Discussion Points

1. Effective as of March 9, 2020, Executive Order No. 103 of 2020 proclaimed a public health emergency and a state of emergency in response to the outbreak of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes coronavirus disease (COVID-19). The Executive Order further directed all departments to take appropriate actions to address the public health hazard caused by the virus and empowered each department to promulgate temporary rules to waive, suspend, or modify during the emergency any existing rules whose enforcement would be detrimental to the public welfare. In his FY 2021 testimony to the Senate Budget and Appropriations committee, the Department of Corrections Commissioner reported convening a taskforce to manage the virus, along with the implementation of best practices.

**Questions:** Please provide an update on the actions the department has taken to respond to the SARS-CoV-2 public health threat. What was the cost of each action in FY 2021 and what would be its cost if the actions were to be maintained in all of FY 2022?

**Response:**

<table>
<thead>
<tr>
<th>Action Taken</th>
<th>FY 2021 Cost</th>
<th>FY 2022 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engaged in enhanced sanitation procedures department wide</td>
<td>$770,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Mandated that staff and the inmate/resident populations wear masks; PPE distributed to all facilities*</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Suspended the contact visit program. Items provided to inmates due to suspension of visitation included free telephone calls, free emails and postage stamps</td>
<td>$139,000</td>
<td>$240,000</td>
</tr>
<tr>
<td>Suspension of intake of inmates from the county jails; increased average monthly payment to the county jails by $1.6 million</td>
<td>$19,200,000</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Implemented entry point temperature checks at all facilities; currently staffed by DOC Custody on overtime</td>
<td>$2,700,000</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Instituted weekly Universal COVID testing for staff and inmates; inmate testing was later modified to bi-weekly testing</td>
<td>$18,700,000</td>
<td>$22,500,000</td>
</tr>
<tr>
<td>Offering COVID-19 vaccines to staff and inmate/resident population (vaccines are free; agency nursing costs to vaccinate staff included in testing costs)</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Implemented quarantine and isolation housing units to allow for the proper separation of the inmates who either tested positive and/or were exposed to COVID-19 (included in total COVID overtime costs of $12.8 million; costs specific to these units is not readily available)</td>
<td>Not determinable</td>
<td>Not determinable</td>
</tr>
</tbody>
</table>

*Approximately $200,000 was expended in FY 2020 until the Department was notified that these items should be requested through the New Jersey Office of Emergency Mgmt.
2. The department reported some 800 active COVID-19 inmate cases in its facilities at the peak of the pandemic. In all, 4,553 inmates and 2,255 department employees tested positive between April 3, 2020 and April 12, 2021. There have been 52 deaths of inmates who were infected with the virus.

<table>
<thead>
<tr>
<th>Testing Phase</th>
<th>Inmates Tested Positive</th>
<th>Employees Tested Positive</th>
<th>Inmate Deaths</th>
<th>Testing Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>2,777</td>
<td>933</td>
<td>51</td>
<td>April 3, 2020 to July 26, 2020</td>
</tr>
<tr>
<td>Phase 2</td>
<td>108</td>
<td>67</td>
<td>0</td>
<td>July 27, 2020 to August 21, 2020</td>
</tr>
<tr>
<td>Phase 3</td>
<td>1,668</td>
<td>1,255</td>
<td>1</td>
<td>Since August 22, 2020</td>
</tr>
<tr>
<td>Total</td>
<td>4,553</td>
<td>2,255</td>
<td>52</td>
<td></td>
</tr>
</tbody>
</table>

Questions: Please describe the campaign to vaccinate inmates and employees, including a timeline.

Response: The campaign to vaccinate inmates and employees began late December and is ongoing. Inmates are continually being educated about the benefits of the COVID-19 vaccine through Rutgers UCHC medical and mental health staff, Gateway staff, NJDOC administration and messaging through JPay.

Please specify the numbers and percentage shares of inmates and employees who have been vaccinated.

Response:

<table>
<thead>
<tr>
<th></th>
<th>INMATES</th>
<th>UCHC STAFF</th>
<th>NJDOC STAFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Census</td>
<td>11,989</td>
<td>682</td>
<td>7,703</td>
</tr>
<tr>
<td>Number Immunized (%)</td>
<td>6,556 (54.7%)</td>
<td>420 (61.6%)</td>
<td>2,926 (38.0%)</td>
</tr>
</tbody>
</table>
Discussion Points (Cont’d)

- Are all inmates and employees currently vaccinated? If not, by what date does the department anticipate all inmates and employees will be vaccinated?

  Response: Inmate and staff who requested the COVID-19 vaccination have completed or are about to complete their vaccination. The COVID-19 vaccination is voluntary by the criteria set by New Jersey Department of Health. The New Jersey Department of Corrections (NJDOC) does not mandate inmates/residents or staff receive the COVID-19 vaccination.

- Please provide a breakdown of the funds spent in testing and vaccinating inmates and employees.

  Response: Rutgers UCHC, The Department’s inmate health care provider, purchases the test kits for COVID-19 testing of inmates and employees. Rutgers UCHC has engaged the services of Agency staffing to administer the COVID-19 testing to the inmates and provide COVID-19 vaccinations to the employees. The vaccines are provided at no cost to the inmates and staff. To date, Rutgers UCHC had invoiced the NJDOC approximately $18.0 million for test kits and $700,000 for Agency staffing for testing and vaccinations.

- What funds are being used to pay for the expenses? Are the expenses 100 percent reimbursable by the federal government or through federal funds the State has received from the federal government in response to the COVID-19 pandemic? If so, what amount of the inmate and employee testing and vaccination expenditures are covered by federal funds?

  Response: 100% of testing and vaccination expenditures will be reimbursed by the Federal Emergency Management Agency (FEMA).

3. The State charged $236.0 million in FY 2020 and FY 2021 Department of Corrections salaries to its $2.4 billion Coronavirus Relief Fund allocation under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020. The federal law and United States Treasury guidance require that Coronavirus Relief Fund balances be used to cover costs incurred due to the COVID-19 pandemic. The federal government may disallow expenditures states charge to the Coronavirus Relief Fund that fall outside of permissible parameters.

Of the $236.0 million charged to the Coronavirus Relief Fund, some $115.0 million was applied against FY 2021 Department of Corrections expenditures for salaries and wages. The General Fund savings was then transferred to pay for State Employees’ Health Benefits expenditures.
Discussion Points (Cont’d)

- **Questions:** How did the department determine salaries it could charge to the Coronavirus Relief Fund?

  **Response:** According to the United States Department of Treasury Coronavirus Relief Funds Guidance for State, Territorial, Local, and Tribal Governments, eligible expenses for CARES Funds includes payroll expenses for public safety, public health, healthcare, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. U.S. Treasury guidance specifically identified “corrections officers” salary expenses as eligible for CRF.

- **Please detail the types of expenditures that were charged to the federal resources. Were regular salaries charged to the fund or only overtime expenditures?**

  **Response:** Only regular salary expenditures for the period March 14, 2020 through October 2020 were charged to the federal resources. No overtime expenditures were charged.

- **The salaries of what job titles were deemed to be eligible to be charged to the Coronavirus Relief Fund?**

  **Response:**
  The following NJDOC custodial titles were charged:
  - Correctional Police Major
  - Correctional Police Lieutenant
  - Correctional Police Sergeant
  - Senior Correctional Police Officer

- **Was there a benchmark that required a certain percentage of an employee’s time to be spent on verifiable COVID-19 response activities?**

  **Response:** The charge was based on 100% of actual regular salaries for the period March 14, 2020 through October 2020.

- **Will State General Fund resources be required in FY 2022 to pay for any FY 2021 salary expenditures that were charged to the Coronavirus Relief?**

  **Response:** State General Funds resources will only be required for FY 2022 salary expenditures.
4. COVID-19 employee infections have increased the need for overtime within the penal institutions. In the pre-COVID FY 2019, the department expended $40.9 million on overtime. The total stood at $59.5 million in FY 2020 and is projected at $81.6 million for FY 2021. The FY 2022 recommended total is at $33.9 million. The cost of the enhanced overtime has been charged to the State’s $2.4 billion Coronavirus Relief Fund allocation under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020.

**Question:** Please provide a breakdown of the FY 2020 overtime costs, and projected FY 2021 overtime costs, by institution.

