

THE PAROLE BOOK

**A Handbook on Parole Procedures for
Juvenile Residents**



FIRST EDITION

NEW JERSEY STATE PAROLE BOARD

May 20, 2005



State of New Jersey
NEW JERSEY STATE PAROLE BOARD

P.O. BOX 862
TRENTON, NEW JERSEY 08625
TELEPHONE NUMBER: (609) 292-4257

RICHARD J. CODEY
ACTING GOVERNOR

JOHN D'AMICO, Jr.
CHAIRMAN

PAUL J. CONTILLO
VICE-CHAIRMAN

To: Juvenile Residents

This handbook explains the parole process. Read this book very carefully. Also give it to your family to read. It tells you and your family how you can earn parole.

This handbook is for your information. It is not the law. It may not be referred to as authority.

We hope that this book will help you and your family understand the parole process. We want you to succeed. If you cooperate, stay out of trouble, and learn, you will enjoy a good life.

Sincerely,

NEW JERSEY STATE PAROLE BOARD

John D'Amico, Jr.
Chairman



State of New Jersey
NEW JERSEY STATE PAROLE BOARD

P.O. BOX 862
TRENTON, NEW JERSEY 08625
TELEPHONE NUMBER: (609) 292-4257

RICHARD J. CODEY
ACTING GOVERNOR

JOHN D'AMICO, Jr.
CHAIRMAN

PAUL J. CONTILLO
VICE-CHAIRMAN

To: Juvenile Residents

This handbook is intended as a guide toward helping you understand the parole process in the State of New Jersey. The handbook has been designed to answer many of your questions regarding the parole process.

By reading this handbook, you will learn how you can earn parole. We encourage you to carefully study the information presented and to share this handbook with your family.

If there are any questions, your family may call the Juvenile Unit of the State Parole Board at (609) 292-3001 or write to the Juvenile Unit at 171 Jersey Street, P.O. Box 862, Trenton, New Jersey 08625. You may request to have your Social Worker contact the Juvenile Unit on your behalf.

We wish you well on your return to a responsible and productive life.

Sincerely,

NEW JERSEY STATE PAROLE BOARD

Joyce Arciniaco-Krueger, Chief, Juvenile Unit
And the Staff of the Juvenile Unit

NEW JERSEY STATE PAROLE BOARD

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 public safety and 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.

NEW JERSEY STATE PAROLE BOARD – JUVENILE UNIT

GOALS OF THE JUVENILE UNIT

The Juvenile Unit of the New Jersey State Parole Board is committed to conducting conscientious, informed hearings and make objective, impartial decisions regarding juvenile residents during their incarceration in order to transition them into society, keeping in mind what is best for the juvenile and public safety.

TABLE OF CONTENTS

A. General Information

- A1. What is the State Parole Board?
- A2. What does the Juvenile Panel of the State Parole Board do?
- A3. What is the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare)?
- A4. What does a Parole Officer do?

B. Parole Eligibility

- B1. When will my time goal and tentative release date be determined?
- B2. Can anyone be with me at my initial, quarterly or annual review hearing?
- B3. Who must be told that I am having an initial, quarterly or annual review hearing?
- B4. What is a time goal and how is it determined?
- B5. What is a tentative release date?
- B6. What is a maximum expiration date?
- B7. What is a judicial restriction date?
- B8. What is post-incarceration supervision?

C. Parole Release Process

- C1. What is a quarterly review hearing?
- C2. What should I do to get ready for my quarterly review hearing?
- C3. What kind of information will be submitted for my quarterly review hearing?
- C4. How do I reduce my tentative release date?
- C5. How do the ratings affect the tentative release date?
- C6. What if I am recommended for parole but the reviewing Juvenile Panel Board Member(s) does not agree with the Hearing Officer's recommendation?
- C7. What is an annual review hearing?
- C8. What happens at an annual review hearing?
- C9. If I receive an additional sentence, what happens to my tentative release date?
- C10. What if I have a detainer lodged against me?
- C11. What are parole conditions and post-incarceration supervision conditions?
- C12. Can parole conditions and post-incarceration supervision conditions be changed?

