

Rules and Regulations Governing the Adminis- tration of Parole in New Jersey



STATE OF NEW JERSEY
DEPARTMENT INSTITUTIONS AND AGENCIES
TRENTON

Rules and Regulations Governing the Administration of Parole in New Jersey as Revised and Adopted October 29, 1940, and amended July 1, 1943; January 25, 1944; March 26, 1946; May 28, 1946; July 2, 1946; January 28, 1947; March 25, 1947; July 14, 1947; September 28, 1948.

Pursuant to the responsibility imposed upon the State Board of Control of Institutions and Agencies by Section 30:4-108 of the Revised Statutes of 1937, the following are declared to be the rules and regulations governing the granting of parole by the Boards of Managers of New Jersey penal and correctional institutions and State Homes for juvenile delinquents (30:4-106, 30:4-106.1, 30:4-104-106.2 R.S.) and the administration of parole by the Central Parole Division created under the authority of Section 30:1-9 R.S.

No inmate of a penal or correctional institution shall be permitted to leave the grounds thereof without the written authorization of the Commissioner of Institutions and Agencies unless it be under the supervision of an employee of the institution or in accordance with the provisions of these rules and regulations.

A. Parole Defined

Parole is a revocable permit granted by the

Board of Managers of a penal or correctional institution or a juvenile home to a charge of that institution allowing him to leave the institution and serve a portion of his sentence or commitment in the community under supervision provided he observes stated conditions consistent with these rules and regulations.

The legal custody of all persons released upon parole is vested by law in the chief executive officer, of the institution from which such person is paroled, continuously until final discharge. (30:4-110 R.S.)

B. Conditions and Procedures for Granting Parole

1. No person shall be released on parole, from an institution for adult offenders or from a penal institution or reformatory, merely as a reward for good conduct in the institution but only when it appears to the paroling authority that there is a reasonable probability that such person is reliable and trustworthy and will remain at liberty without violating the law and that his or her release will not be incompatible with the welfare of society.
- 1-A No juvenile shall be released on parole merely as a reward for good conduct in the institution but only when it appears to the paroling authority that the welfare of the

juvenile will be best served by parole and that his or her release will not seriously threaten the welfare of the community to which paroled.

2. Paroles will be granted by a majority vote of a quorum of the Board of Managers at a regular meeting or at a meeting specially called for the purpose.
3. Whenever a Board of Managers is considering the parole of a resident of an institution under its jurisdiction, there will be presented to the Board a complete case summary together with recommendations from the Superintendent and from the Director of Parole or his designated representative.
4. Parole actions of the Boards of Managers will be incorporated in the official minutes of the Boards' meeting, and whenever a parole is granted there shall be issued a certificate, signed by the Chairman and the Secretary of the Board of Managers, which shall show the date of the parole action, the effective date of the parole, and the general and special conditions which the parole imposes. The original of such certificate shall be given to the parolee upon his release from the institution. Copies will be filed at the institution and in the records of the Central Parole Division.

C. Supervision of Parolees

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1. THE CENTRAL PAROLE DIVISION

By virtue of the authority contained in Section 30:1-9 of the Revised Statutes of 1937, there is created within the Department of Institutions and Agencies a Central Parole Division. It shall consist of a Director of Parole and such assistants, field parole officers, institutional parole officers and other personnel as may be necessary for the performance of duties assigned to the Division by the State Board of Control, the Commissioner of Institutions and Agencies, or the Deputy Commissioner in Charge of Correction and Parole. The Director of Parole and all other employees of the Division shall be appointed by and receive the compensation fixed by the Commissioner in the same manner as other employees of the Department, subject to rules and regulations established by the Civil Service Commission. The Commissioner and the Deputy Commissioner in Charge of Correction and Parole, and the Director of the Division, shall establish working procedures relating to the duties, assignment and conduct of the employees of the Division.

