

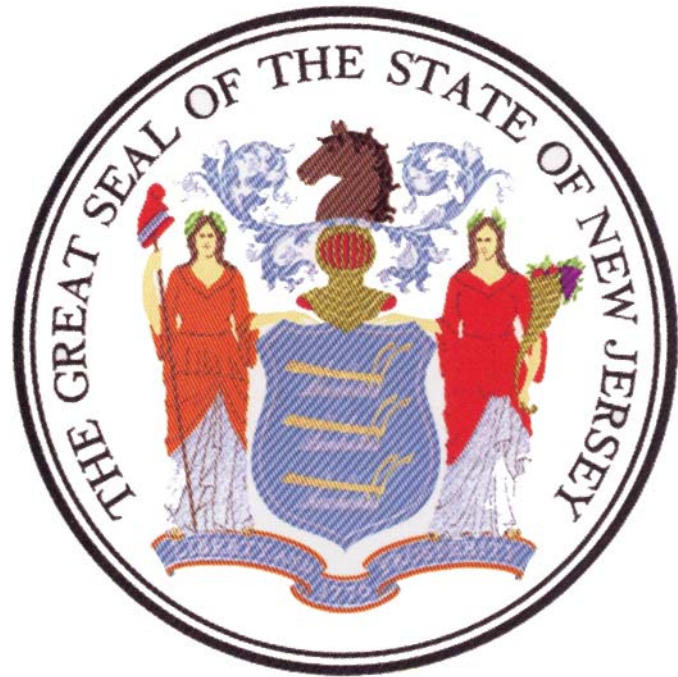
2

0

0

5

State Parole Board Annual Report



Jon S. Corzine
Governor

John D'Amico
Chairman

MISSION

The New Jersey State Parole Board is committed to promoting public safety and to fostering rehabilitation of offenders by implementing policies that result in effective parole case management.

VISION

To improve the safety of the public and the quality of life in New Jersey by administering an innovative parole system that addresses the needs of the community, victims, and offenders through a responsible decision-making process that provides every available opportunity for successful offender reintegration.



State of New Jersey
STATE PAROLE BOARD

POST OFFICE BOX 862
TRENTON, NEW JERSEY 08625
(609) 292-4257

JON S. CORZINE
Governor

JOHN D'AMICO, JR.
Chairman

PAUL J. CONTILLO
Vice-Chairman

March 2006

The Honorable Jon S. Corzine
Governor of the State of New Jersey
The State House
Trenton, New Jersey

Dear Governor:

It is my pleasure to submit to you and to the people of New Jersey the 2005 Annual Report for the New Jersey State Parole Board.

By continuing to expand and improve innovative programs, the Parole Board has made remarkable inroads in decreasing the rate of criminal recidivism for offenders who complete their parole terms. This improves and increases the safety of the citizens and communities across the state while affording New Jersey taxpayers notable reductions in the high costs of incarceration.

Our 2005 Annual Report details and reflects the hard work and professionalism demonstrated by each of the Parole Board's Associate Members, its management and supervisory staff, its 400 sworn law enforcement officers and its 300 civilian employees at all levels.

The residents of New Jersey can be assured that the New Jersey State Parole Board continues to be a national leader among paroling authorities and agencies across the country.

Respectfully submitted,

A handwritten signature in dark ink that reads "John D'Amico".

John D'Amico, JSC (retired)
Chairman

“Parole” is a period of supervised release by which a state prison inmate is allowed to serve the final portion of his or her sentence outside the gates of the institution on certain terms and conditions and in order to facilitate his or her successful return to society. The New Jersey Parole Act of 1979 (N.J.S.A. 30:4-123.45, et. seq.) places with the New Jersey State Parole Board the authority and responsibility of deciding which inmates of the state’s and of the counties’ correctional institutions shall be granted release on parole and what the conditions of that release will be.

Since 2001, the Board has been charged with the responsibility of overseeing all of the functions, powers and duties of the state’s 400 parole officers who supervise and monitor parolees. Most recently, the Board has been mandated by statute to supervise and monitor

parolees convicted of crimes requiring lengthy terms of supervision after the completion of their prison time or, in the case of sex offenders, supervision for life.

Once the punitive aspect of a sentence has been served, an inmate has a constitutionally protected right to

be considered for parole. The Parole Act of 1979 created presumptive parole, meaning that, when an inmate appears before a Board Panel, the assumption, before anything is said or reviewed, is that the inmate has a legitimate expectation of release on his or her eligibility date. It is therefore important that the Board make appropriate release decisions based on all relevant information. To assist Board members in this important task, the Board obtains psychological evaluations of inmates before their hearings, and employs a risk and needs assessment



A parole officer and supervisor discuss potential parole violations with a female parolee. Mobile technology is used to record “Chronological Notes” electronically.

tool (the LSI-R) to determine what degree of supervision and what program placement is appropriate.

N.J.S.A. 30:4-123.53 provides, as to offenses committed on or after August 19, 1997, that an adult inmate shall be paroled unless he or she has failed to cooperate in his or her own rehabilitation or there is a reasonable expectation that the inmate will violate conditions of parole. This statutory standard implements an important objective of parole—namely, to encourage an inmate to avoid institutional disciplinary infractions and to participate in institutional programs while incarcerated. In addition to helping the department of corrections maintain order and security in the prisons, the anticipation of parole provides a powerful incentive for the inmate to develop pro-social personal goals and strengths and to become motivated for law-abiding behavior.

Once an offender is granted parole release, or by statute, comes under the direct supervision of the Board, the Board then has the continuing responsibility of ascertaining and monitoring compliance with the conditions of parole that have been established by the Board. If the parolee does not comply with the conditions of his or her release, the Board has the lawful authority to issue a warrant for the arrest of that parolee. The actual arrest is made by one of its parole officers, all of whom are trained and armed law enforcement officers. A Board Panel then either “revokes” that parolees grant of parole and returns him or her to prison, or changes or modifies the conditions for any continuation of parole release.

It is the mission of the Board to protect public safety and promote successful reentry or reintegration of ex-prisoners into society. In terms of public safety, the Board is a crime-prevention agency. In addition to supervising their regular caseload of parolees, our parole officers routinely cooperate with local and state law enforcement agencies in major anti-crime operations; the most recent example being a major

New Jersey State Parole Board 2005

| | |
|------------------------------------|-------------|
| Chairman John D'Amico, Jr. | 2006 |
| Vice-Chairman Paul Contillo | 2009 |
| Heriberto Collazo | 2006 |
| Kenneth Saunders | 2006 |
| Carmen M. Garcia | 2007 |
| Thomas Haaf | 2007 |
| Norman Robertson | 2007 |
| Peter James Van Etten | 2007 |
| Ruby Washington | 2007 |
| Veleria Lawson | 2009 |
| Reni Erdos | 2010 |
| Yolette Ross | 2011 |
| Louis Romano | 2012 |
| Charlie Jones | 2012 |

ALTERNATE MEMBERS

| | |
|---|-------------|
| Laurie Fuchs | 2007 |
| William Thomas | 2007 |
| Oscar Doyle | 2011 |
| Executive Director: Michael W. Dowling | |

drug-ring interruption in Morris County in 2005. The Board has also formed specialized units to apprehend fugitives, monitor sex offenders and address gang-related crime.

Parole officers are working with the Attorney General's office, county prosecutors, the U.S. Attorney's office, the courts, state and local police, county sheriffs, and the Juvenile Justice Commission in the Newark, Camden, and Trenton Safer Cities Initiatives. The goal of these collaborations is to organize local leaders and the criminal justice community in an effort to reduce violent crime and help city residents feel safe in their homes and neighborhoods.

Another extremely important public safety initiative is the Gang Reduction and Aggressive Supervised Parole (GRASP) joint operation between the State Police Gang Unit, the Department of Corrections, and the State Parole Board's Street Gang Unit. New Jersey is infiltrated with some 700 street gangs with total gang membership approaching nearly 17,000 members. Thirty-nine percent (39%) of New Jersey's suburban towns, including such bucolic places as Princeton Borough, have reported not only the presence of gangs, but also the occurrence of gang-related atrocious assaults and murders. One-fifth of all murders in New Jersey are gang related. Gang prevention and reduction strategies are desperately needed to meet this growing problem.

The Board is also an active partner with the State Office of Counter-Terrorism, the F.B.I., the State Police, and the N.J. Transit Police with respect to various homeland security missions, including the identification and interdiction of potential terrorism activity. In 2004, parole officers provided coverage at major railroad stations during the Republican National Convention in New York City.

The other part of the Board's mission focuses on prisoner reentry—the process of leaving prison and returning to society, which has become a pressing issue throughout the nation.

Ex-prisoners are returning home in large numbers, having spent longer terms behind bars. In New Jersey, over 70,000 inmates will be released in the next five years.

Recidivism, or re-offending, is a major problem in New Jersey and throughout the country. A majority of inmates will be re-arrested within 3 years of their release. Fortunately, a new study of the recidivism of inmates released from New Jersey state prisons in 2001, shows statistically significant reductions in re-arrest, reconviction, and re-incarceration for those released on parole and under parole supervision, as opposed to those who served their maximum sentences and left prison without any supervision.

For the great majority of prisoners—persons convicted of property and drug crimes—criminal justice experts throughout the country have concluded that increasing the length of stays in prisons beyond certain levels, significantly increases costs but does not necessarily produce more public safety. Money saved by reducing the prison inmate population can produce a net reduction in crime by being rededicated to less expensive yet statistically more effective alternatives to incarceration,

In response to these considerations, the Board is implementing new approaches to the supervision of parolees, particularly those who committed crimes involving property, drug or public disorder offenses. These new programs include diversion to substance abuse treatment, education, vocational training, life skills development, money management, and counseling. By way of our regional community partnership conferences, the Board has also reached out to the communities to which ex-prisoners are returning, and has secured the assistance of ministers, rabbis, imams, and community groups—free of charge—in fostering the successful reintegration of parolees into society. This wide array of programs and initiatives range in cost from \$0-36 a day; as opposed to

\$90 a day for incarceration.

To effectively combat recidivism, the Board must work together with all branches of law enforcement and the general public. It is only by such a coordinated effort that we can counteract the causes of criminality and successfully address the problems that plague ex-prisoners. The criminal justice system must recognize its own limitations and augment its efforts by deploying prisoner reentry partnership strategies that take advantage of the resources offered by other government agencies, foundations, corporations, labor unions, non-profit organizations, faith-based entities, community groups, and individual volunteers.

MEMBERSHIP AND FUNCTIONS OF THE PAROLE BOARD

The Board is composed of a Chairman, a Vice-Chairman, fourteen Associate Members and several temporary Acting and Alternate Associate Members appointed as needed for efficient case processing. All Parole Board Members are appointed by the Governor of the State of New Jersey with the advice and consent of the New Jersey State Senate. The Governor also designates one Associate Member to serve as Vice-Chairman of the Board. Members are

appointed for six year terms. The Chairman and Associate Board Members devote their full-time to the duties of the Board.

The functions, duties, powers and responsibilities entrusted to the State Parole Board are carried out and implemented in accordance with state law and statute and in adherence to the administrative rules and regulations promulgated by the Board and enacted as part of the New Jersey Administrative Code—N.J.A.C. 10A:71-1, et.seq. Moreover, the Parole Board's employees are constantly reviewing the day to day procedures of the Board to assure that the very significant and important discretionary authority reposed with the Parole Board is discharged in compliance with due process of law and with the primary goal of protecting the safety of New Jersey's cities, towns and communities.



The State Parole Board's Chairman, Vice Chairman and Associate Members for 2005.

Agency Accomplishments

EVIDENCE BASED PRACTICES

In Fiscal Year 2005, Parole Board Chairman John D'Amico, Jr. began the implementation of an agency-wide program designated as "Evidence Based Practices" or "EBP" for short.

EBP provides a permanent and ongoing modality by which every administrative and supervisory practice and protocol can be monitored and measured for real, performance-based results. EBP can provide honest answers to the hard questions we ask ourselves, as an agency, on a daily basis: Are we reducing criminal recidi-

vism? Are we addressing the needs of the community and the victims of crime, as well as the rehabilitative needs of the offender? Are we facilitating or impeding reentry and reintegration of the offender into the community? Are we effectively managing our parole caseload and providing sufficient avenues for feedback from the parole officer "on the street"?

Focusing on the above questions is especially critical at a time when the public costs of incarcerating criminal offenders is at an all time high and when we have yet, as a state, to fully maximize our capacity to partner with community based groups in the task of

helping offenders rebuild their lives and stay permanently out of the penal system.

The design and implementation of the EBP program was inspired by the social policy recommendations of the New Jersey Reentry Roundtable and the Policy Council for Prisoner Reentry in New



Chairman D'Amico addresses parole reforms with new recruits at the Board's training academy in Sea Girt.

Jersey. The EBP program is currently using state-of-the-art technology for supervising and monitoring parolees and for providing real-time feedback to case-managers so that they can immediately alter terms and conditions of parole release as well as constrict or loosen supervision levels to optimize a parolee's chances for success on parole. The EBP program is also making use of the most scientifically advanced criminogenic instruments used to measure the "risk" of recidivism for a particular offender and the programmatic needs (e.g. employment, education, addiction counseling, housing) that must be met to significantly lower, as much as possible, that offender's chances of re-offending.

INFORMATION CERTIFICATION UNIT & DISCHARGE PLANNING

In Fiscal Year 2005, the Parole Board renewed its commitment to the implementation of automated data retrieval, configuration and projection systems by the continued expansion of its Information Certification Unit (ICU). The ICU provides a seamless "mesh" between current inmate sentencing information stored in the New Jersey Department of Corrections data base and the accurate calculation of parole eligibility dates by the State Parole Board.

By expanding the role of the ICU in its operational strategy, and making greater use of its resources, the Parole

Board can consistently meet its statutory and legal obligations to provide every inmate of a New Jersey correctional facility with a timely parole hearing. Additionally, through greater use of the ICU, the individual parole counselors at each of the state's correctional facilities, can spend far less time calculating parole eligibility dates, and far greater time developing quality and comprehensive discharge plans for inmates transitioning from prison to parole.

This new "discharge planning" component of the pre-parole process, allows the Board's parole counselors to more effectively match a prospective parolee with available community resources; resources which the Parole Board is also greatly expanding through its community partnering initiatives. This also affords the institutional parole counselors many more opportunities to communicate with the actual Parole Officer who will be assigned to a specific parolee when he or she moves from being an inmate to release on parole.

