



Division of Operations
Level 1
Internal Management Procedure

**Internal Management
Procedure #
IMM.012.ADSEG.03**

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Internal Management Procedure Title:

Administrative Segregation Two-Level Program

Effective Date:

September 12, 2011

Revised:

Authority :

NJ DOC IMM.012.001

Promulgating Office:

Office of the Assistant Commissioner
Division of Operations

Professional Association

Standard cited:

ACA Std 4-4249

Applicability: This Internal Management Procedure applies to all organizational units of the New Jersey Department of Corrections.

Supersedes:

NJ DOC Policy Statement 5.203 dated 05/21/2001

Review Schedule:

This document is scheduled for annual review on or about August 31, 2011

This document was reviewed and approved by:

Mark Cranston, Chief of Staff on September 15, 2011

and

Mark Farsi, Deputy Commissioner on September 14, 2011.

Documentation of the reviews/approvals are maintained by the Office of Policy & Planning, APPM Unit.

I. PURPOSE

To establish New Jersey Department of Corrections Procedure providing uniform guidelines for the use of a two-level system of inmate placement in Administrative Segregation status which provides a structured, controlled environment where each inmate's behavior shall be closely monitored by a team of custody and civilian staff. This two-level system is designed to encourage inmates to improve their patterns of behavior through gradual reduction of restrictions.

I. DEFINITIONS

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

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 or other administrative considerations.

Administrative Segregation Level Program means the two-level program established within an Administrative Close Supervision Unit (ACSU.) The levels are shown below:

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

Close Custody Unit means an area within a correctional facility designated for assigning inmates who are removed from the general population for disciplinary or administrative reasons.

Disciplinary Hearing Officer means a staff member of the NJDOC designated to hear and adjudicate inmate violations of prohibited acts.

Inmate means a person who has been placed under the jurisdiction of the Commissioner of the NJDOC.

Institutional Classification Committee (I.C.C.) means the committee of correctional facility staff members responsible for monitoring an inmate's progress and assigning the inmate to appropriate programs or activities. The I.C.C. may consist of subcommittees as deemed necessary.

New Jersey Department of Corrections or NJDOC means that department of the Executive Branch of the New Jersey State Government whose functions are to protect the public and provide for the custody, care, discipline, training and treatment of persons committed to the state correctional facilities.

Special Administrative Segregation Review Committee (S.A.S.R.C.) means the committee members designated by the Director, Division of Operations responsible for the bimonthly review of the status of the inmates assigned to all Administrative Segregations Units.

III. POLICY

The New Jersey Department of Corrections mandates that housing units designated as "Close Custody Units" be maintained in certain correctional facilities, where appropriate.

Whenever the Disciplinary Hearing Officer imposes a sanction that includes administrative segregation, the administrative segregation part of the sanction shall be referred by the Disciplinary Hearing Officer to the Institutional Classification Committee (I.C.C.) for review at the Committee's next regularly scheduled meeting.

In considering the sanction, the I.C.C. shall consider any relevant factors including, but not limited to:

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1. The circumstances and gravity of the disciplinary infraction;
2. The reason(s) given by the Disciplinary Hearing Officer for the sanction imposed;
3. The inmate's previous disciplinary record; and
4. Whether other available dispositions are adequate to regulate the inmate's behavior within acceptable limits.

Confirmation shall be made if the I.C.C. determines that the sanction is appropriate and within acceptable limits, and where the inmate's presence in the general population could pose a threat to the safe, secure and orderly operations of the correctional facility.

The I.C.C. shall provide written notice to the inmate of its decision confirming, modifying or overruling the administrative segregation sanction together with the reasons therefore.

A copy of the I.C.C. notice shall be filed in the inmate's classification folder.

If an inmate receives a sanction that includes administrative segregation, the sanction must first be reviewed by the I.C.C. of the correctional facility in which the inmate is housed. If the sanction is confirmed, the referral for transfer to an Administrative Segregation Unit shall be forwarded to the CRAF Intake Unit where the transfer shall be initiated.

Inmates who are placed in administrative segregation shall receive both mental health and medical evaluations according to prescribed Health Services policies and procedures.

