



RULES AND REGULATIONS
NEW JERSEY STATE PAROLE BOARD

PROVISIONALLY ADOPTED BY THE BOARD

APRIL 26, 1949

(Subject to Revision)

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RULES AND REGULATIONS NEW JERSEY BOARD OF PAROLE

ADOPTED, SUBJECT TO REVISION, April 26, 1949

Pursuant to Chapter 84, Laws of 1948, the following are declared to be the rules, regulations and procedures of the State Parole Board of the State of New Jersey, for the exercise of its duties as imposed by the aforementioned statute.

I - ELIGIBILITY FILE

The Board will maintain, in the Central Office of the Department of Institutions and Agencies, a card file of all persons committed to the Penal and Correctional Institutions of the State.

The respective institutions shall be required to advise the Board, on forms provided, within 24 hours of the commitment of such offenders. This form will include the name of the offender, the Institution Number assigned, the County of commitment, name and term of Court, Crime, sentencing Judge, the sentence and date imposed, and the date received at the Institution. Copies of the Admission notice shall be directed to the Institution Parole Officer to expedite the initiation of necessary investigations.

As soon as the previous criminal history, if any, can be properly verified, the Institution shall advise the Board the earliest possible date of eligibility for parole consideration as provided by Chapter 84, P.L. 1948, and will indicate on what basis eligibility has been determined (Minimum with all possible earned time credited; fraction of maximum (or maximum) less time earned and allowed by law).

All of this information will be recorded on the Board's Record Card, and an eligibility card established therefrom which will be filed under month and year of earliest eligibility.

This information, together with the previous record, if any, and notations of warrants filed shall be included on the face sheet of the Institution Classification Material which shall be in the form required by the Board.

The Board shall be promptly notified of any subsequent changes in the eligibility date by reason of Court Order, additional sentences, Executive Clemency, or otherwise.

II - CASE RECORDS

There shall be maintained in the Central Office of the Department of Institutions and Agencies case folders for each offender committed to a penal or correctional institution. These

folders will be opened upon notification of reception in the respective institutions, and shall contain all pertinent facts with reference to the offender.

The Several Probation Departments of the State shall be required to furnish the Board, through the Parole District Office, triplicate copies of the Probation and/or Pre-sentence investigation reports. These reports shall be filed in the Board's case folder, and in the case folders of the Institution of confinement and the Parole District Office.

Upon notification of Admission, the Institution Parole Officer shall initiate a field investigation in the appropriate Parole District in all cases where such an investigation is indicated. Copies of the report of such investigation shall be forwarded to the Institution Parole Officer, who shall summarize the same for inclusion in the classification material; and the Central Parole Division.

Following the parole of the offender the case record will include the reports from the supervising parole district and all other papers pertaining to the progress of the case.

III - PREPARATION OF CASES FOR PAROLE CONSIDERATION

Four months in advance of the tentative eligibility date, the Board shall have prepared a list of those cases who appear to be eligible for consideration. Such list shall be submitted to the institution of confinement whereupon the responsible person in such institution shall within ten days indicate the accuracy of the tentative eligibility date or any time lost for disciplinary reasons, work not performed, etc. and designate the new eligibility date, such changes shall be noted on eligibility card and the card refiled.

For those remaining on the eligibility list, the Prison shall indicate whether the prisoner is at the Prison, Leesburg, or Rahway. The locations of such prisoners shall not be changed, except in emergencies, until heard by the Board. Should such a change become necessary, the Board and Institution Parole Officer shall be promptly notified.

In those cases against whom warrants are on file, the Executive Head of the Institution shall immediately correspond with the Agency who filed the warrant to determine whether or not the warrant will be enforced, and advise the Parole Board and Institution Parole Officer as to the result of such inquiry.

A list of the cases eligible to be heard shall be promulgated by the Board three months prior to the month of eligibility, distributed to the Institution staffs concerned

and released to the press.

This release to the press shall be deemed sufficient public notice as required by the law.

The receipt of this list by the Institution staff shall be sufficient notice to initiate up-to-date staff reports, Psychological and Psychiatric re-examinations and reports, and the initiation of pre-parole investigations by the Institution Parole Officer.

The Institution staff will bring classification record up-to-date and include therein the latest reports, and recommendations including the pre-parole summary by the Division of Parole.

Attached to the Classification material shall be a separate sheet containing the recommendation of the Chief Executive Officer of the Institution, and the Director of Parole, or their designated representatives.

All of this completed material shall be submitted to the Chairman of the Board in triplicate at least three weeks before the scheduled hearing date; and he shall assign the case to a member of the Board for review and recommendation. The member's written report and recommendation will be included on the recommendation sheet which shall after the hearing be detached and retained in the Board's records.

