



RULES

of the

Dept. of Institutions
and Agencies

(NEW JERSEY STATE) PAROLE BOARD.

Effective August 1, 1961

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THE NEW JERSEY STATE PAROLE BOARD

Offices: State Office Building
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Trenton, New Jersey

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August 1, 1961.

FOREWORD

This publication contains a statement of the Rules and Regulations of the New Jersey State Parole Board and defines how the Board acts within the limits imposed by statutes.

The State Parole Board is responsible for the exercise of all quasi-judicial functions with respect to the grant, denial, and revocation of parole of inmates, including those prisoners serving sentences having fixed minimum and maximum terms, sentences under N.J.S. 2A:164-3 et seq. (sex offenders), indeterminate sentences in certain cases, and life sentences. The Board also considers for parole certain inmates of county penitentiaries, but only if they apply for parole after having served at least one year of a sentence greater than a year.

Our functions also include, inter alia, the authority to discharge from parole, the power to promulgate rules and regulations, the imposition or modification of conditions of parole, issuance of warrants, the establishment of general release policies, and the investigation and the submission of reports and recommendations on petitions for executive clemency.

Revisions and amendments, when made, will be distributed to principal holders.

These provisions supersede all Rules and Regulations heretofore promulgated by this Board.

This publication may be referred to as The Rules of the New Jersey State Parole Board.

*Harold J. Ashby
Chairman*

C O N T E N T S

	<u>Page</u>
I. COMPOSITION OF THE BOARD	1
A. Membership	1
II. MEETINGS OF THE BOARD	1
A. Regular	1
B. Special	1
C. Practice and Procedure	1
III. RECORDS	2
A. Eligibility File	2
B. Case Record	2
C. Privacy of Records	2
IV. PREPARATION OF CASES FOR PAROLE CONSIDERATION	3
A. General Requirements	3
B. State Penal or Correctional Cases	3
C. County Penitentiary Cases	4
V. PUBLIC NOTICE	5
A. Public Notice	5
B. Public Officials	5
VI. PAROLE SELECTION HEARINGS	6
A. Eligibility	6
B. General Policy in Granting Parole	6
C. Hearings	6
D. Voting	6
E. Notice of Decision	7
F. Effective date of Release	7
G. Scheduling	7
H. Appearance and Attendance	7
I. State Hospital Cases	7
J. Special Sex Offenders	8
K. Fine Cases	8
L. Indeterminate Sentence Cases	9
M. Rehearing	10
N. Reconsideration	10

	<u>Page</u>
VII. INSTITUTIONAL CONDUCT FOLLOWING FAVORABLE PAROLE ACTION	11
A. Infractions	11
B. Board Review	11
VIII. ISSUANCE OF PAROLE CERTIFICATES	12
A. Preparation	12
B. Distribution	12
IX. TERMS AND CONDITIONS	13
A. General Terms and Conditions	13
B. Special Terms and Conditions	15
C. Addition, Elimination or Modification	15
X. SUPERVISION	16
A. State Penal and Correctional Cases	16
B. County Penitentiary Cases	16
C. Commutation Time While on Parole	16
XI. DELINQUENCIES AND VIOLATIONS	17
A. Violations - Technical	17
B. Violations - Conviction of Crime, <u>et al.</u>	18
C. Reports	18
D. Release on Bail	18
XII. PAROLE REVOCATION HEARINGS	19
A. Hearing Discretionary	19
B. Scheduling of Violators	19
C. Voting on Revocation	19
XIII. DISCHARGE FROM PAROLE	20
A. Criteria	20
B. Origin of Recommendation	20
C. Parole Bureau Review	20
D. Board Review	20

	<u>Page</u>
XIV. RELIEF FROM REPORTING	22
A. Criteria	22
B. Origin of Recommendation	22
C. Revocation of Permission	22
XV. EXECUTIVE CLEMENCY	23
A. Eligibility	23
B. Investigation	23
C. Review of Clemency Petitions	23
D. Report and Recommendation	23
XVI. ADMINISTRATIVE MATTERS	24
A. Correspondence	24
B. Conferences	24
C. Office Management	24
D. Forms	24
XVII. RULE CHANGES	25
A. Changes	25

Pursuant to N.J.S.A. 30:4-123.1 et seq., the following are declared to be the Rules and Regulations of the State Parole Board of the State of New Jersey and shall govern the exercise of its authority.

