

§§1-5
C.30:1B-53
to 30:1B-57
§§6,8
C.30:1B-45.1
and 30:1B-45.2
§10
Repealer

P.L. 2025, CHAPTER 305, *approved January 20, 2026*
Senate, No. 3530 (*First Reprint*)

1 AN ACT ¹[establishing the "Female Incarcerated Person's Rights
2 Protection Act," amending P.L.2019, c.410, and supplementing
3 Title 30 of the Revised Statutes] concerning corrections,
4 amending, supplementing, and repealing various parts of the
5 statutory law¹.
6
7 BE IT ENACTED by the Senate and General Assembly of the State
8 of New Jersey:
9
10 1. (New section) This act shall be known and may be cited as
11 the ¹["Female Incarcerated Person's Rights"] "Incarcerated
12 Women's¹ Protection Act."
13
14 2. (New section) a. The Commissioner of Corrections shall
15 ¹[establish] provide¹ a gender responsive risk and needs
16 assessment as part of the institutional classification process. The
17 assessment shall be based upon, but not limited to, the following
18 principles:
19 (1) acknowledging ¹[that gender makes a difference] gender
20 equity¹;
21 (2) creating an environment based on safety, respect, and
22 dignity;
23 (3) developing policies, practices, and programs that are
24 relational and promote healthy connections to children, family,
25 significant others, and the community;
26 (4) addressing substance use disorders, trauma, and mental
27 health issues through comprehensive, integrated and culturally
28 relevant services and appropriate supervision; and
29 (5) providing female incarcerated persons with opportunities to
30 improve their socioeconomic conditions including, but not limited
31 to, ensuring that female incarcerated persons are eligible to
32 participate in ¹[the same]¹ programs and services, established by

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate SLP committee amendments adopted June 19, 2025.

1 the commissioner pursuant to R.S.30:4-92, that are available to
2 male incarcerated persons.

3 b. The commissioner shall establish a system of community
4 supervision and reentry with comprehensive, collaborative services.

5 c. The commissioner shall ¹~~['prioritize increased']~~ ensure¹
6 direct supervision and oversight by correctional staff in order to
7 identify potential issues and respond proactively before the issues
8 escalate.

9 d. The commissioner shall institute mandatory in-service
10 training for every correctional police officer that supervises female
11 incarcerated persons regarding gender responsive policies. The
12 commissioner shall ensure that every correctional police officer that
13 supervises female incarcerated persons completes this training
14 annually.
15

16 3. (New section) a. There is established in the Department of
17 Corrections the Division of Women's Services. ¹~~['The division~~
18 shall have all powers necessary or proper to enable it to carry out
19 the division's duties, functions, and powers under this section. ¹
20 The commissioner shall designate a director ¹~~or assistant~~
21 commissioner¹ of the division ¹, as determined appropriate by the
22 commissioner,¹ and provide appropriate staff to carry out the
23 responsibilities of the division. The ¹~~['division']~~ department¹ shall
24 develop policies, programs, and services ¹necessary to service
25 incarcerated women and¹ to address:

26 (1) the specific needs of female incarcerated persons including
27 treatment for physical or sexual abuse or other trauma; parenting
28 issues; and child reunification;

29 (2) the establishment of a system of structured incentives for
30 female incarcerated persons including, but not limited to, the
31 establishment of:

32 (a) ¹~~['honors']~~ specialized¹ housing;

33 (b) recreational and group activities;

34 (c) ¹~~['an advisory']~~ housing representatives or a listening¹ group
35 consisting of female incarcerated persons chosen by other female
36 incarcerated persons to act as a liaison between correctional facility
37 administration and the incarcerated persons population;

38 (3) the implementation of procedures which encourage female
39 incarcerated persons to congregate in common areas rather than in
40 isolated cells; and

41 (4) any other areas deemed appropriate by the commissioner.

42 b. Within the Division of Women's Services there is
43 established a Prison Rape Elimination Act (PREA) Compliance
44 Unit. The unit shall be responsible for ensuring the department is in
45 compliance with the federal Prison Rape Elimination Act, 34 U.S.C.
46 s.30301.

1 The commissioner shall designate ¹~~['a director']~~ an assistant
2 commissioner¹ of the unit and provide appropriate staff to carry out
3 the responsibilities of the unit.

4
5 4. (New section) a. The Commissioner of Corrections shall
6 provide doula services to incarcerated females who are pregnant. A
7 ¹support person providing doula services shall be permitted to
8 attend and provide assistance during labor and childbirth ¹with the
9 approval of the commissioner¹.

10 b. The commissioner shall allow an incarcerated female to have
11 a support person present during labor and childbirth.

12 c. The commissioner shall provide support services to
13 incarcerated mothers including, but not limited to, parenting
14 classes. The incarcerated mother may participate in all prenatal and
15 parenting classes made available by the commissioner.