JUVENILE UNIT

Beside the regular annual Adult Offender caseload of the State Parole Board (nearly 15,000 adult offenders in 15 state and 21 county correctional centers), the Board is also responsible for establishing parole conditions for 1,300 juvenile parolees and 1000 juvenile residents between the ages of 10 and 18 (median age 16). Despite this heavy

caseload, the Board's Juvenile Unit manages to stay on the cutting edge of new programs in the field.

In Fiscal Year 2005, the unit completed the development and implementation of a new and comprehensive evaluation technique for juvenile cases and a new informational manual that informs and guides juvenile offenders and their families through the parole process. The unit is also increasing its efforts to partner with various community based social service programs and agencies for the delivery of a broader array of community support services for juvenile offenders and their families.

Most recently, and in conjunction with researchers at New York's John Jay College of Criminal Justice, the Parole Board's Juvenile Unit has completely computerized its statistical, accounting and management functions and has developed a new, statistically based, juvenile offender risk assessment instrument.

INFORMATION TECHNOLOGY

The Parole Board continued to renovate, expand and upgrade its technology networks in Fiscal Year 2005. The Board is a national leader in this area and has, appropriately, entered several national competitions for leadership in law enforcement technology.

In this past year, the Board's Information Technology Unit (ITU) has put in place the final segments of a net-

work that connects the Board's Central Office in Trenton with each of its satellite offices, housed in 15 different state correctional facilities, and with the Parole Board's 14 separate District Parole Offices statewide. The new network thus provides uniform data transmission, exchange, storage, configuration and retrieval for a total of thirty (30) separate office and operational locations statewide. The ITU is in the process of creating web-based platforms for the entire network; platforms that will exponentially increase the accessibility and portability of the network for every system user regardless of location.

Other achievements of the Parole Board's Information Technology Unit in Fiscal Year 2005 include:

Completion and roll-out of the Parole Board Information System (PBIS) allowing for the electronic storage, management and retrieval of the chronological case management and supervision notes maintained by the Board's 400 field Parole Officers for each parolee assigned to them.

Completion and roll-out of an automated Mental Health Evaluation and tracking system for mental health assessments and reports requested by individual members of the Parole Board for certain inmates seeking parole release.

Integration of inmate parole eligibility dates with the Parole Board's official agency website. This allows mem-

bers of the public, as well as other interested law enforcement agencies, a direct link from the Parole Board's website to a directory of incarcerated offenders by name and criminal history and a specific date for their parole eligibility. An interested user can have direct and explicit knowledge of when the

Parole Board will commence its evaluation and consideration of a particular inmate for parole release as well as the earliest possible date for that release. An opportunity is therefore available for interested parties to transmit their input to the Parole Board. The "publication" of parole eligibility dates is updated on a weekly basis and carries a built-in access path for previously published lists.

Data storage, configuration and access for the Parole Board's Victim Input Unit have been centralized and the data integrated with the Board's primary information system, PBIS (Parole Board Information System). This integration provides increased security for crime victim data and more



SPB IT staff utilize the latest in technology to support the Board's mission.

strategic and measured access by authorized Board personnel.

Automated case tracking has been implemented for parolees placed on Community Supervision for Life, Parole Supervision for Life, and Mandatory Supervision.

New automated systems have been developed for the Parole Board's Central File Storage and Retrieval along with new information sharing platforms with Federal law enforcement and criminal justice agencies.

COMMUNITY PARTNERSHIPS & EXTERNAL AFFAIRS UNIT

In 2003, the State Parole Board embarked upon a bold new philosophy and transformation process for the Parole Board. The watchword of that

process was “reentry.” If the Board could help offenders returning to their communities to successfully reestablish themselves in their communities, then they would be less likely to become repeat offenders and more likely to become constructive and productive members of their families and their communities.

A centerpiece of the Board’s new direction was the establishment of the Community Partnerships and External Affairs Unit within the Parole Board’s administrative structure. The unit was given the mission of involving New Jersey’s neighborhoods and communities in the offender reentry process. It has forged lasting and effective partnerships with local government agencies,

foundations, corporations, labor unions, non-profit organizations, faith-based entities, community groups and individual volunteers and mentors. Active partnerships between the Board and this array of community-based groups are helping ex-offenders rebuild their lives and stay out of prison.

To develop and nurture these vital community links, the Board has continued to host the Community Partnership Conferences that it began in 2004. Most recently, it has hosted successful conferences in Camden, Paterson, Greater Trenton (Princeton University), Vineland and Toms River. A major community partnership conference in Jersey City has received private corporate support as well as public

support from the Jersey City government. These conferences have resulted in the formation of numerous local task forces composed of volunteers and volunteer organizations committed to working with the State Parole Board to help ex-offenders rebuild their lives in the areas of employ-



Board representatives attend various conferences to facilitate partnerships and distribute parole information to the public.

ment, education, housing, gang membership, addiction, mental health services, faith-based initiatives and family restoration.

As a direct result of the Board's community partnering initiatives and the work of the this particular unit, we were able to provide valuable assistance to parolees at no cost to state taxpayers. In Fiscal Year 2005 alone, nearly 600 parolees were participating in local support groups; 500 received community-based addiction and recovery counseling; over 400 received housing assistance; 225 were provided with employment services; and over 1000 more received help with transportation, clothing, food and household furnishings. All of these services were above and beyond those already provided to thousands of parolees by the Board's Community Programs Division. Valued at nearly \$3.5 million, these services would not otherwise have been available to reduce parole violations.

FISCAL & ADMINISTRATIVE SERVICES

In order to proactively align itself with statewide calls for long-term and ongoing budgetary savings, the Office of Fiscal and Administrative Services has implemented protocol efficiencies designed to reduce salary and operational budgets by \$229,000 in Fiscal Year 2006. Planned consolidations of several Parole District Offices will result in additional savings for

Fiscal Years 2006 and 2007. Special contractual arrangements with clinicians at the University of Medicine and Dentistry of New Jersey for the provision of sex offender treatment services will result in further reductions in personnel expenditures for the Board.

The Board's ongoing and aggressive pursuit of federal and state grants and grants-in-aid has provided the Board with over \$1 million in outside funding for Fiscal Year 2006. These monies will be used to help pay private contractors for the provision of a full range of rehabilitative services to parolees. Services include both residential and non-residential rehabilitation programs and provide holistic platforms of support for employment, education, housing, addiction and mental health services and family counseling and restoration.

In addition to the grant monies described above, the Board and the taxpayers are continuing to benefit from the infusion of services resulting from partnering with community groups. The agency-wide adoption of the community partnership philosophy has created hundreds of new initiatives whereby parolees are benefiting from the efforts and programs of neighborhood-centered and faith-based groups. These resources are helping parolees to successfully reintegrate into the life of their communities and rebuild their own lives and the lives of their families.

Agency Structure and Operations

As the chief executive officer and appointing authority for the State Parole Board and for all of its 700 employees, the Chairman of the State Parole Board, in conjunction with each of the 14 Associate Members of the State Parole Board, sets all policy for the agency.

Directly under the Chairman, is the Executive Director and the Deputy Executive Director. Reporting directly to the Executive Director are the Division of Parole, the Division of Community Programs, the Special Investigations Unit, the Information Technology Unit, the Fiscal and Administrative Services Unit, the Office of Equal Employment Opportunity and Affirmative Action, the Human Resources Unit, and the Employee Relations Unit.

Reporting directly to the Deputy Executive Director are the Division of Release, the Policy and Planning Unit, the Juvenile Unit, the Community Partnerships and External Affairs Unit, the Revocation Unit, the Legal Support Unit and the Appeals Unit.

DIVISION OF PAROLE

The largest single enterprise unit within the Board is the Division of Parole. This Division comprises some 400 sworn law enforcement parole officers and some 60 civilian employees who support their operations and duties.

The officers are required to hold Bachelors Degrees and complete a rigorous 14 week Parole Officer Training Academy in Sea Girt, New Jersey. After successful completion of the Academy, officers must serve a one-year period of on-the-job training.

The primary duty of the Division of Parole is the monitoring, supervision and rehabilitation of the approximately 14,000 ex-prisoners who have been granted parole release by the Parole Board as this population works to re-enter society. The Division of Parole also has responsibility for those offenders, assigned by statute, to be monitored and supervised by the Board. Please read the "Supervision" section of this Annual Report for more detailed information about the operations of the Division of Parole.

DIVISION OF RELEASE

The largest Parole Board unit after the Division of Parole is the Division of Release. This Division of Release comprises in excess of 150 civilian employees in the state service and has offices in each of the state's 15 correctional facilities. The primary duty of

the Division of Release is to evaluate and assess each of New Jersey's approximately 27,000 adult incarcerated offenders and determine their eligibility and appropriateness for parole release.

The Division of Release prepares each case for hearing and consideration by members of the State Parole Board and is fully responsible for gathering and summarizing for the Board professional reports concerning an inmate's criminal history, including his current offense, an inmate's social, physical, educational and psychological progress to date, and an objective social and psychological risk and needs assessment. Please read the "Parole Hearing Process" section of this Annual Report for more detailed information about the operations of the Division of Release.

release for a particular offender. This Division comprises some 15 full-time civilian employees and works in close conjunction with the parole officers whose caseloads include parolees assigned to treatment and rehabilitative programs.

All of the programs administered by the Board's Division of Community Programs are accomplished by contracts with private and non-profit residential and non-residential rehabilitative service providers. Programs include daily reporting and counseling centers, residential facilities and facilities specially geared to help parolees with employment, education, housing, mental health services and addiction recovery.

DIVISION OF COMMUNITY PROGRAMS

The Parole Board's Division of Community Programs administers and oversees the provision of rehabilitative and treatment services to parolees. Participation in such programs is often made a condition of parole



Parolees participate in the Culinary Arts Program at New Community Corp. in Newark. New Community is a service provider for the Division of Community Programs.

Programs administered by the Division of Community Programs serve thousands of parolees across the state on a daily basis. The Division also works closely with community groups and resources so as to optimize its efforts to successfully reintegrate the ex-offender back into society. Please read the “Community Programs” section of this Annual Report for more detailed information about the operations of the Division of Community Programs.

COMMUNITY PARTNERSHIPS AND EXTERNAL AFFAIRS UNIT

Where the Parole Board’s Division of Community Programs provides direct administration of rehabilitative services to parolees, the Board’s

Community Partnership and External Affairs Unit has developed and maintained partnerships between the Board and community based foundations, corporations, labor unions, non-profit organizations, faith-based entities, community groups and individual volunteers and mentors. Through these partnerships, the Parole Board can maximize and optimize platforms of support in the community so that parolees and other ex-offenders can successfully rebuild their lives and stay out of the penal system. Moreover this optimization can be accomplished at no additional cost to the New Jersey taxpayer. Please read the “Agency Highlights for 2005” section of this Annual Report for more detailed information about the operations of the Board’s Community Partnership and

External Affairs Unit.

JUVENILE UNIT

By statute, the New Jersey State Parole Board is responsible for supervising and monitoring the state’s approximately 1,300 juvenile parolees (offenders between the ages of 10 and 18)



A partnership between the Parole Board, the New Community Corp., the Ford Motor Company and the Hillside Auto Mall has resulted in the establishment of a facility in Newark where parolees are trained for careers as certified automotive technicians.

and for determining the eligibility and appropriateness for parole release of approximately 1000 juvenile offenders currently housed in the state's juvenile detention facilities. Since the law requires that the functions and responsibilities of juvenile parole be kept entirely separate and apart from the adult offender populations, the Board's Juvenile Unit cannot be a part of the Board's Division of Release. The Juvenile Unit operates as an independent unit and comprises approximately 10 full-time employees.

REVOCATION UNIT

Comprised of approximately 10 civilian hearing officers and an additional 10 office and support personnel, the Revocation Unit conducts adjudicative hearings to determine if a parolee has violated, or is otherwise not complying with, the terms and conditions of his or her parole release. This unit also makes formal recommendations to members of the Parole Board concerning a parolee, including whether or not he or she should have their parole status revoked and be returned to prison or have the terms and conditions of parole modified in some fashion. Please read the "Parole Hearing Process" section of this Annual Report for more detailed information about the operations of the Revocation Unit.

APPEALS UNIT

The operations, actions and protocols of the New Jersey State Parole Board are governed and regulated by statute and by Section 10A:71-1, et.seq., of the New Jersey Administrative Code. That Administrative Code Section provides for regular rights of appeal by an inmate or a parolee to the Appeals Unit, of any action or decision of any Parole Board Member, Hearing Officer or of any other unit or division of the Board. After hearing or considering an appeal by an inmate or parolee, the Appeals Unit can recommend that appropriate corrective action be taken by the Board or by any subdivision of the Board. In Fiscal Year 2005, the Appeals Unit processed to completion approximately 2,500 appeals by inmates and parolees.

LEGAL SUPPORT UNIT

Provides counsel and input to Parole Board members and officials to assure that the operations, actions and protocols engaged in by the Board and its employees comply with common and statutory law as well as the rules and regulations of the New Jersey Administrative Code. The Legal Support Unit also assists the Board in establishing agency policy and in the promulgation and publication of new Administrative Code regulations and amendments and revisions to existing regulations.

INFORMATION TECHNOLOGY UNIT

The Information Technology Unit or “ITU,” provides and maintains, for all phases of the Board’s operations, the very latest in computer systems, applications and technologies. Besides a staff of 15 experienced software professionals working in data systems, application development and networking, ITU maintains a fully staffed Help Desk that keeps every parole board officer and employee fully automated at all times and assures that all of them have access to the very latest and up-to-date criminogenic data. ITU also provides every Parole Board Officer and employee with access to the criminal databases and systems maintained by law enforcement agencies of other states and of the federal government.

Please read the “Agency Highlights for 2005” section of this Annual Report for an extensive description of the very latest system innovations and upgrades by the Information Technology Unit.

FISCAL & ADMINISTRATIVE SERVICES UNIT

The Fiscal and Administrative Services Unit is responsible for administering the operational budget on a yearly basis including all audit and spending control functions. The Fiscal component of the Unit also has responsibilities for funding all contracts between the Board and private and

non-governmental service providers. The Administrative component of the Unit exercises application and procurement functions for all Federal and State law enforcement and rehabilitative service grants and grants-in-aid. For a summary of cost-saving controls and achievements by the Fiscal and Administrative Services Unit for Fiscal Year 2005, please read the “Agency Highlights for 2005” section of this Annual Report.

