

CHAPTER 96
JUVENILE PAROLE AND TRANSITIONAL SERVICES

Authority

N.J.S.A. 2A:4A-60, 2C:39-6a(9), 47:1A-1, 2A:4A-44d(5), 52:17B-170e(14) and (19) to (22), 52:17B-171, 52:17B-174, 52:17B-175a and 52:17B-176a(10).

Source and Effective Date

R.2006 d.50, effective January 4, 2006.
See: 37 N.J.R. 3606(a), 38 N.J.R. 1047(a).

Chapter Expiration Date:

Chapter 96, Juvenile Parole and Transitional Services, expires on January 4, 2011.

Chapter Historical Note

Chapter 96, Aftercare and Parole Services, was adopted as R.2000 d.330, effective August 7, 2000. See: 32 N.J.R. 1750(a), 32 N.J.R. 2915(a).

Chapter 96, Aftercare and Parole Services, was readopted as Chapter 96, Juvenile Parole and Transitional Services, by R.2006 d.50, effective January 4, 2006. See: Source and Effective Date. See, also, section annotations.

Subchapter 2, Use of Force While on Duty, was repealed, and Subchapter 2, Residence Plan and Supervision, was adopted as new rules; Subchapter 3, Use Of Personal Firearms and Use of Force While Off Duty, was repealed, and Subchapter 3, Use of Force, was adopted as new rules; and Subchapter 4, Use of Firearms While On-Duty and Use of Personal Firearms While Off-Duty, Subchapter 5 (reserved), Subchapter 6, Search and Urine Monitoring of Juvenile Parolees, Subchapter 7, Contraband and Disposition of Contraband, and Subchapter 8, Transportation of Juvenile Parolees and Juveniles, were adopted as new rules by R.2006 d.50, effective February 6, 2006. See: 37 N.J.R. 3606(a), 38 N.J.R. 1047(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 13:96-1.1 Purpose and scope
- 13:96-1.2 Definitions
- 13:96-1.3 Oath of office form
- 13:96-1.4 Confidentiality of information

SUBCHAPTER 2. RESIDENCE PLAN AND SUPERVISION

- 13:96-2.1 Investigation of community release
- 13:96-2.2 Juvenile parole supervision status
- 13:96-2.3 Juvenile parole case notes and case plan
- 13:96-2.4 Violations of juvenile parole

SUBCHAPTER 3. USE OF FORCE

- 13:96-3.1 Juvenile parole officer authority
- 13:96-3.2 Use of force
- 13:96-3.3 Non-deadly force; when justified
- 13:96-3.4 Deadly force; when justified and when restricted
- 13:96-3.5 Use of force while off-duty
- 13:96-3.6 Reports
- 13:96-3.7 Use of mechanical restraints

- 13:96-3.8 Use of chemical or natural agents; storage
- 13:96-3.9 Training
- 13:96-3.10 Penalties for violation
- 13:96-3.11 Internal management procedures

SUBCHAPTER 4. USE OF FIREARMS WHILE ON-DUTY AND USE OF PERSONAL FIREARMS WHILE OFF-DUTY

- 13:96-4.1 Juvenile parole officers authorized to carry firearms while on-duty
- 13:96-4.2 On-duty firearms training, qualification and requalification
- 13:96-4.3 On-duty firearm
- 13:96-4.4 Personnel authorized to carry firearms while off-duty
- 13:96-4.5 Authorized off-duty firearms, ammunition, holsters and security
- 13:96-4.6 Off-duty firearm
- 13:96-4.7 Firearm instructors
- 13:96-4.8 Off-duty firearms training, qualification and requalification
- 13:96-4.9 Storage of off-duty firearms while on Commission property
- 13:96-4.10 Unauthorized use of personal weapons while off-duty
- 13:96-4.11 Possession of firearms within a casino or casino simulating facility
- 13:96-4.12 Reporting incidents
- 13:96-4.13 Penalties for violation
- 13:96-4.14 Post orders and procedures

SUBCHAPTER 5. (RESERVED)

SUBCHAPTER 6. SEARCH AND URINE MONITORING OF JUVENILE PAROLEES

- 13:96-6.1 Search of parolees; when authorized; scope
- 13:96-6.2 (Reserved)
- 13:96-6.3 Search of a juvenile parolee's residence; when authorized
- 13:96-6.4 Search of a motor vehicle; when authorized
- 13:96-6.5 Search of objects in a motor vehicle
- 13:96-6.6 Reports
- 13:96-6.7 Testing for prohibited substances
- 13:96-6.8 Collection, storage and analysis of specimens