- C13. What is the Re-Entry process?
- C14. What is a parole plan and what is its purpose?
- C15. Can I be paroled to another state?
- C16. What happens if I do not follow the conditions of parole or post-incarceration supervision?
- C17. What if I am charged with a crime while on parole or post-incarceration supervision?
- C18. What if I “max out”?

D. Parole Rescission Process

- D1. Can I lose my certified parole release date after I get it?
- D2. What is an administrative hold on a certified parole release date?
- D3. How does the Juvenile Panel rescind (take away) a certified parole release date?
- D4. What is a rescission hearing?
- D5. What are the possible results of a rescission hearing?

E. Parole Revocation Process

- E1. What is a probable cause hearing?
- E2. Will I always have a probable cause or final revocation hearing?
- E3. Will I receive notice that a probable cause or final revocation hearing will be conducted?
- E4. Can I have an attorney at a probable cause hearing or final revocation hearing?
- E5. What is the purpose of the final revocation hearing?
- E6. Is it possible for a probable cause hearing to be converted into a final revocation hearing?
- E7. When will the final revocation hearing be conducted?
- E8. What happens after a final revocation hearing?
- E9. What can the Juvenile Panel do to me after my final revocation hearing?
- E10. Do I lose my “street time” if my parole or post-incarceration supervision is revoked?

Appendices

1. Definitions
2. Appeal Process
3. General Conditions of Parole
4. Who to Contact

A. GENERAL INFORMATION

A1. What is the State Parole Board?

A2. What does the Juvenile Panel of the State Parole Board do?

A3. What is the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare)?

A4. What does a Parole Officer do?

GENERAL INFORMATION

A1. What is the State Parole Board?

The State Parole Board is an agency that decides who can be released on parole. It has a Chairperson, fourteen (14) Associate Board Members and three (3) Alternate Board Members appointed by the Governor and approved by the Senate. A panel of two (2) members reviews juvenile cases. The Chairperson serves as the third member of this panel.

A2. What does the Juvenile Panel of the State Parole Board do?

The Juvenile Panel decides if and when you shall be released on parole. The Juvenile Panel sets the conditions (rules) you must obey while on parole or post-incarceration supervision. In addition, the Juvenile Panel decides what action(s) to take if you violate the conditions of parole or post-incarceration supervision.

A3. What is the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare)?

The Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) is separate from the New Jersey State Parole Board. It is made up of field Parole Officers and aftercare support staff. The State Parole Board decides if you will be paroled and under what conditions. The Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) makes sure that you obey all the parole conditions or post-incarceration supervision conditions. The Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) can issue parole warrants on behalf of the State Parole Board and can conduct probable cause and final revocation hearings if you violate a condition of parole or post-incarceration supervision.

A4. What does a Parole Officer do?

Parole Officers are employees of the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare). Parole Officers make sure you follow the conditions of parole or post-incarceration supervision. They also will help you adjust to life in the community. The Parole Officers will have aftercare staff members to help them and you to develop community parole or post-incarceration supervision plans.

B. PAROLE ELIGIBILITY

- B1. When will my time goal and tentative release date be determined?
- B2. Can anyone be with me at my initial, quarterly or annual review hearing?
- B3. Who must be told that I am having an initial, quarterly or annual review hearing?
- B4. What is a time goal and how is it determined?
- B5. What is a tentative release date?
- B6. What is a maximum expiration date?
- B7. What is a judicial restriction date?
- B8. What is post-incarceration supervision?

B. PAROLE ELIGIBILITY

B1. When will my time goal and tentative release date be determined?

Within thirty (30) days of arrival at the Juvenile Reception and Assessment Center or Valentine Complex, you will be informed, in writing, of your time goal and tentative release date. The tentative release date is established at the time you receive a time goal from the Juvenile Panel at your initial review hearing. In addition, you will be told what your judicial restriction date will be. You will also receive a written notice of this information.

B2. Can anyone be with me at my initial, quarterly or annual review hearing?

No one is permitted in the room during any of your review hearings except State Parole Board staff. If you need an interpreter, arrangements will be made. You cannot have an attorney present, but your attorney, like anyone else, can submit a letter to the Juvenile Panel on your behalf.