2. FUNCTIONS OF THE CENTRAL PAROLE DIVISION

In order that the parole system may function as an integral part of the general correctional

procedure, the supervision of persons released on parole from New Jersey State penal or correctional institutions and from New Jersey State homes for juvenile delinquents shall be vested in the Central Parole Division. Representatives of the Central Parole Division will carry out such investigations and submit such reports as may be required in the preparation of case histories to be used in formulating individualized institution programs and parole planning. The Director of Parole or his designated representative will make independent recommendations to the Boards of Managers in every case being considered for parole.

3. PAROLE DISTRICTS

The Deputy Commissioner in Charge of Correction and Parole, with the approval of the Commissioner, shall have authority to establish parole districts within the State and to assign such supervisory and other personnel and make such allocations of duties and responsibilities to the heads of each district as may be necessary to insure the efficient and economical operation of the parole system.

4. SUPERVISION BY OFFICERS OF THE SAME SEX

All male parolees (except juveniles) shall be supervised by male parole officers. All fe-

male parolees shall be supervised by female parole officers.

5. RELATIONS WITH OTHER AGENCIES

It is the policy of the State Board of Control to enlist the cooperation of public and private welfare agencies, religious, educational, civic and other organizations, law enforcement officials, and other groups interested in carrying out the broad purposes of the parole system.

D. Termination of Parole

1. Any charge released on parole under authority of Section 30:4-106 or 30:4-106.1 shall be subject to the power of the paroling authority until the maximum term of his original sentence or commitment shall have expired or he has received a discharge from parole by a quorum of the Board of Managers as provided by Section 30:4-113 R. S.

Whenever a Board of Managers is considering the discharge of a person from parole, it shall have before it a complete summary of the case together with independent recommendation from the Superintendent of the institution and the Director of Parole or his designated representative.

2. Violation of the conditions of parole may be cause for the return of the parolee to

the institution and a revocation of the parole. A violation of the law or any regulatory ordinance, serious misconduct constituting a menace to the community, or continued evasion of responsibility and disregard of parole obligations will be deemed a violation of parole.

3. PROCEDURE IN PAROLE VIOLATIONS

When a field parole officer believes that a violation of parole has occurred he shall report the facts to the Central Parole Division and make a recommendation as to appropriate action. The Director of Parole, or his designated representative, after reviewing the report, shall order such action as he deems advisable. If he believes that return to the institution is indicated he shall declare the parolee to be delinquent and shall so advise the executive officer of the institution who shall arrange for the parolee's return. To insure the prompt and efficient operation of this regulation, each superintendent shall delegate representatives of the Parole Division to file detainer warrants in case of arrest or to withhold the filing of warrants until complete details have been forwarded by the Parole Division.

4. REVOCATION OF PAROLE

Whenever a declaration of delinquency has

5. EFFECT OF REVOCATION

Any parolee whose parole is revoked in accordance with Section 30:4-111 R.S. may be required to serve the balance of the time due and remaining on his sentence as of the date of his release on parole without allowance for time spent on parole prior to revocation, *provided* he was advised of this fact prior to accepting the conditions of his parole.

6. REVOCATION OF PAROLE IN NON-RESIDENT AND MISSING CASES

When a parolee who has been permitted to reside without the State under the terms of Section 30:4-109 R.S. has been declared delinquent, or when a parolee is declared to be missing from parole, the Director of Parole

or his designated representative will request the Board of Managers having jurisdiction to revoke his parole. Notice of such revocation will be sent by registered mail to non-resident parolees, and they will be instructed to return to the institution promptly or be listed as missing from parole. The question of whether funds shall be expended to return a parole violator from another state will be decided by the Commissioner or his delegated representative in each case as it arises.

7. RETURN FOR ADJUSTMENT

Parolees may be returned to the institution for medical relief or for failure to make satisfactory community adjustment due to circumstances beyond their control. In such cases, no request for parole revocation shall be made but the presence of such cases in the institution shall promptly be reported to the Board of Managers and in all cases the duration of stay shall be as brief as is consistent with the purpose for which the parolee was returned.