SUBCHAPTER 7. CONTRABAND AND DISPOSITION OF CONTRABAND

- 13:96-7.1 Procedures for handling contraband upon discovery

SUBCHAPTER 8. TRANSPORTATION OF JUVENILE PAROLEES AND JUVENILES

- 13:96-8.1 Use of State-owned vehicles required
- 13:96-8.2 Transport of juvenile parolees and juveniles in custody
- 13:96-8.3 Emergencies
- 13:96-8.4 Medical transportation

SUBCHAPTER 1. GENERAL PROVISIONS

13:96-1.1 Purpose and scope

(a) The purpose of this chapter is to establish:

1. Uniform requirements for the supervision of juvenile parolees, including procedures for approving a juvenile parolee's residence;

2. Policies and procedures in connection with the Office of Juvenile Parole and Transitional Services regarding the use of force by juvenile parole officers, both on-duty and off-duty;

3. Policies and procedures regarding juvenile parole officers' use of firearms, both on-duty and off-duty;

4. Procedures governing the search and urine monitoring of juvenile parolees;

5. Procedures for the seizure and processing of contraband taken from a juvenile parolee by a juvenile parole officer; and

6. Rules governing the transportation of juveniles and juvenile parolees under authority of the Office of Juvenile Parole and Transitional Services.

(b) This chapter shall be applicable to juvenile parole officers employed by the New Jersey Juvenile Justice Commission's Office of Juvenile Parole and Transitional Services in the following titles: Senior Parole Officer, Juvenile Justice; Senior Parole Officer, Juvenile Justice, Bilingual in Spanish/English; Parole Officer Recruit, Juvenile Justice; and Parole Officer Recruit, Juvenile Justice, Bilingual in Spanish/English.

Amended by R.2006 d.50, effective February 6, 2006.
See: 37 N.J.R. 3606(a), 38 N.J.R. 1047(a).

Rewrote (a); in (b), substituted "Juvenile Parole and Transitional Services" for "Aftercare and Parole Services."

13:96-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Assistant Director of Juvenile Parole and Transitional Services" means the Assistant Director of the Commission's Office of Juvenile Parole and Transitional Services.

"Assistant District Parole Supervisor, Juvenile Justice" means the Assistant District Parole Supervisor who supervises juvenile parole officers within the Regional Juvenile Parole and Transitional Services Office.

"Board" means the New Jersey State Parole Board.

"Central Communications Unit" means the centralized communication center within the New Jersey Department of Corrections which coordinates certain functions of the Commission's Office of Juvenile Parole and Transitional Services on a 24 hour, seven days a week basis.

"Chemical agent" means an aerosol spray that may be used to gain control of individuals who resist arrest or for the purpose of self-defense against an attack.

"Commission" means the New Jersey Juvenile Justice Commission.

"Deadly force" means force that is intended to cause, or is likely to cause, death or serious bodily harm.

"Deputy Executive Director" means the Deputy Executive Director of the Commission.

"Director of Juvenile Parole and Transitional Services" means the Director of the Commission's Office of Transitional and Parole Services responsible for the supervision of juvenile parole officers employed by the Commission's Office of Juvenile Parole and Transitional Services.

"Director of Operations" means the Commission staff member, by whatever name or title, charged with oversight and management responsibilities for the overall operation and supervision of the Commission's secure facilities.

"Executive Director" means the Executive Director of the Commission.

"Facility" means a facility of the Commission used to house, train or educate juveniles; it does not refer to the central or other administrative or operational offices of the Commission.

"Juvenile" means an individual who has been adjudicated delinquent and sentenced to a term of incarceration to be served under the custody of the Commission. For the purpose of this chapter, "juvenile" shall only refer to those individuals residing in a Commission facility.

"Juvenile parolee" means an adjudicated delinquent who is subject to the jurisdiction of the New Jersey State Parole Board, and who has been released on parole, and/or post-incarceration supervision, or any individual released from another State juvenile secure facility who resides in New Jersey under the terms of the Interstate Compact for Juveniles. For the purposes of this chapter, juvenile parolee includes any individual, regardless of age, who is completing a term of parole or post-incarceration supervision pursuant to an adjudication of delinquency.

"Juvenile parole officer" means juvenile corrections officers employed by the Commission with the following titles and who have been sworn as peace officers:

1. Assistant District Parole Supervisor, Juvenile Justice;
2. Senior Parole Officer, Juvenile Justice;
3. Senior Parole Officer, Juvenile Justice, Bilingual in Spanish/English;
4. Parole Officer Recruit, Juvenile Justice; and
5. Parole Officer Recruit, Juvenile Justice, Bilingual in Spanish/English.

"Mechanical restraints" means restraining devices such as, but not limited to, handcuffs, flex cuffs, leg irons and belly chains.