

10A:72-8.5 (Reserved)

Recodified to N.J.A.C. 10A:72-8.4 by R.2004 d.446, effective December 6, 2004.
 See: 36 N.J.R. 2136(a), 36 N.J.R. 5359(a).

SUBCHAPTER 9. VOLUNTEERS IN PAROLE PROGRAM (V.I.P.P.)

10A:72-9.1 Volunteers in Parole Program (V.I.P.P.) Supervisor

(a) The Volunteers in Parole Program (V.I.P.P.) Supervisor, serving under the Director, Division of Parole, shall be responsible for the administration of the V.I.P.P. The V.I.P.P. Supervisor shall:

1. Disseminate the policies and procedures of V.I.P.P. as established by the Board;
2. Monitor and evaluate V.I.P.P. activities; and
3. Submit monthly and annual reports on V.I.P.P. activities to the Director, Division of Parole.

10A:72-9.2 District Volunteers in Parole Program (V.I.P.P.) Coordinator

(a) The District Parole Supervisor shall designate a District V.I.P.P. Coordinator who shall be responsible for the coordination and supervision of V.I.P.P. activities within the District Office. The District V.I.P.P. Coordinator shall:

1. Recruit volunteers;
2. Assist in the orientation and training of volunteers;
3. Coordinate the interviewing, screening and approval of volunteers;
4. Assign volunteers to appropriate activities and/or services;
5. Coordinate and monitor the supervision of volunteers; and
6. Prepare annual reports of V.I.P.P. activities.

10A:72-9.3 Recruiting volunteers

(a) Volunteers may be recruited by the V.I.P.P. Supervisor, the District V.I.P.P. Coordinator, or other interested individuals.

(b) Efforts shall be made to recruit volunteers from all cultural and socioeconomic segments of the community.

(c) When recruiting volunteers, emphasis shall be placed on the service to be provided and the qualifications of the prospective volunteer including:

1. Motivation;
2. Interest;
3. Background;
4. Training; and/or
5. Other qualifications which make the prospective volunteer the appropriate person to provide a needed service.

(d) Assistance in recruiting volunteers may be provided by a Department of Corrections staff member who is designated to coordinate volunteer services.

10A:72-9.4 Eligibility for service as a volunteer

- (a) A volunteer shall be at least 18 years of age.
- (b) A former inmate may serve as a volunteer if his or her application is approved by the District Parole Supervisor and the Director, Division of Parole.
- (c) No application to serve as a volunteer shall be denied on the basis of sex, race, religion or national origin.

10A:72-9.5 Volunteer application

(a) Any person desiring to serve as a volunteer may obtain from the District Volunteers in Parole Program (V.I.P.P.) Coordinator the following forms:

1. Volunteer Application;
2. Request for Criminal History Record Information;
3. V.I.P.P. Volunteer Rules and Responsibilities;
4. General Waiver; and
5. Application for Clearance and Issuance of a Temporary Identification Card.

(b) The applicant shall complete and sign the forms in (a) above and return such forms to the District V.I.P.P. Coordinator, who shall schedule fingerprinting.

(c) All volunteers shall be fingerprinted.

(d) A copy of all applications shall be submitted by the District V.I.P.P. Coordinator to the Division of Parole V.I.P.P. Supervisor who shall:

1. Submit the Form Volunteer Application to the Board staff member who has been designated to coordinate volunteer services; and
2. Submit the Application for Clearance and Issuance of a Temporary Identification Card to the Special Investigations Unit of the Board.
- (e) Applicants offering volunteer services in specialized fields requiring licensure or certification shall submit current

and valid credentials for verification, along with the application.

10A:72-9.6 Screening process

(a) Applicants shall be evaluated on the basis of:

1. Information entered on Volunteer Application;
2. Information provided at the interview; and
3. Information provided by Request for Criminal History Record Information and Application for Clearance and Issuance of a Temporary Identification Card.

(b) The District Volunteers in Parole Program (V.I.P.P.) Coordinator shall verify all pertinent information and approve or reject applicants after a thorough review has been made of the qualifications of the applicants and the needs of the District.

(c) The District V.I.P.P. Coordinator shall notify all applicants, in writing, of whether they have been approved or disapproved for participation in the V.I.P.P.