**E. General Rules for the
Conduct of Parolees**

Compliance with the following general rules shall be a condition of parole from any adult penal or correctional institution, and non-

compliance therewith, may, in the discretion of the Board of Managers, constitute sufficient cause for revocation of parole:

Parolees will:

- a. Obey all laws and public regulatory ordinances;
- b. Follow the advice and guidance of the parole officer and comply with all special conditions laid down by the Board of Managers;
- c. Reside in a place approved by the Central Parole Division;
- d. Report to the Parole District Supervisor or his representative—
 1. Within forty-eight hours after leaving the institution,
 2. Whenever he wishes to change his place of residence or employment,
 3. Whenever in any kind of trouble,
 4. Whenever instructed to report by the Parole District Supervisor or other competent authority;
- e. Obtain permission from his 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,
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.

Nothing herein shall be construed to limit the authority of a Board of Managers to impose other reasonable and lawful conditions at its discretion, but it is the opinion of the State Board of Control that such rules and conditions should be held to the minimum consistent with achieving the rehabilitation and proper discipline of each individual case.

F. Special Considerations Applying to the Parole of Charges of the State Homes for Juvenile Delinquents

1. All the rules and regulations heretofore enumerated apply to the parole of charges of the State homes for juvenile delinquents, however, special discretion shall be observed in the supervision of such cases since they are not deemed to be under criminal charges but were committed because there was a need for the State to provide a special form of guidance, education and discipline which was not elsewhere available.
2. The following are the general rules and conditions for parolees from the juvenile institutions.

This parole is issued upon the following terms, conditions, and limitations:

1. You will be on parole until your 21st birthday unless discharged sooner, and are directly responsible to your parole officer for whatever you do.
2. In order to stay on parole, you must behave and obey the following rules. If you do not do so, you may be sent back to an institution.
3. To stay on parole, you must:
 - a. Avoid breaking any laws.

- b. Listen to and follow the advice of your parole officer.
- c. Live in a place approved by your parole officer.
- d. Report to your Parole District Office at

not later than two days after leaving the institution.

- e. See your parole officer:
 1. Before you change your place of living or your job.
 2. Whenever you are in any kind of trouble or have a serious problem.
 3. Whenever you are told to.
- f. Always get permission from your parole officer or parole district supervisor before:
 1. Getting married.
 2. Getting a driver's permit, a driver's license or buying a car.
 3. Buying anything on "time" or credit.
 4. Leaving school, changing jobs, or going into business.

5. Going out of the State of New Jersey.

6. Visiting any institution.

g. Avoid the use or sale of dope or intoxicating liquors, and keep out of places where they are sold.

h. You must stay in school until you are 16. After leaving school, you must work steadily.

i. Follow your parole officer's advice as to your friends and companions.

j. Follow the advice given you by your parole officer and family as to what time you must be home at night.

4. Special conditions as follows:

3. EXPIRATION OF PAROLE AT MAJORITY

Supervision over parolees from the State homes for juvenile delinquents expires at age twenty-one or at any time prior to majority at the discretion of a quorum of the Board of Managers acting under the authority given it by Section 30:4-113 R. S.

4. SUPERVISION BY BOARD OF CHILD WELFARE

By direction of the Commissioner, the supervision of all or a portion of those paroled from the State homes for juvenile delinquents may be exercised by the Board of

Child Welfare instead of by the Central Parole Division.

5. FURLOUGHS

The Boards of Managers of the State Home for Girls and the State Home for Boys may authorize furloughs of not to exceed ten days under rules and regulations covering such furloughs adopted by the Boards of Managers and approved by the Commissioner of Institutions and Agencies.

G. Special Provisions Applying to the State Home for Girls and the Reformatory for Women

The Boards of Managers of the State Home for Girls and the Reformatory for Women may authorize "day paroles" to inmates, subject to the following limitations:

a. That day paroles be granted only to inmates who are completing their training for domestic service or beauty culture;

b. That day paroles be strictly controlled by rules and regulations and conditions formulated by the Superintendents of the two institutions and approved by the Board of Managers and the Commissioner of Institutions and Agencies.