HUMAN RESOURCES, EMPLOYEE RELATIONS AND EEO/AA UNITS

Like all agencies and departments of state government, the Board maintains units for the administration of human resources. Among other duties and obligations, these units are responsible for the fair and appropriate administration of state and federal statutes and regulations governing all aspects of human resource allocation and practice. This includes the fair administration of labor and labor relations contracts negotiated by several different organizations on behalf of various employee groupings.

SPECIAL INVESTIGATIONS UNIT

As an agency responsible for the functions, powers, duties and obligations of over 400 armed and sworn law enforcement officers, as well as 300 civilian and civil service personnel supporting and carrying out a law enforcement and public safety function, the

Board maintains a unit for matters involving the internal affairs of the agency. The Special Investigations Unit is responsible for investigating matters involving the job-related behavior of all Parole Board Members, officials, officers and employees and allegations that proper and appropriate standards of policy, practice or protocol have not, or may not have been, observed or that those standards have been violated. The Special Investigations Unit reports their investigative findings back to the Chairman of the Parole Board or to his designee on his Executive Staff for appropriate action if necessary.

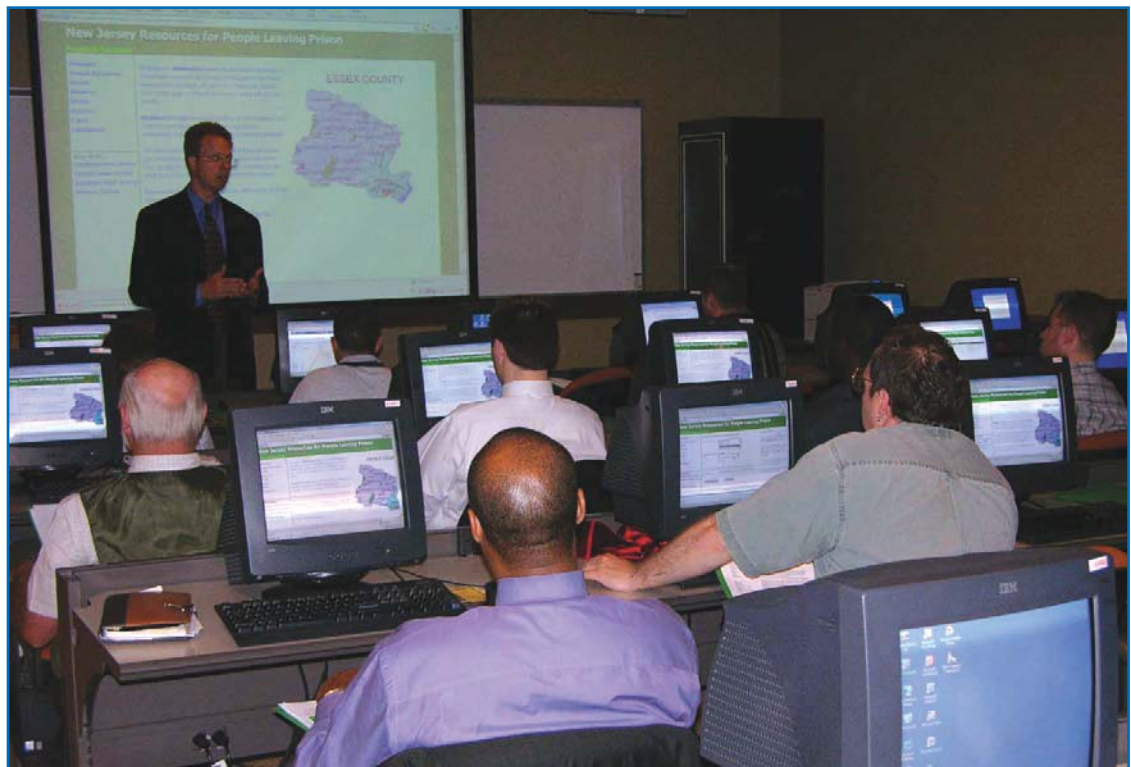
POLICY & PLANNING UNIT

The Policy and Planning Unit was established as a center for research professionals in the field of criminal justice and rehabilitative services. The Unit allows the Board to access and benefit from the very latest findings by scholars and practitioners in the field of criminal justice and rehabilitative policy. The Unit acts as a “think-tank” for

the Board to develop ways of putting these findings into practice in the day-to-day operations of the Board.

For Fiscal Year 2005, the Policy and Planning Unit has enabled the Board to institute an agency-wide program of quality control called “Evidence Based Practices.” For more detailed information about “Evidence Based Practices,” please read the “Agency Highlights for 2005” section of this Annual report.

The Policy and Planning Unit has also completed work on a dramatic new study correlating the effects of a successful parole term with lowered rates of recidivism. For more information about this study, please read the “New Developments for Parole” section of this Annual Report.



The Policy and Planning Unit arranged training for parole officers with Dr. Jeff Mellow of John Jay College. Dr. Mellow’s njsuccess.org website provides instant access to a multitude of community based resources for people leaving prison.

Chairman's Annual Address 2005

Annually, the Chairman of the State Parole Board is required to convene an open public meeting session of the Board. At that meeting, the Chairman provides a formal address in which he reviews the work of the agency for the past year and establishes goals for the coming year. The following information was abstracted from the Chairman's address to the Board and the public delivered on November 30, 2005 at the New Jersey State House.

CHAIRMAN D'AMICO

The New Jersey State Parole Board is an agency with the potential to play a revolutionary role in the world of criminal justice and ex-prisoner rehabilitation; an agency that could truly give meaning to the word "corrections"

and realize what that word ought to represent to our citizens. Rather than being a "revolving door" in the process of routinely returning parole violators to prison, the Parole Board is an agency with the potential, skills and personnel to facilitate the successful reintegration

of ex-prisoners into society at one-third of the cost of housing inmates in prison cells.

My overriding goal for the Parole Board has been to transform the agency into a focal point for improving the safety and quality of life in New Jersey and



Parolees participate in the boiler room training in order to receive their "Black Seal" certification upon completion of the program.

to become an agency that the entire criminal justice community would sit up, take notice of and want to partner with, out of the recognition that the Parole Board is at the cutting edge of a new age in correctional thinking. Today, I am pleased to announce that we have laid the solid foundation

of what is fast becoming a new center of rehabilitative energy for our state and a model for our nation.

The watchword for the transformational process that we have undertaken is “reentry.” “Reentry” is the recognition that the population served by the Parole Board must be successfully reintegrated and reabsorbed into and by the communities to which they are returning after their release from prison, while on parole, and beyond. To accomplish this reentry successfully and overcome the expected and discouraging tendency of parolees to return to a criminal lifestyle, we have sown the seeds of hundreds of new and vital working partnerships with community and non-profit organizations



Two successful parolees are employed as salespersons at Hillside Auto Mall in Hillside N.J.

throughout the state.

In 2005, we have witnessed the steady growth of the State Parole Board’s Community Partnership Unit. Founded in 2004 with a single employee, that unit now is home to six professional employees and comprises our external affairs and public relations functions as well as our community partnership outreach initiatives. At its inception, that unit was given the mission of involving New Jersey’s neighborhoods and communities in the reentry process. Today I can happily announce that they are fulfilling their mission. The Community Partnership Unit has formed effective and lasting partnerships with local government agencies, foundations, corporations,



Parole Board employees talk with conference attendees at Princeton University.

teers and volunteer organizations that have committed themselves to working with the State Parole Board in the areas of employment, education, housing, gang membership, addiction, mental health services, faith-based initiatives and family restoration.

labor unions, non-profit organizations, faith-based entities, community groups and individual volunteers and mentors. Active partnerships between the Parole Board and this array of community based groups are helping ex-offenders rebuild their lives and stay out of prison.

To develop and nurture these vital community links, the Community Partnership Unit has continued to host the Community Partnership Conferences it began in 2004. This past year has seen successful, well-attended conferences in Camden and Paterson and at Princeton University in September. These conferences have resulted in the formation of numerous local task forces composed of volun-

tion.

The State Parole Board can now mark the year of 2005 as the year in which the trees we have planted in the community have begun to bear fruit. This past year, nearly 1000 parolees have chosen to take advantage of faith- and community-based support and mentoring groups. Over 700 parolees have availed themselves of community based addiction and recovery counseling. Nearly 200 parolees have been helped with direct financial assistance for appropriate and adequate rental housing. Nearly 300 parolees have received direct help in finding appropriate housing. Nearly 500 parolees have been helped with job and vocational placement, food, clothing, furni-

ture, and transportation. In addition, parolees themselves have volunteered to give back some of their time and efforts to make the programs successful.

As part of our effort to tap the resources of other government agencies, the State Parole Board concluded an agreement this year with the New Jersey Department of Labor and Workforce Development to help parolees find jobs once they return to their communities. This partnership bore fruit almost immediately. In 2005, the first full year of the venture, over 2500 parolees registered with the program, and at least 200 have secured permanent positions.

Another recently established partnership--that with New Jersey's Bureau of Vital Statistics, is helping us establish unprecedented pathways for parolees to obtain birth, marriage, divorce, public health, social security and motor vehicle records. We are thus removing one more major obstacle in the path to the parolees' tasks of rebuilding their lives and staying out of prison.

Our parole officers cannot do their jobs without the proper tools. That is why, this past year, the State Parole Board has continued to invest heavily in information technology and to put that technology into the hands of our 400 field parole officers. They truly are on the front-lines of our agency, and we

cannot expect optimum performance from them if we do not properly equip them. In 2005 the Parole Board's Information Technology Unit completed and rolled out a fully automated entry and retrieval storage system for the parole officer's daily case-notes (the so-called "chrono" notes) that are the lifeblood of the parole officer's work. These notes form the documentary support for virtually every professional case management decision made by a parole officer. They will now be permanent, streamlined, readable and quickly retrievable in relevant fashion for use in case planning strategy and disposition meetings, evidentiary parole hearings and court proceedings and for review by supervisory personnel and other law enforcement agencies.

We have also, this year, completed the roll-out of another major resource and management tool: the Level of Service Inventory (Revised) risk and needs assessment tool or "LSI-R." The LSI-R puts all State Parole Board employees, in whatever department or division, and wherever they are in the state, on the same strategic page. For the first time in our agency's history, our case management personnel can sit down and discuss the "same" parolee and make decisions on the same set of facts and needs assessments. Moreover, using the LSI-R, our agency can now, by itself or, as is increasingly becoming the case, in partnership with

other members of the rehabilitation community, plan a long-term rehabilitative strategy for a parolee and provide a “continuum of care” for that parolee, utilizing all of the resources at our disposal. The LSI-R is proving as much help in the office as it is in the hands of our parole officers out on the street.

The Division of Parole has achieved many significant milestones in 2005—particularly in terms of the outstanding performance of its specialized parole supervision units. The Division continued the expansion and professionalization of its Fugitive Apprehension Unit, its Office of Interstate Services, its Community Programs Unit and its Electronic Monitoring Unit. The Street Gang Unit was established to focus on the growing

problem of gang violence throughout the state. In response to a rapidly growing caseload, the Sex Offenders Management Unit was doubled in size and placed under the visionary leadership of State Parole Board Lieutenant Steven Tallard. Fittingly, in October of this year, Steve Tallard was honored by the American Correctional Association of New Jersey for being a “national leader in the integration of sex offender treatment, rehabilitation, supervision and enforcement.”

Lieutenant Tallard, along with Executive Director Mike Dowling, Division Chief, Thomas James, and Captains Anne McGrath and Sean Asay, steered to a successful conclusion the difficult legislative process that culminated in the enactment of the Sex

Offender Monitoring Pilot Project Act; insuring that there would be an appropriation sufficient to fund the technology and personnel required to track high risk sex offenders. The Sex Offender Management Unit, with the help of Public Information Officer and Acting Deputy Executive Director, Ed Bray,



A Parole Officer secures Electronic Monitoring equipment to a parolee.

also brought the Parole Board favorable nationwide media coverage highlighting the successful curfew of sex offenders on Halloween night—something that had never been done before by any parole board in the country!

I am proud, as I know all of us are, to have the

innovative leaders I have mentioned, on our staff at the State Parole Board.

Now that 2005 is coming to a close, it is appropriate for the State Parole Board to ask itself the “96 Million” dollar question: does it work? Has our transformation as an agency accomplished what we set out to do: reduce criminal recidivism and help ex-offenders become productive members of their families, their workplace and their community? More importantly, where do we go from here? What do the numbers tell us about where we should set our sights in the future?

As many a politician has said on election night, the early returns look promising. From 1999 to 2005, as the result of a substantial reduction in the



Chairman D'Amico congratulates Lt. Steven Tallard for his award at the ACA ceremony for being a “national leader in the integration of sex offender treatment, rehabilitation, supervision and enforcement.”

number of parole revocations and an increase in the parole rate, the state prison population in New Jersey has dropped by a remarkable 14 percent (14%)—an astounding number in the world of corrections. In so doing, New Jersey bucked the nationwide trend, stemmed the tide of prison population growth and avoided for New Jersey taxpayers the expenditure of the millions of dollars required to build more prisons.

I have received a comprehensive new study conducted by the State Parole Board’s Office of Policy and Planning. That study appears to confirm those “early returns” that I spoke of just a moment ago. Using the very latest statistical methods in current criminogenic analysis and practice, Dr.

Melinda Schlager and Kelly Robbins, MS., of our research branch, compared a statistically significant sample of offenders who reentered their communities immediately after the expiration of their maximum term of incarceration and with no oversight, supervision and official supports, against offenders who reentered their communities after having completed a period of time as a parolee with access to the rehabilitative resources that we, as an agency provide. The results? On all major indicia of recidivism: rearrest, reconviction and reincarceration, offenders who reentered their community after parole fared significantly better than those who just “maxed-out.” Parole completers were rearrested, reconvicted and reincarcerated less often than max-outs. Within four years of completing their sentences, 48% of parole completers remained out of the criminal system while only 29% of max-outs did as well. And keep in mind that those results sampled a parole population before this agency committed itself to broad-scale community partnering. It is reasonable to assume parolees will continue to do much better as a result of the continued expansion of the residential and day reporting programs by the Community Programs Division under the innovative leadership of Kevin McHugh and Ted Levay—as well as the community partnerships established under the leadership of Bud Scully. All in all, it seems that we are doing many things right and are on the

right policy track. How, as an agency, do we continue to test ourselves, to monitor our own performance and keep an objective lens upon ourselves? This year I introduced what I hope will become a permanent part of our internal system of quality control and performance evaluation: the Evidence Based Practices Project. The purpose of this project is to implement “evidence-based practices” at every stage of our parole process and to remind us constantly to ask the question: is what we are doing working? Is what we are doing producing concrete results for real people in real communities in our state? Is what we are doing actually counteracting the causes of recidivism, addressing the problems of ex-offenders and meeting their needs thereby keeping them from committing new crimes and returning to prison? Are we helping parolees and families rebuild their lives? Are we getting parolees into meaningful jobs and making them productive members of the state that we all share? These are the hard questions that “Evidence Based Practices” asks and will keep on asking each day that we come to work.