**Response:**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey State Prison</td>
<td>$6,609,778</td>
<td>$1,196,456</td>
<td>$5,413,322</td>
<td>$10,378,724</td>
<td>$2,065,810</td>
<td>$8,312,914</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Reception Assignment Facility**</td>
<td>3,184,145</td>
<td>(369,750)</td>
<td>2,814,395</td>
<td>2,828,437</td>
<td>(609,073)</td>
<td>2,219,364</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Jersey State Prison</td>
<td>4,283,802</td>
<td>(1,836,425)</td>
<td>2,447,387</td>
<td>5,312,999</td>
<td>(3,171,926)</td>
<td>2,141,073</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Woods State Prison</td>
<td>7,589,991</td>
<td>(600,936)</td>
<td>6,989,055</td>
<td>9,071,498</td>
<td>(668,915)</td>
<td>8,402,583</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayside State Prison</td>
<td>4,118,049</td>
<td>(92,029)</td>
<td>4,026,020</td>
<td>4,423,227</td>
<td>(462,839)</td>
<td>3,960,388</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southern State Prison</td>
<td>6,224,348</td>
<td>(2,930,745)</td>
<td>3,293,603</td>
<td>6,335,837</td>
<td>(3,832,464)</td>
<td>2,503,373</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mid-State Correctional Facility</td>
<td>2,448,031</td>
<td>(532,823)</td>
<td>1,915,208</td>
<td>2,292,157</td>
<td>(862,283)</td>
<td>1,429,874</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edna Mahan Correctional Facility for Women</td>
<td>3,368,390</td>
<td>(992,219)</td>
<td>2,376,171</td>
<td>3,440,481</td>
<td>(332,485)</td>
<td>3,107,996</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern State Prison</td>
<td>7,214,932</td>
<td>(2,990,320)</td>
<td>4,224,612</td>
<td>5,191,844</td>
<td>(1,728,608)</td>
<td>3,463,236</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult Diagnostic &amp; Treatment Center</td>
<td>4,979,739</td>
<td>(1,172,303)</td>
<td>3,807,436</td>
<td>3,501,444</td>
<td>(331,738)</td>
<td>3,169,706</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden State Youth Correctional Facility</td>
<td>4,443,141</td>
<td>(500,548)</td>
<td>3,942,593</td>
<td>5,154,287</td>
<td>(2,076,744)</td>
<td>3,077,543</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Albert C. Wagner Youth Correctional Facility*</td>
<td>1,675,964</td>
<td>0</td>
<td>1,675,964</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Fauer Youth Correctional Facility</td>
<td>2,096,810</td>
<td>(504,673)</td>
<td>1,592,137</td>
<td>2,560,497</td>
<td>(1,073,938)</td>
<td>1,486,559</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Office</td>
<td>3,228,815</td>
<td>(775,651)</td>
<td>2,453,164</td>
<td>2,565,806</td>
<td>(668,773)</td>
<td>1,897,033</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$61,465,935</td>
<td>($14,494,878)</td>
<td>$46,971,057</td>
<td>$63,057,178</td>
<td>($17,885,596)</td>
<td>$45,171,582</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*As of January 2020, the Albert C. Wagner Youth Correctional Facility main institution was depopulated. These offenders were relocated to the Garden State Youth Correctional Facility. The two remaining housing units became a satellite to this facility. **Effective January 31, 2021, the Central Reception Assignment Facility was depopulated. The central Youth Correctional Facility, The Jones Farm Minimum Security Unit is now a satellite of New Jersey State Prison.

5. Evaluation Data in the FY 2022 Governor’s Budget show a steep one-year drop in the average daily population of Department of Corrections facilities. The number of inmates fell by 4,849, or 31.0 percent, from 15,646 in FY 2020 to 10,797 in FY 2021. When 79.1 percent of beds were filled in FY 2020, only 58.8 percent of beds are this fiscal year. The long-term national trend of declining prison populations contributed to this outcome but policy decisions by the State of New Jersey account for most of the sharp decline.
First, under P.L.2019, c.364, the Earn Your Way Out Act, inmates are being paroled or released early starting in FY 2021. In addition, because State prisons’ congregate living arrangements pose an increased risk to inmate health during the COVID-19 pandemic, many inmates were released early in accordance with Executive Order No. 124 of 2020 and P.L.2020, c.111. Two additional temporary pandemic-motivated factors lowered the prison population: the decision not to transfer inmates from county jails to State facilities and the suspension of criminal jury trials. While the impact of the Earn Your Way Out Act will be permanent, the prison population can be expected to rise again once upon the lifting of the COVID-19 pandemic-related measures.

The recent legalization of the recreational use of marijuana, however, will at least partially offset any increase in the prison census after the pandemic. Not only will certain marijuana-related offenses be downgraded or decriminalized but many inmates currently serving terms of incarceration will have their convictions vacated.

- **Questions:** Please describe the operational changes the department has made in response to the significant decrease in the average daily prison population from FY 2020 to today.

- **Response:** As a direct result of the significant decrease in population, the NJDOC has closed two facilities: 1) Albert C. Wagner Youth Correctional Facility and 2) Vroom Central Reception & Assignment Facility. Additionally, as part of the proposed FY 2022 budget, the NJDOC is slated to close an additional facility, William H. Fauver Youth Correctional Facility.
Discussion Points (Cont’d)

- Has the department temporarily closed any floors or wings of any prison facility?

  **Response:** The decrease in population has allowed the NJDOC to consolidate various housing units and/or wings within our facilities. Alternatively, some housing units and/or wings were re-opened due to the COVID-19 pandemic in order to establish Quarantine and Isolation units for inmates and to ensure proper social distancing.

- Has the temporary decline had an effect on the staffing needs at the facilities on any given day?

  **Response:** Yes, staffing needs were impacted when additional units/wings were closed and the assigned uniformed staff members were reassigned to other areas.

- Has the decline temporarily lowered the need for overtime?

  **Response:** The decline in population is only one factor that could impact the need for overtime. Custody staffing levels have been considerably below budgeted FTE the entire fiscal year, which has significantly impacted overtime. Attrition continues at an average of sixteen (16) correctional police officers each pay period.

  The Department typically holds three (3) Training Academy classes and graduates approximately 300 Correctional Police Officer Recruits annually. Due to the COVID-19 pandemic and social distancing requirements, only 116 Correctional Police Officer Recruits were permitted to attend each of two (2) Training Academy classes held this fiscal year. Both classes combined are projected to yield a total number of 121 graduates for FY 2021. With attrition averaging 16 correctional police officers per pay period (418 for the fiscal year), the Custody staffing levels will continue to be below the budgeted FTE level and impact overtime.

  Also, the COVID-19 pandemic increased overtime due to additional staffing needs on quarantine and isolation units, temperature scan details, and backfilling of staff out on leave due to COVID positive test results.

- For what prisoner census does the department prepare upon the lifting of the temporary COVID-19-related measures that have depressed the prison population? Please provide estimates for FY 2022, FY 2023, and FY 2024.

  **Response:** The FY 2022 population is budgeted/projected at 13,180 which includes state-sentenced inmates in county jails, institutions (including residents in the Special Treatment Unit), and residential community release programs. No projections are available for FY 2023 and FY 2024.
Discussion Points (Cont’d)

- How does the recent legalization of recreational marijuana and the vacating of certain marijuana-related convictions affect the projections?

  **Response:** The recent legalization of recreational marijuana will have little to no effect on the population projections.

6. Evaluation Data in the FY 2022 Governor’s Budget show that each correctional facility for adults operates with an average daily population that ranges between 45.7 percent and 68.4 percent of operational capacity in FY 2021. No change is forecast for FY 2022. The exception is Mid-State Correctional Facility whose average daily population is at full operating capacity of 696 beds, even during the COVID-19 pandemic. Mid-State Correctional Facility is a male medium security institution located at Fort Dix in Burlington County that serves exclusively as a correctional substance use disorder treatment program.

- **Questions:** Please explain why Mid-State Correctional Facility operates at 100 percent capacity during the COVID-19 pandemic.

  **Response:** Mid-State Correctional Facility (MSCF) is not currently operating at 100% capacity. Prior to the COVID-19 pandemic, MSCF operated at approximately 92% capacity. The FY 2022 population projection was based on pre-pandemic data and assumed 100% capacity. On the Evaluation Data, the FY 2021 population data is displayed as the same figure as the FY 2022 budgeted figures. The actual average daily population for FY 2021 for MSCF is 487.

- Does the architectural and organizational set-up of the institution allow for adherence to social distancing requirements even at 100 percent capacity?

  **Response:** MSCF is a dormitory style facility in which the housing units are open areas with double-bunked beds spaced less than six feet apart. This set-up does not allow for social distancing at 100% capacity.

- How do rates of COVID infections and deaths at Mid-State Correctional Facility compare to the equivalent rates of the State prison system as a whole?

  **Response:**

<table>
<thead>
<tr>
<th></th>
<th>MSCF INMATES</th>
<th>TOTAL DOC*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Census</td>
<td>408</td>
<td>11,989</td>
</tr>
<tr>
<td>Number of Positive COVID-19 Tests</td>
<td>13</td>
<td>1,886</td>
</tr>
<tr>
<td>Number of COVID-19 Deaths</td>
<td>1</td>
<td>52</td>
</tr>
</tbody>
</table>

*These counts include MSCF to describe the department-wide results.*
7. In April 2020, Executive Order No. 124 authorized temporary emergency home medical confinement for certain at-risk inmates who have not committed a serious offense. According to the department, approximately 3,000 individuals met the criteria for consideration that included individuals aged 60 years older; individuals with high-risk medical conditions; individuals who would be completing their sentences within the next three months; and individuals who were denied parole within the last year. As of April 2021, 422 individuals were approved for temporary emergency medical home confinement, 369 of whom have been released, according to the department website.

Additionally, P.L.2020, c.111 became effective November 4, 2020. The law required public health emergency credits to be awarded to certain inmates and parolees during public health emergency in order to better facilitate social distancing. According to the department’s First Quarter Fiscal Report, some 2,100 inmates were released on November 4, 2020. Another 1,100 inmates were expected to be released by February 21, 2021.

• **Questions:** How many inmates have been released so far under P.L.2020, c.111?

  **Response:** As of March 31, 2021 there were 3,675 inmates who maxed out of custody under P.L.2020, c.11, Public Health Emergency Credits (PHEC).

• **Has the department analyzed the cost savings from the reduction in the inmate population? If so, what are the savings?**

  **Response:** The Department estimates there may be cost savings resulting from the reduction in the inmate population. However, until the population stabilizes, the amount is difficult to determine. Savings could be calculated using the marginal rate to house an inmate, which includes the per diem costs related to food, clothing and inmate wages. The actual amount of savings realized, however, will not be known until the end of the fiscal year.