B3. Who must be told that I am having an initial, quarterly or annual review hearing?

The Chairperson or designee notifies the Chief Executive Officer or designee of the institution of the schedule for all reviews at least seven (7) days before the date of the review.

B4. What is a time goal and how is it determined?

A time goal is the number of months the Juvenile Panel or Juvenile Panel Board Member establishes for you to serve. The time goal is established at your initial review hearing. The Juvenile Panel or a Juvenile Panel Board Member establishes the time goal based on the sentence imposed.

If you have been committed for several acts of delinquency, the most serious act of delinquency will be considered in setting the time goal. A number of factors determine how a time goal is set. These factors may include, but are not limited to, prior record, seriousness of present offense(s) and degree of offense. Jail credits, if awarded, are deducted at this time. Jail credits are the time spent in detention before you were sentenced.

B5. What is a tentative release date?

A tentative release date is the date that is set based on your time goal minus any jail credit awarded by the sentencing Judge. The sentencing Judge sets the number of days of credits. If you believe there is a mistake in the number of credits you received, you or your attorney must contact the sentencing Judge. The Juvenile Panel or Juvenile Panel Board Member can only accept a change in the number of jail credits that is certified by the sentencing Judge. Every time you are reviewed, your tentative release date may change depending on your progress and behavior at the institution or program. This is not an adjusted maximum expiration date commonly known as a max-date.

B6. What is a maximum expiration date?

The maximum expiration date is the date when the court-imposed custodial term ends. The classification department at the institution calculates this date.

B7. What is a judicial restriction date?

The judicial restriction date is the date determined by reducing one-third of the imposed sentence, which starts on the date of sentence, and is reduced by any awarded jail credits. The State Parole Board cannot release you on parole on a date earlier than the judicial restriction date without the approval of the sentencing Judge. If the Juvenile Panel wants to establish a certified parole release date before the judicial restriction date, the Juvenile Panel will notify the sentencing Judge. If the Judge approves, you will be released on the certified parole release date. If the Judge does not approve, you

will not be released until after the judicial restriction date. Staff of the Juvenile Unit will tell you what the Judge decides.

B8. What is post-incarceration supervision?

A term of post-incarceration supervision is equivalent to one-third of the term of incarceration imposed.

Post-incarceration supervision begins the day you reach your max date on your custodial term. If you get paroled and then reach your max date, you will continue to be supervised by your Parole Officer during the period of post-incarceration supervision. If you max-out from an institution or program, you will still be under post-incarceration supervision by a Parole Officer.

Below is a chart to help determine the period of post-incarceration supervision you will serve:

SENTENCE	POST-INCARCERATION SUPERVISION PERIOD
1 year	4 months
18 months	6 months
2 years	8 months
3 years	12 months
4 years	16 months

If the sentence imposed by the Judge is not on the chart, ask your Social Worker to help you figure out how much post-incarceration supervision time you will serve.

C. PAROLE RELEASE PROCESS

- C1. What is a quarterly review hearing?
- C2. What should I do to get ready for my quarterly review hearing?
- C3. What kind of information will be submitted for my quarterly review hearing?
- C4. How do I reduce my tentative release date?
- C5. How do the ratings affect the tentative release date?
- C6. What if I am recommended for parole but a reviewing Juvenile Panel Board Member(s) does not agree with the Hearing Officer's recommendation?
- C7. What is an annual review hearing?
- C8. What happens at an annual review hearing?
- C9. If I receive an additional sentence, what happens to my tentative release date?
- C10. What if I have a detainer lodged against me?
- C11. What are parole conditions and post-incarceration supervision conditions?
- C12. Can parole conditions and post-incarceration supervision conditions be changed?
- C13. What is the Re-Entry process?
- C14. What is a parole plan and what is its purpose?
- C15. Can I be paroled to another state?
- C16. What happens if I do not follow the conditions of parole or post-incarceration supervision?
- C17. What if I am charged with a crime while on parole or post-incarceration supervision?
- C18. What if I "max out"?

