

New Jersey Statewide Support for **The Isolated Confinement Restriction Act (S.51/A.547)**

It's time to end the torture of prolonged solitary confinement, without exception.

FAQ

What is the purpose of this bill?

This bill ends prolonged solitary confinement in New Jersey by setting limits on the use of isolated confinement to circumstances when it is temporary and safe, both for the incarcerated person and the operations of the correctional facility.

Why is the bill necessary?

At present, there are very few rules that govern the use of isolated confinement in New Jersey prisons, jails, and detention centers, and those that exist are not fashioned in accordance with the current research on psychological trauma, institutional and public safety, and national and international human rights standards. As a result, many incarcerated people are housed in isolation, deprived of all meaningful human contact for much longer than is necessary or responsible—sometimes spanning years or decades at a time.

What are the significant features of the bill?

Under S.51/A.547, isolate confinement is prohibited unless there is reasonable cause to believe that an incarcerated person poses a serious and immediate risk of harm to self or others, and only when all less restrictive interventions are insufficient.

This means:

- Anyone being placed in isolation must undergo clinically conducted medical and mental health examinations, be provided access to due process, and must be kept in safe, sanitary, and humane conditions.
- Recognizing the irreparable harm after such time, no incarcerated person can be placed in isolation for more than 15 consecutive days, and no more than 20 days per 60-day period.
- Any member of vulnerable populations, as classified by clinical staff, cannot be placed in isolation. Vulnerable populations include people aged 21 and younger, people aged 55 and older, people with developmental disability, people with a disability based on mental illness, people with serious medical conditions, and people who are pregnant.

- Emergency confinement must be directed by facility administrators and cannot exceed 24-hours in duration. Initial clinical evaluations must occur within 2 hours of emergency isolation, and again within 24 hours.
- Inmates will continue to have access to voluntary isolation in situations where they are in clear, imminent danger.
- The Department of Corrections must develop a plan for implementation of these reforms, which must also include comprehensive training for staff and administrators as well as thorough documentation and reporting procedures.

What facilities would be required to comply with the bill's reforms?

All correctional facilities operated directly under or through contract with the Department of Corrections (excepting federally operated facilities) is subject to the reforms of the Isolated Confinement Restriction Act, and each must comply with the policies and procedures developed by the Department of Corrections thereafter.

How can I take action to support this bill?

There is good news! The NJ state Senate passed S51 on 6/23/16 by a margin of 23-16. The bill now is in the NJ State Assembly Law and Public Safety Committee. It is expected that there will be action to get the bill, A.547, out of committee and voted on in the full Assembly before the end of this year.

Please write or call your Assembly person as soon as possible. Additionally, please write to the chair of the Assembly Law and Public Safety Committee and/or any other member of that committee to express your interest in seeing positive action on this bill.

Read the full version of the bill at <http://www.njleg.state.nj.us/2016/Bills/s0500/51>. Circulate this one-pager to all who are interested in human rights, racial justice and ending mass incarceration.