I. COMPOSITION OF THE BOARD

A. MEMBERSHIP. The New Jersey State Parole Board shall consist of the Chairman and two associate members. The Chairman of the Board shall devote his entire time to the performance of his duties. (N.J.S.A. 30:4-123.1)

II. MEETINGS OF THE BOARD

A. REGULAR. The Board shall sit en banc in general session once each month at the call of the Chairman to discuss and settle questions of policy and procedure, to arrange the schedule of institutional hearings, to consider petitions for executive clemency and review such other matters as may be within the Board's jurisdiction. Reasonable notice of such meetings shall be given to each member of the Board.

B. SPECIAL. Special meetings will be held when called by the Chairman or by any member of the Board, and written notice thereof shall be given to each member of the Board. Hearings held at the institutions for the purpose of considering prisoners for release on parole shall also be deemed "special meetings".

C. PRACTICE AND PROCEDURE. The proceedings of the Board with respect to any matters before it shall be informal, direct and summary. It shall not be bound by the ordinary rules of evidence or judicial procedure, nor shall attorneys be entitled to practice before it. Attorneys may, upon written permission of the Board, submit a brief in triplicate on behalf of an inmate. Attorneys, relatives and other interested persons desiring to submit letters or other documents pertinent to any case shall forward them to the Board's office. Any interested person desiring to discuss a case in person may request an appointment with the Chairman of the Board. Newspapermen and other representatives of news media shall not be present for any hearings.

III. RECORDS

A. ELIGIBILITY FILE. The Board shall maintain a record file of all persons within its jurisdiction serving sentence in any penal or correctional institution of this State. Excepted herefrom are the cases of those prisoners of county penitentiaries coming within our jurisdiction.

1. A card designated the "Record Card" shall be established for each prisoner which shall contain the inmate's name, number, offense, sentence, date sentenced, date received, county from which committed, jail time allowed, tentative parole eligibility date, estimated minimum term, estimated maximum term, class of offender, residence at time of commitment, institution of confinement, and detainers. These shall be filed alphabetically.

2. When the prisoner's eligibility date has been determined, there shall be established a card to be known as the "Eligibility Card", which card shall be filed chronologically.

3. The Board shall be notified promptly by the Chief Executive Officer of the Institution of confinement of any subsequent changes in the eligibility date by reason of court order, additional sentences, executive clemency, etc. Upon receipt of such changes, the additional information shall be noted on the Board's Record Cards and Eligibility Cards and the cards refiled accordingly.

B. CASE RECORD. 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.

C. PRIVACY OF RECORDS. All official files, documents and records in the offices of the State Parole Board, or in the custody or control of any official or member of the Board, or pertaining to the release of any prisoner on parole, are to be regarded as confidential. Unless authorized by the Board, no record, document, file, paper, or other official instrument in writing, or any exhibit attached, or pertaining thereto, shall be withdrawn from the file or furnished to any person or inspected by any person or persons other than the Commissioner of the Department of Institutions and Agencies, officers or employees of the Board or of the Division of Correction and Parole.

IV. PREPARATION OF CASES FOR PAROLE CONSIDERATION

A. GENERAL REQUIREMENTS. In arriving at its decisions the Board desires as much information as it can secure and adopts the following procedures for accumulating data.

B. STATE PENAL OR CORRECTIONAL CASES. Such cases shall be prepared as follows:

1. Four months in advance of the estimated eligibility date, the Board shall promulgate a list in numerical order of those cases which appear to be eligible for consideration. This list shall be distributed to the Chief Executive Officer of the institution of confinement.

2. The receipt of this list by the institution staff shall be notice to initiate up-to-date staff reports, psychological and psychiatric examinations and reports, and to the Institutional Parole Officer to initiate the pre-parole investigations in accordance with prescribed procedure. (Penal and Correctional Circular No. 105, March 29, 1961)

3. In those cases where a detainer is on file, the status of such detainees will be investigated, so far as is reasonably possible, prior to the parole hearing in accordance with Penal and Correctional Circular No. 38, dated December 30, 1959. The Board holds that the presence of a detainer may not be of itself a valid reason for the denial of parole. It is weighed with other factors in arriving at Board decisions.

4. Attached to the classification material shall be a separate sheet containing the recommendation of the Chief, Bureau of Parole, or his designated representative.