Evidence Based Practices asks us to learn from what the experts throughout the country have identified as, effective programs and policies based on solid, reliable and verifiable documentary evidence. What that evidence is saying is that we must neither be too hard on crime or too soft on crime. We must be smart about crime, focusing on

the task of changing the hearts, minds and actions of ex-prisoners. Through the agency-wide implementation of Evidence Based Practices, the Parole Board is committed to doing what works, what is cost effective, and what is fair and just. I know that everyone employed by the State Parole Board shares that same commitment.

What of the future? What goals do we set ourselves as we wrap up 2005 and head into 2006? If the watchword for 2005 was “reentry,” then the watchword for 2006 is “synergy.” How do we take the various foundation stones we have laid as an agency--community partnerships, new technologies, specialized supervision units, the LSI-R, graduated sanctions and evidence based practices--and make them work together so that the parts produce results that are more than just the sum of these parts? That those systems, working together, can produce something entirely new and vitally different, is the concept of synergy in a nutshell.

Our goal in 2006 will be to strive for these “synergies” as

our various units and divisions collaborate in the new environment we have created. As part of this process, we will be asking you for your ideas and proposals to, not only enhance and improve the systems and policies that we’ve already put in place, but to create new pathways for creative and synergistic collaborations with your colleagues in other divisions and units.

When I was sworn in as Chairman, I said that our ultimate goal was to become the best paroling authority in the country. We are well on our way toward that objective, having received national attention for many of our programs and initiatives. We are well on our way, and I can promise you my full support and the support of my staff as we press on to that ultimate prize.



Chairman D’Amico(center) celebrates the ribbon cutting ceremony for the new Kintock Center in Bridgeton. Also Pictured from left to right is Bridgeton Mayor Michael Pirolli, Corrections Commissioner Devon Brown and Kintock CEO David Fawkner.

Hearings

THE INITIAL HEARING

Except in cases where the courts have determined otherwise, an inmate becomes eligible for parole after serving a percentage of his or her prison sentence. Eligibility for parole, by itself, however, does not mean that an inmate will automatically be granted parole release. Before any decision about parole release is made, an inmate must go through the parole hearing process.

The first step in the parole process is the “Initial” hearing. A Parole Board hearing officer conducts this preliminary review of the inmate’s appropriateness for parole release. The Initial hearing

takes place at the penal institution where the inmate is housed and normally includes just the offender and the hearing officer. At the Initial hearing the hearing officer will begin to create an official record for the members of the Parole Board Panel who will eventually decide whether or not that inmate will be granted parole release.

THE PANEL HEARING

The next step in the hearing process is the “Panel” hearing. This is the hearing where the inmate actually appears before the members of the Parole Board who will make a decision granting or

d e n y i n g parole. The inmate appears before a two-member Board Panel either in person at the penal institution or by remote video-conference from the institution.

COUNTY INMATE RELEASE UNIT STATISTICS

| | 2005 | 2004 | 2003 | 2002 | 2001 | 2000 | 1999 |
|-------------------------|-------|-------|-------|-------|-------|-------|-------|
| Initial Hearings | | | | | | | |
| Scheduled | 5,110 | 5,711 | 5,485 | 5,788 | 5,363 | 5,165 | 5,659 |
| Conducted | 3,504 | 5,038 | 4,862 | 5,030 | 4,521 | 4,372 | 4,915 |
| HO recommend for parole | 1,291 | 1,455 | 1,812 | 1,908 | 1,755 | 2,128 | 2,241 |
| Deferred | 298 | 277 | 97 | 66 | 174 | 475 | 242 |
| Not feasible | 1,148 | 1,724 | 1,660 | 1,908 | 1,607 | 1,132 | 1,071 |
| Refer to panel | 1,837 | 1,582 | 1,293 | 1,148 | 985 | 637 | 1,361 |
| Panel Hearings | | | | | | | |
| Scheduled | 2,328 | 2,205 | 1,560 | 2,663 | 2,440 | 2,636 | 3,210 |
| Decided | 2,117 | 2,001 | 1,416 | 2,534 | 2,193 | 2,420 | 3,108 |
| Deferred | 17 | 13 | 7 | 10 | 33 | 27 | 93 |
| Parole denied | 945 | 971 | 599 | 149 | 39 | 15 | 28 |
| Parole granted | 1,155 | 1,030 | 817 | 2,385 | 2,154 | 2,405 | 3,080 |
| Administrative review | | | | | | | |
| Reviewed | 1,291 | 1,455 | 1,812 | 1,908 | 1,755 | 2,128 | 2,241 |
| Denied | 56 | 221 | 225 | 211 | 77 | 12 | 44 |
| Parole granted | 1,235 | 1,234 | 1,587 | 1,697 | 1,675 | 2,116 | 2,197 |
| Total paroled | 2,390 | 2,264 | 2,404 | 4,082 | 3,829 | 4,521 | 5,277 |

In making the decision of whether or not to grant parole to an inmate, the Board Panel members consider many factors: an inmate's pre-incarceration and pre-sentencing reports including a history of prior offenses, the facts and circumstances of the offense for which the inmate is presently serving time, the conduct and progress of an inmate during incarceration, professional reports on the inmate's social, physical and mental condition, and a risk and needs assessment. An important part of the Panel's decision-making process is hearing from the victim of an inmate's crime.

STATE INMATES RELEASE UNIT STATISTICS

| | 2005 | 2004 | 2003 | 2002 | 2001 | 2000 | 1999 |
|------------------------------------|--------------|--------------|--------------|--------------|---------------|--------------|--------------|
| Initial Hearings | | | | | | | |
| Scheduled | 15,421 | 15,075 | 15,953 | 15,993 | 17,112 | 11,454 | 1,259 |
| Conducted | 13,025 | 13,614 | 13,460 | 11,536 | 14,675 | 10,973 | 12,123 |
| Parole recommended | 1,218 | 1,314 | 1,581 | 2,069 | 3,611 | 2,169 | 3,906 |
| Deferred | 269 | 779 | 4,113 | 4,457 | 2,437 | 442 | 426 |
| Referred to panel | 11,538 | 10,618 | 10,259 | 9,467 | 11,064 | 8,804 | 8,217 |
| Two-member Panels | | | | | | | |
| Scheduled | 12,866 | 12,700 | 12,995 | 11,741 | 14,804 | 11,569 | 7,596 |
| Decided | 11,676 | 11,827 | 12,021 | 13,720 | 18,440 | 13,837 | 10,296 |
| Deferred | 167 | 160 | 143 | 93 | 83 | 1,168 | 1,663 |
| Parole denied | 4,804 | 4,945 | 5,627 | 5,782 | 7,293 | 4,182 | 2,711 |
| Parole granted | 6,871 | 6,877 | 6,394 | 5,958 | 7,261 | 6,009 | 3,099 |
| Three-member Panels | | | | | | | |
| Decided | 40 | 53 | 55 | 63 | 266 | 40 | 38 |
| Parole denied | 40 | 53 | 35 | 62 | 260 | 40 | 38 |
| Parole granted | 0 | 0 | 2 | 1 | 2 | 0 | 0 |
| Full Board Panels | | | | | | | |
| Decided | 20 | 18 | 27 | 39 | 60 | 4 | 15 |
| Parole denied | 7 | 12 | 17 | 22 | 26 | 2 | 4 |
| Parole granted | 13 | 6 | 7 | 15 | 34 | 2 | 5 |
| Administrative review | | | | | | | |
| Reviewed | 1,043 | 1,268 | 1,575 | 2,212 | 3,878 | 2,401 | |
| Denied | 163 | 180 | 199 | 223 | 242 | 133 | |
| Parole granted | 879 | 1,084 | 1,374 | 1,989 | 3,636 | 2,268 | |
| Total state inmates paroled | | | | | | | |
| | 7,763 | 7,967 | 7,777 | 7,947 | 10,897 | 8,277 | 3,099 |

This is done in a confidential "victim input" hearing. The inmate is not present at such a hearing and is not informed that the victim has

REVOCATION UNIT STATISTICS

| | 2005 | 2004 | 2003 | 2002 | 2001 | 2000 | 1999 |
|------------------------|-------|------|------|------|------|------|------|
| Revocation initiated | 3,828 | 3926 | 4945 | 4934 | 4672 | 4635 | 6403 |
| Continued on parole | 784 | 1001 | 1368 | 1328 | 789 | 586 | 972 |
| Revoked-establish term | 1,253 | 1210 | 1497 | 1473 | 1358 | 1511 | 2171 |
| Revoked reparaoled | 87 | 129 | 89 | 213 | 286 | 304 | 539 |
| Revoked -serve max | 1,618 | 1546 | 1984 | 1920 | 2239 | 2234 | 2721 |
| Revoke-serve MSV | 81 | 37 | | | | | |
| Revoke other | 2 | 3 | | | | | |

JUVENILE UNIT STATISTICS

| | 2005 | 2004 | 2003 | 2002 | 2001 | 2000 | 1999 |
|----------------------------------|-------|-------|-------|-------|-------|-------|-------|
| Time goals established-juveniles | 1,164 | 888 | 783 | 706 | 769 | 835 | 771 |
| Time goals deferred | 0 | 0 | 2 | 0 | 0 | 0 | 0 |
| Quarterly reviews | 2,304 | 3,045 | 2,423 | 2,096 | 2,277 | 2,430 | 2,548 |
| Annual reviews | 228 | 66 | 38 | 64 | 72 | 17 | 18 |
| Continued confinement | 2,208 | 3,446 | 1,407 | 1,066 | 1,126 | 1,189 | 1,386 |
| Parole approved | 684 | 624 | 516 | 275 | 692 | 753 | 743 |
| Serve Max | 360 | 482 | 313 | 229 | 175 | 176 | 156 |
| Review deferred | 60 | 145 | 246 | 180 | 232 | 279 | 233 |
| Referred to young adult panel | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Referred to adult panel | 72 | 1 | 5 | 15 | 7 | 9 | 15 |

or has not testified. More detailed information about this aspect of the parole process can be found in the Parole Board's "Victim Input Process" brochure. If a person or organization that is not a victim of the subject's crime wishes to present evidence to the Parole Board, that request must be made in writing and directed to the Director of the Board's Release Division. Public attendance is not permitted at any parole hearing.

If, after hearing and considering all relevant factors and evidence, including evidence and testimony presented by the inmate, the Board Panel declines to grant parole, the Panel will set a future eligibility term or "F.E.T." for the inmate. This term establishes the

length of time that must pass before the inmate can again become eligible for parole and appear again before the Parole Board. This term can vary from eleven (11) months to three years or longer depending on the severity of the original crime and the time which the Board feels that the inmate will need to ready himself for parole. An "F.E.T." of 5 or even 10 years is not unusual in a serious crime like manslaughter or an aggravated sexual offense. In accordance with New Jersey law, the burden of producing evidence to show that an inmate is not qualified for parole release is on the Parole Board.

If the Board Panel decides to grant parole for an inmate, they will normally establish a list of "conditions" with which a parolee must comply once he or she is released on parole. These "conditions" of parole may call for various levels of parole "supervision"

which the Panel will establish at their hearing. For more detailed information on this aspect of parole, please consult the “Supervision” section of this report.

Another important part of the Board’s decision-making process is the availability of appropriate community programs and resources for an inmate on parole. Recent advances by the Parole Board in greatly increasing the availability of such programs are described in the “Community Partnership” section of this report.

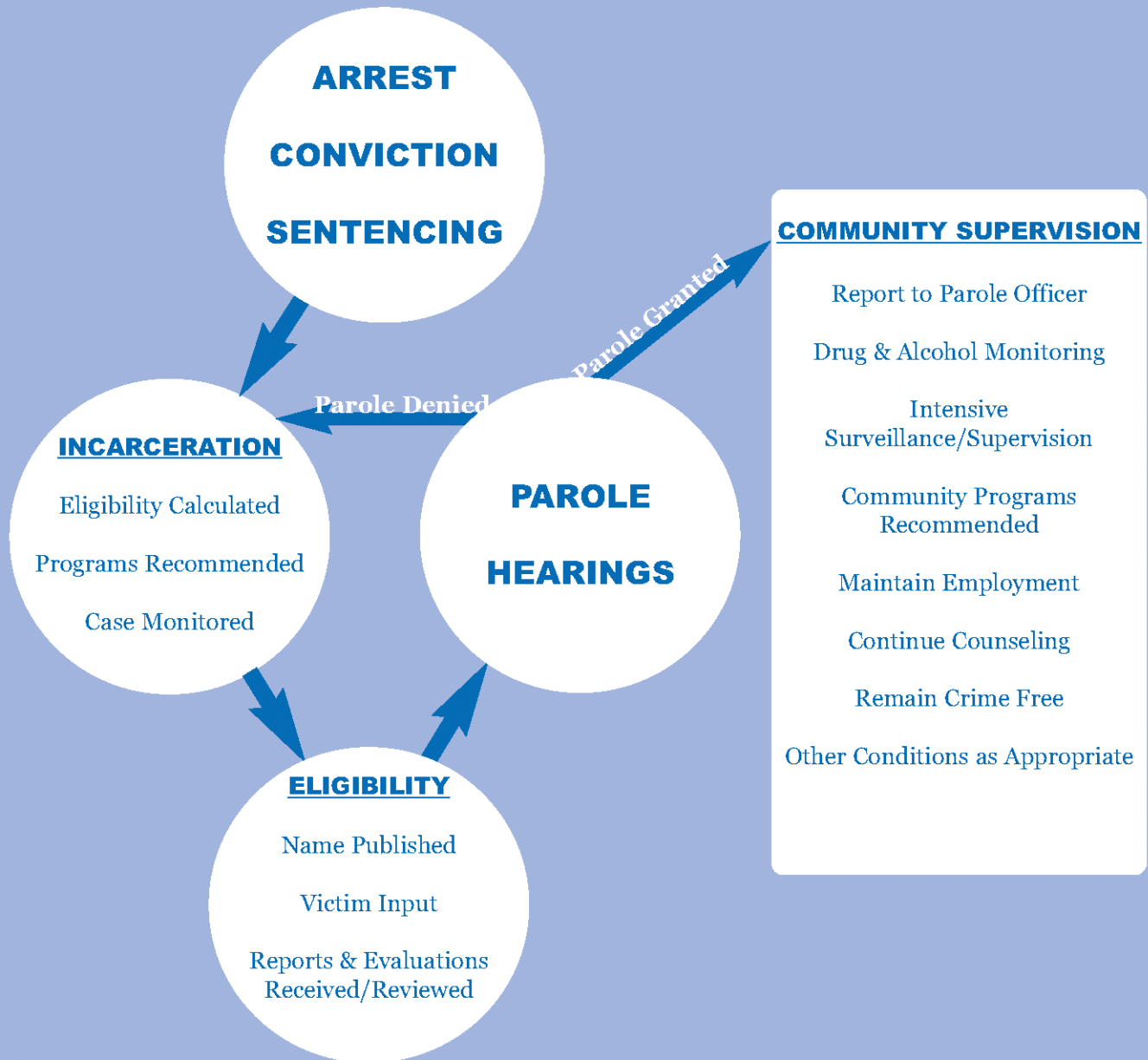
THE RESCISSION & REVOCATION HEARING

If the Board decides to grant parole release to an inmate, it will normally schedule a particular future date for the actual release of the inmate from prison. That date may be as much as six (6) months from the date that parole is granted. If the Board receives additional information from prison authorities (or from another source) before the release date that the inmate is misbehaving or that the Board failed to consider certain information, the Board may assign a hearing officer to conduct a Rescission Hearing to determine whether parole release should go forward or be delayed.