• **Has the department compiled data on the recidivism rate of individuals who were allowed home medical confinement or released under P.L.2020, c.111?**

  **Response:** As of April 9, 2021, there have been 370 inmates released to emergency medical home confinement (EMHC) under Executive Order 124. Currently, only eight (8) inmates remain on EMHC; the others have been paroled or reached the maximum expiration of their sentence. NJDOC typically defines recidivism as a reincarceration within three years of release. As such, recidivism information for those released under EMHC will not be available until 2023/2024.
Discussion Points (Cont’d)

The recidivism of inmates released due to Public Health Emergency Credits (PHEC; P.L.2020, c.111) is not yet known. A team of researchers from Rutgers University, led by Dr. Todd Clear, is conducting an evaluation of the legislation. NJDOC is a collaborator on this research. This research will examine the implementation of the PHEC legislation and will analyze the recidivism of PHEC releases, comparing outcomes to a cohort of inmates released prior to the PHEC legislation. The research has the support of the Commissioner and is an extension of other research being produced by Dr. Clear’s team as commissioned by the New Jersey Criminal Sentencing and Disposition Commission.

8. The department suspended the transfer of State-sentenced inmates from county jails to State prisons during the COVID-19 pandemic. In March 2020, 108 State-sentenced inmates were held in county jails. That number peaked at 740 in July 2020 and then dropped steadily to 573 in November 2020. Because of the suspension of criminal jury trials, the department projected the count to hold steady at 600 for the remainder of the year.

The growing number of State-sentenced inmates housed in county jails increased the department’s payment obligations to counties. The FY 2021 Appropriations Act included $1.4 million for this purpose. After using $11.0 million of the State’s flexible $2.4 billion Coronavirus Relief Fund allocation under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 for the purchase of services for State-sentence inmates incarcerated in county jails, a $4.2 million supplemental State appropriation to meet the State’s obligations to counties was made. The FY 2022 Governor’s Budget includes $1.4 million for this purpose in the coming fiscal year based on the expectation that the temporary suspension of transfers of State-sentenced inmates from county jails to State prisons would end in FY 2022. Accordingly, the department anticipates that only 160 State-sentenced inmates will be held in county prisons in FY 2022, on average.

• Questions: What is the current projection of the date on which the temporary suspension of transfers of State-sentenced inmates from county jails to State prisons will end?

Response: As of 12/28/20 there is no suspension of county jails transfers in place. Due to the COVID-19 pandemic, the NJDOC temporarily suspended intakes from county jails on March 19, 2020 with a resumption date of August 13, 2020. Due to an uptick in COVID positives, the county jail transfers were again suspended on November 19, 2020 with a resumption date of December 28, 2020.

• Considering that the COVID-19 virus still persists, is the department expecting normal transfer operations to have resumed by July 1, 2021?
Discussion Points (Cont’d)

Response: Managed transfers in from the county jails will continue for the foreseeable future with increased testing for these inmates and a continued utilization of the fourteen (14) day quarantine requirement upon admission to a reception facility.

- How long would it take to transfer all State-sentenced inmates from county jails to State prisons who under normal circumstances would already be incarcerated in State prisons?

Response: Assuming there are no large spikes in COVID positives, it would take approximately eight (8) weeks to transfer in all state sentenced inmates currently housed at the county jails.

9. The FY 2022 Governor’s Budget includes $10.0 million in savings from the reduced purchase of community services for inmates housed in private contracted residential facilities. Evaluation data show that the number of Residential Community Release Program bed spaces is projected to decline from 2,322 in FY 2020 to 2,073 in FY 2021, and then further to 1,753 in FY 2022. COVID-19-related capacity restrictions at halfway houses and limitations on transfers thereto as well as new early release programs, such as Earn Your Way Out, have contributed to the vacancies.

- Questions: Since the onset of the COVID-19 pandemic, have any contracted Residential Community Release Program service providers ceased operations?

Response: Since the onset of the COVID-19 pandemic, NJDOC has maintained its current five (5) contract providers for Residential Community Release Program (RCRP) services.

- What will be the effect of a reduced number of contracted bed spaces on halfway house operators and the program infrastructure at large?

Response: To ensure any effect would be minimal, on April 5, 2021, NJDOC announced a Request For Proposal (RFP) for the RCRPs. The RFP process creates an opportunity for bidders to right size their per diem based on a projected reduction in the overall population eligible for the RCRPs. This RFP affords the bidder the opportunity to meet or exceed the enhanced scope of work standards cited by the Centers for Disease Control and Prevention (CDC) as best practices for correctional and detention residential programs during a pandemic. Equally important, this RFP addresses the difficulty in preparing per diem rate cost proposals without an estimate of the number of beds to be awarded. The process allows bidders to submit up to three (3) cost proposals with their bid submission, indicating a specific number of beds to be funded per cost proposal.
Discussion Points (Cont’d)

- Would some service providers have to cease operations?

  Response: Based on the above proactive steps taken by the department, we do not anticipate any vendor having to close based on the total number of beds NJDOC would be looking to fill.

- If so, is the department concerned about potential future program capacity?

  Response: Based on New Jersey’s consistent trend in the reduction of recidivism, elimination of mandatory minimums, Earn Your Way Out, and other efforts that encourage alternatives to incarceration, the department does not have any concerns at this time.

- How difficult would it be to increase capacity again in the future, if needed?

  Response: If the funding is secured and the number of eligible and interested inmates increased, an expansion in the bed capacity would not present extensive challenges. In past fiscal years, NJDOC has filled facility beds slightly higher than the number of contracted inmate beds, not to exceed the authority of their certificates of occupancy.

- Please detail the components, by cause, of the projected decrease in the number of Residential Community Release Program beds.

  Response: One component of the projected decrease in the RCRP beds is increased per diem rates. Increased per diem rates will be caused by scope of work requirements and cost of living increases largely associated with staffing. Another component of the projected bed decrease is the inclusion of social distancing requirements incorporated for the operation of safer facilities. In accordance with the CDC’s guidance, the department has set new social distancing requirements in RCRP sleeping units throughout the next contract term to minimize the number of inmates housed in the same room. This may lead to a decrease in the number of inmate beds per facility.

- Is the reduction anticipates to be temporary or permanent?

  Response: The reduction in RCRP beds is anticipated to be permanent due to the reduced inmate population and subsequent reduction in RCRP eligible inmates.
Department of Corrections and State Parole Board

FY 2021-2022

Discussion Points (Cont’d)

10. The Office of Management and Budget anticipates $1.5 million of the $4.5 million FY 2021 appropriation to the Essex County Recidivism Program to lapse into the General Fund at the end of the fiscal year because of a temporary halt on inmate placements. The Governor recommends $6 million for the program in FY 2022.

• Questions: By what date does the department anticipate resuming placements in the Essex County Recidivism Program?

Response: As of October 1, 2020, when the Essex Re-Entry Program was relaunched, Essex County Correctional Facility (ECCF) was not able to house NJDOC inmates due to the COVID-19 pandemic and their facility being filled to capacity.

The Department will work with ECCF to understand when they will be ready to receive inmates from NJDOC.

• Considering that the pandemic is still ongoing, does the department anticipate normal operations for all of FY 2022?

Response: The FY2022 appropriation for the Essex County Recidivism Pilot Program included in the Governor’s Budget Message assumed that the program will return to normal operations. At this time, the NJDOC may not return to normal operations for all of FY 2022.

• How many inmates are currently placed in the program and what effects would the anticipated $1.5 million lapse have on program operations?

Response: Since no inmates are currently placed in the program, there would be no effect on the anticipated $1.5 million lapse.

11. The FY 2022 Governor’s Budget recommends a new $3.0 million appropriation for the Release Support Partnership Program budget line. According to the FY 2022 Budget in Brief, the sum would be used for the New Jersey Locally Empowered, Accountable, and Determined (NJ LEAD) grants program that would fund non-profit organizations that facilitate prisoner re-entry into society.

• Questions: Please describe the New Jersey Locally Empowered, Accountable, and Determined (NJ LEAD) grants program, including a breakout of the organizations that would receive grants and their respective grant amounts.

Response: Reentry is a local process that occurs in the community. To continue New Jersey's success in transforming the lives of the soon to be formerly incarcerated, the
NJ LEAD Initiative would fund local community–based agencies and organizations to develop a strategic plan for wraparound reentry services in their communities that assist in the transition from corrections to the community. The NJ LEAD Initiative would fund these local services for an initial period of one (1) year and monitor the clients’ outcomes for up to one (1) year post-release.

As required by State procurement regulations, providers would be selected through a Request for Proposal (RFP) procurement process. Non-profit community-based and government agencies in each county would be eligible to apply, with emphasis on identifying providers in the leading ten (10) counties of commitment which sentenced the offender. Total number of grants awarded would be contingent upon the number of applications that demonstrate need and are deemed programatically and fiscally compliant with RFP guidelines. Grants will range from $75,000 - $250,000.

- **If the department still has to make grant awards, please detail the number of grants the department intends to award, the intended amounts, the anticipated application process, and the anticipated grant criteria and conditions.**

**Response:** The New Jersey Department of Corrections (NJDOC) plans to award approximately fifteen (15) to twenty (20) grants. Applicants would request funding that is commensurate with the scope and scale of the project proposed. Grants will be determined by service categories, and applicants may apply for a specific category starting at $75,000. The most intensive level of service will be awarded up to $250,000. The application process will be advertised and the Request For Proposal application will be available on the NJDOCs’ website.

Applicants must be a non-profit organization or a government agency looking to develop procedures and services to improve the reentry process beginning as early as the point where sentencing to a state correctional facility is imminent and/or beginning at 180 days prior to release. Several criteria must be met including experience and qualifications to successfully implement the grant, realistic goals and objectives, as well as a reasonable and accurate budget. To ensure that grant funds meet required targets, NJDOC will establish performance benchmarks, including a minimum number of enrollees during the period of performance and quantity and type of services provided, based on the amount of funds requested by the applicant. Other conditions will include compliance with reporting requirements and participation in an annual technical assistance site visit.