5. The completed material shall be submitted to the Chairman of the Board in triplicate at least two weeks before the scheduled hearing date; and he shall assign the material to each 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.

C. COUNTY PENITENTIARY CASES. The application shall be on forms prescribed and furnished by the Board. It shall be submitted through the warden or chief executive officer of the county penitentiary.

1. The application shall contain a certification of the warden or chief executive officer of the county penitentiary that the prisoner is eligible.

2. The application shall be accompanied by up-to-date institutional staff reports, psychological and psychiatric reports.

3. Upon receipt of the application the Board shall request the county probation officer of the county from which the prisoner was committed to prepare a pre-parole report reflecting the community plan established or to be established for the parole applicant. The report should reflect the home situation, environmental patterns, economic factors and such other relevant matters that the Board should have in properly evaluating the community plan formulated for the parole applicant.

V. PUBLIC NOTICE

A. PUBLIC NOTICE. Prior to considering any prisoner for release on parole and prior to the release of any prisoner on parole, the Board shall, at the appropriate time, give public notice of the name of the prisoner and the county from which, and crime for which, he was committed.

B. PUBLIC OFFICIALS. A list of the prisoners eligible for parole and those to be released on parole shall be forwarded to all county prosecutors, judges of the county courts and the Attorney General.

VI. PAROLE SELECTION HEARINGS

A. ELIGIBILITY. Prisoners shall become eligible for release on parole in accordance with the pertinent statutes.

1. The Board shall maintain a record of the eligibility dates upon which each prisoner committed to a State penal or correctional institution who is within its jurisdiction shall first be eligible for parole consideration; and on or before such date the prisoner shall be afforded a hearing, subject to other applicable provisions of these Rules and Regulations. An application for parole is not necessary and no application made by a prisoner, or on his behalf, shall be considered by the Board.

2. Prisoners committed to mental hospitals under sex offender legislation (N.J.S. 2A:164-3 et seq.) shall become eligible for parole consideration upon receipt of a recommendation from the Special Classification Review Board that the prisoner is capable of making a satisfactory social adjustment in the community.

3. Any prisoner in a county penitentiary serving a term having a maximum greater than a year and who has served at least one year, less commutation time therefrom for good behavior, shall be eligible to make application to the Board for parole.

B. GENERAL POLICY IN GRANTING PAROLE. The grant of parole rests in the discretion of the Board. In general, it is granted when, in the judgment of the Board, as to a prisoner otherwise eligible, the Board is of the opinion that there is reasonable probability that, if such prisoner is released, he will assume his proper and rightful place in society, without violation of law, and that his release is not incompatible with the welfare of society. No prisoner shall be released on parole merely as a reward for good behavior or efficient performance of duties assigned while under sentence.

C. HEARINGS. The Board shall conduct hearings at the State penal and correctional institutions and the county penitentiaries in accordance with a schedule to be determined by the Board.

D. VOTING. No release on parole shall be effected except by unanimous vote of the Board.

E. NOTICE OF DECISION. The Board will notify, in writing, each prisoner of the decision reached in his case as soon as possible after the hearing. In case of a denial of parole, the notice will include the date the case will again be considered if the decision orders other than the service of the maximum sentence. Two copies of the notice will be sent to the Chief Executive Officer of the institution, one to be delivered to the inmate and the other to the Institutional Parole Officer. A third copy will be furnished the District Parole Office.

F. EFFECTIVE DATE OF RELEASE. When a date for release has been set by the Board, release on that date is conditioned on the completion of a satisfactory parole plan. Release will be deferred until the Board is satisfied that the prisoner has a suitable community plan with visible means of support, or is likely to be suitably employed in self-sustaining employment upon his release. Where such plans have not been completed at the time of the hearing, the Chairman is authorized, when such plan is complete, to review it for the Board and take such action with respect thereto as he deems warranted.

G. SCHEDULING. To the extent practicable, a prisoner will be granted a hearing during the calendar month preceding his or her estimated date of eligibility for parole consideration.

H. APPEARANCE AND ATTENDANCE. A prisoner eligible for parole consideration shall appear before the Board in person. At the parole hearing only the members of the Board, a representative of the Bureau of Parole, and the prisoner shall be present.