If an inmate has already been released on parole and his parole officer has reason to believe that, as a parolee, he or she is not complying with the conditions of their parole, the officer may arrest that parolee and return them to jail pending a hearing. The Parole Board will then assign a hearing officer to conduct a Revocation Hearing. The Revocation hearing is for the purposes of determining whether or not the charged parole violations are “serious” and/or “persistent” enough to revoke parole or to take some other appropriate action, like reassigning the parolee to a different level of parole supervision or setting new conditions for parole.

Both types of hearings—Rescission and Revocation—are quasi-judicial in nature and proceed according to evidentiary rules and procedures. The inmate can have a lawyer present. Testimony may be taken by the hearing officer and other types of evidence received. At the conclusion of the hearing, the hearing officer makes a recommendation to the Parole Board Panel that originally granted Parole. That Board Panel is free to accept, reject or modify the hearing officer’s recommendation.

THE PAROLE PROCESS



Supervision

The Division of Parole is comprised of some 400 trained law enforcement officers (“Parole Officers”) assigned to one of 11 statewide District Parole Offices or one of 6 specialized parole units. Each Parole Officer manages an average caseload of 50 parolees. The job of the Parole Officer is to ensure that each parolee on his or her caseload adheres to the specified conditions of their parole release. Parole Officers have the authority to make an immediate arrest of a parolee for a serious or persistent failure to abide by the conditions of their parole release.

SPECIALIZED LEVELS OF SUPERVISION

In order to maximize the chances for each parolee’s successful parole and reintegration back into society, every attempt is made to determine the appropriate level and type of supervision needed on a case-by-case basis.

The State Parole Board has therefore developed the following specialized supervision programs:

ISSP - INTENSIVE SUPERVISION AND SURVEILLANCE PROGRAM:

designed to provide a highly structured supervision regimen

for an ‘at risk’ parolee.

IPDP - INTENSIVE PAROLE DRUG PROGRAM:

designed to focus on parolees with significant drug and alcohol problems.

DRC - DAY REPORTING CENTER:

a resource center where a parolee is mandated to spend a significant amount of his or her time receiving interview and job acquisition skills, counseling, support and guidance in rebuilding their life.

EM - ELECTRONIC MONITORING:

provides around the clock remote location tracking to make sure that a parolee is where he is supposed to be at all times

SPECIALIZED PAROLE UNITS

CPU - COMMUNITY PROGRAMS UNIT:

Parole Officers assigned to parolees undergoing active treatment for addiction, mental health or other rehabilitative services, within the confines of a residential treatment facility. These Officers develop constructive relationships with key personnel and professionals at such facilities and often act as a liaison between the resident parolee, the Board and facility personnel.

FAU - FUGITIVE APPREHENSION**UNIT:**

Parole Officers specially trained to locate and apprehend parole absconders who have gone unaccounted for more than ninety (90) days. These Officers coordinate their efforts with those of other state, federal and international law enforcement agencies.

OIS - OFFICE OF INTERSTATE**SERVICES:**

Parole Officers who monitor and supervise parolees from other states. Such parolees come to New Jersey under the aegis of the Interstate Compact on Adult Offender Supervision, under which, New Jersey may also send its parolees to other Compact States.

SOMU - SEX OFFENDER**MANAGEMENT UNIT:**

Parole Officers who are educated and trained in the area of monitoring sexual offenders sentenced by the courts to very lengthy periods of supervision after they have completed their terms of incarceration. These supervisory terms can range from several years to life, depending on the gravity of the offense. Officers in this unit receive specialized training in the psychology and behavior of sexual and predatory offenders and can quickly recognize the "warning signs" indicating an increased risk of re-offending.

SGU - STREET GANG UNIT:

Parole Officers who are specially trained in the subculture of youth and street gangs and can more effectively identify, monitor and aggressively supervise parolees identified as having prior or current gang affiliations or membership. Parole Officers from this unit also partner with officers from other law enforcement and government agencies in gang interdiction initiatives.

PAROLE POPULATION

| | CSL | GS | EM | ISSP | HIDP | IPDP | DRC | Total |
|--------------|------------|-----------|-----------|-------------|-------------|-------------|------------|--------------|
| June-05 | 2,612 | 9,709 | 367 | 890 | 0 | 516 | 477 | 14,204 |
| May-05 | 2,569 | 9,816 | 377 | 866 | 0 | 516 | 446 | 14,213 |
| April-05 | 2,517 | 9,480 | 404 | 834 | 0 | 482 | 420 | 14,137 |
| March-05 | 2,487 | 9,627 | 400 | 842 | 0 | 506 | 396 | 14,258 |
| February-05 | 2,442 | 9,577 | 365 | 835 | 0 | 505 | 375 | 14,099 |
| January-05 | 2,357 | 9,735 | 357 | 875 | 0 | 545 | 368 | 14,237 |
| December-04 | 2,322 | 9,795 | 398 | 869 | 0 | 522 | 331 | 14,237 |
| November-04 | 2,287 | 9,823 | 401 | 865 | 0 | 512 | 329 | 14,217 |
| October-04 | 2,252 | 9,886 | 382 | 830 | 0 | 453 | 321 | 14,124 |
| September-04 | 2,217 | 9,836 | 386 | 786 | 0 | 468 | 292 | 13,985 |
| August-04 | 2,182 | 9,855 | 365 | 769 | 0 | 455 | 317 | 13,943 |
| July-04 | 2,147 | 10,060 | 382 | 724 | 57 | 374 | 304 | 14,048 |
| 2004 | 2,112 | 10,679 | 372 | 871 | 178 | 310 | 389 | 12,799 |
| 2003 | 1,343 | 8,882 | 192 | 1,238 | 548 | 258 | 323 | 11,441 |
| 2002 | 915 | 8,826 | 155 | 1,465 | 585 | 357 | 330 | 11,718 |
| 2001 | 586 | 9,373 | 68 | 1,494 | 647 | 337 | 362 | 12,281 |

Community Programs

The Parole Board's Division of Community Programs develops and oversees programs for the administration of a wide array of rehabilitative services. Programs include Day Reporting Centers for parolees, Halfway Back residential programs, intensive outpatient drug and alcohol recovery programs, long and short term residential substance abuse treatment centers, mental and behavioral health resource centers and transitional housing programs. The Division also develops programs designed to address specific rehabilitative needs such as education, vocational and employment training and family restoration. It provides the major portion of its rehabilitative services through public contracts with private and non-profit organized, qualified and experienced providers of such services. The Division works in close conjunction with Parole Officers who supervise parolees assigned to residential and non-residential rehabilitation programs as a condition of their parole release. The Division also works in close collaboration with the Board's Community Partnership Unit

to optimize its use of community resources in successfully reintegrating ex-offenders into society.

In Fiscal Year 2005, the Division provided rehabilitative services for approximately 4000 parolees attending day-long programs and approximately 2000 parolees enrolled in 30 to 180 day residential programs. At any given time, the Division is providing full-time rehabilitative programming for one-third of the state's parolee population. The Division also houses a Grants Management Unit designed to procure and manage federal, state and private grant monies available for the rehabilitation and societal assimilation of parolees and ex-offenders.

The major components of the Division of Community Programs are the Day Reporting Centers (DRC), the Halfway Back Program (HWB), the

| HALFWAY BACK PROGRAM 05 | | | | | | |
|-------------------------|----------------|--------|---------------------|---------------------|-------------|--|
| | Cases Referred | Placed | Incomplete <30 days | Incomplete >30 days | Completions | |
| June-05 | 297 | 211 | 11 | 39 | 129 | |
| May-05 | 239 | 184 | 21 | 38 | 105 | |
| April-05 | 187 | 276 | 20 | 12 | 129 | |
| March-05 | 284 | 190 | 12 | 29 | 122 | |
| February-05 | 505 | 156 | 16 | 20 | 97 | |
| January-05 | 206 | 115 | 7 | 22 | 83 | |
| December-04 | 119 | 135 | 19 | 18 | 87 | |
| November-04 | 106 | 136 | 12 | 13 | 79 | |
| October-04 | 217 | 155 | 13 | 16 | 93 | |
| September-04 | 137 | 94 | 7 | 19 | 94 | |
| August-04 | 95 | 116 | 3 | 5 | 89 | |
| July-04 | 125 | 122 | 11 | 29 | 99 | |
| 2004 | 2,517 | 1,890 | | | 1,206 | |
| 2003 | 1,532 | 1,173 | | | 820 | |
| 2002 | 739 | 457 | | | 245 | |

MUTUAL AGREEMENT PROGRAM

| | Cases Referred | Placed | Incomplete <30 days | Incomplete >30 days | Completions |
|--------------|----------------|--------|---------------------|---------------------|-------------|
| June-05 | 61 | 34 | 3 | 12 | 15 |
| May-05 | 24 | 22 | 5 | 8 | 31 |
| April-05 | 29 | 23 | 3 | 9 | 8 |
| March-05 | 47 | 22 | 3 | 6 | 22 |
| February-05 | 40 | 23 | 2 | 7 | 14 |
| January-05 | 57 | 22 | 0 | 6 | 11 |
| December-04 | 33 | 30 | 3 | 8 | 10 |
| November-04 | 40 | 34 | 4 | 11 | 23 |
| October-04 | 42 | 22 | 4 | 11 | 17 |
| September-04 | 48 | 38 | 4 | 11 | 27 |
| August-04 | 39 | 32 | 5 | 6 | 18 |
| July-04 | 58 | 35 | 5 | 9 | 16 |
| 2003 | 772 | 452 | | | 274 |
| 2002 | 808 | 479 | | | 254 |
| 2001 | 945 | 385 | | | 250 |
| 2000 | 1140 | 494 | | | 325 |
| 1999 | 1234 | 545 | | | 382 |
| 1998 | 1003 | 544 | | | 349 |

Mutual Agreement Program (MAP) and the Re-Entry Substance Abuse Program (RESAP).

DAY REPORTING CENTERS (DRC)

Day Reporting Centers are non-residential centers that provide an array of rehabilitative supports to parolees. Parolees are normally required to report to such centers on a daily basis and are required to constructively and actively participate in individual and group counseling, educational and vocational programs, employment assistance and planning, and life support programs for housing, food, transportation and medical services.

There are seven major DRC's in New Jersey with each center servicing between 50 and 100 parolees. Centers are open and operational 10 hours per day, seven days a week. DRC's serve as inexpensive alternatives to continued

progress of parolees.

HALFWAY BACK PROGRAMS (HWB)

Halfway Back Programs are highly structured and secure residential facilities. There are nine such facilities in New Jersey each housing between 50 and 100 parolees or offenders awaiting parole release. The facilities are operated by private and/or non-profit rehabilitative service providers under contract with the State Parole Board.

Parolees may spend anywhere from 30 to 180 days in such a center. The length of the term is correlated, as much as possible, to the particular needs of a parolee and the progress made toward rehabilitation. Upon entry to an HWB, a parolee undergoes an orientation and assessment period. This initial time period is used to determine areas which provide the most difficult obstacles to his or her leading a productive and crime-free lifestyle.

HWB resident parolees are each assigned to a Program Review Committee (PRC) composed of pro-

incarceration where such incarceration would no longer serve the needs of society or of the offender. DRC's are excellent vehicles by which the Parole Board can continuously monitor and measure the rehabilitative

gram treatment staff and Parole Board professionals. The PRC will meet to assess a parolee's needs and to design a rehabilitative program for that parolee. The PRC then meets periodically to review and assess a resident's progress and consider program modifications if needed.

HWB residential centers include concentrated program components for drug and alcohol recovery and relapse prevention, mental health and anger management, education, employment counseling, money management and family restoration.

HWB residents may be allowed daily periods outside of the facility to attend jobs or school or to look for suitable employment. Brief home visits or "furloughs" may also be permitted. All such time periods spent outside of a facility are strictly supervised and closely monitored to assess a resident's behavior outside of a structured setting.

HWB facilities are often used by the Parole Board as alternatives to incarceration for parolees who have not quite succeeded on ordinary parole release but demonstrate some potential for success in an environment "half-way" between prison and parole.

MUTUAL AGREEMENT PROGRAM (MAP)

The Mutual Agreement Program or "MAP," provides a way for the Parole Board to contract with private licensed substance abuse treatment programs throughout the state. Eight such facilities provide 180 day residential stays while six additional facilities provide outpatient programs on a primary or "aftercare" basis.

MAP assignments are considered to be constructive alternatives to incarceration. MAP assignments are normally considered where a parolee demonstrates potential for successful

rehabilitation but for the severity of a substance abuse problem. MAP facilities are also used by the New Jersey Department of Corrections for inmates who have agreed to a residential treatment program as a precondition to their parole release. MAP assignments were implemented in 1984 as a cooperative effort between the State Parole Board, the Department of Corrections and the Department of Health and Senior Services.

