

## CHAPTER 3

## NEW JERSEY DISTINGUISHED SERVICE MEDAL

## Authority

N.J.S.A. 38A:3-6(o) and (u) and 38A:15-2 and 3.

## Source and Effective Date

R.2000 d.245, effective June 19, 2000.  
See: 32 N.J.R. 863(a), 32 N.J.R. 2229(a).

## Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 3, New Jersey Distinguished Service Medal, expires on December 16, 2005. See: 37 N.J.R. 1931(b).

## Chapter Historical Note

Chapter 3, Military Service Medals, was adopted as R.1992 d.56, effective February 3, 1992. See: 23 N.J.R. 1490(a), 23 N.J.R. 3409(a), 24 N.J.R. 409(a). Pursuant to Executive Order No. 66(1978), Chapter 3 expired on February 3, 1997.

Chapter 3, New Jersey Distinguished Service Medal, was adopted as new rules by R.2000 d.245, effective June 19, 2000. See: Source and Effective Date.

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## SUBCHAPTER 1. GENERAL PROVISIONS

## 5A:3-1.1 Purpose

This chapter establishes procedures for the State to recognize and commemorate the distinguished military service of its sons and daughters through the awarding of the New Jersey Distinguished Service Medal.

## 5A:3-1.2 Definitions of types of discharges from service

The following words and terms, as used in this subchapter to describe characterization of a service member's service at separation, shall have the following meanings, unless the context clearly indicates otherwise.

"Discharge under other than honorable conditions" means that discharge specified when the reason for separa-

tion is based upon a pattern of behavior or one or more acts or omissions that are not acceptable military conduct.

"General discharge (under honorable conditions)" means that discharge specified when significant negative aspects of the soldier's conduct or performance outweigh positive aspects of the soldier's military record. If a soldier's service has been honest and faithful, it is appropriate to characterize that service as under honorable conditions.

"Honorable discharge" means that discharge specified when the quality of service generally has met the standards of acceptable conduct and performance of duty for military personnel, or is otherwise so meritorious that any other characterization would be clearly inappropriate.

SUBCHAPTER 2. AWARD CRITERIA,  
APPLICATION PROCEDURES AND  
ISSUANCE

## 5A:3-2.1 Criteria for award

(a) A New Jersey National Guard member who, while serving in any capacity in the New Jersey National Guard or while on active Federal duty, is cited in orders for distinguished service by the Governor or by appropriate Federal authority, shall be eligible for the New Jersey Distinguished Service Medal. Active membership in the New Jersey National Guard or former membership attested to by the awarding of an honorable discharge is required.

(b) Individuals other than members of the New Jersey National Guard shall be eligible for the New Jersey Distinguished Service Medal upon:

1. Presentation of a War Department (WD) Form 53 or Department of Defense (DD) Form 214 indicating an honorable discharge and service during time of war or national emergency;
2. Demonstration of one of the following:
  - i. That the quality of service which is being attested was especially meritorious through the awarding of not less than the Air Medal. A lesser-ranking medal may be considered when the "V" (valor) device for heroic acts or valorous deeds has been awarded. The determination of whether the valor device demonstrates especially meritorious service will be determined by the Adjutant General at his or her sole discretion. If the award is not indicated on the WD Form 53 or the DD Form 214, the applicant may submit other certified documents showing the award was presented in the name of the President of the United States;

ii. A demonstration that the individual had served in a combat theater of operations during time of war or emergency; or

iii. A demonstration that the individual was officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

3. A demonstration that the individual was a resident of the State of New Jersey on the date of induction into military service.

(c) Individuals eligible for the award under the provisions of (b)2i above also shall be awarded the silver oak leaf cluster to be affixed to surface and suspension ribbons.

(d) Applicants who received either a general discharge (under honorable conditions) or a discharge under other than honorable conditions shall not be considered for this award.

#### **5A:3-2.2 Procedures for requesting award**

(a) The awarding of the New Jersey Distinguished Service Medal to members of the New Jersey National Guard shall be made in accordance with procedures established by the Adjutant General.

(b) All other eligible individuals shall submit a written request for the awarding of the New Jersey Distinguished Service Medal along with the documentation specified in N.J.A.C. 5A:3-2.1(b) to:

The Adjutant General  
New Jersey Department of Military and Veterans'  
Affairs  
Attn: Director of Information Management  
PO Box 340  
Trenton, New Jersey 08625-0340

(c) The New Jersey Distinguished Service Medal for a deceased person or a person absent as a prisoner of war or missing in action may be requested by and shall be issued to a parent, spouse, sibling, child or other relative who submits all of the required forms and documentation on behalf of that person.

#### **5A:3-2.3 Issuance of the award**

Upon verification of eligibility for the award, the Department of Military and Veterans' Affairs shall issue, at no cost to the applicant, the New Jersey Distinguished Service Medal with the service ribbon (and, if eligible pursuant to N.J.A.C. 5A:3-2.1(c), the silver oak leaf cluster) with appropriate certificate in the name of the Governor of the State of New Jersey.