I. STATE HOSPITAL CASES. For purposes of this section, a prisoner is in "state hospital status" when he has been transferred to and is a patient at a state hospital as a result of findings that he is mentally ill and in need of hospital treatment. As to such cases the following procedure shall be followed:

1. Ordinarily a prisoner in state hospital status, and otherwise eligible to be heard by the Board, shall not be entitled to appear before the Board for a parole hearing until such status has been removed. When removed, he shall be notified that he is entitled to appear before the Board at its next meeting at the penal or correctional institution to which he has been returned.

2. An inmate who is otherwise eligible for parole consideration, who has not been heard by reason of transfer to a state hospital, shall be eligible for parole hearing upon return of jurisdiction from the state hospital to the Prison.

(a) It shall be the responsibility of the Chief Executive Officer of the institution of confinement to notify the Parole Board promptly, with copies of such notification to the Institutional Parole Officer, whenever an inmate whose name appears on a Parole Board list for hearing is transferred to the state hospital in order that such name may be removed from the hearing list.

(b) It shall be the responsibility of the Chief Executive Officer of the institution of confinement to immediately notify the Parole Board of the return of any such inmate to Prison jurisdiction so that his name may be added to the hearing list.

(c) It shall be the responsibility of the Chief Executive Officer of the institution of confinement to immediately notify the Parole Board of the return of any such inmate to Prison jurisdiction who was not eligible for parole consideration when transferred from the Prison but who, by the lapse of time since transfer, is eligible upon return.

J. SPECIAL SEX OFFENDERS. Offenders sentenced under the provision of N.J.S. 2A:164-3 et seq. who become eligible for parole consideration by the Parole Board shall be transported from the institution of confinement to the Prison or other places of hearing for parole interview at the time of any special meeting of the Board, as directed by the Board. The institution of confinement shall prepare case histories in accordance with prescribed procedure.

K. FINE CASES. Prisoners whose sentences include as a part thereof fines and costs may be paroled upon condition that the fine and costs be paid in installments.

1. When an offender whose sentence includes as a part thereof a fine and costs, the Board shall, as part of its parole deliberation, determine whether that prisoner may be released on parole upon condition that he pay his fine and costs to the Probation Officer of the County of commitment, in regular installments to be established by the Board. This prisoner will remain on parole, under supervision

of the Bureau of Parole, Department of Institutions and Agencies, until his fine and costs are paid in full, even though his maximum may earlier have expired. If he violates in any respect, prior to the expiration of the term portion of his sentence, parole may be revoked and he may be returned to the appropriate institution to complete his maximum and to work out the balance of his fine at the rate established by statute.

2. A prisoner whose sentence includes as a part thereof a fine and costs and whose term portion has expired may be paroled. Such parole is to continue until his fine has been paid in installments as stipulated by the Board, to the Chief Probation Officer of the county of commitment. Parole may be revoked for failure to pay the fine.

3. The Board may increase, decrease, or temporarily suspend the payment of the weekly installments to the County Probation Office, as circumstances warrant.

L. INDETERMINATE SENTENCE CASES. Indeterminate sentence cases transferred to the Prison shall be considered by the Board for release on parole in accord with the following procedure:

1. Such cases are immediately eligible for parole consideration by the Board.

2. Upon receipt of the transfer order, transferring jurisdiction of an inmate to the Prison, the Chief Executive Officer of the institution of confinement shall notify the Parole Board of the receipt of the inmate in the same manner as if the inmate had been received by direct commitment from the courts.

3. A Record and Eligibility Card shall be prepared for each indeterminate sentence case in the same manner as if the inmate had been received on a direct commitment from the courts.

4. Since an inmate serving an indeterminate sentence, on which jurisdiction is transferred to the Prison as above, is immediately eligible for parole consideration, such cases shall be included for parole hearing on the list which is under preparation when the information is received.

5. In the cases of indeterminate sentences, jurisdiction on which has been transferred to the Prison, it shall not be necessary for the Parole Bureau to obtain pre-parole reports at the time of the first Board hearing following transfer.

M. REHEARING. Request may be made by an inmate or an interested person for a rehearing of any case and may be granted or denied in the discretion of the Board. A rehearing shall not be granted without good cause or reason shown therefore. A request for rehearing must be made in writing and must set forth new facts and conditions, or extraordinary circumstances or facts which have arisen or existed theretofore, which have not heretofore been considered by the Board and which, upon examination, would warrant such hearing. When a rehearing is granted, the case of such inmate shall be heard when specified by the Board.

