SENATE, No. 2928 **STATE OF NEW JERSEY** 219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

Sponsored by: Senator LINDA R. GREENSTEIN District 14 (Mercer and Middlesex) Senator NIA H. GILL District 34 (Essex and Passaic)

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: 9/24/2020)

2

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 Facility 9 for Women shall be provided with full and complete access to all 10 investigative files and regular briefings concerning investigations of 11 alleged violations of the federal Prison Rape Elimination Act in the 12 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 the facility. 19 20 c. For the purposes of this section, "facility administrator" or "administrator" means the chief operating officer or senior 21 22 administrative designee of the Edna Mahan Correctional Facility. 23 24 2. This act shall take effect immediately. 25 26 27 **STATEMENT** 28 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 alleged abuse. The administrator also is to consult with other 36 37 administrators and the incident team to devise and implement policy changes concerning movement, discipline, or corrective action 38 39 necessary to prevent further sexual abuse. 40 Currently, there does not appear to be a coherent approach to reviewing cases of alleged sexual abuse in Edna Mahan to inform 41 those policy changes needed to prevent further sexual abuse. 42 Information collected by the Special Investigations Division (SID) 43 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.

S2928 GREENSTEIN, GILL

3

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 entitled "Investigation of the Edna Mahan Correctional Facility for 4 Women (Union Township, New Jersey)." The report concluded 5 that there is reasonable cause to believe conditions at Edna Mahan 6 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.