12. The FY 2022 Governor’s Budget recommends a new $5.0 million appropriation for Internet Infrastructure for Inmates. The incarcerated are to use the improved internet infrastructure to access education, employment, and legal materials. The New Jersey
Commission on Capital Budgeting and Planning did not include this project among the list of capital projects for which it recommended funding.

- **Questions:** Please detail, by institution, the internet infrastructure improvements for inmates that would be funded out of the recommended $5.0 million appropriation.

  **Response:** The preliminary plan is to provide a secured internet network in the education areas, as well as two (2) housing units of each facility. The selected housing units would house those inmates that participate in an education program, and the secured internet network would be utilized by these inmates to complete schoolwork assignments in their cells.

  Once the areas that would be utilizing the secured internet network are identified, site visits would be required in order to evaluate the need for cabling along with the potential need for increases in the bandwidth.

  While education is the main focus of this initiative, internet capability could be expanded to improve video teleconferencing for inmate court appearances, expand telemedicine and add family visitations. Internet capability would allow for wireless access points for use with the Electronic Medicine Administration Record (eMAR) and also allow for better tracking of out-of-cell time for inmates in isolated confinement.

- **What safeguards would be put into place to ensure that inmates would use the internet only for authorized purposes, notably to access education, employment, and legal materials?**

  **Response:** The New Jersey Office of Information Technology (NJOIT) will create an inmate network that will run on the Garden State network but will be administratively separated. The tablets the inmates will use for educational purposes will be secured by the vendor so that only their educational content can be accessed. The State’s Web Proxy will also be leveraged which can restrict internet access by blocking access to sites that are not on a whitelist.

- **Why is the initiative proposed to be funded when the New Jersey Commission on Capital Budgeting and Planning did not include this project among the list of capital projects for which it recommended funding?**

  **Response:** Until the facilities are evaluated, it is not yet known if this will result in a capital project. Additionally, this initiative was proposed after the capital budget was submitted.
13. In an April 2020 report the United States Department of Justice noted that conditions at the Edna Mahan Correctional Facility for Women "violate the Eighth Amendment of the United States Constitution due to the sexual abuse of prisoners by the facility's staff...." From October 2016 to November 2019, five Edna Mahan correction officers and one civilian employee were convicted or pled guilty to charges related to sexual abuse of more than 10 women under their watch. In April 2021, a $20.8 million settlement was reached for allegations of sexual abuse by inmates at Edna Mahan dating as far back as 2014.

On February 19, 2021, the department announced that it had engaged The Moss Group to provide technical support in operational practice, policy development, and implementation of identified solutions related to the Edna Mahan Correctional Facility for Women.

In addition, the department noted that it was recruiting an Assistant Commissioner of Women's Services who would be responsible for ensuring the female population's needs are met, providing managerial and operational oversight, and coordinating efforts with The Moss Group.

- **Questions:** Please detail any measures the department has implemented since FY 2020, or intends to implement through the end of FY 2022, to enhance the security of inmates at the Edna Mahan Correctional Facility for Women. Please provide the costs for each security enhancement undertaken at Edna Mahan.

**Response:** The following measures have been implemented to enhance the security of inmates at the Edna Mahan Correctional Facility for Women (EMCFW):

- The installation of a facility-wide camera project which is nearing completion ($6.2 million).
- The Department has purchased two hundred (200) body-worn cameras that are slated to be deployed on April 26, 2021 ($250,000).
- The Attorney General’s Office has contracted the services of the Moss Group as policy advisers ($1.3 million).
- A third Correctional Major has been added on 2nd shift to provide high level custody supervision (Staff reassignment; no additional cost).
- An additional Assistant Superintendent position has been added to allow for executive level facility oversight (Staff reassignment; no additional cost).
- A new position has been created, Assistant Commissioner of Women Services, who will report directly to the Commissioner ($138,000).

- **How many officers at Edna Mahan are currently equipped with body-worn cameras?**
Discussion Points (Cont’d)

Response: The vendor has completed programming the cameras, setting up the peripheral computer equipment and conducting training. A small amount of cameras were deployed on all shifts beginning April 26, 2021. The Department will assess and a decision will be forthcoming regarding the additional number of body-worn cameras that will be deployed.

- Would the department require any additional funding to have all officers outfitted with body-worn cameras?

Response: To contract with the current vendor for a five (5) year basic program for all officers to be outfitted with body-worn cameras, the Department would require additional funding in the amount of $26.0 million over the five-year period. The initial year would require approximately $8.6 million for purchase of the equipment and licenses, and approximately $4.4 million for each remaining year for maintenance of the licenses.

- Please provide details on the contractual agreement with The Moss Group.

Response: The Moss Group will provide the New Jersey Department of Corrections (NJDOC) with technical support in operational practice, policy development, and implementation of identified solutions related to Edna Mahan Correctional Facility for Women.

- When would the consultant be paid?

Response: The Moss Group will submit monthly invoices and shall include detail on all activities conducted by strategy and deliverables submitted.

- How much would the consultant be paid?

Response: The total project cost is approximately $1.3 million.

- What are the contractual deliverables?

Response: The details are provided in the attached Retention Letter and Scope of Work.

- For how long is the consultant under contract?

Response: The engagement is for 24 months and will span three fiscal years, FY 2021, FY 2022, and FY 2023.
Discussion Points (Cont’d)

- Please provide a copy of the contract.

  Response: See attached.

- Has the department recruited an Assistant Commission of Women’s Services?

  Response: A candidate was selected and an offer has been extended and accepted. The Civil Service Commission has approved with an effective date of May 8, 2021.

14. The national long-term trend of declining inmate populations has allowed New Jersey to close two prison facilities in recent years. As of January 2020, the main building of the Albert C. Wagner Youth Correctional Facility is depopulated, as is the Vroom Central Reception and Assignment Facility as of January 31, 2021. In addition, the FY 2022 Governor’s Budget includes $14.0 million in savings from depopulating the William H. Fauver Youth Correctional Facility (formerly known as Mountainview Youth Correctional Facility) in the first quarter of calendar year 2022.

- Questions: Please specify, by cost component, actual or estimated cost savings in FY 2020, FY 2021, and FY 2022 from having depopulated the Albert C. Wagner Youth Correctional Facility in FY 2020 and the Vroom Central Reception and Assignment Facility in FY 2021.

  Response: The Department’s FY 2020 budget was reduced by $40 million for the depopulation of Albert C. Wagner Youth Correctional Facility. The Department’s FY 2021 budget was reduced by $20 million for the depopulation of the Vroom Central Reception and Assignment Facility. Both reductions impacted the Department’s salary accounts.

  Savings following the initial year of depopulation is viewed as cost avoidance, not a cost savings. The above reductions were included in the budgets each year a consolidation was approved, and the Department has been able to continue their operations with the reduced budgets in FY 2020 and FY 2021.

- How does the department expect to use the facilities in the coming years?

  Response: The Albert C. Wagner Youth Correctional Facility’s main building will remain closed but continue to be a part of the NDOC’s inventory due to the fact the Garden State Youth Correctional Facility Restorative Housing Unit and Full Minimum Unit buildings sit on the former facility’s grounds and are actively housing inmates. The Department does not expect to use the Vroom Central Assignment and Reception Facility (CRAF) in the coming years.
Discussion Points (Cont’d)

• Please project annualized cost savings, by cost component, from the consolidation of the Vroom Central Reception and Assignment Facility and the William H. Fauver Youth Correctional Facility.

    Response: See the above response for projected annualized cost savings from the consolidation of the Vroom Central Reception and Assignment Facility. A $14 million reduction is reflected in the Department’s FY 2022 budget for the consolidation of the William H. Fauver Youth Correctional Facility.

15. Since the onset of the COVID-19 pandemic, the federal government has awarded several billions of dollars to the State of New Jersey.

• Question: What are the DOC’s plans to maximize federal financial assistance during the COVID-19 pandemic and as the State recovers therefrom?

    Response: The New Jersey Department of Corrections (NJDOC) will seek 100% reimbursement from FEMA for all COVID-19 related expenditures that include overtime costs, testing and vaccination costs, equipment and cleaning supplies. The NJDOC also plans on exploring the use of other available Federal resources for non-contact security scanning equipment, video teleconferencing for inmate court appearances, visitation and telemedicine, and an education tablet program which would provide the inmates an opportunity for remote learning.

16. The Federal Funds Information for States estimates that New Jersey State and local government entities will receive a combined $15.1 billion in federal assistance under the American Rescue Plan Act of 2021.

• Questions: Please detail the amounts the DOC anticipates receiving under the American Rescue Plan Act of 2021 and indicate the purposes for which the funds would be used. By what date would the funds have to be expended?

    Response: The Department will seek opportunities that may exist, specifically in the areas of testing and vaccinating, as additional guidance is provided by the Treasury and the Federal Government for the various programs.

17. Many federal agencies and departments have waived certain requirements during the COVID-19 pandemic.

• Questions: What, if any, federal waivers has the department applied for during the COVID-19 pandemic? What waiver requests were approved and what waiver
requests were denied? How many of these waivers have an opportunity to be extended?

Response:

Federal Grants

Extensions were requested for the following Federal grants:

- Second Chance Act FY 18 – Addressing the Needs of Incarcerated Parents with Minor Children – Requested extension until 9/30/2022
- FY 19 Implementing the PREA Standards, Protecting Inmates, and Safeguarding Communities – Approved extension until 3/31/2022
- FY 19 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies – Requested extension until 3/31/2023

Prison Rape Elimination Act (PREA)

Each state is required to audit identified facilities for compliance with the Federal law each year.