C. PAROLE RELEASE PROCESS

C1. What is a quarterly review hearing?

Your progress, institutional adjustment, program participation and suitability for parole release will be reviewed each quarter (every three months). Your first quarterly review hearing will be held the third month following the establishment of your time goal and during each third month thereafter.

C2. What should I do to get ready for my quarterly review hearing?

Try to follow the recommendations you received during your first review hearing at the reception center. Don't get any infractions (charges). Participate in programs that will help you re-enter into the community.

C3. What kind of information will be submitted for my quarterly review hearing?

Before a quarterly review hearing, the Chief Executive Officer of the institution or designee will file a report with the Juvenile Panel or Hearing Officer concerning your case. The report will include: (1) the commitment order(s) including any written reasons for your commitment; (2) predisposition report(s); (3) a report about your institutional housing, work and educational participation; (4) an investigative report by the Juvenile Justice Commission's Office of Parole and Transitional Services (Aftercare) on your initial case plan for parole; (5) an up-to-date report on any outstanding detainer(s); (6) a complete report on your social, physical and mental condition including any psychological or psychiatric reports and any additional reports requested by the Juvenile Panel Board Member(s) or Hearing Officer; (7) an investigative report by the Juvenile Justice Commission's Office of Parole and Transitional Services (Aftercare) on the status of your parole plan; and (8) any information about the likelihood that you, if released, will cause injury to persons or substantial damage to property.

C4. How do I reduce my tentative release date?

If you participate and do well in a Juvenile Justice Commission institutional and/or community program and demonstrate good adjustment, your tentative release date may be reduced. At your quarterly or annual review hearing, any previously established tentative release date might be changed. The Juvenile Panel Board Member(s) or Hearing Officer will review a report from the staff at the program or institution about your adjustment and adjust your tentative release date. This adjustment is a recommendation the Juvenile Panel or a Juvenile Panel Board Member can accept or reject. Your tentative release date may be reduced by up to forty-five (45) days every three months, depending upon your overall programming. If you commit serious and/or persistent disciplinary infractions (charges) or show poor institutional adjustment, your tentative release date may be increased. Your adjusted tentative release date cannot go beyond the maximum of your custodial sentence.

After a quarterly review hearing, the Hearing Officer will tell you, in writing, what the recommendations are. The Hearing Officer will submit the recommendations to the Juvenile Panel Member(s) if the review hearing was conducted without a Juvenile Panel Board Member present. If a Juvenile Panel Board Member or the Juvenile Panel is present during the hearing, you will receive their decision at the end of the hearing.

C5. How do the ratings affect the tentative release date?

A decision about your tentative release date will be based on the materials you supply and reports that any person or agencies may submit about your case.

If you have above average program participation or institutional adjustment, your tentative release date may be reduced at the rate of fifteen (15) days for every month of the review cycle. You can get a maximum of 45 days reduction for a three (3) month review cycle if you are above average.

If you have average program participation or institutional adjustment, your tentative release date may be reduced at a rate of ten (10) days for every month of the review cycle. You can get a maximum of thirty (30) days reduction for a three (3) month review cycle if you are average.

If you have below average program participation or institutional adjustment, your tentative release date may be reduced at the rate of five (5) days for every month of the review cycle. You can get a maximum of fifteen (15) days reduction for a three (3) month review cycle if you are below average.

If you have poor program participation or institutional adjustment, you will not get any reduction in your tentative release date. In fact, your tentative release date may be increased.

C6. What if I am recommended for parole but the reviewing Juvenile Panel Board Member(s) does not agree with the Hearing Officer's recommendation?

If the Juvenile Panel Board Member(s) does not agree with the recommendation of the Hearing Officer, your case will be scheduled for a Juvenile Panel Hearing. At this hearing, the Juvenile Panel will make its own assessment of your case. You will receive the Panel's decision in writing at the end of the hearing.

C7. What is an annual review hearing?

An annual review hearing is a comprehensive review of your case during the twelfth month after your time goal is set. This is a review of your program participation and institutional adjustment for the past year.

C8. What happens at an annual review hearing?