REENTRY SUBSTANCE ABUSE PROGRAM (RESAP)

The Reentry Substance Abuse Program or "RESAP" was designed to focus on the substance abuse problem of three basic categories of parolees: those parolees who were doing well on parole but have suffered a relapse into drug use which has resulted in their being re-incarcerated; those parolees who had experienced some formal substance abuse treatment while incarcerated but require additional such treatment after release; and those parolees who, because of a demonstrated history of substance abuse, require a full six months of residential addiction treatment. The Parole Board currently contracts with four New Jersey treatment facilities for the provision of RESAP services.

Successful completion of a RESAP is often made a precondition to release on parole or to continuing on parole. An important part of the RESAP assignment is the composition of a detailed "discharge plan." The discharge plan is intended to identify, plan and meet the continuing recovery needs of the parolee after completion of the RESAP.

The Division of Community Programs has fully adapted Chairman D'Amico's program of Evidence Based Practices (EBP) and quality control systems have been implemented.

New Developments

Each year the administration of parole in New Jersey is shaped and modified by court decisions, legislation and new studies in the field of criminology. Fiscal Year 2005 was no exception bringing with it, among other things, an important new court decision, and a new study about the effect of parole supervision on rates of criminal recidivism.

PAZDEN V. STATE PAROLE BOARD : RESTRICTIONS ON PAROLEE'S EMPLOYMENT UPHELD.

In 1991, Michael Pazden, a Clifton, New Jersey real estate developer, became the subject of a criminal investigation. The investigation centered around the misappropriation or theft of over \$850,000 in escrow deposits by new condominium purchasers. In 1996, Pazden was convicted of multiple counts of theft or misuse of monies entrusted to him. He was sentenced in Passaic County Court to at least two eight-year prison terms.

In December of 2000, the Board granted Pazden parole release under stringent guidelines and restrictions. In October of 2002 and pursuant to reports from Pazden's parole officer concerning his employment situation, the Board imposed special conditions on Pazden's parole prohibiting him from accepting employment in any situation where he would be required to

either negotiate business contracts or to hold funds or other property as part of a business or sales transaction.

Pazden filed a lawsuit against the Board claiming that the parole conditions the Board had imposed upon him were too broad and unduly restricted his employment activities. In *Pazden v. New Jersey State Parole Board* 374 N.J. 356 (2005), the Superior Court—Appellate Division clearly upheld and affirmed the authority of the Board to impose employment restrictions of the type imposed on Pazden. The court did require however that such restrictions be clearly drafted and reasonably related to the criminal activities for which the parolee was originally convicted.

The courts holding in Pazden gives the Parole Board the flexibility it needs to craft meaningful parole conditions and conditions that are designed, as much as possible, to provide offenders with the opportunity for rehabilitative parole, while preventing as much as possible, additional criminal behavior.

NEW RECIDIVISM STUDY SUPPORTS PAROLE

Fiscal Year 2005 brought the Board promising news in the form of a new social research study on the effectiveness of parole in lowering rates of criminal recidivism. The study was a multi-year controlled and structured research effort by Melinda Schlager,

Ph.D and Kelly Robbins, M.S. Both Ms. Schlager and Ms. Robbins are associated with the Board's Office of Policy and Planning.

The study carefully analyzed criminogenic data from a randomly selected and statistically significant cross-section of offenders who had fully completed their criminal sentences including terms of imprisonment and terms of parole supervision, if any.

The study found that those offenders who had completed terms of parole supervision after their release from prison, were less likely to commit new crimes and/or be re-incarcerated, than those offenders who went directly from prison to being entirely on their own after the expiration of their sentence.

The study used a control group of 500 offenders and analyzed their progress over a four (4) year period after completion of their criminal sentences. The group was divided into "parole completers"—those who had completed terms of parole supervision after prison, and "max-outs"—those that completed their sentences concomitant with their release from prison. Within four (4) years of completing their sentences, 48% of "parole completers" remained completely out of the criminal system while only 29% of the "max-outs" did as well.

The recidivism study provides convincing and objective support for parole supervision as the optimal, most effective and safest way to control crime and criminal recidivism.

Through its efforts and policy of

maximizing community-based rehabilitative resources, the State Parole Board is a national leader in utilizing parole as a humane and healthy way to control criminal behavior in our society.

PAROLE BOARD OMBUDSMAN'S PROGRAM

Near the close of Fiscal Year 2005 the Board put the final pieces into place for the establishment of a new Ombudsman's program. The program will be housed within the Division of Community Programs and is designed to serve parolees in residential programs administered under the auspices of that division.

There are plans for two full-time Ombudspersons: one serving residential centers in the northern portion of the state and one serving centers in the southern portion. Kevin McHugh, Chief of the Community Programs Division, states that the Ombudspersons will act as a liaison between parolees residing in "half-way back" programs and "addiction recovery" programs, the supervisory and administrative personnel of those programs, and Parole Board staff.

Having such a liaison, according to the program's planners, should eliminate the costs often incurred in unduly or prematurely terminating a parolee from a particular program and having that parolee returned to incarceration. It is hoped that timely intervention by the Ombudsperson, could identify and resolve problems before program termination is effectuated.

Goals for 2006

CREATING SYNERGIES

During the middle of the 20th Century, one of America's most brilliant theorists, Buckminster Fuller, coined the term "synergy." According to Fuller, a synergy is created when two distinct systems interact in ways that create results unimaginable prior to the two systems coming together.

Under the leadership of Chairman John D'Amico, the Parole Board will strive, in Fiscal Year 2006, to create synergies in and among its various units and divisions. According to Chairman D'Amico, "The challenge now is to take the various foundation stones we have laid as an agency—community partnerships, new technologies, specialized supervision units, the LSI-R, graduated sanctions and evidence based practices—and make them work together in new and creative ways."

The Board remains committed to its program of hosting community partnership conferences several times a year and in different parts of the state. On March 31, 2006, the Board, in conjunction with the mayor and city council of Jersey City and the JP Morgan Chase financial concern, will host a major partnership conference. Additional such events are planned for the remainder of Fiscal Year 2006 and into FY 2007 and beyond. These conferences continue to yield active partnerships between the Board and an array of community based groups in helping ex-offenders rebuild their lives and stay out of prison.

One hoped-for synergy in the

upcoming months is that between the street officers of the Division of Parole and the Parole Counselors working inside the correctional facilities. New centralized data management systems as well as new diagnostic and assessment tools, are being positioned to provide a common platform for discharge planning before parole and follow-up by parole officers as the offender experiences parole supervision.

Another synergy that should come to fruition in Fiscal Year 2006 is that between the Community Programs Division and the Board's Office of Policy and Planning. By implementing the agency-wide use of the Level of Service Inventory (LSI-R), the planning sector of the Board can get real-time data from Community Programs on the effectiveness of a particular rehabilitative program for a particular parolee. Using the data, the Office of Policy and Planning can more quickly and efficiently make changes to the programmatic priorities of the agency.

It is also planned that the Board's information technology section can put more interface networks into place between other local, state and federal criminal justice agencies and the Board. Such interfaces will allow the Board to continually monitor the recidivism rates of offenders who have completed parole. Here the Board's goal will be to continue to maintain lower recidivism rates for its parolees than for offenders who have not experienced a term of parole supervision.

GLOBAL POSITIONING SYSTEMS (GPS)

On the night of October 31, 2005 (Halloween Night), a night when tens of thousands of New Jersey's children were out on the streets of the state's towns and communities, a cadre of law enforcement officers from the Board's Sex Offender Management Unit (SOMU) were able to keep tabs on the location of virtually all of the state's sex offenders. Such an effort would have been impossible prior to the establishment of the SOMU by the Board.

Fiscal Year 2006 marks the beginning of a program whereby offenders who have served time for serious sexual offenses and have been released to the supervision of the Board, can be continuously monitored (around-the-clock) by a specialized Board unit—the Electronic Monitoring Unit. The program utilizes remote global positioning, tracking and monitoring technology. The system can immediately pinpoint the location and movements of sex offenders and instantly communicate the data to the Board.

The Board is working diligently to expand the GPS program and to greatly increase its use in the supervision and monitoring of parolees and offenders whose criminal histories indicate the need for such monitoring. The board hopes to lay a solid foundation for the widespread implementation and use of GPS technology by the close of Fiscal Year 2006 and for continuing expansion of the program in the coming years.

AMERICORPS*VISTA

In the Fall of 2005, the Board received word from the federal government that the Board's application for

the aid and assistance of community VISTA workers had been approved. The AmeriCorps*VISTA (Volunteers In Service To America) program authorized the Board to screen and hire fourteen (14) adult workers to work with the Board's Community Partnership Unit to help parolees reestablish themselves in their communities. The workers will be paired with parolees coming out of prison and will show the parolees how to go about getting assistance in obtaining decent and affordable housing and in obtaining productive employment.

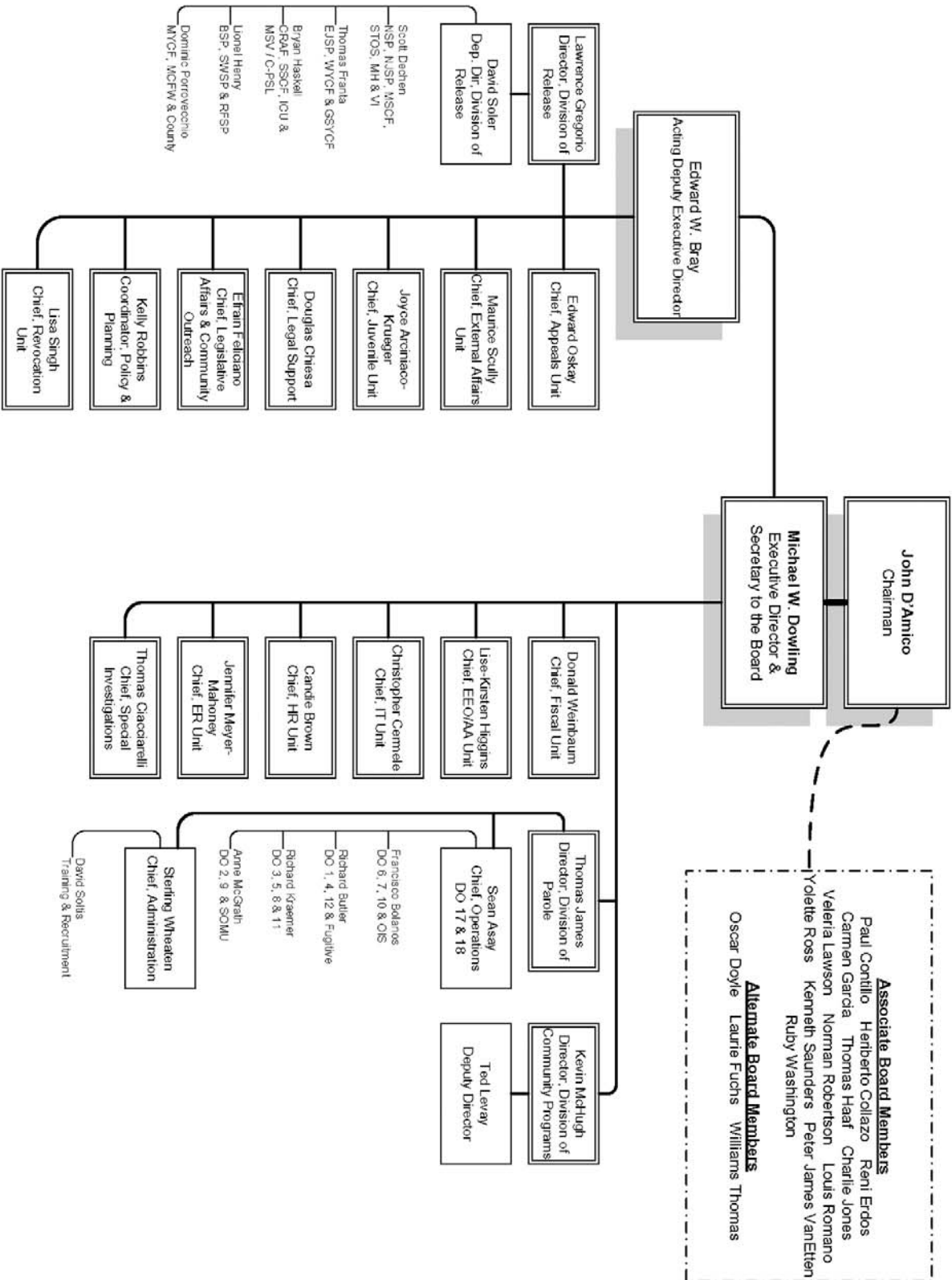
According to Chairman D'Amico, the VISTA program will help parolees "improve their prospects for decent housing and employment. It will also improve the standard of living for their families and others who depend on them. Such improvements go very far in keeping them from re-offending and returning to prison."

The VISTA program will bring a wealth of resources to the Board at absolutely no expense to New Jersey taxpayers and without putting additional demands on an already strained state budget. The federal government will be supporting the entire cost of the program. Chairman D'Amico referred to the program as a "win-win" situation for everyone concerned.

The Parole Board anticipates that the new VISTA program will be just the beginning in a long-term and expanded state-federal partnership. Throughout the coming fiscal year and in the years to follow, the Board will be working hard to make VISTA workers a permanent part of the rehabilitative landscape in New Jersey.

Appendix A: PAROLE BOARD AGENCY ORGANIZATION

NEW JERSEY STATE PAROLE BOARD



Appendix B: THE ADMINISTRATION OF THE PAROLE PROCESS

Within ninety (90) days of sentencing, offenders are notified of their presumptive parole eligibility date. A "presumptive date" means that an inmate can earn release on or near that date.

For offenders who committed an offense prior to August 19, 1997, the Board is required to release the offender unless the Board can demonstrate by a preponderance of the evidence that there is a "substantial likelihood" that he or she will commit another crime if released. For offenders who committed an offense on or after August 19, 1997, the Board is required to release the offender unless the Board can demonstrate by a preponderance of the evidence that the inmate failed to cooperate in his or her rehabilitation, or there is a reasonable expectation that the inmate will violate conditions of parole.

Prior to the initial parole hearing before a hearing officer, notification of possible parole release is provided, per statute, to the courts, prosecutor, Attorney General, interested criminal justice agencies and the media. During the course of parole hearings, the Board considers a wide array of factors. Please see Appendix B for a list of the 21 factors considered.

SENTENCING AND PAROLE ELIGIBILITY

Nearly every inmate sentenced to a term of incarceration at a state correctional institution will at some point become eligible for parole. Most county inmates, except those serving relatively short sentences, have this same opportunity. New Jersey has several types of sentence structures and the type of sentence an offender receives governs the offender's eligibility for parole.