Cycle 3-Year 1 (8/20/19 -8/19/20) The coronavirus pandemic mandated postponement of PREA audits for Cycle 3, Year 1 correctional facilities. These facilities have been rescheduled to occur in Cycle 3, Year 2. Seven facilities will be audited between January 2021 –July 2021 (Adult Diagnostic and Treatment Center, East Jersey State Prison, Edna Mahan Correctional Facility for Women, Garden State Youth Correctional Facility, Southern State Correctional Facility, South Woods State Prison and William H. Fauver Youth Correctional Facility). Audits will follow the Covid-19 guidance set forth by the Department of Justice’s PREA Management Office. Auditor Procurement process is in place. Auditors will be required to follow State and departmental Covid-19 prevention measures.

18. Diversity and inclusion in the workplace rose to prominence as a mainstream topic of interest in 2020.

- **Questions:** Please indicate the percentages of minorities and women in each of the department’s middle and senior management.
Discussion Points (Cont’d)

Response:

- Please detail any plans the department may have to increase the representation of minorities and women among its middle and senior managers.

  Response: The Department, through the Division of Diversity and Legal Affairs, is exploring the possibility of implementing a mentor program designed to cultivate and develop minorities and women for positions of leadership. Additionally, hiring and promotion practices will be examined to ensure that they are free of unintended barriers. Moreover, it is recognized that in order to increase representation at the middle and senior management level, the overall pool of staff must be diverse. To that end, the Office of Training and Recruitment recently established a recruitment committee to examine ways to increase the minority and women applicant pool through outreach.

- Please indicate any structures and elements of its culture that are known to the department as having had the effects of making minorities and women feel unwelcome and limiting diversity and inclusion. How does the department intend to address these structures and cultural elements?

  Response: To date, the Department has not identified any specific structures and elements of the culture that have had the effects of making minorities and women feel unwelcome and limiting diversity and inclusion. However, as indicated below, through the newly established Division of Diversity and Legal Affairs, plans are underway to perform assessments and employ surveys to examine staffs’ perceptions regarding feelings of inclusiveness.

- What initiatives has the department implemented in the last two years to further the diversity and inclusiveness of its workplace?

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Response: The Department recognizes that the success of the department is largely dependent on the diversity of its workforce. As such, in September 2020, the Department established the Division of Diversity and Legal Affairs and appointed a Chief Diversity Officer charged with developing and implementing diversity and inclusion initiatives that cultivate and preserve a work climate that demonstrates respect for individuality and truly represents all sections of the community. Additionally, the Department empaneled a diverse Council to provide perspective and assist the Department in fulfilling its diversity and inclusion mission.

- Does the department intend to undertake any additional initiatives through the end of FY 2022?

Response: The key initiatives for FY 2022 include contracting with an outside vendor to deliver Corrections specific Implicit Bias training, developing and distributing staff surveys regarding climate, reviewing hiring and promotion policies and practice, and exploring the implementation of a staff mentoring program.

19. The Rutgers University Correctional Health Care program was established in 2005 to provide mental health and sex offender-specific treatment services to inmates, residents and parolees of the Department of Corrections, the Juvenile Justice Commission, and the State Parole Board. In October 2008, the program’s responsibilities were expanded to include medical and dental health care services for the Department of Corrections inmate population. In January, 2011, the program’s responsibilities were expanded further to include medical service for the Juvenile Justice Commission resident population. According to its website, Rutgers University Correctional Health Care program currently has cost-based service agreements with a total budget of nearly $175 million and approximately 1,100 staff serving roughly 20,500 inmates in twelve adult correctional facilities, 400 residents in fourteen Juvenile Justice Commission locations and 1,000 individuals in ten State Parole Board offices.

• Questions: Please comment on the impacts of the COVID-19 pandemic on FY 2020 and projected FY 2021 and FY 2022 health care expenditures for State prison inmates.

Response: During the height of the pandemic in late winter/early spring 2021, the Department experienced increased hospitalizations and 911 ambulance trips to provide medically necessary health care to our inmate population. The Department’s inmate health care provider, Rutgers UCHC, experienced staff shortages due to illness resulting in the increased use of agency staff at increased hourly rates.

Rutgers UCHC continues to identify any costs related to COVID-19 (PPE, staff time, agency staffing utilized for inmate testing as well as administration of vaccines to the
Discussion Points (Cont’d)

The Department of Corrections and State Parole Board FY 2021-2022

inmate/resident population and staff, COVID testing) and invoices the Department separately. The Department continues to seek 100% reimbursement from FEMA for these COVID-19 related expenditures.

- **What has been the cost of treating COVID-19 patients?**

  *Response:* Inpatient hospitalization costs increased approximately $2.0 million in FY 2020 as a result of increased hospitalization for COVID-19. Ambulance costs increased approximately $600,000. The day to day cost of treating COVID-19 patients in the facilities is not determinable.

- **To what extent was the provision of medical services delayed to avert possible COVID-19 infections and what were associated cost savings?**

  *Response:* During the peak of the pandemic, New Jersey’s hospital systems suspended all unnecessary and elective procedures. Elective hospitalization, surgical procedures, and outpatient services were suspended to limit the spread of COVID-19 infection in and out of the NJDOC/community which allowed the hospital beds to be available for COVID patients and medically necessary procedures.

  There may or may not be any cost saving for the NJDOC because the care would eventually be provided once the hospital systems open up.

- **Please provide the amounts expended for inmate healthcare under agreements with Rutgers University Correctional Health Care for FY 2019, FY 2020, and the amount projected to be spent for FY 2021 and FY 2022, broken down by medical services, dental services and mental health services.**

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State Parole Board

1. Effective as of March 9, 2020, Executive Order No. 103 of 2020 proclaimed a public health emergency and a state of emergency in response to the outbreak of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes coronavirus disease (COVID-19). The Executive Order further directed all departments to take appropriate actions to address the public health hazard caused by the virus and empowered each department to promulgate temporary rules to waive, suspend, or modify during the emergency any existing rules whose enforcement would be detrimental to the public welfare.

Questions: Please provide an update on the actions the State Parole Board has taken to respond to the SARS-CoV-2 public health threat. What was the cost of each action in FY 2021 and what would be its cost if the actions were to be maintained in all of FY 2022?

2. Executive Order No. 124 of 2020 authorized the granting of temporary emergency home medical confinement to certain at-risk inmates who have not committed a serious offense. The Executive Order mandated the creation of a committee comprised of representatives from the Department of Corrections and the State Parole Board to jointly determine eligibility for the emergency home medical confinement. The committee was also charged with expediting consideration for parole-eligible individuals meeting the same criteria. The implementation of the order led to an increased number of parole cases and hearings. State Parole Board employees managed the additional cases by using video teleconferencing technology and making on-site visits to the prisons. Subsequently, P.L.2020, c.111 added further to the board’s caseload by providing for the early release of inmates via the granting of public emergency health credits. The one-time expense to the board of implementing P.L.2020, c.111 was $5.5 million.

Questions: Please provide the number of inmates who were granted parole under the public emergency health credits legislation and the Executive Order granting temporary emergency home medical confinement. Did the additional hearings involve overtime hours or the hiring of additional staff? Please delineate by component the $5.5 million cost of implementing the public emergency health credits legislation.

Question: Was federal COVID-19 assistance used to pay for the additional cost of implementing Executive Order No. 124 of 2020 and P.L.2020, c.111? If not, please explain the reasons for not using federal funds to cover these expenditures.

3. P.L.2019, c.364, the Earn Your Way Out Act, considerably increases the number of parolees under the auspices of the State Parole Board. Among its provisions, the law
establishes administrative parole release for certain prison inmates at the time of primary or subsequent parole eligibility. At least partially offsetting that caseload effect on the board in the long-term, the law also establishes parole compliance credits that reduce a person’s term of parole. Evaluation data in the FY 2022 Governor’s Budget indicate that the number of parolees under board supervision is projected to grow by 2,051, or 13.2 percent, from 15,552 parolees in FY 2020 to 16,603 parolees in FY 2022.

In anticipation of the caseload growth, the board’s number of funded positions is recommended to rise by 18.6 percent from 571 funded positions in the original FY 2020 Appropriations Act to 677 in FY 2022. Concurrently, the board’s salaries and wages appropriation is recommended to grow by 24.0 percent, or $8.9 million, in two years from $37.2 million expended in FY 2020 to $46.1 million recommended in FY 2022.

•  **Questions:** Please comment on the manner in which the board has managed its growth. Has additional office space been needed? Does the board have the training capacity for an additional 100 employees over two years? How has the COVID-19 pandemic affected the growth of the board and the training of new staff? Please provide a listing, by job title, of all funded positions that are new relative to FY 2020, indicating whether the position is currently filled and the salary of the position.

4. The Federal Funds Information for States estimates that New Jersey State and local government entities will receive a combined $15.1 billion in federal assistance under the American Rescue Plan Act of 2021.

•  **Questions:** Please detail the amounts the board anticipates receiving under the American Rescue Plan Act of 2021 and indicate the purposes for which the funds would be used. By what date would the funds have to be expended?

5. Evaluation data in the FY 2022 Governor’s Budget show that the total number of sex offenders under the board’s supervision is projected to increase by 1,077 individuals, or 13.6 percent, from 7,899 sex offenders in FY 2021 to 8,976 sex offenders in FY 2022.

•  **Questions:** Please identify the reason(s) for the anticipated 13.6 percent increase in the number of sex offenders under the board’s supervision. What is the projected additional cost, by component, of supervising the additional sex offenders? How many additional positions are needed to manage the caseload increase?