All inmates who receive sanctions that include assignment to an Administrative Segregation Unit shall initially be placed in Level 1 status. Progression to less restrictive Level 2 shall be dependent upon satisfactory correctional facility behavior as regulated by the rules set forth in N.J.A.C. 10A:4, *Inmate Discipline* and the *Administrative Close Supervision Unit Administrative Segregation Inmate Handbook*. Violation of rules shall result in disciplinary action and may serve to extend the length of time assigned to Administrative Segregation.

IV. PROCEDURES

The Administrative Segregation Level Program has been developed as the method by which inmates serving Administrative Segregation sanctions may be reintegrated into General Population after successfully demonstrating that they can interact properly and conform to Department of Corrections and correctional facility rules of conduct and behavior.

Inmates from any of the Department's facilities or other departmental programs are subject to placement in Administrative Segregation. Inmates sanctioned to an Administrative Segregation assignment may be housed in one of the Department's Administrative Segregation Close Custody units. This can occur as a result of one or more serious disciplinary infractions or a series of infractions that result in findings of guilt at a disciplinary hearing in accordance with the guidelines set forth in N.J.A.C. 10A:4, *Inmate Discipline*.

A. Administrative Segregation Review Process

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1. Disciplinary sanctions recommending assignment to the ACSU for Administrative Segregation shall be approved by the I.C.C.
2. Once the I.C.C. has approved the sanction, the inmate shall be informed in writing of the decision. This decision shall include a calculation of detention and Administrative Segregation time, an initial review date and a projected release date.

B. Special Administrative Segregation Review Committee (S.A.S.R.C.)

Within 60 days of an inmate's assignment to Administrative Segregation status, the S.A.S.R.C. shall review the inmate's case. This committee shall review each inmate's level every sixty (60) days or more frequently, if deemed necessary by the Committee. Inmates shall be advised of S.A.S.R.C. decisions using Form ACSU-001 "Special Administrative Segregation Review Committee".

S.A.S.R.C. decisions shall generally be to determine:

1. Whether an inmate's assignment to Administrative Segregation shall continue;
2. At what point an inmate shall be released from Administrative Segregation;
3. To which correctional facility an inmate shall be assigned upon release from Administrative Segregation;
4. At which level the inmate shall be housed while in Administrative Segregation status; and
5. When to review an immediate reduction that has been approved by the Administrator.

Other factors regarding S.A.S.R.C. include but are not limited to:

1. Inmates shall not appear at S.A.S.R.C. meetings, except at the request of the Committee.
2. Inmates shall be informed, in writing, and advised of all S.A.S.R.C. decisions.
3. S.A.S.R.C. decisions shall be based, in part, upon an inmate's adherence to correctional facility rules and regulations.
4. The S.A.S.R.C. shall meet no less than bi-weekly and shall be composed of staff designated by the Director of the Division of Operations.
5. An ACSU inmate who commits an additional disciplinary infraction that result in the imposition of Disciplinary Detention time shall have his/her level assignment reviewed by the Administrator and/or designee.

C. Disciplinary Process

Inmates shall be responsible for maintaining the highest level of behavior. Failure to follow the rules and inappropriate or disrespectful behavior shall result in disciplinary action and may serve

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to extend the length of time spent in Administrative Segregation and/or reduce the current level assignment.

Serious disciplinary infractions shall be addressed via the disciplinary process. However, minor infractions, which would demonstrate a resistance by the inmate to comply fully with the rules of the Administrative Close Supervision Unit or the Level Program, shall be documented and addressed via the On-The-Spot disciplinary process.

By documenting all infractions in this manner, the S.A.S.R.C. can view a record of an inmate's daily behavior and make the proper determination when reviewing the inmate for possible level reduction, maintenance, advancement and/or placement in General Population.

D. Administrative Segregation Sanction Interrupted

The days served in Disciplinary Detention status shall be considered "dead time" which shall not be counted or reinstated for the purpose of calculating the expiration of the Administrative Segregation sanction. The exception would be if the Disciplinary Hearing Officer imposes the disciplinary detention sanction to run concurrently with the Administrative Segregation sanction.

Inmates who are remanded to court, are hospitalized/infirm or sent to the Anne Klein Forensic Center while serving an Administrative Segregation sanction shall have the number of days that are accrued while remanded to court, hospitalized/in the infirmary or sent to the Anne Klein Forensic Center/stabilization unit added to the sanction's expiration date.

