

3. A record, which consists of any alcohol, drug or other substance abuse information, testing, assessment, evaluation, report, summary, history, recommendation or treatment, including any assessment instruments;

4. Any information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation;

5. A report or record relating to an identified individual, which, if disclosed, would jeopardize the safety of any person or the safe and secure operation of the correctional facility or other designated place of confinement;

6. Comprehensive criminal history information (rap sheet);

7. Records of another department or agency allocated to that department in the possession of the Department of Corrections when those records are made confidential by a rule of that department or agency allocated to that department adopted pursuant to N.J.S.A. 47:1A-1 et seq., and Executive Order No. 9 (1963) or pursuant to another law authorizing the department or agency to make records confidential or exempt from disclosure; or

8. The Department of Corrections Disaster/Terrorism Contingency Report.

(b) An inmate shall not be permitted to inspect, examine or obtain copies of documents concerning any other inmate.

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Procedure for release of confidential inmate or parolee records."

New Rule, R.2011 d.040, effective February 7, 2011.

See: 42 N.J.R. 2305(a), 43 N.J.R. 308(a).

Section was "Reserved".

#### **10A:31-6.11 (Reserved)**

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Records authorized by the inmate or parolee for inspection or release."

#### **10A:31-6.12 (Reserved)**

Repealed by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Section was "Litigation."

#### **10A:31-6.13 Reimbursement for costs of copying**

(a) Pursuant to N.J.S.A. 47:1A-5, except as otherwise provided in this subchapter, adult county correctional facilities may charge the following fees for copying government records:

\$0.05 per letter size page or smaller, and \$0.07 per legal size page or larger.

(b) Governmental agencies or officers shall be exempt from payment of fees for copying records.

(c) The copying fees for documents or records other than government records shall also be based on the fee schedule in (a) above.

(d) When or if fees for the copying of government records change in accordance with N.J.S.A. 47:1A-5, these changes shall be published as a public notice in the New Jersey Register.

(e) Additional fees may be imposed in connection with a request for government records in accordance with N.J.S.A. 47:1A-1 et seq.

Amended by R.1993 d.635, effective December 6, 1993.

See: 25 N.J.R. 4552(a), 25 N.J.R. 5475(a).

Administrative change.

See: 37 N.J.R. 80(b).

Amended by R.2006 d.59, effective February 6, 2006.

See: 37 N.J.R. 3201(a), 38 N.J.R. 995(a).

Added "government" to introductory paragraphs (a), (b) and (c); deleted "deemed to be public" from introductory paragraphs (a) and (c); in (d), deleted "public" following "copying of"; added (e).

Administrative change.

See: 42 N.J.R. 2806(b).

#### **10A:31-6.14 Security of Management Information System and inmate records**

(a) The adult county correctional facility Administrator shall provide for the security of the Management Information System and inmate records, to include:

1. Verification;
2. Access to data; and
3. Protection of the privacy of inmates under the jurisdiction of the adult county correctional facility.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (a), substituted "adult county correctional facility" for "Jail".

### **SUBCHAPTER 7. EMERGENCIES**

#### **10A:31-7.1 Meeting emergencies**

(a) Emergencies shall be met in a way which will safeguard the welfare of the inmate population, facility staff, and the public at large.

(b) All measures shall be taken to maintain effective security and restore normal conditions as expeditiously as possible.

(c) Each facility shall develop written plans for emergencies such as, but not limited to, passive resistance, work stoppage, escapes, riots and natural disasters.

(d) All emergency plans shall be implemented with appropriate consideration and care for both inmate and staff safety.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (c), inserted "but not limited to".

### 10A:31-7.2 Passive resistance

(a) Staff at each facility shall develop a written plan for maintaining security and custody of inmates, in the event of passive resistance by inmates.

(b) In the event of passive resistance by inmates, the facility shall be secured.

(c) Additional custody staff shall be readily available in passive resistance situations.

(d) Back up support shall be obtained from outside resources if, in the judgment of the adult county correctional facility Administrator or designee, the seriousness of the situation warrants.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (c), substituted "custody staff" for "correction officers"; and in (d), substituted "adult county correctional facility" for "Jail".

Amended by R.2011 d.059, effective February 22, 2011.

See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

In (a), substituted "Staff at each" for "Each".

### 10A:31-7.3 Work stoppage

(a) Staff at each facility shall develop a written plan for maintaining custody of inmates and the safety and well-being of inmates and staff members in the event of a work stoppage or other job action by employees.

(b) The work stoppage plan shall incorporate the ongoing continuation of essential services which may involve agreements with other law enforcement agencies such as local and State police or other outside resources.

Amended by R.2011 d.059, effective February 22, 2011.

See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

In (a), substituted "Staff at each" for "Each".

### 10A:31-7.4 Escapes

(a) Staff at each facility shall develop a written escape plan which shall be evaluated after each escape incident or escape attempt or at least once a year.

(b) All facility staff shall be trained in the specific action which is to be taken during or after an escape or an attempted escape.

(c) The adult county correctional facility Administrator or the ranking supervisor shall be in charge of the implementation of all emergency escape plans.

(d) All records and relevant information regarding an inmate involved in an escape shall be studied immediately and used in efforts to reaprehend or secure the inmate.

(e) Immediate notice shall be given to all appropriate agencies to protect public safety in the event of an escape.

Amended by R.2000 d.332, effective August 7, 2000.

See: 32 N.J.R. 1894(a), 32 N.J.R. 2945(a).

In (c), substituted "adult county correctional facility" for "Jail".

Amended by R.2011 d.059, effective February 22, 2011.

See: 42 N.J.R. 2692(a), 43 N.J.R. 427(a).

In (a), substituted "Staff at each" for "Each".

### 10A:31-7.5 Riots

(a) Staff at each facility shall develop a written emergency riot plan which shall be evaluated at least once a year and immediately following a riot (see N.J.S.A. 2C:33-1).

(b) All facility staff shall be trained in the specific action which is to be taken during and after a riot.

(c) The adult county correctional facility Administrator or the ranking supervisory custody staff member shall be in charge of the implementation of all emergency riot plans.

(d) Immediate efforts shall be made to isolate the troubled area or segment of the inmate population.

(e) Only the restraining action that is necessary to adequately contend with the emergency situation shall be taken.

(f) Lethal forms of weaponry shall be used only with strict supervision and when the seriousness of the situation warrants, in the judgment of the adult county correctional facility Administrator or the ranking supervisory custody staff member.

(g) Immediate efforts shall be made to secure the facility and obtain as accurate a population count as possible.

(h) All available information shall be assessed and an appointed staff member or team shall be deployed to identify the cause of the riot and to initiate appropriate measures to resolve the situation.

(i) Due care shall be given to the safety of possible hostages, and special attempts shall be made to obtain their safe release.

(j) An alternative of safe return to security shall be offered to all inmates who select to cease and desist from continued participation in the riot.

(k) If the seriousness of the situation warrants, back up support shall be obtained from local law enforcement authorities.

(l) If the seriousness of the situation warrants, other relevant back up supports may be obtained from the community, such as medical, food service, emergency repairs, etc.

(m) The facility shall have a written post emergency plan which will be implemented as soon as the situation permits.