At the annual review hearing, your progress will be reviewed. This review will determine whether you will cause injury to persons or damage to property if you are released. The Juvenile Panel will determine the reasons for your continued confinement and decide if your established tentative release date should be changed.

The Juvenile Panel can make any one of these decisions: (1) certify a parole release date with pre-release condition(s); (2) impose special conditions of parole; (3) impose conditions of post-incarceration; (4) defer its decision to get more information; (5) reduce your tentative release date; (6) increase your tentative release date; or (7) continue your case until the next quarterly review. You will get a copy of your annual review summary in the mail. In addition, your Parents/Guardian, sentencing Judge, Prosecutor, and Classification Department will get a copy of this summary.

C9. If I receive an additional sentence, what happens to my tentative release date?

The Hearing Officer or Juvenile Panel Board Member(s) will note any additional sentence(s) and review the circumstances of the offense(s). Upon review of the offense(s) and sentence, they will decide whether or not to add time to your tentative release date or to vacate (take away) your certified parole release date, if one had been established.

C10. What if I have a detainer lodged against me?

A detainer will not hold up a certified parole release date. The Juvenile Panel will note the detainer when considering your case. If you are paroled and have a detainer, you will be paroled to the custody of the court or other agency that placed the detainer against you.

C11. What are parole conditions and post-incarceration supervision conditions?

Being released on parole means you have the privilege of serving the remainder of your sentence in the community under the supervision of a Parole Officer instead of being incarcerated. Because you are still serving your sentence on parole or post-incarceration supervision, there are rules you must

follow. These rules are printed on your parole certificate and on your post-incarceration supervision certificate. There may be other conditions imposed which you must obey based on the individual circumstances of your case.

C12. Can parole and post-incarceration supervision conditions be changed?

Yes. The Juvenile Panel can change your conditions for good reason. Also, a Regional Parole Supervisor of the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) may impose and discharge special conditions of parole or post-incarceration supervision. The Juvenile Panel reviews special conditions imposed by a Regional Parole Supervisor.

C13. What is the Re-Entry process?

The re-entry process is designed to assist you upon returning to the community by providing job training and/or placement, life skills training, substance abuse counseling, and other services. These programs and services will help you stay out of trouble. They will help you and your family have a better life. They will also protect the community. The Juvenile Justice Commission and the State Parole Board will provide re-entry services.

C14. What is a parole plan and what is its purpose?

Before your quarterly case review, someone from the Institutional Parole Office (IPO) will ask you where you want to live and send this information to the appropriate Regional Parole Office. A Parole Officer will review and investigate your plan and will recommend to the Juvenile Panel that the plan is acceptable. The Parole Officer can recommend that the parole plan not be approved if it is not in your best interest. The Juvenile Panel wants to make sure you have a good place to live, a plan to get a job or go to school, and the support of family members, a friend or mentor.

The purpose of a parole plan is to give you a good opportunity for success without returning to crime. If you are paroled and do not have a place to live, the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) will try to have a place for you.

C15. Can I be paroled to another state?

If you want to be paroled to another state, the Juvenile Justice Commission Office of Interstate Services will review your parole plan. This office will decide whether your parole plan can be sent to the parole authority of the state where you want to live. The parole authority of the other state will make the final decision. This usually takes several months, so ask to see your Institutional Parole Officer (IPO) about out-of-state parole plans well in advance of your tentative release date.

If you are planning to go to another state, you should have some roots in that state, such as a relative willing and able to help you. You should have an offer of employment or other reliable means of support. The other state can approve or reject your parole plan. If the parole plan is rejected, you must submit another plan for consideration.

C16. What happens if I do not follow the conditions of parole or post-incarceration supervision?

When you are paroled or released on post-incarceration supervision, you must sign a parole or post-incarceration supervision certificate. By doing so, you promise to obey the conditions (rules) of parole or post-incarceration supervision on the certificate. Your Parole Officer's job is to help you and make sure you follow these conditions. If you break the rules, there are several things your Parole Officer can do. He/she can warn you and continue working with you. He/she can decide if the violation requires an adjustment hearing. If the problem is serious or persistent, he/she can start the revocation hearing process.

