.9 Forwarding legal correspondence to an inmate transferred to another correctional facility
- 10A:18-3.10 Forwarding legal correspondence to an inmate released on parole or released after expiration of maximum sentence
- 10A:18-3.11 Forwarding legal correspondence to an inmate remanded to a detention facility
- 10A:18-3.12 Forwarding legal correspondence of an inmate who has escaped
- 10A:18-3.13 (Reserved)

SUBCHAPTER 4. PUBLICATIONS

- 10A:18-4.1 Notice to inmates
- 10A:18-4.2 Limitation on source of publications
- 10A:18-4.3 Publications in a language other than English
- 10A:18-4.4 (Reserved)
- 10A:18-4.5 Inspection of incoming publications
- 10A:18-4.6 Identification of incoming publications
- 10A:18-4.7 Inspection and identification of outgoing publications
- 10A:18-4.8 Processing of publications
- 10A:18-4.9 Disapproved content in publications
- 10A:18-4.10 Control of publications
- 10A:18-4.11 Procedure for handling withheld publications
- 10A:18-4.12 Procedure for handling publications removed from an inmate's possession
- 10A:18-4.13 Appeal and final disposition

- 10A:18-4.14 Forwarding publications to an inmate transferred to another correctional facility
- 10A:18-4.15 Forwarding publications to an inmate released on parole or at expiration of maximum sentence
- 10A:18-4.16 Forwarding publications to an inmate remanded to a detention facility
- 10A:18-4.17 Return of publications addressed to an inmate who has escaped

SUBCHAPTER 5. PACKAGES

- 10A:18-5.1 Notice to inmates
- 10A:18-5.2 Limitations on packages
- 10A:18-5.3 Inspection of incoming packages
- 10A:18-5.4 Identification of incoming mailed packages
- 10A:18-5.5 Inspection and identification of outgoing packages
- 10A:18-5.6 Package processing
- 10A:18-5.7 Forwarding packages to an inmate transferred to another correctional facility
- 10A:18-5.8 Forwarding packages to an inmate released on parole or at expiration of maximum sentence
- 10A:18-5.9 Forwarding packages to an inmate remanded to a detention facility
- 10A:18-5.10 Forwarding packages of an inmate who has escaped

SUBCHAPTER 6. VISITS

- 10A:18-6.1 Notice to inmates
- 10A:18-6.2 List of visitors
- 10A:18-6.3 Approval of potential visitors
- 10A:18-6.4 Employee visits with incarcerated relatives
- 10A:18-6.5 Special visits
- 10A:18-6.6 Visits between incarcerated relatives
- 10A:18-6.7 Attorneys and court related personnel visits
- 10A:18-6.8 Visits from children
- 10A:18-6.9 Notification to prospective visitors
- 10A:18-6.10 Visitor identification
- 10A:18-6.11 Visiting schedule
- 10A:18-6.12 Number of visitors
- 10A:18-6.13 Treatment of visitors
- 10A:18-6.14 Search of visitors
- 10A:18-6.15 Search of inmates
- 10A:18-6.16 Supervision of visits
- 10A:18-6.17 Play areas for children
- 10A:18-6.18 Gifts of money from visitors
- 10A:18-6.19 Denial, termination or suspension of a visit
- 10A:18-6.20 Request to reinstate contact visit privileges
- 10A:18-6.21 Suspension of visiting program under emergency conditions

SUBCHAPTER 7. BEDSIDE, PRIVATE VIEWING, AND FUNERAL VISITS

- 10A:18-7.1 Notice to inmates
- 10A:18-7.2 Authority
- 10A:18-7.3 Verification
- 10A:18-7.4 Eligibility
- 10A:18-7.5 Ineligibility
- 10A:18-7.6 Security
- 10A:18-7.7 Court ordered private viewing, or funeral visits
- 10A:18-7.8 Payment of visit expenses
- 10A:18-7.9 Notification of Central Office

SUBCHAPTER 8. TELEPHONE

- 10A:18-8.1 Written procedures
- 10A:18-8.2 Notice to inmates
- 10A:18-8.3 Monitoring of telephone calls
- 10A:18-8.4 Cost of telephone calls
- 10A:18-8.5 Emergency telephone calls
- 10A:18-8.6 Legal telephone calls
- 10A:18-8.7 Telephone calls between incarcerated relatives
- 10A:18-8.8 Telephone use by authorized inmate groups
- 10A:18-8.9 Telephone use in Close Custody Units

SUBCHAPTER 9. RESTRICTIONS ON SEXUALLY ORIENTED MATERIALS AT THE ADULT DIAGNOSTIC AND TREATMENT CENTER (A.D.T.C.)

- 10A:18-9.1 Definitions
- 10A:18-9.2 Disapproved materials
- 10A:18-9.3 Procedures for notifying inmates of the withholding and removal of sexually oriented materials
- 10A:18-9.4 Use of materials in authorized treatment
- 10A:18-9.5 Sanctions
- 10A:18-9.6 Other materials that may impede rehabilitation

SUBCHAPTER 1. GENERAL PROVISIONS

10A:18-1.1 Purpose

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

1. Permitting inmates to correspond with persons or entities outside the correctional facility;
2. Processing legal correspondence in correctional facilities;
3. Inmates sending and receiving publications;
4. Inmates sending and receiving packages;
5. Contact and non-contact visits with inmates;
6. Bedside, private viewing and funeral visits by an inmate to a dying or deceased relative; and
7. Inmate access to and use of the telephone.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (a)6, inserted “, private viewing”.

Amended by R.2008 d.141, effective June 2, 2008.

See: 39 N.J.R. 5043(a), 40 N.J.R. 3309(a).

In (a)6, substituted “Bedside” for “Beside”.

10A:18-1.2 Scope

(a) N.J.A.C. 10A:18-1, 2, 3, 4, 6, 7 and 8 shall be applicable to State correctional facilities operated by the Department of Corrections and to inmates housed in facilities other than county jails in accordance with contractual agreements with the Department of Corrections unless otherwise indicated in this chapter.

(b) N.J.A.C. 10A:18-5 shall be applicable to State correctional facilities operated by the Department of Corrections.

(c) N.J.A.C. 10A:18-9 shall be applicable to inmates confined to the Adult Diagnostic and Treatment Center.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Substantially amended section.

Amended by R.1999 d.193, effective June 21, 1999.

See: 31 N.J.R. 918(a), 31 N.J.R. 1615(a).

Added (a) designation; and added (b) and (c).