E. Security Precautions

1. Escorts/Staff Contact/Inmate Movement:

Administrative Segregation inmates are only to be in direct contact with staff when there are at least two (2) escorting custody staff members.

All escorts of inmates housed in Administrative Segregation units shall require a minimum of two (2) custody staff members and shall also require that the inmate be restrained in handcuffs, except during recreation movements and periods of recreation in a secured recreation area unless restraints are deemed necessary by the Administrator/designee. Additional restraints may be used as determined by the Administrator/designee.

Movements of inmates housed in Administrative Segregation status to recreation areas shall be monitored and controlled by the appropriate number of custody staff members as determined by the Administrator/designee. The ratio of two (2) officers to one (1) inmate shall remain in effect when staff comes in direct contact with Administrative Segregation status inmates moving to recreation areas.

Inmates housed in Administrative Segregation status shall not congregate with other inmates at any time, with the exception of periods of recreation in a secured recreation area, and then only in inmate numbers as determined by the Administrator/designee.

2. Searching Procedures

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All inmates in Administrative Segregation status shall be strip searched prior to leaving and upon returning to the confines of their housing unit/tier, the only exception is when inmates are returning to their housing unit/tier from a secure recreation area. Inmates returning from a secure recreation area shall be pat searched. These inmates may be strip searched when deemed necessary for security/safety reasons by the Administrator/designee.

F. Level Program Tiered Privileges

1. Recreation

An effort shall be made to provide recreation consistent with custodial considerations for inmates assigned to Administrative Segregation. Regardless of level, each inmate assigned to Administrative Segregation shall be afforded five (5) hours of recreation per week, unless compelling security, safety or weather considerations dictate otherwise. When recreation is not permitted, the reasons shall be well documented.

A schedule shall be posted in each Administrative Segregation housing unit. Any inmate on "loss of privilege" status may not participate in any recreational activity. The number of recreation period days the inmate has been sanctioned to lose shall be calculated by counting the number of consecutive calendar days, not specific recreation periods.

During an emergency, the Administrator may take action to suspend recreation for any or all inmates until the correctional facility returns to normal operations.

2. Personal Hygiene and Housekeeping

a. Showers

Each inmate housed in an Administrative Close Supervision Unit shall be permitted to shower not less than three times a week.

b. Shaving

Departmentally-approved security anti-shank razors shall be the only razors approved for use in an Administrative Segregation unit. Assigned custody staff members shall strictly account for all razors at all times. For security and safety reasons, inmates shall be allowed to possess razors only in areas determined appropriate by the Administrator/designee.

c. Haircuts

Inmates are permitted a maximum of two (2) haircuts per month. A barber shall be available on a rotational basis to provide haircuts and services that shall be conducted in a manner that helps ensure the safe, secure and orderly operation of the unit. Assigned custody staff members shall strictly account for all barbering equipment at all times.

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G. Commissary

The purchase of commissary items by inmates assigned to Administrative Segregation status shall be permitted but shall be limited depending upon the level to which the inmate is assigned and to those items departmentally-authorized as approved by this Internal Management Procedure, the Administrator and the Division of Operations. A list of approved items shall be distributed.

Food and personal hygiene items shall be permitted to be purchased from the Commissary, except that inmates housed in Administrative Segregation status are prohibited from purchasing or possessing any item that comes in cans, as these items may be used as weapons. Therefore, no cans of any type are permitted for retention by inmates housed in Administrative Segregation.

Commissary spending limits shall be as follows:

Level 1 - \$15.00 once per month for approved items only.

Level 2 - \$40.00 once per month for approved items only.

H. Telephone Calls

Each inmate assigned to Administrative Segregation status shall be authorized to make monitored telephone calls as follows:

Level 1 – One (1) monitored 15-minute telephone period per week, in accordance with the correctional facility’s time schedule for telephone calls.

Level 2 – Five (5) monitored 15-minute telephone periods per week, with a maximum of one (1) period daily, in accordance with the correctional facility’s time schedule for telephone calls.

Legal telephone calls shall be allowed as authorized by the Administrator/designee and shall be conducted consistent with the correctional facility’s procedure for same.