16 d. The commissioner shall make parenting classes and family
17 reunification programs available to any incarcerated person in this
18 State who is scheduled to be released from incarceration within six
19 months.

20 e. As used in this section, “doula services” means services
21 provided by a trained doula for physical, emotional, or
22 informational support to a pregnant woman before, during, and after
23 the delivery of a child including, but not limited to, support and
24 assistance during labor and childbirth; prenatal and postpartum
25 education; breastfeeding assistance; parenting education; and
26 support in the event that an incarcerated female has been or will
27 become separated from the incarcerated female’s child.

28
29 5. (New section) The Commissioner of Corrections, upon
30 request by an incarcerated person, shall provide any incarcerated
31 person in this State ¹~~['who is scheduled to be released from~~
32 incarceration within six months']¹:

33 a. the opportunity to participate in ¹~~['counseling']~~ pre-release
34 case management and discharge planning¹ sessions; and

35 b. resources from approved nonprofit incarcerated person reentry
36 services, including information concerning organizations and
37 programs, whether faith-based or secular, which provide assistance
38 and services to incarcerated persons reentering society after a
39 period of incarceration.

40
41 6. a. (New section) There shall be established within the
42 Department of Corrections, under the Special Investigations
43 Division, a special victim’s unit. The unit shall have all powers
44 necessary or proper to thoroughly investigate allegations of sexual
45 assault or other sexual misconduct in State correctional facilities.
46 The unit shall investigate ¹~~['every allegation']~~ allegations¹ of sexual
47 assault or other sexual misconduct in a State correctional facility

1 made by a victim or third party through a verbal, written,
2 telephonic, electronic, or anonymous report in accordance with
3 State and federal law.

4 b. ¹~~【~~The unit shall be adequately funded and staffed with the
5 requisite number of investigators with expertise and training
6 necessary to carry out the duties of the unit.

7 c.¹~~】~~ Every investigator and supervisor assigned to the special
8 victim's unit shall receive ongoing specialized training regarding
9 investigating sexual assault or sexual misconduct allegations,
10 including best practices for conducting ¹~~trauma and~~ gender
11 informed and ¹~~【victim centered】~~ victim-centered¹ investigations.

12 ¹~~【d.】~~ c.¹ The commissioner shall ensure that there is a
13 confidential interview space in each State correctional facility for
14 reporting sexual assault or sexual misconduct and interviewing
15 victims or witnesses.

16 ¹~~【e.】~~ d¹ Every alleged victim shall be treated with dignity and
17 respect and the unit shall ensure confidentiality and safety for the
18 victim.

19
20 7. Section 1 of P.L.2019, c.410 (C.30:1B-6.13) is amended to
21 read as follows:

22 1. a. In addition to the duties of the commissioner set forth in
23 section 6 of P.L.1976, c.98 (C.30:1B-6), the commissioner shall
24 institute a mandatory annual in-service training program of at least
25 40 hours for each correctional police officer in every State
26 correctional facility. The commissioner shall establish and
27 incorporate in the in-service training program curriculum the
28 concept that the core mission of a State correctional police officer is
29 to treat every inmate with dignity, fairness, and respect.

30 b. At least four hours of the mandatory 40 hours of training
31 required by subsection a. of this section shall include training in:

32 (1) sexual assault, sexual abuse, and sexual harassment
33 prevention as required pursuant to the provisions of the federal
34 Prison Rape Elimination Act (PREA), including but not limited to:

35 (a) relevant terminology set forth in the federal Prison Rape
36 Elimination Act;

37 (b) the methods available to report incidents of sexual abuse or
38 sexual harassment of an incarcerated person;

39 (c) confidentiality requirements related to reports of sexual
40 abuse or sexual harassment of an incarcerated person; and

41 (d) how to access emotional support services for incarcerated
42 persons who are victims of sexual abuse or sexual harassment;

43 (2) non-fraternization and undue familiarity; and

44 (3) conditioning and manipulation awareness.

45 c. Sixteen hours of the training required by subsection a. of this
46 section shall be dedicated to topics chosen by the training

1 department of each State correctional facility from a list of
2 approved courses developed by the commissioner.

3 d. The training required in subsection a. of this section shall be
4 in addition to firearms qualification training and use-of force
5 training.

6 e. Twenty hours of the training required by subsection a. of this
7 section shall include training in:

8 (1) de-escalation, including training in interacting with
9 combative or threatening inmates and inmates experiencing mental
10 health crises;

11 (2) minimization of use of force;

12 (3) cultural diversity and implicit bias;

13 (4) appropriate methods of engaging with inmates of diverse
14 cultures and religions and inmates who are members of the lesbian,
15 gay, bisexual, transgender, and questioning (LGBTQ) community
16 and gender nonconforming inmates;

17 (5) the rights of inmates;

18 (6) lifestyle stressors, self-awareness, and self-regulation;

19 (7) officer and inmate safety;

20 (8) communication skills; and

21 (9) any other topic deemed necessary by the commissioner to
22 advance the core mission of treating inmates with dignity, fairness,
23 and respect.

