

**CHAPTER 70
PAROLE MATTERS**

Authority
N.J.S.A. 2A:168A-1 et seq.

Executive Order No. 66(1978) Expiration Date

Chapter 70, Parole Matters, is not scheduled to sunset because these rules were promulgated prior to the issuance of Executive Order No. 66(1978).

Chapter Historical Note

Chapter 70, Parole Matters, was originally codified in Title 10, was adopted pursuant to N.J.S.A. 2A:168A-1 et seq. and became effective prior to September 1, 1969. This chapter was recodified from Title 10 to Title 10A without change on November 20, 1977. Pursuant to N.J.S.A. 30:4-123.6, amendments were filed and became effective on March 15, 1978, as R.1978 d.97. See: 10 N.J.R. 154(d). Amendments to N.J.A.C. 10A:70-2.5 became effective on September 15, 1978 but did not apply to Board matters conducted prior to March 15, 1978. Pursuant to N.J.S.A. 30:4-123.48(d), this chapter, except N.J.A.C. 10A:70-1.11 and Subchapter 8, Certificate of Good Conduct, was repealed by R.1980 d.359, effective August 7, 1980. Amendments to N.J.A.C. 10A:70-1.11 were adopted effective August 7, 1980 as R.1980 d.359. See: 12 N.J.R. 420(b), 12 N.J.R. 538(a). N.J.A.C. 10A:70-1.11 expired on October 21, 1980.

CHAPTER TABLE OF CONTENTS

SUBCHAPTERS 1 THROUGH 7. (RESERVED)
SUBCHAPTER 8. CERTIFICATE OF GOOD CONDUCT
 10A:70-8.1 Definition of certificate of good conduct
 10A:70-8.2 Eligibility
 10A:70-8.3 Procedure
 10A:70-8.4 Criteria
 10A:70-8.5 Board action
 10A:70-8.6 Notification

SUBCHAPTERS 1 THROUGH 7. (RESERVED)

SUBCHAPTER 8. CERTIFICATE OF GOOD CONDUCT

10A:70-8.1 Definition of certificate of good conduct

(a) The certificate of good conduct is a document issued by the board to assist the rehabilitation of convicted offenders by removing impediments and restrictions upon their ability to obtain a proposed employment.

(b) The certificate does not imply pardon and under no circumstances is it to be construed as forgiving, absolving or mitigating the offense(s).

(c) Issuance of a certificate of good conduct pursuant to N.J.S.A. 2A:168A-1 et seq. precludes a licensing authority, as defined in N.J.S.A. 2A:168A-2, from disqualifying or discriminating against the applicant because of any conviction for a crime, unless N.J.S.A. 2A:93-5 is applicable.

10A:70-8.2 Eligibility

(a) An application for a certificate of good conduct shall not be entertained unless the applicant meets all of the following requirements:

1. The applicant was previously paroled by the board;
2. At least two years have passed since the date any similar application was denied, unless the board determines that significant information exists which provides a basis for a waiver of this limitation.

10A:70-8.3 Procedure

(a) The applicant shall apply to the board for a certificate on forms prescribed and furnished by the board.

(b) Upon receipt of the application, the board shall initiate a confidential investigation which shall indicate all pertinent legal and social information, with particular reference to the need the applicant has and the use he or she expects to make to the certificate.

(c) The applicant shall be required to furnish all documentary evidence the board shall require, except as provided herein.

(d) The applicant shall have the right to restrict the board's investigation. In such a case, the board's investigator shall note in his or her report the limitations placed on the inquiry by the applicant, and the board shall evaluate such limitations when considering the application.

10A:70-8.4 Criteria

The board shall evaluate the application on the basis of the applicant having achieved a degree of rehabilitation indicating that his or her engaging in the proposed employment would not be incompatible with the welfare of society.

10A:70-8.5 Board action

The board shall grant or revoke a certificate of good conduct by majority vote of its members.

10A:70-8.6 Notification

(a) The board shall notify the applicant of its decision within 30 days of the date the application was considered.

(b) A copy of the certificate, if granted, shall be filed with the Secretary of State.