C17. What if I am charged with a crime while on parole or post-incarceration supervision?

You must contact your Parole Officer immediately. Your parole or post-incarceration supervision cannot be revoked just because you have been arrested and charged. If you have been charged as an adult, you can make bail or be released on your own recognizance. If as a result of being arrested or charged with a crime you stop reporting to your Parole Officer, your parole can be revoked.

C18. What if I “max out”?

If you are released at the end of your custodial term, you will serve a period of post-incarceration supervision (see Question # B8). You will get a post-incarceration certificate, which will include general and special conditions of post-incarceration supervision. You will be under the supervision of a Parole Officer during your post-incarceration supervision term. As noted in Question # C16, if you fail to obey the conditions, your post-incarceration supervision can be revoked.

D. PAROLE RESCISSION PROCESS

- D1. Can I lose my certified parole release date after I get it?
- D2. What is an administrative hold on a certified parole release date?
- D3. How does the Juvenile Panel rescind (take away) a certified parole release date?
- D4. What is a rescission hearing?
- D5. What are the possible results of a rescission hearing?

PAROLE RESCISSION PROCESS

D1. Can I lose my certified parole release date after I get it?

There are several ways you can lose your certified parole release date: (1) if there is a change in your tentative release date, which can happen if you receive a new sentence or if you commit an institutional infraction, (2) if you receive a new sentence, you will be re-listed with the Juvenile Panel to review this information, (3) if significant new information is brought to the Juvenile Panel's attention and there is good reason for the Juvenile Panel to reconsider the prior decision granting you parole, an administrative hold will be placed on your certified parole release date. You, the institution Classification Department and the Institutional Parole Officer (IPO) will be informed if an administrative hold is placed against your certified parole release date.

If you are removed from a Community Program and did not receive a disciplinary infraction, the Juvenile Panel will administratively review your case. The Juvenile Panel may either confirm your certified parole release date or relist you for a new Panel Hearing.

D2. What is an administrative hold on a certified parole release date?

An administrative hold is a directive from the Juvenile Panel to the Chief Executive Officer of the institution not to release you on the certified parole release date pending a review of new or additional information that the Juvenile Panel did not consider when it set your certified parole release date. You will be notified, in writing, if the Juvenile Panel has placed an administrative hold on your certified parole release date. The Juvenile Panel will make a decision as soon as possible.

D3. How does the Juvenile Panel rescind (take away) a certified parole release date?

The Juvenile Panel can rescind (take away) a certified parole release date after giving you a rescission hearing. Rescission hearings are usually held when a juvenile resident commits an institutional infraction(s) after having received a certified parole release date.

D4. What is a rescission hearing?

A rescission hearing is the procedure by which the Juvenile Panel decides if there is good reason to take away your certified parole release date. At the hearing you will have the opportunity to fully discuss your case with the assigned Hearing Officer. After the rescission hearing, the Hearing Officer will record his/her findings and make a recommendation to the Juvenile Panel.

D5. What are the possible results of a rescission hearing?

The Juvenile Panel Board Members may: (1) lift the administrative hold and direct that you keep your certified parole release date or establish a new certified parole release date if your original date has passed, (2) rescind (take away) your certified parole release date and give you a new tentative release date and schedule you for a quarterly review hearing, or (3) rescind (take away) your certified parole release date and direct you to serve your maximum sentence.

E. PAROLE REVOCATION PROCESS

- E1. What is a probable cause hearing?
- E2. Will I always have a probable cause and a final revocation hearing?
- E3. Will I receive notice that a probable cause or final revocation hearing will be conducted?
- E4. Can I have an attorney present at a probable cause hearing or a final revocation hearing?
- E5. What is the purpose of the final revocation hearing?
- E6. Is it possible for a probable cause hearing to be converted into a final revocation hearing?
- E7. When will the final revocation hearing be conducted?
- E8. What happens after a final revocation hearing?
- E9. What actions can the Juvenile Panel take after my final revocation hearing?
- E10. Do I lose my "street time" if my parole or post-incarceration supervision is revoked?

