

ASSEMBLY, No. 4778

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 8, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Co-Sponsored by:

Assemblywoman Dunn and Assemblyman Zwicker

SYNOPSIS

Requires administrators at Edna Mahan to have access to information concerning investigations of sexual abuse allegations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/5/2021)

1 AN ACT concerning Edna Mahan administrators' access to sexual
2 abuse investigations information and supplementing Title 30 of
3 the Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. The administrator of the Edna Mahan Correctional
9 Facility for Women shall be provided with full and complete access
10 to all investigative files and regular briefings concerning
11 investigations of alleged violations of the federal Prison Rape
12 Elimination Act in the facility.

13 b. The facility administrator shall establish a sexual abuse
14 incident review team within the facility to review incidents of
15 alleged abuse. The administrator shall consult with other
16 appropriate administrators and the incident team to devise and
17 implement policy changes concerning movement, discipline, or any
18 other corrective action necessary to prevent further sexual abuse in
19 the facility.

20 c. For the purposes of this section, "facility administrator" or
21 "administrator" means the chief operating officer or senior
22 administrative designee of the Edna Mahan Correctional Facility.

23
24 2. This act shall take effect immediately.

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26
27 STATEMENT

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29 This bill requires the administrator of the Edna Mahan
30 Correctional Facility for Women to be provided with full and
31 complete access to all sexual abuse investigative files of alleged
32 violations of the Prison Rape Elimination Act (PREA), as well as
33 regular briefings on investigations of these complaints.

34 The bill also requires the administrator to establish a sexual
35 abuse incident review team within the facility to review incidents of
36 alleged abuse. The administrator also is to consult with other
37 administrators and the incident team to devise and implement policy
38 changes concerning movement, discipline, or corrective action
39 necessary to prevent further sexual abuse.

40 Currently, there does not appear to be a coherent approach to
41 reviewing cases of alleged sexual abuse in Edna Mahan to inform
42 those policy changes needed to prevent further sexual abuse.
43 Information collected by the Special Investigations Division (SID)
44 in the facility concerning alleged incidents of sexual abuse is not
45 provided to the facility administrator and other top administrators
46 and the facility does not have an internal incident review team
47 consisting of these administrators.

1 This bill is in response to the April 2020 report published by the
2 Civil Rights Division of the United States Department of Justice
3 and the United States Attorney’s Office District of New Jersey
4 entitled “Investigation of the Edna Mahan Correctional Facility for
5 Women (Union Township, New Jersey).” The report concluded
6 that there is reasonable cause to believe conditions at Edna Mahan
7 violate the Eighth Amendment of the United States Constitution due
8 to facility staff sexually abusing inmates. The report further
9 concludes that the sexual abuse is pursuant to a pattern or practice
10 of resistance to the full enjoyment of these Eighth Amendment
11 rights.