10A:72-9.7 Volunteer responsibilities

(a) All volunteers shall agree to abide by the following rules:

1. Volunteer services shall be provided on a strictly volunteer basis, for which no money, gifts or compensation may be accepted;
2. The volunteer shall attend his or her assigned duties as scheduled by the District Volunteers in Parole (V.I.P.P.) Coordinator;
3. The volunteer shall not discuss Division of Parole business with unauthorized persons, and shall maintain confidentiality of information in accordance with N.J.A.C. 10A:71-2.1;
4. The volunteer shall not exchange gifts, money, personal services or other favors with any parolee or with any parolee's family or relative;
5. The volunteer shall notify the District V.I.P.P. Coordinator of possible violation of parole rules by a parolee;
6. The volunteer shall not engage in any volunteer activity while under the influence of alcohol or illicit drugs;
7. The volunteer shall not indulge in undue familiarity with parolees;
8. The volunteer shall not remove any case materials from the Division of Parole office;
9. The volunteer shall notify the District V.I.P.P. Coordinator if the volunteer desires to visit any State or county correctional facility;

10. The volunteer shall notify the District V.I.P.P. Coordinator of any condition or event which will affect or prevent the volunteer from continued participation in the Volunteer in Parole Program (V.I.P.P.); and

11. The volunteer shall not participate in any Division of Parole law enforcement activity.

10A:72-9.8 Volunteer handbook

(a) The Division of Parole shall develop and publish a Volunteers in Parole Program Handbook which shall bear the date of publication on the cover or front page.

(b) The Volunteers in Parole Handbook shall include, but is not limited to:

1. An introduction which summarizes the history, goals and objectives of the Department of Corrections, the Board and the Division of Parole;
2. A summary of Division of Parole policies and procedures;
3. The responsibilities of volunteers as established in this subchapter;
4. A summary of volunteer services and activities as established in this subchapter; and
5. An explanation of the volunteer performance evaluation as established in this subchapter.

(c) Prior to publishing or republishing the Volunteers in Parole Program Handbook, the final draft shall be submitted to the Director, Division of Parole, for review and written approval.

(d) Each volunteer shall receive a copy of the Volunteers in Parole Program Handbook prior to assignment to an activity or service.

(e) The contents of the Volunteers in Parole Program Handbook shall be updated every two years.

10A:72-9.9 Orientation and training of volunteers

(a) Each District Office shall provide orientation and training sessions to all volunteers prior to assignment to an activity or service. Orientation and training sessions shall include, but not be limited to:

1. The rules of the Department of Corrections;
2. The rules of the Board;
3. The rules of the Division of Parole;
4. The philosophy, goals, resources and programs of the Division of Parole;
5. The duties and responsibilities of volunteers; and
6. The appropriate exercise of authority by volunteers.

10A:72-9.10 Supervision of volunteers

The supervision of volunteers shall be provided by the District Office supervising staff members to whom the volunteers have been assigned.

10A:72-9.11 Performance evaluation

(a) The District Volunteers in Parole Program (V.I.P.P.) Coordinator, along with the volunteer's immediate supervisor, shall evaluate the performance of the volunteer after a trial period of four months, using Form 608.7 Volunteer Performance Evaluation.

(b) A performance evaluation shall include, but not be limited to, the following criteria:

1. Attitude toward work;
2. Relationship with co-workers and staff;
3. Relationship with parolee; and
4. Reliability.

(c) If the evaluation is unsatisfactory, a conference shall be scheduled with the volunteer, the District V.I.P.P. Coordinator, the immediate supervisor and any other appropriate staff member(s).

(d) Following the conference, the District V.I.P.P. Coordinator shall recommend to the District Parole Supervisor the retention or termination of the volunteer.

(e) The performance evaluation of a student intern shall be submitted according to the requirements of the educational institution attended by the student.

(f) A final evaluation using Form 608.7 Volunteer Performance Evaluation shall be completed on all volunteers.

10A:72-9.12 Recognition of volunteers

The Division of Parole may schedule an annual event to acknowledge the contribution of volunteers.

10A:72-9.13 Curtailing, suspending or discontinuing the services of a volunteer

(a) The District Parole Supervisor may curtail, suspend or discontinue the services of a volunteer for reasons which include, but are not limited to:

1. Any breach of confidentiality (see N.J.A.C. 10A:71-2.1, Records);
2. An arrest of the volunteer;
3. A physical or emotional illness;
4. The inability to cooperate with staff;
5. Irregular attendance; or

6. Violation of the rules of the Volunteer in Parole Program (V.I.P.P.) as established in this chapter.

10A:72-9.14 Reporting responsibilities

The District Volunteers in Parole Program (V.I.P.P.) Coordinator shall submit annual reports to the V.I.P.P. Supervisor which shall include a list of all volunteers listed by category for the fiscal year who have been terminated and the corresponding date of action.

SUBCHAPTER 10. CURFEW AND ELECTRONIC MONITORING

10A:72-10.1 Criteria

(a) This subchapter applies to the following:

1. The effectuation of the general condition of curfew for those offenders serving a special sentence of community or parole supervision for life;
2. The imposition of a special condition of curfew for those offenders serving a mandatory period of parole supervision pursuant to N.J.S.A. 2C:43-7.2(c); and
3. The imposition of a special condition of electronic monitoring for those offenders serving a special sentence of community or parole supervision for life or a mandatory period of parole supervision pursuant to N.J.S.A. 2C:43-7.2(c).