The "parole eligibility date" is the date authorized by statute on which an

offender may be released on parole status. The punishment portion of a sentence is deemed to be satisfied at the date of parole eligibility. At that point, the Board assumes the legal responsibility to determine whether an offender should be released to supervision within the community.

Adult Offenders:

Offenders sentenced to a specific term of years in state prison pursuant to the provisions of the New Jersey Code of Criminal Justice (Title 2C) are generally eligible for parole after serving one-third of the term. This parole eligibility term is reduced by jail credits granted by the sentencing court and by commutation or "good time," work, and minimum security credits (N.J.S.A. 30:4-123.51). These latter credits provide the offender with an incentive for doing his or her time in a positive manner.

An offender sentenced under Title 2C may be statutorily or judicially required to serve a minimum term during which the offender is not eligible for parole. Generally, a mandatory minimum term imposed at the discretion of the sentencing court may not exceed one-half of the full term imposed. A mandatory minimum term may only be reduced by jail credits. Any other credits earned serve only to reduce the maximum portion of the sentence and have no effect on reducing the mandatory minimum term.

Sex offenders serving a term under N.J.S.A. 2C:47-1, et seq. become eligible for parole consideration only upon recommendation by the Special Classification Review Board of the Adult Diagnostic and Treatment Center. Sex offenders sentenced under N.J.S.A. 2C:47-1 et seq., who are serving a mandatory minimum term must complete the mandatory minimum term

and be recommended by the Special Classification Review Board prior to becoming eligible for parole consideration.

If, however, a 2C sex offender is transferred out of the Adult Diagnostic and Treatment Center into the general prison population, the offender would be eligible for parole after serving one-third of the term, less any jail credits, if no mandatory minimum term was imposed as a component of sentence. The computation of the parole eligibility date would not include commutation credits, work, or minimum custody credits.

Young Adult Offenders:

An offender sentenced to an indeterminate term of years in the Youth Correctional Complex is eligible for parole consideration on a date established, pursuant to a schedule of presumptive primary eligibility terms (time goals), by the young adult panel. Time goals are set according to the type of offense and length of term for which the offender is committed. The presumptive date may be decreased or increased by up to ten months by mitigating or aggravating factors; further, the Board is authorized to go beyond the scheduled guidelines if the circumstances of the crime and prior criminal record of the inmate so indicate. The time goal can be reduced only by the application of program participation credits, thereby providing the inmate with a strong incentive to "earn" parole through participation in rehabilitative programs.

Juvenile Offenders:

A juvenile offender sentenced to a term in a Juvenile Justice Commission facility is eligible for parole consideration on a date established pursuant to a schedule of presumptive parole release terms by a juvenile panel Board member. Each case is reviewed quarterly by a Board member or hearing officer. The frequency of the review process allows the Board to maintain accurate individualized monitoring of the progress of each juvenile. The juvenile is encouraged to "earn" parole by participating in programs which will assist in his or her successful return to society. Only when the Board members determine that the juvenile will not cause injury to persons or substantial injury to property, is parole release authorized. If a juvenile is approved for parole prior to serving one-third of any term imposed for any offense of the first, second or third degree, including any extended term, or one-fourth of any term imposed for any other offense, the juvenile inmate's release on parole is subject to the approval of the sentencing court.

County Jail Inmates:

In July 1982, the Board assumed jurisdic-

tion over all offenders sentenced to county jail terms exceeding 60 days. An offender sentenced to a term of incarceration in a county jail becomes eligible for parole after completion of sixty days, less jail credits, or one-third of his or her sentence less jail credits, whichever is greater. County inmates are considered for parole according to a procedure very similar to adult and young adult inmates, with the exception that the panel may consist of two Board members or a Board member and a hearing officer.

MONITORING, PUBLICATION AND NOTICE OF PAROLE ELIGIBILITY

The provision of timely and accurate information is vital to the parole decision-making process. The Board needs information to render effective determinations, and inmates need to know where they stand and what is expected of them. This is accomplished in the following manner.

Each adult and young adult inmate is interviewed by a representative of the Board shortly after reception into the correctional system, and is provided with a "calculation" indicating when the inmate will be statutorily eligible for parole.

At a point six to seven months before actual eligibility, each inmate's name is "published." This publication takes the form of a notification list, which is sent to the courts, county prosecutors, Attorney General, interested criminal justice agencies and the media, so that any person who wishes to comment on the parole suitability of an individual has that opportunity. Such comments should be directed to the Executive Director or Deputy Executive Director of the Board but not to individual Board members.

In 1996, the Board became the first paroling authority in the nation to publish monthly lists of parole eligible inmates on the World Wide Web. Using the internet, the courts, law enforcement, victim organizations, the media and the public can learn of an offender's upcoming parole eligibility months before hearings are scheduled so that interested parties can provide their valued input to the Board. This information and an outline of the Board's activities can be found at www.state.nj.us/parole/.

At least 120 days, but no more than 180 days, prior to the parole eligibility date of an adult or a young adult inmate, a report concerning the inmate must be filed with the Board by the staff members designated by the administrator or chief executive officer of the institution in which the inmate is confined. This package of reports must contain the pre-incarceration records of the inmate, a statement of the

conduct of the inmate during the current period of confinement, a complete report on the inmate's social, physical and mental condition, an investigation by the Division of Parole of the inmate's parole plans and any current information bearing upon the likelihood that the inmate may commit a crime under the laws of this state, if released on parole.

INFORMATIONAL HEARINGS

Upon public notice of an inmate's parole eligibility, the Attorney General, the appropriate county prosecutor and any other criminal justice agency may request permission to submit testimony, present evidence or confront and cross-examine witnesses regarding the inmate's suitability for parole. Following such a request, a hearing is conducted by a hearing officer. This hearing is informal and non-adversarial in nature. A summary of the hearing is prepared and distributed to all parties involved, including the affected inmate and his or her counsel. However, all or part of the summary may be deemed confidential for good cause. The inmate and his or her counsel are given an opportunity to submit a written response to the Board, and if necessary, to present relevant information to the hearing officer. Normally, informational hearings are conducted prior to a parole release hearing.

The purpose of an informational hearing is to provide knowledgeable persons with the opportunity to submit to the Board additional information relevant to the issue of an inmate's suitability for parole.

VICTIM INPUT HEARINGS

If the victim of a crime or the nearest relative of a murder victim has notified the Board of his or her intention to testify, a special hearing is scheduled for that purpose. A hearing officer is required to prepare a transcript of the testimony, which is considered by the panel at the time of the hearing. A victim of a crime of the first or second degree or the nearest relative of a murder victim has the option of presenting testimony directly to the Board panel that will decide the offender's case, or to the full Board in murder cases.

The statement of the crime victim or the nearest relative of a murder victim may advise of the continuing nature and extent of any physical, psychological or emotional harm or trauma suffered by the victim, the extent of any loss of earnings or ability to work suffered by the victim, and the continuing effect of the crime upon the victim's family. At the conclu-

sion of the parole hearing, the victim is notified of the final decision of the panel.

PAROLE HEARINGS AND RELEASE DECISIONS

State Prison and Young Adult Inmates

Inmates receive an initial parole consideration hearing conducted by a hearing officer between four and six months before the parole eligibility date. The hearing officer advises the inmate verbally and in writing of his or her recommendation regarding parole release and refers the case for administrative review by a panel for the conducting of a panel hearing as appropriate.

At an initial hearing, the hearing officer will review the pre-sentence report (which contains information on the circumstances of the offense and the inmate's background and social history), State Police criminal history, institutional reports, including a summary of the inmate's institutional behavior, work record and program participation, psychological and psychiatric reports, the inmate's parole plans and any other information deemed appropriate. The latter may include such items as a prosecutor's comment or a statement of the victim of the crime, in the event the victim has contacted the Board. In addition, the hearing officer may review letters of support or letters of protest as well as any other information submitted. By statute, inmates are provided with a copy of all material considered by the panel, except material determined to be confidential. If parole is recommended by the hearing officer, and the assigned Board members of the designated panel concur, a specific parole release date will be established, as soon as practicable, after the inmate's parole eligibility date. However, if time is required to complete a rehabilitative program determined essential to successful parole, the parole release date is so extended.

If the hearing officer (or reviewing Board members) determines that there may be a basis for denial of parole, the inmate is notified that a hearing before a panel will be scheduled. If parole is denied following a panel hearing, the inmate is immediately advised verbally of the outcome. The inmate is formally advised, in writing within 21 days, of the reasons for denial and his or her future parole eligibility date. Future parole eligibility dates are set pursuant to a schedule established by the Board which, by statute, emphasizes the severity of the offense and the characteristics of the offender. This new eligibility date may be reduced by commutation or "good time," work and minimum security credits in the case of adult inmates or by program participation credits in

the case of young adult inmates except in cases where the date of offense occurred after or on August 19, 1997. When the inmate is within six months of their new parole eligibility, the parole process begins anew.

If, on the other hand, the panel decided to grant parole, a parole date is established and appropriate conditions of parole are imposed. In the case of an offender serving a sentence for the crime of murder, only the full Board, after an in-person hearing and by majority vote, can certify parole release.

In cases where the panel denied parole and is inclined to establish an extended future eligibility term, the case is referred for consideration wherein a third Board member is scheduled to review the case. The three member administrative review is scheduled and an extended future eligibility term is determined.

Juvenile Inmates

A juvenile inmate committed to the custody of the Juvenile Justice Commission shall be released on parole when it appears that the juvenile, if released, will not cause injury to persons or substantial injury to property. The review includes a personal interview of the juvenile by the assigned Board member or the designated hearing officer and, prior to such review, all documents relevant to the case, except documents classified confidential, are explained to the juvenile. If a hearing officer conducts the review, the hearing officer, at the conclusion of the review, recommends in writing any appropriate action to an assigned member of the juvenile panel.

At the conclusion of the review, the assigned Board member either certifies parole release of the juvenile as soon as practicable or files with the Board a statement setting forth the decision of the Board member. A copy of the statement is served upon the juvenile, the juvenile's parents or guardians, the court and the county prosecutor.

The juvenile panel reviews yearly the case of each juvenile confined to determine the reasons for the continued confinement of the juvenile. A copy of the report of such review is forwarded to the Juvenile Justice Commission, the court, the county prosecutor, the juvenile and the juvenile's parents or guardians. If a juvenile is approved for parole prior to serving one-third of any term imposed for any offense of the first, second or third degree, including any extended term, or one-fourth of any term imposed for any other offense, the release of the offender on parole is subject to the approval of the sentencing court. Prior to approving parole release, the court is required to provide the prosecuting attorney notice and an opportunity to be heard. If the court denies the parole release of a juve-

nile, the court must state its reasons in writing and notify the Board, the juvenile and the juvenile's attorney of said reasons. The court has thirty days from the date of notice of the pending parole to exercise the authority to review the parole release of the juvenile. If the court does not respond within that time period, the parole is deemed approved.

RECONSIDERATION OF BOARD DECISIONS

An inmate may request reconsideration of any action by a hearing officer, Board member, Board panel or the full Board. Unlike an administrative appeal, a request for reconsideration is reviewed by the body, which rendered the original decision. A request for reconsideration must demonstrate that either inaccurate information was considered which substantially affected the decision, or that relevant information such as medical, personal or family emergencies or positive community supports were not considered at the time of the panel hearing.

APPEAL OF BOARD PANEL DECISIONS

Any decision by a hearing officer or Board member may be appealed to the appropriate panel and then to the full Board. Any decision by a panel is appealable directly to the full Board. Administrative appeals may be made by the inmate or by one acting on the inmate's behalf.

In the event an inmate is denied parole by a panel, that inmate may appeal the decision. Such appeals are considered when one or more of the following criteria are met: (1) the panel failed to consider material facts, (2) the panel failed to document that a preponderance of the evidence indicates a substantial likelihood that the inmate will commit a crime if released on parole, (3) the panel rendered a decision contrary to written Board policy, or (4) the panel consisted of a Board member who had a personal interest which affected the decision. A juvenile inmate may appeal any decision of the juvenile panel on grounds that: (1) the panel failed to consider material which indicated that no cause of injury to persons or substantial injury to property would occur, (2) the decision was contrary to written Board policy, or (3) the panel consisted of a Board member who had a personal interest which affected the decision.

PAROLE RESCISSION

If a panel receives information, subsequent to a parole release decision being rendered but prior to the parole release date, which bears upon the likelihood that the inmate will

commit a crime, the release date may be suspended.

A hearing officer conducts a hearing to determine whether, due to circumstances of an institutional infraction committed by the inmate or due to circumstances of the inmate's case which were not previously considered, there is good cause for the panel to reconsider the prior determination certifying parole release. At the hearing, the inmate may be represented by an attorney, speak on his own behalf, present and cross examine witnesses and present documentary evidence. Also, the inmate has a right to review non-confidential adverse information relevant to the hearing. Finally, the inmate may waive the hearing.

Following the hearing, the hearing officer prepares a written summary of the hearing for review by the panel and the inmate or his or her attorney. Comments or objections may be filed by the inmate or by his or her attorney with the panel prior to their decision. The panel issues a written notice of decision including the reasons thereof.

PAROLE REVOCATION

If a Parole Officer has probable cause to believe that a parolee has seriously or persistently violated the conditions of parole, a warrant for the parolee's arrest may be issued, if evidence indicates the parolee may not appear at the preliminary hearing or that the parolee otherwise poses a danger to the public safety.

By statute, the Board may not commence revocation proceedings on the basis of new criminal charges which have not been judicially disposed of except upon request of the prosecuting authority or the Director of the Division of Parole. Any parolee convicted of a crime committed while on parole will have his parole revoked unless the parolee demonstrates at a hearing by clear and convincing evidence that good cause exists to continue parole. The revocation hearing process consists of two stages. First, the initial, or preliminary hearing, is conducted by a hearing officer to determine if there are reasonable grounds (probable cause) to believe that parole violations have occurred. The parolee receives written notice of the hearing date, the violations alleged to have been committed and his rights at the hearing, including the right to be represented by counsel. Upon conclusion of the hearing the hearing officer will prepare a written decision and provide same to the parolee.