6. Since the onset of the COVID-19 pandemic, the federal government has awarded several billions of dollars to the State of New Jersey.
Discussion Points (Cont’d)

• **Question:** What are the board’s plans to maximize federal financial assistance during the COVID-19 pandemic and as the State recovers therefrom?

7. Many federal agencies and departments have waived certain requirements during the COVID-19 pandemic.

• **Questions:** What, if any, federal waivers has the board applied for during the COVID-19 pandemic? What waiver requests were approved and what waiver requests were denied? How many of these waivers have an opportunity to be extended?

8. Diversity and inclusion in the workplace rose to prominence as a mainstream topic of interest in 2020.

• **Questions:** Please indicate the percentages of minorities and women in each of the board’s middle and senior management. Please detail any plans the board may have to increase the representation of minorities and women among its middle and senior managers.

• **Questions:** Please indicate any structures and elements of its culture that are known to the board as having had the effects of making minorities and women feel unwelcome and limiting diversity and inclusion. How does the board intend to address these structures and cultural elements? What initiatives has the board implemented in the last two years to further the diversity and inclusiveness of its workplace? Does the board intend to undertake any additional initiatives through the end of FY 2022?
March 11, 2021

Anadora Moss
The Moss Group, Inc.
1312 Pennsylvania Ave, SE
Washington, DC 20003

Re: Retention as Consultant for Litigation Related Issues at Edna Mahon Correctional Facility for Women
DOL No.: 17-64191

Dear Ms. Moss:

This letter is the Second Retention Agreement of your firm, and confirms retention by the State of New Jersey, Department of Law and Public Safety, Division of Law (Division of Law) of The Moss Group, Inc., (Consultant) to serve as a consulting expert regarding above captioned matter as of February 17, 2021. This letter is in addition to the prior retention letter dated November 20, 2020. In this regard, Consultant has agreed to provide expert consulting services for the above captioned matter and in accordance with the following scope of work:

Providing the Department of Corrections with technical support in operational practice, policy development, and implementation of identified solutions related to Edna Mahon Correctional Facility for Women. A more detailed scope of work is attached as Exhibit B.

Consultant shall keep the Assistant Attorney General assigned to this matter apprised periodically of the status of the work and shall discuss all significant issues with him or her. The Consultant shall timely provide all reports required in the scope of work. In addition, the Consultant shall provide a detailed, periodic report either orally or in writing, as specified by the Assistant Attorney General about the status of the scope of work on at least a quarterly basis or more frequently if requested.
In providing consultation to the State, the Consultant is expected to perform in a manner designated to provide quality consultation services at the least possible cost. The Consultant shall be diligent and zealous in executing the scope of work.

**Billing and Payment**

This letter also confirms that the Consultant agrees to abide by the following billing standards and will bill for each subsection in the scope of work as follows:

- Project Management $241,800
- Strategic Planning for Women’s Services $254,214
- Policy Review and Guidance $49,960
- Specialized PREA Investigator Training and Training for Trainers $37,920
- Staffing Analysis $135,346
- Gender Responsive Classification Review $137,962
- Risk Management System Assistance $134,035
- Training and Technical Assistance $246,013

Consultant shall submit monthly invoices to the Assistant Attorney General assigned who executes this Retention Agreement. The total project cost will be divided into equal monthly payments for the term of the contract. Monthly invoices shall include detail on all activities conducted by strategy and deliverables submitted. Each billing shall include the time and expense charged for work performed during the previous month and shall be accompanied by a payment invoice of the type required by the Division of Law. The billings shall be detailed so that they can be processed for payment, cost distribution and job monitoring. The billing shall contain a detailed statement of the time spent by each individual on each activity, including a statement of the type of activity, the subject matter, all persons involved and the percentage of completion of the task. Wherever feasible, each activity should be separately recorded (i.e. entries for various activities should not be routinely lumped together under one time entry). Each activity should be reported in time intervals specified to the nearest tenth of an hour.

Payment shall be submitted to the Consultant after receipt of completed and documented invoices. The Division of Law will make every reasonable effort to submit payment within forty-five (45) days after receipt of invoice, however the New Jersey Prompt Payment Act, N.J.S.A. 52:32-32 et seq., shall apply to the payment of all invoices. Further, failure of timely submission of payment due to the action or inaction of a third party shall not be deemed a breach of the Agreement by the Division of Law. Invoices shall be submitted to (email/address):

Payments to the Consultant shall be submitted to the following "Remit To" address:
The Moss Group, Inc.
ATTN: Ms. Molly Volkman
1312 Pennsylvania Ave, SE
Washington, DC 20003
mvolkman@mossgroup.us
202-546-4747 (office)

Interoffice conferences for which more than two principal or employee of Consultant's time is billed shall be avoided where consistent with Consultant's obligation to provide quality consultation, as is the attendance of more than one principal or employee of Consultant at meetings. Travel time of Consultant and employees is to be billed in accordance with the fee schedule but in no event at a rate greater than 50% of the regular billing rate. If the Consultant is working on this matter during that time, then no travel time shall be billed and billing shall be at 100% of the regular rate. No reimbursement will be provided for time spent compiling and computing invoices in order to bill the State. Routine filing an file organization by Consultant and employees or agents shall not be billed to the State.

All billings must be approved by the Assistant Attorney General assigned to this matter prior to payment. Consultant shall immediately notify the Assistant Attorney General assigned to represent Governor Christie's Pension and Health Benefit Commission and the Department of the Treasury regarding this matter if it becomes probable that Consultant's billings will exceed any estimated amounts provided by Consultant. Upon such notification, the Division of Law, in its sole discretion, may terminate this agreement, consent to the overrun, or issue such alternative directions as it deems necessary.

The Consultant may only bill and the State shall only pay for the following categories of expenses that are in conjunction with the scope of work and meet the following standards:

1. Travel: Automobile travel will be reimbursed at the mileage rates recognized by the Internal Revenue Service; when traveling by means other than private automobile, the consultant shall use the least cost, reasonable means of transportation (e.g. coach fare for train or air travel. Consultant meals and lodging will be reimbursed at the current General Services Administration rates for New Jersey.

2. Meals: Meals will not be reimbursed. Consultants are specifically advised that they are not to pay for meals of State employees. State employees are prohibited from accepting meals from interested parties. As a consultant, you are an interested party. Accordingly, you should not offer to pay for any meals of State officers or employees.
3. Messenger and express mail services: Such charges are reimbursable where reasonable and must be kept to a minimum and receipts must be provided with invoices.

4. Computer research: Invoice must state the issue researched and costs must be kept to a minimum necessary to appropriately research the issue.

5. Expenses: Costs directly related to the scope of work are the only such costs reimbursable and should be identified in advance whenever possible to the Assistant Attorney General assigned to this matter.

6. Third party contracts: Bills of third party contracts are reimbursable only to the extent consistent with the scope of work and fee schedule and where the third party contract is approved in advance by the Assistant Attorney General assigned to this matter.

The Consultant shall maintain books and records, including retention of computer runs, billing reports and receipts that verify all disbursements that are billed to the State.

Conflicts of Interest

The Consultant should not serve as an expert for a client if doing so would involve a concurrent conflict of interest. A concurrent conflict of interest exists if: (1) the Consultant’s work on behalf of the State of New Jersey, Department of Law and Public Safety, Division of Law, will be directly adverse to another client; or (2) there is a significant risk that the Consultant’s work on behalf of the State of New Jersey, Department of Law and Public Safety, Division of Law, will be materially limited by the Consultant’s responsibilities to another client. If you believe that a concurrent conflict of interest may exist, you must notify the State immediately and provide the State with all relevant information so appropriate action can be taken.

In addition, the New Jersey Conflict of Interest Law, N.J.S.A. 52:13D-12 et seq. and Executive Order 189 (Kean), prohibit certain actions by persons or entities which provide goods or services to any State Agency. These prohibitions are applicable to this retention and are set forth in Exhibit A, Additional Requirements for All Office of Attorney General, Division of Law Retention Agreements.

Confidential Relationship

It is the intention of the Division of Law that through this retention there shall be a confidential relationship between the Consultant and the State of New Jersey, Department of Law
and Public Safety, Division of Law. The Consultant shall have a confidentiality obligation, to keep confidential any document, electronic or digital information, or oral communication, that was either prepared for litigation, either anticipated or in progress or for settlement of any claim against the State or any part of the State or any employee of the State. If the Consultant does not want to share a confidential relationship with the State of New Jersey, Department of Law and Public Safety, Division of Law, Consultant should decline this engagement.

Publication Limitation

The Consultant may not publish any of the results of its work under this Retention Agreement without the express written permission of the Division of Law.

Termination

This letter also confirms our right to terminate the retention of Consultant at any time by simply advising Consultant either orally or in writing that Consultant’s services are no longer needed. Consultant further agrees that once Consultant receives our notice to terminate, all services that arise from the retention shall be immediately terminated and neither the State nor our office is responsible for the payment for any services provided beyond the date of notice of termination.

No Assignment

The Consultant shall not assign this agreement or its interest therein to any other parties without the Division of Law’s prior written consent.

Division of Law Contact

The Assistant Attorney General who executes this retention letter is the Assistant Attorney General assigned to this matter, who should receive all invoices, bills, reports and notifications. Upon written direction from the Deputy Attorney General, or from the Assistant Attorney General in Charge of Litigation, the Assistant Attorney General assigned to this matter may be changed or additional people may be assigned and Consultant will direct invoices, bills, reports and notifications accordingly.

In the event that Consultant is no longer in a position to undertake all or any part of the scope of work the Consultant must immediately notify the Deputy Attorney General.

