

**LAW AND PUBLIC SAFETY**

(a)

**JUVENILE JUSTICE COMMISSION****Secure Facilities; Classification Assignment Process for Juveniles; Juvenile Discipline; Community Programs**

**Proposed Amendments: N.J.A.C. 13:95-1.3, 5.11, 7.2, 13.3, 13.6, 13.7, 13.11, 13.12, 13.13, 13.18, 13.19, and 14.4; 13:100-1.2 and 1.3; 13:101-1.2, 1.3, 5.3, 6.6, 6.7, 6.16, 7.3, and 7.6; and 13:103-1.3**

**Proposed New Rule: N.J.A.C. 13:95-11.10**

**Proposed Repeals: N.J.A.C. 13:101-6.17 and 8**

Take notice that the Juvenile Justice Commission (Commission) discovered an error in proposed amendments to N.J.A.C. 13:101-5.3(a)3 set forth in the above notice of proposal, published in the March 7, 2016, New Jersey Register at 48 N.J.R. 378(a).

The notice of proposal submitted to the Office of Administrative Law (OAL) inadvertently omitted a provision in the proposed new text for N.J.A.C. 13:101-5.3(a)3 as approved by applicable oversight authorities. The Commission intended to delete existing N.J.A.C. 13:101-5.3(a)3 and replace it with "up to four hours in a secure environment under observation," however, only the deletion was submitted for publication to the OAL.

Take further notice that the Department is extending the deadline for the submission of written comments on the notice of proposal by 14 days, to May 20, 2016, to allow the public the full 60 days to comment on the notice of proposal as it should have been published.

Full text of the corrected proposed amendment follows (additions to existing rule text indicated in boldface thus; deletions from existing rule text indicated in brackets [thus]):

13:101-5.3 Authorized immediate corrective actions

(a) The following are authorized immediate corrective actions:

1. Withdrawing a privilege or an individual or group activity, for example, recreation, television or radio privileges, for no more than five days; meals and snacks provided by the facility are not permitted to be used as a sanction;

2. Requiring a juvenile to pay for repair of damaged property; to repair the damage, or to complete a work task;

[3. Room restriction not to exceed four hours;

i. Room restriction in other than a secure facility may take place only in an unlocked room; in a secure facility room restriction may take place either in an unlocked or a locked room;

ii. Staff shall visually make contact every 30 minutes with a juvenile on room restriction unless the circumstances require more frequent contact. Juveniles shall be within sight or sound at all times;

iii. Juveniles who receive room restrictions shall discuss their behavior and the results of their behavior with a staff member prior to rejoining the general population; and

iv. Room restriction not issued as a sanction under N.J.A.C. 13:101-6.16 shall be entered in the housing unit log book;]

**3. Up to four hours in a secure environment under observation;**

4.-6. (No change.)