N. RECONSIDERATION. The Board having rendered a decision may on its own motion prior to release on parole, advance, postpone, or deny a parole which has been granted; or it may advance or postpone a scheduled rehearing date.

VII. INSTITUTIONAL CONDUCT FOLLOWING FAVORABLE PAROLE ACTION

A. INFRACTIONS. When an effective date for release has been set by the Board, release on that date is conditioned upon the continuance of good prison conduct. In those cases where in the opinion of the Chief Executive Officer the inmate's behavior is such that a re-evaluation of a previously established parole date should be made, then it shall be the responsibility of the Chief Executive Officer of the institution of confinement to promptly provide the Board with details of such behavior.

B. BOARD REVIEW. On receipt of the information the Board shall schedule an informal interview to review the matter and take such action as it deems appropriate under the circumstances.

VIII. ISSUANCE OF PAROLE CERTIFICATES

A. PREPARATION. Before being released on parole each prisoner shall be required to enter into and execute a written agreement with the Board, on a form approved by the Board and designated a "Parole Certificate", wherein there shall be stipulated the terms and conditions upon which parole has been granted and containing a promise by the prisoner to be bound by such terms and conditions.

1. The Parole Certificate shall be issued and prepared in quintuplicate, and all members of the Board shall sign the original and one copy of the Certificate.

B. DISTRIBUTION. The responsibility for the distribution of said Certificates is vested in the Chief, Bureau of Parole, or his designated representative.

IX. TERMS AND CONDITIONS

A. GENERAL TERMS AND CONDITIONS. The following terms and conditions are established upon which parole shall be granted and shall be incorporated in each parole certificate.

1. From the date of your release on parole, and until the expiration of your adjusted maximum sentence(s) or the aggregate of the maximum of your consecutive sentences, if any, you shall continue to be in the legal custody of the Chief Executive Officer of the Institution from which you were released.

2. You shall be required to abide by the Rules and Regulations formulated by the State Parole Board for the supervision of persons on parole.

3. While on parole, you shall be under the direct supervision of the Bureau of Parole of the Department of Institutions and Agencies.

4. As a condition of your being on parole, you are required to:

(a) Obey all laws and public ordinances;

(b) Abstain from the use or sale of narcotics and the excessive use of intoxicating beverages;

(c) Refrain from association with persons of bad character or those who are considered by the Parole District Supervisor or his designated representative, to be undesirable companions;

(d) Reside in a place approved by the Bureau of Parole, Department of Institutions and Agencies;

(e) Seek employment diligently and render to your employer the best service of which you are capable;

(f) Report to or notify your Parole District Supervisor or his designated representative:

1.) As soon as possible but in any event within forty-eight hours after your release on parole from the institution.

2.) Whenever you are in any kind of trouble or in need of advice;

3.) Immediately, if you are arrested on any new charge;

4.) Whenever you are instructed to report by the Parole District Supervisor, his designated representative, or other competent authority;

5.) Before paying any fine or attempting to obtain bail:

(g) Obtain permission from your Parole District Supervisor or his designated representative:

1.) Before marrying or applying for a divorce;

2.) Before purchasing a motor vehicle, obtaining a learner's permit, a driver's license; or applying for a motor vehicle registration;

3.) Before entering any form of conditional sales agreement or borrowing money or articles of substantial value;

4.) Before entering any business, changing your place of residence, or changing your employment;

5.) Before leaving the State of your approved residence;

6.) Before applying for a permit to carry a firearm, securing a hunting license or carrying a firearm for any purpose.

5. Having accepted the action of the State Parole Board in determining your date for release on parole at this time on the sentence, or aggregated consecutive sentences, if any, imposed upon you it is understood and agreed that you shall remain under parole supervision until the expiration of your sentence(s), or the aggregate of the maximum of your consecutive sentences, less proper credits, except as provided in the following paragraphs.

6. If you violate any of the conditions of parole set forth herein, this parole may be revoked without notice and, in such case, you shall, unless reparaed, be required to serve the time remaining on your sentence(s), or the aggregate of the maximum of your consecutive sentences, as of the date you are delinquent on parole.