I. Authorized Visits

Level 1 – One (1) non-contact visit per month, with relatives only. Visits shall not exceed 60 minutes and shall otherwise be in accordance with the schedule of visits for the correctional facility.

Level 2 – One (1) non-contact visit per week with relatives only. Visits shall not exceed 60 minutes and shall otherwise be in accordance with the schedule of visits for the correctional facility.

Relatives are defined as parent, legal guardian, spouse, domestic partner, partner in a civil-union couple, child, or sibling. The Administrator shall determine whether an individual meets such criteria.

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Contact visits with the inmate's attorney shall be pre-arranged, as needed. However, at least twenty-four (24) hours notice is required. Approval, in writing, from the Administrator/designee must be given for all attorney visits.

Before being allowed to visit any inmate housed in an ACSU, a visitor must be approved by the Administrator/designee at which time the visitor's name will be added to the visit list.

Visitors dropped from an inmate's visit list must remain off the list for a period of sixty (60) days and any visitor may be on only one inmate's visit list at a time unless permission of the Administrator has been obtained.

J. **Authorized Items for Possession**

Prior to transferring an inmate to the Administrative Segregation unit, all property, with the exception of permissible property as listed in sections K. and L. below, shall be sent to an approved address by the sending facility as specified in N.J.A.C. 10A:1-11.3.

Permissible property shall be transferred to the correctional facility to which the inmate has been assigned within 15 days of the transfer of the inmate to that facility. A television shall be transferred to the facility to which the inmate has been assigned, where it shall be stored while the inmate is in ACSU.

The only permitted property is that which is either specified in this Internal Management Procedure or any addendum to this Internal Management Procedure. If an item is not specified as permitted for inmate retention, it shall not be permitted for possession by inmates in Administrative Segregation status.

An *Inmate Handbook* shall be issued to each Administrative Segregation status inmate, which contains a list of authorized items, as well as rules and regulations consistent with NJ DOC policy and this Internal Management Procedure.

K. **Basic Inmate State-Issued Items**

Each inmate shall be authorized the following State-issued/commissary-purchased items consisting of the following:

Male Inmates:

- Khaki pants 3 pair
- Khaki shirts 3 pair
- Khaki coat 1 each (seasonally)
- Boxer Shorts 3 pair
- T-shirts 3 each
- Sweat socks 3 pair
- Sneakers 1 pair
- Boots 1 pair
- Bath towel 1 each
- Washcloth 1 each
- Laundry bag 1 each

- Wool blanket 1 each (seasonally)
- Sheets 2 each
- Pillow case 1 each
- Pillow 1 each
- One handbook on "Discipline for Inmates"
- One correctional facility inmate handbook
- One ACSU Inmate Handbook

Female Inmates:

- Khaki pants 3 pair
- Khaki shirts 3 pair
- Khaki coat 1 each (seasonally)
- Panties 6 pair
- T-shirts 3 each
- Bras 3 each
- Robe 1 each
- Night gown 1 each
- Sweat socks 3 pair
- Sneakers 1 pair
- Boots 1 pair
- Bath towel 1 each
- Washcloth 1 each
- Laundry bag 1 each
- Wool blanket 1 each (seasonally)
- Sheets 2 each
- Pillow 1 each
- One handbook on "Discipline for Inmates"
- One correctional facility inmate handbook
- One ACSU Inmate Handbook

Level 1

Twenty (20) postage stamps

Twenty (20) envelopes

Three (3) stationery pads

Level 2

Forty (40) postage stamps

One hundred (100) envelopes

Six (6) stationery pads

Two (2) photo albums (plastic/ no metal rings)

Additional commissary items may be purchased from an NJDOC approved list.

L. Other Authorized Personal Convenience Items

1. Television:

Level 1 – Not Permitted
Level 2 – Permitted

2. Radio

Level 1 – Not permitted
Level 2 – Permitted

3. Ear Receivers (Radio/Television):

Level 1 – Not permitted
Level 2 – Permitted

4. Word Processor

Level 1 – Permitted
Level 2 – Permitted

Inmates may purchase one (1) word processor from source of sale only. The Administrator of the facility in which the inmate is housed shall determine the type(s) authorized. All word processors must be pre-approved, in writing, by the Administrator/designee before the inmate places an order. Supplies such as ribbons for word processors/typewriters must also be pre-approved and are limited to one (1) replacement item at a time in the inmate's possession.