Following a review of the hearing officer's decision, the appropriate Board panel decides whether to continue the parolee under parole supervision or to conduct a final revocation hearing. The final hearing is held by a hearing officer at the institution in which the inmate is

confined. The inmate is provided with a notice of the hearing advising him or her of the date of the hearing, the right to representation by an attorney, the right to present witnesses, the right to present documentary evidence, and the right to request postponement or to waive the hearing. A summary report is prepared by the hearing officer, and that report, including comments submitted by the parolee or his or her attorney, is presented to the appropriate Board panel. If there is clear and convincing evidence that a parolee has violated the conditions of parole, the appropriate Board panel may revoke parole, if it is determined that revocation is desirable, and require the parolee to serve the remainder of their term in custody, or establish a future parole eligibility date upon which the inmate shall be primarily eligible for parole.

DISCHARGE FROM PAROLE SUPERVISION

The appropriate Board panel may discharge any parolee from supervision prior to the expiration of the maximum sentence after a determination that a satisfactory adjustment has been made, continued supervision is not required and all fines and restitution have been paid. Discharge is considered upon receipt of a formal request with a recommendation from the Division of Parole on behalf of the parolee.

EXECUTIVE CLEMENCY

The Governor has the constitutional power to commute sentences and to pardon convicted offenders. In addition, the Governor may remit fines and restore the right of suffrage in appropriate cases. The Governor has delegated to the Board the responsibility to investigate, report and recommend action on requests for executive clemency. The Board investigates each clemency request, prepares a full report, and forwards the report together with any recommendation to the Governor.

CERTIFICATE OF GOOD CONDUCT

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 proposed employment. 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. 2C:51-2 is applicable. Applications for certificates are made directly to the Board. A confidential investigation of the applicant's case will be conducted prior to the Board reviewing and rendering a determination on the application.

Appendix C: FACTORS CONSIDERED AT PAROLE HEARINGS

Parole decisions are based on the aggregate of all pertinent factors, including material supplied by the inmate and reports and material which may be submitted by any person or agencies which have knowledge of the inmate. The hearing officer and panel members in evaluating an inmate's case for parole consider the following factors:

1. Commission of a crime while incarcerated.
2. Commission of serious disciplinary infractions.
3. Nature and pattern of previous convictions.
4. Adjustment to previous probation, parole and incarceration.
5. Facts and circumstances of the offense.
6. Aggravating and mitigating factors surrounding the offense.
7. Pattern of less serious disciplinary infractions.
8. Participation in institutional programs which could have led to the improvement of problems diagnosed at admission or during incarceration. This includes, but is not limited to, participation in substance abuse programs, academic or vocational education programs, work assignments that provide on-the-job training and individual or group counseling.
9. Statements by institutional staff, with supporting documentation, that the inmate is likely to commit a crime if released.
10. Documented pattern of relationships with institutional staff or inmates.
11. Documented changes in atti-

tude toward self or others.

12. Documentation reflecting personal goals, personal strengths or motivation for law-abiding behavior.
13. Mental and emotional health.
14. Parole plans and the investigation thereof.
15. Status of family or marital relationships at the time of eligibility.
16. Availability of community resources or support services for inmates who have a demonstrated need for same.
17. Statements by the inmate reflecting on the likelihood that he or she will commit another crime.
18. History of employment, education and military service.
19. Family and marital history.
20. Statement by the court reflecting the reasons for the sentence imposed.
21. Statements or evidence presented by the appropriate prosecutor's office, the Office of the Attorney General, or any other criminal justice agency.
22. Statement or testimony of any victim or the nearest relative(s) of a murder victim.
23. The results of an objective risk assessment instrument.

A hearing officer and panel members may consider any other factors deemed relevant and may move to secure such additional information deemed necessary to ensure the rendering of an informed decision.

GENERAL CONDITIONS OF PAROLE

The conditions listed below apply to every individual serving a sentence on parole.

1. You are required to obey all laws and ordinances.

2. You are to report in person to your District Parole Supervisor or his/her designated representative immediately after you are released on parole from the institution, unless you have been given other instructions by the institutional parole office, and you are to report thereafter as instructed by the District Parole Supervisor or his or her designated representative.

3. You are to notify your Parole Officer immediately after any arrest, immediately after being served with or receiving a complaint or summons and after accepting any pre-trial release, including bail.

4. You are to immediately notify your Parole Officer upon the issuance by the appropriate court, pursuant to the Prevention of Domestic Violence Act N.J.S.A. 2C:25-17 et. seq., of an order granting emergency relief, a temporary or final restraining order or

an order establishing conditions of release or bail in a criminal matter or offense arising out of a domestic violence situation. You are to comply with any condition established within the respective order until the order is dissolved by the appropriate court or until a condition is modified or discharged by the appropriate court.

5. You are to obtain approval of your Parole Officer:

a. For any change in your residence or employment location.

b. Before leaving the state of your approved residence.

6. You are required not to own or possess any firearm, as defined in N.J.S.A.2C39-1f, for any purpose.

7. You are required not to own or possess any weapons enumerated in N.J.S.A.39-1r.

8. You are required to refrain from the use, possession or distribution of a controlled dangerous substance, controlled substance analog or imitation controlled dangerous substance as defined in N.J.S.A.2C:35-2 and N.J.S.A.2C:35-11.

9. You are required to make payment to the Division of Parole of

any assessment, fine, restitution, D.E.D.R. penalty and Lab Fee imposed by the sentencing court.

10. You are to register with the appropriate law enforcement agency and, upon a change of address, re-register with the appropriate law enforcement agency if you are subject to the provisions of N.J.S.A. 2C:7-2.

11. You are to refrain from behavior which results in the issuance of a final restraining order pursuant to the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 et. seq.

12. You are to waive extradition to the state of New Jersey from any jurisdiction in which you are apprehended and detained for violation of this parole status and you are not to contest any effort by any jurisdiction to return you to the state of New Jersey.

13. You are not to operate a motor vehicle without a valid driver's license.

14. You are to submit to drug and alcohol testing at anytime as directed by the assigned Parole Officer.

GENERAL CONDITIONS OF COMMUNITY SUPERVISION FOR LIFE

Offenders serving a sentence of

Community Supervision for Life or Parole Supervision for Life are subject to the following general conditions:

1. You are required to obey all laws and ordinances.

2. You are to report in person to your District Parole Supervisor or his/her designated representative immediately after you are released on parole from the institution, unless you have been given other written instructions by the institutional parole office, and you are to report thereafter as instructed by the District Parole Supervisor or his/her designated representative.

3. You are to notify your Parole Officer immediately after any arrest, immediately after being served with or receiving a complaint or summons and after accepting any pre-trial release, including bail.

4. You are to immediately notify your Parole Officer upon the issuance by the appropriate court, pursuant to the Prevention of Domestic Violence Act N.J.S.A. 2C:25-17 et. seq., of an order granting emergency relief, a temporary or final restraining order or an order establishing conditions of release or bail in a criminal matter or offense arising out of a domestic violence situation. You are to comply with any condition established within the respective order until the order

is dissolved by the appropriate court or until a condition is modified or discharged by the appropriate court.

5. You are to obtain approval of your Parole Officer:

a. For any change in your residence or employment location.

b. Before leaving the state of your approved residence.

6. You are required not to own or possess any firearm, as defined in N.J.S.A.2C39-1f, for any purpose.

7. You are required not to own or possess any weapons enumerated in N.J.S.A.39-1r.

8. You are required to refrain from the use, possession or distribution of a controlled dangerous substance, controlled substance analog or imitation controlled dangerous substance as defined in N.J.S.A.2C:35-2 and N.J.S.A.2C:35-11.

9. You are required to make payment to the Division of Parole of any assessment, fine, restitution, D.E.D.R. penalty and lab fee imposed by the sentencing court.

10. You are to register with the appropriate law enforcement agency and, upon a change of address, re-register with the appropriate law enforcement agency if you are subject to the provisions of N.J.S.A. 2C:7-2.

11. You are to refrain from behavior which results in the issuance of a final restraining order pursuant to the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 et. seq.

12. You are to waive extradition to the state of New Jersey from any jurisdiction in which you are apprehended and detained for violation of this parole status and you are not to contest any effort by any jurisdiction to return you to the state of New Jersey.

13. You are not to operate a motor vehicle without a valid driver's license.

14. You are to submit to drug and alcohol testing at anytime as directed by the assigned Parole Officer.

15. You are to cooperate in any medical and/or psychological examinations or tests as directed by the assigned Parole Officer.

16. You are to participate in and successfully complete an appropriate community or residential counseling or treatment program as directed by the assigned Parole Officer.

17. You are to submit to drug or alcohol testing at any time as directed by the Parole Officer.

18. You are to obtain the permission of the assigned Parole Officer prior to securing, accepting or engaging in any

employment or business activity and prior to a change of employment.

19. You are to notify promptly the assigned Parole Officer upon becoming unemployed.

20. You are to refrain from any contact, verbal, written, or through a third party, with the victim(s) of the offense(s) unless contact is authorized by the assigned Parole Officer.

21. You are to comply with any curfew established by the assigned Parole Officer.

22. You are to permit the assigned Parole Officer to visit you at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the Parole Officer.

23. You are to notify, as directed by the assigned Parole Officer, an employer or any third party of your criminal record or personal history or characteristics, and permit the Parole Officer to make such notifications and to confirm compliance with such notification requirement.

24. You are to comply with any other reasonable instruction or directive given by the assigned Parole Officer.

25. You are to comply with any special conditions imposed by the District Parole Supervisor, an Assistant District Parole Supervisor, or the designated repre-

sentative of the District Parole Supervisor and which is affirmed by the State Parole Board.

A. You understand that if the victim(s) of an offense committed by you is a minor, you shall, in addition to the conditions specified in A above, be subject to the following conditions:

1. You are to refrain from initiating, establishing or maintaining contact with any minor.

2. You are to refrain from attempting to initiate, establish or maintain contact with any minor.

3. You are to refrain from residing with any minor without the prior approval of the assigned Parole Officer.

You understand that the following circumstances are deemed exceptions to the conditions specified in B above:

1. When the minor is engaged in a lawful commercial business activity, you may engage in the lawful commercial or business activity, provided the activity takes place in an area open to public view.

2. When the minor is in the physical presence of his or her parent or legal guardian.

3. When you are present in a public area, as long as you are not associating with a minor, and the public area is not one

frequented mainly or exclusively by minors.

4. When the appropriate court may authorize contact with a minor.

C. You understand that if the sentencing court had determined that your conduct was characterized by a pattern of repetitive and compulsive behavior and had committed you to the Adult Diagnostic and Treatment Center for a program of specialized treatment, you shall comply with any program of counseling or therapy identified by the treatment staff of the Adult Diagnostic and Treatment Center.

D. You understand that if the sentencing court had determined that your conduct was characterized by a pattern of repetitive and compulsive behavior and had committed you to the Adult Diagnostic and Treatment Center and if upon release from confinement the appropriate county prosecutor determines pursuant to N.J.S.A. 2C:7-8 that you are a high risk to re-offend, you shall, in addition to the conditions imposed in A,B and C above submit every two years to an evaluation at the Adult Diagnostic and Treatment Center and comply with any program of counseling or therapy identified by treatment staff.

E. You understand that if the sentencing court had determined that your conduct was characterized by a pattern of repetitive and compulsive behavior and if upon release from confinement the appropriate county prosecutor determines pursuant to N.J.S.A. 2C:7-8 that you are a high risk to re-offend, you shall, in addition to the conditions specified in A,B,C and D above be subject to the following conditions.

1. You are to refrain from any use of alcohol.

2. You are to submit to a search conducted by the assigned Parole Officer, without a warrant, of your person, place of residence, vehicle or other personal property at any time the assigned Parole Officer has a reasonable or articulable basis to believe that the search will produce contraband or evidence that a condition of supervision has been violated, is being violated or is about to be violated and permit the confiscation of any contraband.

Appendix E: HISTORY OF THE PAROLE PROCESS

Parole in New Jersey reflects an evolving system, which has been continually refined to meet changing conditions and increasing demands. In 1947, a new State Constitution was ratified dissolving the Board of Pardons and providing for the creation of the State Parole Board. Legislation actually establishing the State Parole Board was enacted in 1948, following the more general governmental reorganization resulting from the ratification of the 1947 Constitution.

From 1948 until April 1980, the Board was one of four separate paroling authorities, each of which had separate policy and decision-making authority and jurisdiction. The State Parole Board was given jurisdiction over inmates incarcerated in the state prison system. Parole jurisdiction for inmates committed for an indeterminate sentence was vested with three part-time institutional boards of trustees, which consisted of the Board of Trustees for the Youth Correctional Complex, the Board of Trustees for the Correctional Institution for Women, and the Board of Trustees for the Training School for Boys and Girls. While these various paroling authorities exercised their duties, there was little continuity or uniformity in decision-making among the boards. With the implementation of the Code of Criminal Justice (Title 2C) in 1979, the recognition grew that there was a need to consolidate jurisdiction and revise the laws governing parole.

The Parole Act of 1979 consolidated the paroling authority into the State Parole Board to coordinate operations, develop policy and foster consistent decision-making. The Board, which now has fifteen full-time members and three alternate members, includes two members who deal specifically with the cases of juvenile offenders. Though each two-member

panel devotes primary attention to its assigned areas, when resolving policy issues and appeals, the Board acts as one unit.

In 1982, the Parole Act of 1979 was amended to effect a county parole system. The Board was vested with the additional authority to parole offenders, sentenced to serve a term greater than 60 days in a county jail facility. The county panel is comprised of two Board members or one Board member and one hearing officer.

On May 4, 2001, the Legislature enacted legislation transferring the Division of Parole, which consisted of the sworn law enforcement officers who supervised offenders on parole status, from the Department of Corrections to the State Parole Board, with all of its functions, powers, and duties. On September 4, 2001 the Division of Parole successfully merged with the State Parole Board and the agency grew from 175 employees to 750 employees. Included in the merger were the thirteen district parole offices, the alternative sanctions program, the Fugitive Unit, the Office of Interstate Services, and the Division of Community Programs.

As reported in prior annual reports, in May 2000, a class-action lawsuit was filed against the Board by inmates alleging that the Board failed to meet deadlines for the preparation of pre-parole reports and parole hearings. In November 2000, a settlement agreement was reached and on January 22, 2001, the United States District Court accepted the agreement. In March 2002, the State Parole Board filed an affidavit certifying that the agency was in compliance with all provisions of the settlement agreement. During fiscal year 2003 the Board maintained compliance with the provisions of the settlement agreement, and its caseload is current.

New Jersey State Parole Board

Hon. John D'Amico, JSC (retired) Chairman

Michael W. Dowling, Executive Director

171 Jersey Street, Building 2

Trenton, New Jersey 08611

(609) 292-0845

(609) 984-2188 Fax

www.state.nj.us/parole/