7. If you are convicted of a crime while on parole or commit an offense while on parole which subsequently results in conviction of crime, this parole may be revoked without notice and, in such case,

you shall, unless reparaoled, be required to serve all of the time remaining on your sentence(s), or the aggregate maximum of your consecutive sentences, as of the effective date of your release on this Certificate of Parole.

B. SPECIAL TERMS AND CONDITIONS. The Board may impose, in addition to the general terms and conditions, such further terms as it deems necessary or warranted to govern particular cases.

C. ADDITION, ELIMINATION OR MODIFICATION. The Board may add to, eliminate, or modify the conditions of parole at any time.

X. SUPERVISION

A. STATE PENAL AND CORRECTIONAL CASES. All prisoners released on parole from State penal or correctional institutions shall, at all times, remain in the legal custody of the Chief Executive Officer of the institution from which paroled and shall be under the continuous supervision of the Bureau of Parole until the expiration of the maximum periods of their sentence, or sentences, and until payment of any fine and cost; subject, however, to earlier discharge from parole in accordance with the laws and rules pertaining thereto.

B. COUNTY PENITENTIARY CASES. All prisoners released on parole from a county penitentiary shall, at all times, remain in the legal custody of the Chief Executive Officer of the institution from which paroled, and shall be under the continuous supervision of the Probation Officer of the county from which committed until the maximum term of his sentence has expired.

C. COMMUTATION TIME WHILE ON PAROLE. As to the period of time that a parolee shall remain under parole supervision, this Board establishes, as a rule, the present practice of permitting a parolee serving minimum-maximum sentences to earn commutation time for good behavior on parole in exactly the same manner as he might do while in confinement, subject also to the possibility of forfeiture of all or a portion thereof for misconduct while on parole.

XI. DELINQUENCIES AND VIOLATIONS

A. VIOLATIONS - TECHNICAL. When the Parole Officer shall have reasonable cause to believe that a parolee has resumed, or is about to resume, criminal conduct or associations, or has violated the conditions of his parole in any important respect, 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 and Revocation of Parole.

1. The case shall be referred by the Bureau of Parole no later than thirty days after the apprehension 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 thereafter.

2. If the recommendation for revocation is sustained by the Board, The Chairman shall cause a Revocation of Parole to be issued and delivered to the Parole Bureau for immediate distribution.

3. The receipt of such notice of revocation by the Bureau of Parole shall be sufficient notice for the Bureau 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. When it appears that a parolee has absconded from supervision and a recommendation as to delinquency and revocation has been submitted to the Board by the Bureau of Parole, the case shall be reviewed. If the Board sustains the recommendation, the Chairman shall issue the notice of Declaration of Delinquency and Revocation of Parole directed to the parolee at his last known post office address, and issue a warrant for his retention when apprehended. Copies, where necessary, are to be distributed to those concerned.

B. VIOLATIONS - CONVICTION OF CRIME, ET AL. Where a paroled prisoner has been arrested, and is serving a sentence or awaiting trial or indictment for a crime committed while on parole, and the Parole Officer supervising the case, or in the area of confinement, having filed his warrant as a detainer, and such facts have been transmitted to and reviewed by the Board at a regular or special meeting, a parole revocation may be issued, and a warrant issued by one of the members of the Board or by its duly constituted agent, and filed with the Chief Executive Officer of the institution of confinement as a detainer.

C. REPORTS. Reports of arrests and convictions and summaries of parole adjustments shall be furnished the Board through the Central Parole Bureau in accordance with the usual standards and procedures of that Bureau.

D. RELEASE ON BAIL. 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.

XII. PAROLE REVOCATION HEARINGS

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

B. SCHEDULING OF VIOLATORS. When the paroled prisoner has been returned as a technical parole violator, or convicted of a new offense while on parole and committed to an institution other than that from which he was paroled, a hearing on the violation of parole may 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. When a paroled prisoner shall have been recommitted for a subsequent offense to the institution from which paroled, a hearing on the violation will not be held until service has been completed or the prisoner paroled on the subsequent offense.

C. VOTING ON REVOCATION. The Board may declare a prisoner on parole to be delinquent and revoke parole by majority vote of its membership.

XIII. DISCHARGE FROM PAROLE

A. CRITERIA. Any prisoner released on parole may, in the discretion of the Board, be given a complete discharge from parole prior to the expiration of the full maximum term for which he was sentenced, less credits for commutation time and diligent application to work assignments, provided that such parolee shall have completed at least two years of satisfactory adjustment while on parole. A discharge shall not be effected except upon the unanimous vote of the entire Board, nor unless the Board is satisfied that such discharge is in the best interest of society and the welfare of the prisoner.