Until such time as the Board's work becomes current the several institutions shall furnish three months in advance a list of those inmates whose minimum sentences have been served.

IV - HEARINGS

The Board shall conduct hearings as herein provided at which times it shall require those prisoners who are eligible by law for consideration to appear before it for personal interview.

So far as possible the prisoners will be granted hearings during the calendar month preceding their eligibility for parole consideration.

The Board will meet regularly at the Prison on the third Tuesday of each month to hear the cases of those eligible for consideration during the next calendar month.

Prisoners at Leesburg or Rahway will be brought to the Prison for such hearings, unless in the discretion of the Board there are a sufficient number of cases to be considered at either of these institutions to warrant adjourned meetings at the institution of confinement.

Hearings on cases transferred to the Reformatories (or directly committed to Clinton) shall be heard at the respective institutions of confinement at the convenience of the Board.

Hearings on revocations and violations will be held at the respective institutions of confinement each month at the completion of the Parole Hearings.

Hearings on the cases of prisoners of County Penitentiaries who have made application for Parole shall be held at the convenience of the Board during the months of February, June, and November. Petitioners for clemency confined in such County Penitentiaries whose cases have been referred by the Governor and found meritorious will be heard in addition to those who have made parole applications.

The Board will meet on the first Tuesday of January, May, and October for the consideration of petitions for Clemency referred by the Governor. If the first Tuesday should fall on a holiday, the Board will set a date for such meeting within the calendar month.

The Board shall meet at such other times and places as shall be necessary for the proper administration and business of the Board as the Chairman shall designate.

V - NOTICE OF DECISIONS ISSUANCE OF PAROLE CERTIFICATES

On a form agreed upon, the Board will notify each prisoner of the decision reached in his case within one week after the hearing. In the case of denial, the notification will include the date when the case will again be considered. Copies of this notification will be sent to the Chief Executive Officer of the Institution, the Institution Parole Officer, and the District Parole Office concerned.

At the conclusion of the hearings for the month, the Board will release to the press a list of all favorable actions by county of commitment. This shall be deemed sufficient public notice of the favorable action of the Board.

When the Board has granted a Parole, they shall cause to be prepared in quadruplicate a parole certificate for each inmate granted a parole. All members of the Board shall sign the original and two copies of the certificate.

All copies will be promptly delivered to the Institution Parole Officer whose responsibility it will be to see that the prospective parolee understands and signs his acceptance of the conditions of parole as imposed by the Board. It will be the further responsibility of the Institution Parole Officer to see that the parole plan has been approved before the inmate has been released.

When the parole certificates have been signed by the inmate, and the parole plan approved, all copies of the parole certificate will be delivered to the institution staff member responsible for the releasing of inmates.

It will be the Institution's responsibility to deliver the original certificate to the parolee, return a signed copy to the Board and an unsigned copy to the Parole District Supervisor with a notation of the date of release, and the correct maximum, along with a set of fingerprints and photograph.

The Institution Parole Officer will arrange to have attached to the original and respective copies of the parole certificate a letter addressed to the parolee at his place of proposed residence instructing him to report at a specified time and place.

Whenever a parolee is being paroled to another state under the terms of the inter-state compact the Institution Parole Officer will secure his signature to the compact waiver forms, arrange for his own copy to be delivered with the parole certificate. The original and duplicate copy of this form will be forwarded to the Central Parole Division along with the copies of the parole certificate.

VI - SUPERVISION

Pursuant to statute all prisoners released on parole shall be under the constant supervision of the Division of Parole in accordance with the rules and regulations of this Board.

The Division of Parole in accordance with its rules will promptly open its records and assume supervision upon receipt of the signed copy of the certificate of parole from the Institution.

All parolees shall be on active status for at least the first year of parole and reports submitted pursuant to the procedures of the Parole Division.

All supervision reports after review of the Director of Parole or his designated representative shall be filed in the case folder in the Central Parole Division and at all times available to Board members for their information. Copies of those reports will be sent to the Executive head of the Institution from which paroled with comments, if any, from the Director of Parole or his designated representative.

VII - DELINQUENCIES AND VIOLATIONS

A. When the Parole Officer is satisfied a parolee has violated the conditions of or absconded from his parole, he may immediately issue his own warrant, and arrange for the parolee's

apprehension and custody and submit a recommendation as to the Declaration of Delinquency.

If this recommendation is sustained by the Director of Parole or his designated representative, the case shall be immediately referred to the Chairman of the Board who will arrange for the consideration of the case at the next regular or special meeting of the Board.

In the event the majority of the members sustain the recommendation of the Parole Division, an order of revocation, signed by the Chairman shall be issued, copies of which shall be filed with the Institution from which paroled, the supervising Parole District, and the Central Parole Division.

