

CHAPTER 305

AN ACT concerning corrections, amending, supplementing, and repealing various parts of the statutory law.

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

C.30:1B-53 Short title.

1. This act shall be known and may be cited as the “Incarcerated Women’s Protection Act.”

C.30:1B-54 Gender responsive risk, needs assessment, institutional classification process, corrections.

2. a. The Commissioner of Corrections shall provide a gender responsive risk and needs assessment as part of the institutional classification process. The assessment shall be based upon, but not limited to, the following principles:

- (1) acknowledging gender equity;
- (2) creating an environment based on safety, respect, and dignity;
- (3) developing policies, practices, and programs that are relational and promote healthy connections to children, family, significant others, and the community;
- (4) addressing substance use disorders, trauma, and mental health issues through comprehensive, integrated, and culturally relevant services and appropriate supervision; and
- (5) providing female incarcerated persons with opportunities to improve their socioeconomic conditions, including, but not limited to, ensuring that female incarcerated persons are eligible to participate in programs and services, established by the commissioner pursuant to R.S.30:4-92, that are available to male incarcerated persons.

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

c. The commissioner shall ensure direct supervision and oversight by correctional staff in order to identify potential issues and respond proactively before the issues escalate.

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

C.30:1B-55 Division of Women’s Services, Prison Rape Elimination Act Compliance Unit, Department of Corrections.

3. a. There is established in the Department of Corrections the Division of Women’s Services. The commissioner shall designate a director or assistant commissioner of the division, as determined appropriate by the commissioner, and provide appropriate staff to carry out the responsibilities of the division. The department shall develop policies, programs, and services necessary to service incarcerated women and to address:

- (1) the specific needs of female incarcerated persons, including treatment for physical or sexual abuse or other trauma, parenting issues, and child reunification;
- (2) the establishment of a system of structured incentives for female incarcerated persons, including, but not limited to, the establishment of:
 - (a) specialized housing;
 - (b) recreational and group activities;
 - (c) housing representatives or a listening group consisting of female incarcerated persons chosen by other female incarcerated persons to act as a liaison between correctional facility administration and the incarcerated persons population;

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

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

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

The commissioner shall designate an assistant commissioner of the unit and provide appropriate staff to carry out the responsibilities of the unit.

C.30:1B-56 Doula services, incarcerated persons.

4. a. The Commissioner of Corrections shall provide doula services to incarcerated females who are pregnant. A support person providing doula services shall be permitted to attend and provide assistance during labor and childbirth with the approval of the commissioner.

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

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

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

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

C.30:1B-57 Pre-release case management, discharge planning sessions, resources from reentry services.

5. The Commissioner of Corrections, upon request by an incarcerated person, shall provide any incarcerated person in this State:

a. the opportunity to participate in pre-release case management and discharge planning sessions; and

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

C.30:1B-45.1 Special victim's unit, Department of Corrections.

6. a. There shall be established within the Department of Corrections, under the Special Investigations Division, a special victim's unit. The unit shall have all powers necessary or proper to thoroughly investigate allegations of sexual assault or other sexual misconduct in State correctional facilities. The unit shall investigate allegations of sexual assault or other sexual misconduct in a State correctional facility made by a victim or third party through a verbal, written, telephonic, electronic, or anonymous report in accordance with State and federal law.

b. Every investigator and supervisor assigned to the special victim's unit shall receive ongoing specialized training regarding investigating sexual assault or sexual misconduct

allegations, including best practices for conducting trauma and gender informed and victim-centered investigations.

c. The commissioner shall ensure that there is a confidential interview space in each State correctional facility for reporting sexual assault or sexual misconduct and interviewing victims or witnesses.

d. Every alleged victim shall be treated with dignity and respect and the unit shall ensure confidentiality and safety for the victim.

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

C.30:1B-6.13 Additional training for correctional police officers.

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

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

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

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

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

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

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

(2) non-fraternization and undue familiarity; and

(3) conditioning and manipulation awareness.

c. Sixteen hours of the training required by subsection a. of this section shall be dedicated to topics chosen by the training department of each State correctional facility from a list of approved courses developed by the commissioner.

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

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

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

(2) minimization of use of force;

(3) cultural diversity and implicit bias;

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

(5) the rights of inmates;

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

(7) officer and inmate safety;

(8) communication skills; and

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

C.30:1B-45.2 Information regarding sexual abuse, harassment of incarcerated persons to be provided at orientation, corrections.

8. The Commissioner of Corrections shall require information regarding sexual abuse and sexual harassment of incarcerated persons to be provided to every incarcerated person at orientation upon intake and periodically thereafter. The information shall include, but not be limited to:

- a. duties and responsibilities of the Department of Corrections under State and federal law regarding zero tolerance for sexual abuse and sexual harassment of incarcerated persons;
- b. definitions of sexual abuse, sexual harassment, gender, gender identity, trauma-informed searches, and privacy;
- c. official duties of correctional police officers related to allegations of sexual abuse or sexual harassment by an incarcerated person and mandatory reporting requirements;
- d. the rights of incarcerated persons related to sexual abuse or sexual harassment;
- e. methods for reporting sexual abuse, sexual harassment, and retaliation as a result of the report;
- f. how to access emotional support and trauma-informed services;
- g. identifying and addressing retaliatory actions and the commissioner's responsibility to protect against retaliation; and
- h. confidentiality requirements regarding the report of sexual abuse or sexual harassment.

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

Boards of trustees; appointment; terms; vacancies; removal; compensation; organization.

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

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

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

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

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

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

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

Annually, on or before July 1 each board of trustees shall elect from its members a chair and vice chair and shall appoint a secretary, with the approval of the chief executive officer of the institution, who shall be an employee of the institution or agency and serve at the pleasure of the board without additional compensation. The term of office of the chair and vice chair shall be until June 30 of the following year or until their successors are elected and qualified.

10. The following sections are repealed:

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

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

11. This act shall take effect immediately.

Approved January 20, 2026.