

# 5 Things You Should Know About Your Rights Under the LAD While Incarcerated or Detained

- 1 The New Jersey Law Against Discrimination (LAD) protects incarcerated or detained people.** People in correctional or detention facilities, including prisons, jails, immigration detention centers, and justice facilities, cannot be discriminated against or harassed based on a protected characteristic, which includes race, religion, national origin, sexual orientation, disability, gender identity or expression, and [more](#). Facilities cannot place a person in isolated confinement based solely on an LAD-protected characteristic.
- 2 If you are incarcerated or detained, you can file complaints of discrimination or bias-based harassment directly with the New Jersey Division on Civil Rights (DCR).** You, your lawyer, a family member, or an advocacy group can file a complaint. Complaints can be filed [online](#), in writing, or by telephone.
- 3 Correctional and detention facilities are required to respect and ensure everyone's safety, regardless of their actual or perceived gender identity or gender expression.** Facilities and employees must take immediate action to address all gender-based discrimination, harassment, or violence against an incarcerated or detained person, about which they know or should have known, whether committed by staff or other incarcerated or detained persons.
- 4 Correctional and detention facilities cannot deny access to areas, activities, services, or goods based on an actual or perceived disability.** Facilities cannot prevent incarcerated or detained people from seeing family or friends, attending classes, receiving treatment, or taking showers because of a disability or a facility's failure to reasonably accommodate that disability.
- 5 Correctional and detention facilities cannot prevent incarcerated or detained people from practicing their religion,** except in limited circumstances where a specific religious item or practice could pose a safety risk or other legitimate (i.e. undue) burden within the facility. Correctional facilities also cannot force incarcerated or detained people to practice or participate in religious activities.

To find out more or to file a complaint with DCR, go to [NJCivilRights.gov](http://NJCivilRights.gov) or call 1-833-NJDCR4U. DCR enforces the LAD, which protects all people from discrimination in NJ regardless of immigration status. To learn more, click [here](#).

State-sentenced incarcerated persons housed in State Prison Facilities or Residential Community Release Programs can seek redress for concerns or problems that arise during incarceration **other than discrimination under the LAD** by contacting the Office of the Corrections Ombudsperson at 1-888-909-3244 or 555-555-5555 for use with I.P.I.N. To learn more, click [here](#).

The LAD protects you against retaliation. No one can retaliate against you for reporting possible LAD violations; filing a discrimination complaint internally, with DCR, or in court; or exercising any other rights under the LAD.

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NJ Office of the Attorney General  
[NJCivilRights.gov](http://NJCivilRights.gov)



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