**H. Supervision of Parolees
from other States**

1. The Commissioner may, at his discretion, accept for supervision by the Central Parole Division parolees from other states not signatory to the Interstate Compact for the supervision of probationers and parolees. In such cases, the provisions of the Interstate Compact will govern.
2. The Commissioner may, at his discretion, authorize arrangements with states not signatory to the Compact to supervise parolees from New Jersey. In such cases, the provisions of the Interstate Compact will apply.

I. Inconsistent Provisions Repealed

Any rules and regulations, or parts of rules and regulations, previously adopted which are inconsistent with those contained herein are hereby repealed.

Appendices:

- I. Parole Districts
- II. Provisions of the Interstate Compact

Appendix I. Parole Districts

<i>District</i>	<i>Headquarters</i>	<i>Area Served</i>
No. 1—Public Library Building	80 First Street, Clifton, N. J.	Passaic Bergen
	<i>Mailing address:</i> P. O. Box 262 Clifton, New Jersey	
	<i>Telephone:</i> Passaic 2-8429	

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No. 2—Room 652 - 1000 Broad Street	Essex
Newark, New Jersey	
<i>Mailing address:</i> P. O. Box 185	
Newark, New Jersey	
<i>Telephone:</i> Mitchell 2-7962, Ext. 157	
No. 3—Room 801 - Union County Court House	Union Middlesex
Elizabeth, New Jersey	
<i>Mailing address:</i> P. O. Box 507	
Elizabeth, New Jersey	
<i>Telephone:</i> Elizabeth 2-6403 & 2-6404	
No. 4—Room 509 - Spingarn Arcade Building	Hudson
591 Summit Avenue, Jersey City, N. J.	
<i>Mailing address:</i> P. O. Box 158	
(Five Corners Station) Jersey City, N. J.	
<i>Telephone:</i> Journal Square 2-8600	
No. 5—Room 10 - Court House, Hall of Records,	Morris Somerset Sussex Warren
Corner, Court & Annex Streets,	
Morristown, New Jersey	
<i>Mailing address:</i> P. O. Box 129	
Morristown, New Jersey	
<i>Telephone:</i> Morristown 4-1202	
No. 6—Third Floor - 64 Cooper Street	Burlington Hunterdon Mercer
Trenton, New Jersey	
<i>Mailing address:</i> P. O. Box 1509	
Trenton, New Jersey	
<i>Telephone:</i> Trenton 2-2131, Exts. 735 & 673	
No. 7—Room 218 - City Hall	Camden Cumberland Gloucester Salem
Camden, New Jersey	
<i>Mailing address:</i> P. O. Box 81	
Camden, New Jersey	
<i>Telephone:</i> Camden 4-1896	

No. 8—131 Pearl Street
Red Bank, New Jersey
Mailing address: P. O. Box 592
Red Bank, New Jersey
Telephone: Red Bank 6-1204

Monmouth
Ocean

No. 9—408 City Hall Annex
Atlantic City, New Jersey
Mailing address: P. O. Box 778
Atlantic City, New Jersey
Telephone: Atlantic City 5-3745

Atlantic
Cape May

Appendix II.

Provisions of the Interstate Compact

A COMPACT

Entered into by and between all the States Signatory hereto, with the consent of the Congress of the United States of America, granted by an act entitled "An Act granting the consent of Congress to any two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and for other purposes", effective June 6, 1934.

The contracting States solemnly agree:

1. That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact, (herein called "sending state") to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact, (herein called "receiving state") while on probation or parole, if
 - a. Such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;
 - b. Though not a resident of the receiving state and not having his family residing there, the receiving

state consents to such person's being sent there. Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person. A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

2. That each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.
3. That duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of the states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state: Provided, however, That if at the time when a state seeks to retake a probationer or parolee there should be pending against him within the receiving state any criminal charge, or he should be suspected of having committed within such a state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.
4. That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken

through any and all states parties to this compact, without interference.

5. That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.
6. That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.
7. That this compact shall continue in force and remain binding upon each executing state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party thereto.