

SENATE, No. 2929

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires DOC to implement certain security procedures and address physical plant deficiencies in Edna Mahan Correctional Facility for Women.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/24/2020)

1 AN ACT concerning security practices and physical plant
2 deficiencies at the Edna Mahan Correctional Facility for Women
3 and supplementing Title 30 of the Revised Statutes.

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

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8 1. The Commissioner of Corrections shall develop and
9 implement security protocols for establishing secure checkpoints at
10 every entrance to the Edna Mahan Correctional Facility for Women,
11 including at each security gate through which a motor vehicle may
12 enter the facility. The security protocols shall require each secure
13 checkpoint to incorporate consistent screening for contraband of
14 every staff member, visitor, or other person who enters the facility
15 and every inmate who enters or exits the facility.

16
17 2. The commissioner shall conduct an inventory of structures
18 located on the grounds of the Edna Mahan Correctional Facility
19 which are abandoned, dilapidated, obsolete, or otherwise not in use.
20 The commissioner shall develop and implement a plan to demolish
21 or secure surveyed structures identified as posing a threat to the
22 security of the facility or providing an opportunity for sexual
23 assault to occur. The plan shall include a determination of whether
24 to continue utilization of the existing upholstery warehouse located
25 on the grounds of the facility. If the commissioner determines to
26 continue use of the warehouse, the warehouse shall be cleared of
27 unused equipment and inventory that poses a threat to the security
28 of the facility or provides an opportunity for sexual assault to occur
29 in accordance with the plan required in this section.

30
31 3. Section 1 of this act shall be effective on the first day of the
32 fourth month next following enactment; section 2 of this act shall
33 be effective on the first day of the seventh month next following
34 enactment.

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37 STATEMENT

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39 This bill requires the Department of Corrections (DOC) to
40 provide for adequate security checkpoints at the Edna Mahan
41 Correctional Facility for Women and to make improvements to
42 physical plant deficiencies at the facility.

43 The bill specifically requires the DOC to develop and implement
44 security protocols for establishing secure checkpoints at every
45 entrance to the Edna Mahan Correctional Facility for Women,
46 including at every motor vehicle security gate. The security
47 protocols are to require each secure checkpoint to incorporate
48 consistent contraband screening of every staff member, visitor, or

1 other person who enters the facility, as well as screening of every
2 inmate who enters or exits the facility. The current lack of
3 consistent contraband control at the facility increases the risk of
4 correctional staff using contraband to control, harass, and abuse
5 inmates.

6 The bill further requires the DOC to conduct an inventory of
7 structures on the grounds of the facility that are abandoned,
8 dilapidated, obsolete, or otherwise not in use. Structures identified
9 in the survey that pose a threat to the security of the facility or
10 provide an opportunity for sexual assault to occur are to be
11 demolished or secured. Additionally, the DOC is to determine
12 whether use of the existing upholstery warehouse on the grounds of
13 the facility should be continued; if so, unused equipment and
14 inventory in the warehouse that poses a threat to the security of the
15 facility or provides an opportunity for sexual assault is to be
16 cleared. These measures are necessary to prevent supervision
17 lapses and physical plant deficiencies in the facility from presenting
18 opportunities for staff abuse of inmates.

19 This bill is in response to the April 2020 report published by the
20 Civil Rights Division of the United States Department of Justice
21 and the United States Attorney's Office District of New Jersey
22 entitled "Investigation of the Edna Mahan Correctional Facility for
23 Women (Union Township, New Jersey)." The report concluded
24 that there is reasonable cause to believe conditions at Edna Mahan
25 violate the Eighth Amendment of the United States Constitution due
26 to facility staff sexually abusing inmates. The report further
27 concludes that the sexual abuse is pursuant to a pattern or practice
28 of resistance to the full enjoyment of these Eighth Amendment
29 rights.