The receipt of such notice of revocation by the Chief Executive Officer of the Institution shall be sufficient notice for him to arrange for the return of the paroled prisoner if not already returned on the warrant issued by the Parole Officer pending decision by the Board.

B. When it appears that a parolee has absconded from supervision the Parole Officer, charged with the case, shall submit a recommendation as to delinquency, along with the Wanted Notices to the New Jersey State Police. These shall be immediately filed by the Division of Parole, and a recommendation as to revocation made to the Chairman.

The Chairman shall issue the notice of Declaration of Delinquency to the parolee at his last known post office address, and issue a warrant for his apprehension.

C. When a paroled prisoner has been arrested, and is serving a sentence or awaiting trial or indictment for a crime committed while on parole, the parole officer supervising the case, or in the area of confinement, shall file his warrant as a detainer.

When the facts have been transmitted to and reviewed by the Board at a regular or special meeting, a parole revocation may be issued on the authorization of a majority of the members of the Board, and a warrant issued by one of the members or by its duly constituted agent, and filed with the Chief Executive Officer of the institution of confinement as a detainer.

D. When a paroled prisoner shall have been convicted of a crime committed while on parole and recommitted to the institution from which paroled, the Board shall consider the case at its next regular or special meeting and by a vote of the majority of its members issue a Revocation of Parole, which shall be delivered to such prisoner with copies to the Chief Executive Officer of the Institution, and the Parole District Office concerned.

E. Reports of arrests and convictions and summaries of parole adjustments shall be furnished the Board through the Central Parole Division in Accordance with the usual standards and procedures of that Division.

F. Before acting on a proposed revocation of parole, the Board may, in its discretion, conduct a hearing at its convenience, giving the paroled prisoner an opportunity to appear before it, and show cause why his parole should not be revoked.

G. When the paroled prisoner has been returned as a parole violator, or convicted of a new offense and committed to an Institution other than that from which he was paroled, a hearing on the violation of parole will be held at the next meeting of the Board, or the next but one, following the return of the offender to the Institution from which paroled.

H. When a paroled prisoner shall have been recommitted to the Institution from which paroled, a hearing on the violation may be held at the discretion of the Board soon after the re-commitment, or at the same time the offender is given parole consideration on the new commitment.

I. No warrant filed by or for the Board against a paroled prisoner shall be lifted unless the written consent of the Board or a member thereof is first secured.

VIII - GENERAL RULES FOR THE CONDUCT OF PAROLEES

The following general rules comprise the terms, conditions and limitations of all paroles granted by the Board:

1. From the date of your release until the expiration of the maximum term of the sentence imposed upon you, and in addition thereto, for the period of time covered by commutation time allowed you on prior sentences, if any, and forfeited, as provided by law, for subsequent conviction of crime, you shall continue to be in the legal custody of the Chief Executive Officer of the institution from which you are released and you shall be under the direct supervision of the Division of Parole of the Department of Institutions and Agencies of the State of New Jersey and shall be required to abide by the rules and regulations relating to parole formulated by the State Parole Board for the supervision of persons on parole, in accordance with the authority conferred upon it by the statutes of this State, in such case made and provided, regardless of whether such rules and regulations, terms or conditions of parole be specifically set forth herein, annexed hereto and made a part hereof.

2. If you violate any of the conditions set forth herein, this parole may be revoked without notice and, at the discretion of the State Parole Board, you may be required to serve the balance of time due and remaining on any sentence as of the date of your release.

3. As a condition of your being at large, under this parole, you are required to:

- a. Obey all laws and public ordinances;
- b. Follow the advice and guidance of the parole officer who is supervising your case;
- c. Reside in a place approved by the Division of Parole of the Department of Institutions and Agencies;
- d. Report to the designated Parole District Supervisor or his representative--
 1. Within forty-eight hours after leaving the institution,
 2. Whenever you wish to change your place of residence or employment,
 3. Whenever you are in any kind of trouble,
 4. Whenever you are instructed to report by the Parole District Supervisor, his representative, or other competent authority;
- e. Obtain permission from your parole officer or the Parole District Supervisor before--
 1. Marrying or applying for divorce,
 2. Purchasing an automobile, obtaining a driver's license, or applying for a motor vehicle registration,
 3. Entering any form of conditional sales agreement, Chattel mortgage or lease-sales agreement,
 4. Entering any business or changing from one place of employment to another,
 5. Leaving the State;
- f. Avoid the use or sale of narcotics or the excessive use of intoxicating liquors;
- g. Refrain from association with persons of bad character or who are considered by the Parole District Supervisor to be undesirable companions;
- h. Remain within the State unless written permission has been received from the Parole District Supervisor.

IX - REVISION

These rules are subject to revision by the Board.