B. ORIGIN OF RECOMMENDATION. The discharge of a prisoner from parole shall be solely upon the initiative of the Bureau of Parole and no application for discharge made by a parolee, or on his behalf, shall be considered by the Board.

C. PAROLE BUREAU REVIEW. When a parolee has completed two years of parole supervision, the Bureau of Parole shall review the case, except as hereinafter provided. If the recommendation is favorable, a report will be submitted to the Board in triplicate, accompanied by a discharge summary. If unfavorable, a statement setting forth the reasons shall be entered on the Chronological Supervision Report, which report shall be directed to the Board. In cases where the prisoner has been sentenced to a life term, a recommendation for discharge will not be initiated unless at least ten years of parole supervision have elapsed.

D. BOARD REVIEW. The Board shall review as promptly as possible the recommendations submitted by the Bureau of Parole and notice of its decision shall be forwarded to the Bureau of Parole in duplicate. Where the Board determines that the paroled prisoner is to be discharged from parole, its notice to the Bureau shall be accompanied by five signed copies of the Discharge from Parole, which shall be distributed by the Bureau of Parole

as follows:

1. Original to parolee
2. Copy to institution from which paroled
3. Copy to New Jersey parole district or other authority responsible for supervision
4. Copy to State Bureau of Identification, Division of State Police
5. Copy to Central Office files

XIV. RELIEF FROM REPORTING

A. CRITERIA. The Board, upon unanimous vote of its entire membership, may in writing relieve a prisoner on parole from making further reports to his parole officer, and may in writing permit such prisoner to leave the State and reside elsewhere if satisfied that such relief from reporting and such change of residence is in the best interest of society and the welfare of the prisoner.

B. ORIGIN OF RECOMMENDATION. The action whereby a prisoner on parole may be relieved from making further reports and permitted to reside elsewhere shall be initiated only by the Bureau of Parole and no application for such relief made by a parolee, or on his behalf, shall be considered by the Board.

C. REVOCATION OF PERMISSION. Any such permission may be revoked by a majority vote of the entire Board.

XV. EXECUTIVE CLEMENCY

A. ELIGIBILITY. Subject to the separate set of Rules governing the exercise of executive clemency, the Board shall make a determination of those individuals eligible to apply for executive clemency.

B. INVESTIGATION. The Board shall conduct an investigation of the facts and circumstances surrounding a petition for executive clemency. Generally, as part of this investigation, petitioners for executive clemency will be interviewed by the Board or its designated representative, subject to such exceptions as the Board deems warranted.

C. REVIEW OF CLEMENCY PETITIONS. At its regular meeting, the Board shall review those cases on which the investigation has been completed.

D. REPORT AND RECOMMENDATION. The Board shall submit to the Governor as soon as reasonably possible a report and recommendation on each petition. Recommendations of the Board are not required to be unanimous. Where there is a dissent, a minority report shall also be submitted to the Governor.

XVI. ADMINISTRATIVE MATTERS

A. CORRESPONDENCE. Correspondence which includes a serious question of Board policy will be signed by the Chairman after consideration by the Board and the approval of the majority. Routine correspondence such as acknowledging the receipt of information, advising interested persons of the Board's actions, and similar matters will be signed by the Chairman after consultation, where necessary, with the Board members.

B. CONFERENCES. Conferences with attorneys and other persons representing, or interested in, prisoners or which bear upon important questions of policy or possible parole actions will be made available to other members of the Board by memorandum of the conversation. The views of the Board will not be indicated without consultation with the Board members.

C. OFFICE MANAGEMENT. The Chairman of the Board will be looked to for the preparation and submission of reports, information and data as may be required, act as spokesman for the Board before State agencies and Legislative Committees, and be generally responsible for the administrative work of the Board, assignments, and the effective performance of the Board's duties. In doing this he will obtain the views and collaboration of the Associate Members of the Board.

D. FORMS. The Board shall prepare such forms as are necessary to implement and effect the pertinent statutes and these Rules and Regulations.

XVII. RULE CHANGES

A. **CHANGES.** The Board reserves the right, without prior notice or hearing, to make such changes or modifications in these Rules as circumstances may from time to time require.