New Jersey law contains additional requirements applicable to this retention agreement. Those requirements are set forth in detail in Exhibit A, Additional Requirements for Office of Attorney General, Division of Law Retention Agreements, and are incorporated into this Retention Agreement. Please note that several require additional information be submitted on the forms indicated prior to this Retention Agreement being executed.
The terms of this letter are in addition to the November 20, 2020 retention agreement, but supersede any other prior agreement(s) with Consultant and any changes to the terms of this agreement shall be in a writing executed by both parties. This agreement embodies the entire agreement between the parties. If any provision is determined to be invalid it shall be considered deleted and shall not invalidate the remaining provisions; provided, however, if such invalidation occurs and substantially affects the terms of this agreement, the Division of Law or Consultant may elect to terminate this agreement.

If the terms and conditions set forth in this letter are acceptable to Consultant, please acknowledge Consultant’s acceptance of them by executing the enclosed copy and returning it to me. In addition, please complete the enclosed forms and return all documents as soon as possible to me.

Please note that Consultant’s Chapter 51 form, see Exhibit A, par. F, was previously reviewed and approved on November 10, 2020, therefore documentation of retention will be signified by your counter-signature on this letter.

Sincerely yours,

GURBIR S. GREWEL
ATTORNEY GENERAL OF NEW JERSEY

By: Beth Leigh Mitchell
Assistant Attorney General

Encl. Exhibit A
Exhibit B Scope of Work

I hereby acknowledge and accept the terms set forth herein this 26 day of March 2021.

By: Anadora Moss, The Moss Group, Inc.
Consultant
Exhibit B to Second Retention Letter

Scope of Work for The Moss Group, Inc.

Introduction

The Moss Group, Inc. (TMG) has worked collaboratively with the New Jersey Department of Corrections (NJDOC) and the Department of Justice (DOJ) in response to the US DOJ Settlement process with a positive outcome for all parties. With the forthcoming DOJ Settlement Agreement, the NJDOC will continue to implement a gender specific model of care for women offenders, as well as committing to the agreements made in the settlement process.

TMG is providing the following two year scope of work to continue the efforts to support the NJDOC in building this model of working effectively with women offenders. This implementation period will be characterized by building on sexual safety practices, PREA Compliance and best practices in the management of women offenders. The work is further informed by addressing culture and leadership practices that sustain systemic change.

The following areas describe the core activities:

- Strategic Planning for Women’s Services
- Review and Guidance with Policy Development
- Specialized PREA Investigations Training
- Staffing Analysis
- Gender-Responsive Classification Review
- Risk Management System Assistance
- Training and Technical Assistance

A key element that TMG is proposing for this contract is a dedicated Project Manager to support all strategies of the project. The Project Manager (PM) will be responsible for the ongoing communication and collaboration with the NJDOC, stakeholders, and all project team members. This dedicated position will allow the project work and communication to be managed efficiently and effectively, and provide significant cost savings for the project. Project Advisor Andie Moss will provide guidance and expertise for the project and will be available as needed throughout the contract period. The Project Director (PD) will assume leadership and oversight of this project and will supervise the Project Manager. The PD will also be responsible for managing resources to most effectively support the project strategies and provide ongoing assistance to NJDOC leadership and the individual executive responsible for women’s services.

Project Management: Dedicated Project Manager for two years

Timeline: Months 0-24
• Provide full-time project management and coordination support to ensure seamless coordination and clear communication among all project team stakeholders across all strategies and tasks. Ensure timeliness of deliverables and provide support and logistics management.
• Track and maintain log of all activities and deliverables.
• Coordinate, schedule, and participate as needed in project meetings, trainings, and activities.

Deliverable:
• Quarterly project reports

Performance Measure:
• Timely submission of quarterly reports
• Communication plan is consistent and effective based on feedback from client
• Timely deliverable submission consistent with the Scope of Work

Cost: $241,800

Strategy 1: Strategic Planning for Women’s Services

This strategy will support NJDOC by providing the foundation for prioritization and implementation of a comprehensive, multi-year gender responsive strategic plan for the agency. The development of the strategic plan will integrate the current work completed through NJDOC’s BJA PREA. Development of the settlement implementation plan and strategic planning for Women’s Services will:

• Articulate a vision and mission for gender responsiveness in the NJDOC consistent with the NJDOC’s mission.
• Include both agency-wide and individual facility strategies to implement goals.
• Address functional areas such as leadership, facility culture, assessment and classification, case management, programming, policies, services, discipline and sanctions, and sexual safety.
• Sequence strategies, training, resources and timeframes.
• Address and prioritize all issues raised in the Settlement.
• Provide a detailed work plan to achieve each goal, including specific tasks, responsibilities, and timelines.
• Specify performance measures and a strategy for gathering information to inform those measures.

TMG will schedule and facilitate a virtual (Zoom) project kickoff meeting with NJDOC leadership and key stakeholders. This meeting will serve to introduce project team members, clarify roles and responsibilities, review the strategies and timeline, and establish
a communication plan to ensure a smooth and successful process that will support positive outcomes.

TMG will assist NJDOC in the development of a Steering Committee to support the strategic plan as well as the strategies outlined in this Scope of Work. TMG will facilitate a two day work session to kick off the Strategic Planning process, which will include

- the establishment of a vision, mission and goals for the Steering Committee;
- review of current practice and gender responsiveness;
- establishment of ground rules and operating norms;
- agreement on Committee members roles and responsibilities;
- identification of subgroups; and
- agreement on a Committee meeting schedule.

A deliverable for this strategy will include a comprehensive document that outlines NJDOC’s multi-year women’s services plan. The Steering Committee will meet monthly, or on an agreed upon time and schedule, and will develop subgroups as needed to address specific tasks and strategies within the Settlement Agreement.

Additionally, TMG in collaboration with the NJDOC will develop a Tool/Matrix to track all outcomes and deliverables including policy, practices, procedures, protocols, training curricula, and other written documentation, including but not limited to, screening tools, logs, handbooks, manuals, and forms. TMG’s Project Director or TMG representative will conduct minimally, and additionally as needed, onsite quarterly visits with NJDOC Central Office and Edna Mahan Correctional Facility for Women (EMCFW) leadership to review, discuss, and adjust strategic planning strategies and tasks as needed, as well as provide remote and onsite support for DOJ Monitor visit preparation.

Timeline: Months 0-24

- Conduct project kickoff meeting (via Zoom) with NJDOC leadership to review the TMG approach.
- Assist in the development of a Steering Committee to support the strategic plan.
- Facilitate a two day work session to kick off the Strategic Planning process.
  - Conduct remote and onsite, in coordination and consideration with COVID guidance, two- to three-hour sessions as needed to support the Committee.
- Hold monthly, or regularly scheduled, Steering Committee meetings (ongoing).
- Assist in identifying subgroups.
- Perform onsite quarterly visits (by TMG Project Director or TMG representative) with NJDOC Central Office and EMCFW leadership.
- Provide remote support to the Steering Committee.

Deliverables:
- Document that outlines NJDOC’s women’s services multi-year plan
- Tool/Matrix to track all outcomes and deliverables including policy, practices, procedures, protocols, training curricula, and other written documentation

Performance Measures:
- Monthly updates and implementation of action items from Strategic Plan
- Development/ Management of performance measures within the Strategic Plan
- Measures to demonstrate and create sexual, emotional, and physical safety

Cost: $254,214

**Strategy 2: Policy Review and Guidance**

This strategy will support the NJDOC by providing review and feedback of all policies and procedures. TMG will review and provide guidance on new policies and procedures and revision of existing gender-responsive policies and procedures, including, but not limited to, the following:

- LGBTI and gender non-conforming
- Gender neutral related to sexual safety
- Use of force
- PREA
- Hygiene and property
- Transportation
- Visitation
- Searches
- Programs
- Anti-fraternization; Nepotism
- Communication

Review and feedback will include guidance on the development and implementation of gender-responsive policies, procedures, and practices to ensure that inmates at EMCFW are protected from harm due to sexual abuse and sexual harassment. Policies and procedures may include standard operating procedures, protocols, training curricula, and other written documents, including but not limited to, screening tools, logs, handbooks, manuals, and forms.

TMG will develop a Policy Considerations Guide for NJDOC that will provide guidance on key topic areas and developing new or revising existing policies to support consistency and sustainability of policy implementation.

TMG will assist in the review of quality improvement policies and procedures to ensure they adequately address the deficiencies in the NJDOC and EMCFW. As needed, TMG will
provide Technical Assistance for additional areas of need identified throughout the scope of the agreement, such as an annual Leadership Symposium; identifying additional subject matter experts for programming requirements; environmental health expertise; and development of training materials. These efforts will be prioritized and implemented through Strategy 7, Training and Technical Assistance and ongoing Litigation Support.

Timeline: Months 2-24
- Provide review and feedback of all policies and procedures developed in conjunction with the Settlement Agreement.
- Provide review and guidance on new policies and procedures and revision of existing gender-responsive policies and procedures.
- Assist in a review of quality improvement policies and procedures

Deliverable:
- Written recommendations for policy revision
- Policy Considerations Guide
- Expert guidance and written recommendations for identified areas of need

Performance Measure:
- Timely delivery of policy revisions

Cost: $49,960

**Strategy 3: Specialized PREA Investigator Training and T4T**

This strategy will support the NJDOC by providing training on institutional sexual abuse and sexual harassment investigations. Specialized training will be developed and provided to all investigators who conduct investigations at EMCFW and other women’s facilities and shall include techniques for interviewing sexual abuse victims, sexual abuse evidence collection in confinement settings, criteria and evidence required to substantiate a case for administrative action or prosecution referral, and the proper use of Miranda and Garrity warnings. Special emphasis will be placed on the implications for interviewing females who research indicates come into the criminal justice system with a much higher rate of sexual victimization and trauma than their male counterparts. Under the direction of the Department, TMG will also include training components specific to investigating sexual harassment allegations.

