ASSEMBLY, No. 4597

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 25, 2020

Sponsored by:
Assemblyman JAMEL C. HOLLEY
District 20 (Union)

SYNOPSIS

Requires Department of Corrections to confine certain inmates to single-occupancy cells.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the confinement of inmates in State correctional facilities and supplementing Title 30 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. An inmate in a State correctional facility shall be housed in a single-occupancy cell during confinement, unless:

(1) it is determined, based on the reviews and evaluations conducted pursuant to subsection b. of this section, that the inmate has a physical disability that requires the inmate to be housed in a cell with another inmate, or

(2) it is determined, based on the reviews and evaluations conducted pursuant to subsection b. of this section, that the inmate's mental or physical health requires the inmate to be housed in a cell with another inmate; or

(3) the inmate is housed in a dormitory unit.

b. The Commissioner of Corrections, in consultation with the Commissioner of Health, shall establish procedures for evaluating whether an inmate's mental and physical health require the inmate to be housed in a cell with another inmate.

c. The Commissioner of Corrections shall incorporate the procedures established pursuant to subsection b. of this section into the initial classification process.

d. The Commissioner of Corrections shall reevaluate any inmate housed in a State correctional facility on the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) and shall reassign the inmate to appropriate housing in accordance with this section.

"Physical disability" means a physical impairment for which a person uses a wheelchair, or which causes a person to walk with difficulty or walk insecurely; affects the sight or hearing of a person to the extent that a person functioning in public areas is insecure or exposed to danger; causes a person to have faulty coordination; or reduces mobility, flexibility, coordination, and perceptiveness of a person to the extent that facilities are needed to provide for the safety of that person.

"Single-occupancy cell" means a cell designed to accommodate one inmate that minimally contains a bed, toilet, sink, table, and seat.

2. This act shall take effect on the first day of the seventh month next following the date of enactment, except that the Commissioner of Corrections may take such anticipatory administrative action in advance as may be necessary for the implementation of this bill.

STATEMENT

This bill requires the Department of Corrections to confine certain inmates to single-occupancy cells.

Under the bill, each inmate in a State correctional facility is to be housed in a single-occupancy cell, unless: (1) it is determined, based on the reviews and evaluations conducted under the bill, that the inmate has a physical disability that requires the inmate to be housed in a cell with another inmate during confinement; (2) it is determined, based on the evaluations, that the inmate's mental or physical health requires the inmate to be housed in a cell with another inmate; or (3) the inmate is housed in a dormitory unit.

The bill requires the Commissioner of Corrections, in consultation with the Commissioner of Health, to establish procedures for evaluating whether an inmate's mental and physical health require the inmate to be housed in a cell with another inmate.

Under current law, an inmate who enters a State correctional facility is evaluated during the initial classification process to determine the appropriate custody status and housing assignment for the inmate. The procedures established under the bill are to be incorporated into the initial classification process. The Commissioner of Corrections also is required to evaluate inmates currently confined in a State correctional facility and reassign them to appropriate housing in accordance with the provisions of the bill.