24 (cf: P.L.2021, c.305, s.2)

25
26 8. (New section) The Commissioner of Corrections shall
27 require information regarding sexual abuse and sexual harassment
28 of incarcerated persons to be provided to every incarcerated person
29 at orientation upon ¹~~['in-take']~~ intake¹ and periodically thereafter.
30 The information shall include but not be limited to:

31 a. duties and responsibilities of the Department of Corrections
32 under State and federal law regarding zero tolerance for sexual
33 abuse and sexual harassment of incarcerated persons;

34 b. definitions of sexual abuse, sexual harassment, gender,
35 gender identity, trauma informed searches, and privacy;

36 c. official duties of correctional police officers related to
37 allegations of sexual abuse or sexual harassment by an incarcerated
38 person and mandatory reporting requirements;

39 d. the rights of incarcerated persons related to sexual abuse or
40 sexual harassment;

41 e. methods for reporting sexual abuse, sexual harassment, and
42 retaliation as a result of the report;

43 f. how to access emotional support and trauma informed
44 services;

45 g. identifying and addressing retaliatory actions and the
46 commissioner's responsibility to protect against retaliation; and

47 h. confidentiality requirements regarding the report of sexual
48 abuse or sexual harassment.

1 19. R.S.30:4-1 is amended to read as follows:

2 30:4-1. The State board, with the approval of the Governor,
3 shall appoint, from residents of the State without respect to political
4 affiliation or belief, a board of trustees for each State institution or
5 agency or for each group or class thereof as it may determine **【**,
6 from residents of the State without respect to political affiliation or
7 belief**】** , which shall include one board of trustees for all adult male
8 State correctional facilities and one board of trustees for all adult
9 female State correctional facilities.

10 The State board, with the approval of the Governor, may appoint
11 a board of trustees or authorize or designate an existing board of
12 trustees whenever the establishment or assumption of jurisdiction
13 over an additional institution, or the acquisition of an institutional
14 site, is authorized by the Legislature.

15 Each board of trustees of an institution shall be known as "the
16 board of trustees" naming the institution or group or class for which
17 the board is appointed. The State board, with the approval of the
18 Governor, shall name the boards of noninstitutional agencies.

19 Except as otherwise specifically provided by statute, the boards
20 of trustees shall consist of not less than five nor more than seven
21 members. At least two women shall be members of each board in
22 charge of the institutions or agencies for persons who are blind, or
23 who have a mental illness or developmental disability, and at least
24 two members of the Commission for the Blind and Visually
25 Impaired shall themselves be legally blind but not employees, or
26 related to an employee by blood, marriage, or adoption.

27 The term of each board member shall be three years commencing
28 on July 1 and ending on June 30, of the third year thereafter. A
29 vacancy shall be filled by the State board, with the approval of the
30 Governor, for the unexpired term only.

31 The members of new or additional boards of trustees shall at the
32 time of their appointment be divided into groups so that the terms of
33 two members shall expire on June 30 of the year next succeeding
34 appointment; the terms of two others on June 30 of the second year
35 succeeding appointment; the term of the fifth member and in case of
36 larger boards the term of the sixth member, on June 30 of the third
37 year succeeding appointment; the term of the seventh member of a
38 board having seven members, on June 30 of the fourth year
39 succeeding appointment. Their successors shall be appointed for
40 three-year terms.

41 The members of boards of trustees shall receive no compensation
42 for services but shall be reimbursed for actual expenditures incurred
43 in the performance of duty. They shall be subject to removal by the
44 State board, with the approval of the Governor, at any time for good
45 and sufficient cause.

46 Annually, on or before July 1 each board of trustees shall elect
47 from its members a chair and vice chair and shall appoint a
48 secretary, with the approval of the chief executive officer of the

1 institution, who shall be an employee of the institution or agency
2 and serve at the pleasure of the board without additional
3 compensation. The term of office of the chair and vice chair shall
4 be until June 30 of the following year or until their successors are
5 elected and qualified.¹

6 (cf: P.L.2013, c.103, s.76)
7

8 ¹10. The following sections are repealed:

9 Section 7 of P.L.2009, c.328 (C.30:4-8.8) and

10 Section 3 of P.L.1963, c.65 (C.30:4-146.1).¹
11

12 ¹~~9.~~ 11.¹ This act shall take effect ¹~~on the first day of the~~
13 seventh month next following enactment except that the
14 Commissioner of Corrections may take any anticipatory
15 administrative action in advance as shall be necessary for the
16 implementation of this act ~~on the first day of the~~ immediately¹.
17
18
19

20
21 Establishes “Incarcerated Women’s Protection Act” and concerns
22 correctional facility board of trustees.