TMG will facilitate the training and provide training documentation confirming that agency investigators have completed the required specialized training in conducting sexual abuse investigations involving women offenders. Directly following the specialized training, TMG will provide an Investigations Training for Trainers (T4T) for training staff and staff that are directly involved with investigations; this training will align with the requirements
in PREA Standard §115.34. Additional individual and small group coaching will be available to support investigators and staff following the onsite training.

Timeline: Months 2-12
- Provide specialized investigator training on institutional sexual abuse and sexual harassment investigations.

Deliverables:
- Onsite training and training documentation that confirms agency investigators have completed the required specialized training in conducting sexual abuse investigations
- Onsite investigations training for trainers session that aligns with requirements in PREA Standard §115.34
- Individual and small group coaching to support investigators and staff following the onsite training

Performance Measure:
- Pre- and post-test results demonstrating participant knowledge and understanding of training objectives

Cost: $37,920

Strategy 4: Staffing Analysis

This strategy will support the NJDOC by conducting a staffing analysis for EMCFW. TMG will assist in the development of a staffing plan, based on gender-responsive principles and PREA requirements, that provides for adequate staffing levels to protect inmates against sexual abuse and sexual harassment, including supervision and staff monitoring policies. TMG’s staffing analysis is grounded in the National Institute of Corrections (NIC) staffing principles yet adds the gender responsive lens. This staffing plan shall include the following:

- Review of all posts and positions at EMCFW, including any gender-specific posts required for the safe operation of the facility;
- Job Task Analysis completion for all posts and positions at EMCFW;
- Shift relief factor for EMCFW; and
- Policies and procedures for reviewing and amending EMCFW’s staffing plan.

In developing the staffing plan and recommending adequate staffing levels, the following shall be considered as part of the staffing analysis:

- Generally accepted detention and correctional practices;
- NJDOC and EMCFW’s determination of which necessary duties will be handled by EMCFW staff, NJDOC staff, or outside agencies;
• Any findings of inadequacy from any investigative agencies within NJDOC;
• Any findings of inadequacy from internal or external oversight bodies;
• The Camera Management Plan and all components of the facility’s physical plant;
• The composition of the inmate population;
• The number and placement of supervisory staff;
• Institution programming and options for supervision of inmates;
• A EMCFW specific shift relief-factor;
• Any applicable state or local laws, regulations, or standards; and
• The prevalence of substantiated and unsubstantiated incidents of sexual abuse and sexual harassment.

Timeline: Months 3-12
• Conduct staffing analysis for EMCFW.
• Assist in the analysis and development of staffing plan requirements.

Deliverable:
• In collaboration with NJDOC, written staffing plan based on gender-responsive principles and PREA requirements. Draft plan will be submitted to the Monitor and DOJ within nine months of the effective date of the agreement, and adopted by NJDOC and EMCFW within 12 months

Performance Measure:
• Timely completion of staffing plan consistent with gender-responsive practice and PREA

Cost: $135,346

Strategy 5: Gender-Responsive Classification Review

This strategy will support the NJDOC in its development and implementation of a gender-responsive classification system. Consistent with best practice, TMG will assist the agency in reviewing recent programmatic and classification assessments, including TA provided by NIC, and will provide expert support and guidance. In collaboration with the NJDOC classification work group, a subgroup of the Steering Committee, TMG will also review the gender responsive classification process including custody classification, risk/need assessment, and screening for risk of vulnerability or perpetration of sexual abuse or sexual harassment and assess how that information is being used to inform housing, bed, work, education, pre-release, and program assignments with the goal of maximizing safety.

As a gender responsive approach benefits the entire correctional system, attention to male classification assessment will follow from the women’s classification focus. Lessons learned from EMCFW regarding risk-need assessment will provide a grounding to expand this effort into male facilities. As NJDOC already has some experience with risk-need
assessment in male facilities, an important starting point will be evaluating what has been done thus far, focusing on lessons learned in determining how to move forward. Assessment experts will visit representative male facilities to review assessment practices, conduct focus groups, and then subsequently develop a plan for training all case management staff to enhance their skills administering the risk-need assessment tool and developing assessment-based case plans. A training for trainers along with coaching support will help provide in-house expertise. At the conclusion of this strategy, consultants will meet onsite with agency leadership to discuss the training process, lessons learned, and recommended ways that risk-needs assessment could interface with NJDOC’s current custody classification system.

TMG will provide oversight throughout this strategy to include review of the implementation plan which is to be completed within two years of the approval of the plan.

Timeline: Months 6-24
- Review assessment recommendations for a gender-classification system for women.
- Provide support to the classification working group.
- Evaluate lessons learned from EMCFW and expand efforts to review assessment processes at male facilities.
- Meet onsite with agency leadership to discuss the training process, lessons learned and recommended next steps for male classification.

Deliverables:
- Onsite training and support
- Training for trainers with coaching support to develop and enhance in-house expertise
- Training at male facilities in risk-needs assessment and assessment based case planning

Performance Measures:
- Demonstrated staff compliance with classification policies and procedures
- Number of staff trained in the use of the risk-needs assessment and assessment-based case planning at male facilities
- Demonstrated staff competence in the use of interview skills, assessment scoring, and assessment completion at male facilities

Cost: $137,962

Strategy 6: Risk Management System Assistance

This strategy will support the NJDOC by assisting with the review of the development and implementation of a Risk Management System (RMS) that will assist with tracking trends related to: (1) sexual abuse or sexual harassment; (2) unprofessional staff conduct
involving inmates, including sexually explicit, vulgar, or degrading language; and (3) use of force incidents. The RMS will ultimately ensure that trends and incidents involving sexual abuse and sexual harassment are identified and corrected in a timely manner. The data collected with the RMS will assist the NJDOC with assessing and improving the effectiveness of its sexual abuse and sexual harassment prevention, detection, and response policies, practices, and training.

TMG will use the validated Women’s Correctional Safety Scales (WCSS) evaluation of inmate perceptions of safety through the coordination, delivery and analysis of inmate surveys, focus groups, and numerical and qualitative descriptions of inmate perceptions of the types of challenges in their housing units, their views on relative degree of safety, and their feelings about policies and procedures related to safety. TMG will also conduct a staff survey and staff focus groups. These qualitative findings, combined with the quantitative data from the WCSS, will provide a comprehensive analysis that will support the recommendations to enhance and improve NJDOC gender responsive practice and Risk Management System.

TMG will re-administer both the inmate survey and the staff survey approximately six to twelve months after the initial survey delivery, and will conduct staff and inmate focus groups in the same timeframe, to evaluate their perceptions of improvement in the prevention, detection and response of sexual abuse and sexual harassment policies and practices.

In collaboration with NJDOC statisticians, TMG will provide periodic analysis of the data and guidance on the RMS collection and tracking processes in order to assess and improve, if needed, the effectiveness of sexual abuse and sexual harassment prevention, detection, and response policies, practices, and training.

Timeline: Months 0-18
- Assist in the development and implementation of a Risk Management System (RMS).
- Assist NJDOC in convening a state-wide working group to evaluate how other state and NJDOC entities may contribute to EMCFW’s development and implementation of the RMS.
- Support the development of and administer the WCSS inmate survey regarding their perceptions of prevalence of staff sexual abuse and sexual harassment, vulnerability, investigations process, inmate education, privacy, staff supervision, reporting systems, and response to allegations.
- Conduct staff survey, inmate focus groups, and staff focus groups; provide an evaluation report of quantitative and qualitative data.
- Provide support with NJDOC’s quarterly review of data, including assistance with biannual reports of findings and corrective actions.

Deliverables:
- Development of inmate survey and staff survey
- WCSS Evaluation Report
• Quality improvement policies and procedures assistance to identify and address any deficiencies in NJDOC and EMCFW’s prevention, detection and response to sexual abuse and sexual harassment at EMCFW
• Periodic analysis of the data and guidance on RMS collection and tracking processes

Cost: $134,035

Strategy 7: Training and Technical Assistance

This strategy will support the NJDOC by providing ongoing support and expertise throughout the project period, through remote and onsite, as needed, sessions throughout the project period. TMG will also provide targeted onsite and remote training and technical assistance (TA) in priority and focus areas as identified by NJDOC and the Steering Committee, and will support solution-focused, on the ground changes to operational practice. Through scheduled and unscheduled TA, TMG subject matter experts will support NJDOC and EMCFW leadership and staff in targeted areas of specialization as needs arise.

It is anticipated that assistance may be required in areas such as, but not limited to, the following:

• Coaching
• Leadership and supervisory development
• Gender Responsive staff training
• Trauma-informed practice
• Incident Reporting training
• Refresher trainings
• Environmental, facility and plant management assessment

Priorities for this assistance will be set collaboratively among NJDOC, EMCFW, and TMG to support progress most effectively towards compliance with recommendations and requirements and long-term sustainability of change. Efforts under this strategy will be tracked both by time and budget on an ongoing basis.

Timeline: Months 0-24

• Provide support and expertise to NJDOC leadership.
• Provide technical assistance through remote and onsite sessions.
• Support NJDOC in identifying priority areas of need for revised or new training.
• Develop new and revise existing training curricula and related materials.
• Conduct new or revised training as needed.
• Review and revise existing and develop new policies in identified areas of need to support gender responsive best practice.

Deliverables:
• Quality improvement policies and training curricula to strengthen NJDOC and EMCFW’s operational, leadership and supervisory practices supporting a gender responsive environment

Performance Measures:
• Measurable outcomes for technical assistance activity
• Development of additional training materials as needed
• Summary reports supporting litigation document review

Cost: $246,013

Total Project Cost: $1,237,250

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Anadora Moss, President