5. Religious Medals/Prayer Beads/Wedding Rings

Inmates are permitted to possess one (1) plain wedding band with no stones. Additionally, inmates are permitted to receive and own one (1) religious medal and/or set of prayer beads. These may not be made with stones of any kind. Handmade medals or beads or those with STG connotations are not permitted. Religious medals may be no larger than 1" in length, 1" in diameter and 1/4" in thickness. Chains may be no more than 18" in length, 1/8 " in width and 1/8" in diameter. Prayer beads may be no more than 20" in length, 1/2" in width and 1/2" in diameter, Religious medals/prayer beads may only be worn under the shirt and/or tee shirt and shall not be visible at any time.

An inmate may purchase one religious medal or one set of prayer beads and one wedding ring from source of sale only. (An inmate in possession of a wedding ring meeting the requirements stated above shall be permitted to retain the ring). These items must be pre-approved in writing by the Administrator/designee before the inmate places an order.

6. Prayer Caps

Inmates are permitted to receive from source of sale and/or possess one (1) prayer cap such as a kufi or yarmulke per year. These may only be worn during authorized

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religious functions or in the cell. Prayer caps must be removed for inspection upon order of a staff member.

7. Prayer Rugs

Inmates are permitted to receive from source of sale and/or possess one (1) prayer rug. These may be no larger than 3' X 5'.

8. Prosthetic Devices

The permanent possession of any prosthetic device is subject to determination of medical/dental needs as prescribed by the facility's medical staff, reviewed and authorized by the Administrator/designee (see N.J.A.C. 10A:16-2.16).

9. Cigarettes/Tobacco Products/Matches- Prohibited

M. Legal Materials

Each inmate shall be permitted to possess legal materials as authorized for retention in accordance with N.J.A.C. 10A:6-2.11. Inmates shall not be authorized to possess personal legal materials in excess of the amount which can be stored in the provided storage space (shelves and foot lockers) in their cell. Legal materials in excess of those that can be stored within the provided storage space in each inmate's cell shall be reviewed on a case-by-case basis by the Administrator/designee. The limitation on the accumulation of personal legal materials shall be based upon security, sanitation, fire hazard and cell space considerations.

N. Publications/Soft-Cover Books

Inmates may receive publications through the mail from source of sale only. Inmates may possess publications such as magazines or newspapers for a period not to exceed one month from the date of their publication.

Inmates may possess a total of ten (10) soft-cover books.

Inmates may purchase or receive publications and soft-cover books from source of sale only. These items must be pre-approved, in writing, by the Administrator/designee before the inmate places an order.

O. Religious Materials

Each inmate shall be authorized to possess religious materials as authorized for retention in accordance with N.J.A.C. 10A. Inmates shall not be authorized to possess religious materials in excess of the amount which can be stored within the provided storage space (shelves and foot lockers) in their cell. Inmates may purchase or receive authorized religious materials from the facility's Chaplain and/or from source of sale only. These items must be pre-approved, in writing, by the Administrator/designee before the inmate places an order.

P. Work Opportunities

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Inmates in Administrative Segregation shall not be permitted to receive wages or work credits while housed in Administrative Segregation.

Q. Progress Reports – Information will be obtained from the iTAG progress notes.

1. Psychological/Psychiatric Evaluations

Psychological/Psychiatric evaluations shall be completed bimonthly on all inmates housed in the ACSU by an appropriate mental health provider.

V. Cross Reference Documents and Policies

Document/ Policy Number	Title	Effective/ Revision Date
IMM.012.001	<i>Administrative Segregation</i>	September 12, 2008
IMM.012.ADSEG.001	<i>Assignment to AdSeg</i>	September 12, 2011
IMM.012.ADSEG.02	<i>Special Administrative Segregation Review Committee</i>	September 12, 2011

VI. Applicable Forms

Form Number	Form Title	Effective/ Revision Date
Form ACSU-001	<i>"Special Administrative Segregation Review Committee".</i>	

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