(b) The District Parole Supervisor, Assistant District Parole Supervisor or designee of the District Parole Supervisor, may effectuate the general condition of curfew or impose a special condition that the offender abide by an assigned curfew or participate in electronic monitoring if:

1. There is a specific and articulable reason and a clear purpose for the imposition of the curfew or electronic monitoring; and
2. The imposition of the curfew or electronic monitoring will act as an aid to the offender's re-entry efforts; or
3. The imposition of the curfew or electronic monitoring is deemed necessary to protect the public from recidivism by the offender.

10A:72-10.2 Specifications

(a) The curfew or electronic monitoring period established pursuant to N.J.A.C. 10A:72-10.1(b) shall comply with the following specifications:

1. The curfew or electronic monitoring period shall specify the hours when the offender is restricted to his or her approved residence;

2. The curfew or electronic monitoring period shall specify a beginning and ending date for the curfew or electronic monitoring;

3. The start and end time of the curfew or electronic monitoring period shall be reasonable and commensurate with the stated justification;

4. The curfew or electronic monitoring period shall not be imposed in a manner that would interfere with the offender's verifiable employment and/or educational requirements;

5. The curfew or electronic monitoring period shall be imposed for a maximum of 180 days;

6. A District Parole Supervisor, Assistant District Parole Supervisor or designee of the District Parole Supervisor, shall review the curfew or electronic monitoring period no less than 90 days after imposition to determine if it remains warranted; and

7. Any extension of the curfew or electronic monitoring period beyond 180 days shall require an additional review by the District Parole Supervisor, Assistant District Parole Supervisor or designee of the District Parole Supervisor, and shall conform with the procedures in N.J.A.C. 10A:72-10.3.

10A:72-10.3 Procedure

(a) The offender shall be served in person with written notice of the imposition of the curfew or electronic monitoring condition. The written notice shall include the basis for the imposition of the condition.

(b) The offender shall be provided with a written informational statement that details the procedure for the imposition of the curfew or electronic monitoring condition.

(c) The offender shall indicate in writing whether he or she contests the allegations, the conclusions to be drawn from the allegations or the justification supporting the imposition of the curfew or electronic monitoring condition.

(d) If the offender does not deny the allegations, contest the conclusions to be drawn from the allegations or the rationale supporting the curfew or electronic monitoring condition, the offender shall be advised that the curfew or electronic monitoring condition shall be effectuated immediately.

(e) If the offender contests the allegations, the conclusions to be drawn from the allegations or the rationale supporting the curfew or electronic monitoring condition and exigent circumstances do not exist as to require the immediate effectuation of the curfew or electronic monitoring condition, the following procedures shall apply:

1. The offender shall be advised that he or she will have five business days to submit a written statement or

documentation to the District Parole Office to be considered before the curfew or electronic monitoring condition becomes effective;

2. The offender shall be advised that if the offender fails to submit a written statement or documentation within five business days, the curfew or electronic monitoring condition shall become effective immediately upon the expiration of the five business days;

3. If the offender submits a written statement or documentation within five business days, the curfew or electronic monitoring condition shall not be effectuated until such time as a board panel authorizes the effectuation of the curfew or electronic monitoring condition;

4. The District Parole Office shall forward a copy of the written notice of the imposition of the curfew or electronic monitoring condition to a board panel. If the offender contests the imposition of the curfew or electronic monitoring condition and has submitted a written statement or documentation to the District Parole Office, a copy of the written statement and documentation shall be forwarded by the District Parole Office to the board panel for consideration;

5. An offender shall not be precluded from submitting a written statement or documentation to the District Parole Office after the expiration of the five business days time period. However, the failure to comply with the five business days time period shall result in the immediate effectuation of the curfew or electronic monitoring condition; and

6. If the District Parole Office receives a written statement or documentation from an offender after the expiration of the five business days time period, the District Parole Office shall forward a copy of the written statement or documentation to the board panel for consideration.

(f) If the offender contests the allegations, the conclusions to be drawn from the allegations or the rationale supporting the curfew or electronic monitoring condition and the District Parole Office believes that exigent circumstances do exist as to require the immediate effectuation of the curfew or electronic monitoring condition, the following procedures shall apply:

1. The District Parole Supervisor shall review the offender's case within 24 hours of the determination to impose the curfew or electronic monitoring condition to determine whether exigent circumstances do exist as to require immediate effectuation of the curfew or electronic monitoring condition and shall verbally advise the offender and the assigned parole officer of his or her determination. If the District Parole Supervisor shall determine that exigent circumstances exist, the District Parole Supervisor shall also provide written notice to the offender as to the basis for the determination;