PAROLE REVOCATION PROCESS

E1. What is a probable cause hearing?

A probable cause hearing will determine if there is good reason to believe that you have violated a condition of parole or post-incarceration supervision. A Hearing Officer from the State Parole Board or from the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) conducts this hearing.

At the end of the hearing, the Hearing Officer will give you a decision. Either the warrant will be lifted or you will be held for a final revocation hearing. You may waive the probable cause hearing and proceed directly to a final revocation hearing.

E2. Will I always have a probable cause or a final revocation hearing?

Not if you have been convicted of a crime or adjudicated delinquent for the commission of a new offense. If you have been convicted of a crime or adjudicated delinquent for the commission of a new offense while on parole or post-incarceration supervision, there is probable cause and a final revocation hearing will be scheduled. A Hearing Officer from the State Parole Board or from the Juvenile Justice Commission Office of Parole and Transitional Services (Aftercare) will conduct this hearing.

E3. Will I receive notice that a probable cause or final revocation hearing will be conducted?

You will receive written notice of the time, date and location of the probable cause hearing. The notice will state the alleged violation of condition(s) of parole or post-incarceration supervision to be reviewed, names of any witness(es) scheduled to appear at the hearing and your rights at the hearing.

E4. Can I have an attorney present at a probable cause hearing or a final revocation hearing?

An attorney may represent you at a probable cause or final revocation hearing. You may retain counsel or if you are not able to afford an attorney, you may be assigned one through the pro bono assignment program of the county where you are incarcerated. To have counsel assigned, you must make a timely request.

E5. What is the purpose of the final revocation hearing?

If you have not been convicted of a crime or adjudicated delinquent for an offense, then the purpose of the final revocation hearing is to determine if you have violated any condition of parole or post-incarceration supervision. The Hearing Officer will evaluate the evidence and decide if you violated your conditions of parole or post-incarceration supervision. At the hearing, you will have the opportunity to challenge the alleged violation(s), and present evidence on your own behalf. If you do not challenge the alleged violation(s), you can still offer any evidence or explanation you want the Juvenile Panel to consider.

If you have been convicted of a crime committed while on parole or post-incarceration supervision, you have violated your parole. In this case, the hearing will give you a chance to explain your case and tell the Juvenile Panel, through the Hearing Officer, anything you think the Juvenile Panel should know when it decides your case. If you can prove that there is "good cause" why your parole or post-incarceration supervision should not be revoked, this is your opportunity to do so.

E6. Is it possible for a probable cause hearing to be converted into a final revocation hearing?

It is possible for a probable cause hearing to be converted into a final revocation hearing. Such a conversion may only occur on the day of the scheduled hearing date if you, the Hearing Officer and all interested parties agree. In such a case, only one hearing, a final revocation hearing, will be conducted. If you elect to proceed with the probable cause hearing, the Hearing Officer will determine whether a final revocation hearing will be conducted.

E7. When will the final revocation hearing be conducted?

The final revocation hearing will usually be conducted within sixty (60) days after your arrest on a parole warrant or the date of your sentencing for a new offense. If you are out of state serving a custodial term, you will receive a hearing when you return to New Jersey on a parole warrant.

E8. What happens after a final revocation hearing?

After the final revocation hearing, the Hearing Officer submits a report to the Juvenile Panel. A copy is sent to your attorney or directly to you if an attorney did not represent you. You must send any objections or additions to the report within seven (7) days to the Juvenile Panel. A decision on your status will be made within twenty-one (21) days of the hearing. The Hearing Officer can decide if you may be released from confinement pending the review of your case.

E9. What actions can the Juvenile Panel take after my final revocation hearing?

After considering the evidence presented at your hearing, the Juvenile Panel will decide whether your parole or post-incarceration supervision status should be revoked. There must be clear and convincing evidence that you violated conditions of your parole or post-incarceration supervision. If your parole or post-incarceration supervision status is revoked, you either will receive a new time goal or be directed to serve the remainder of your sentence.

The Juvenile Panel can decide not to revoke your parole or post-incarceration supervision. Instead, they may decide to change the conditions of your parole or post-incarceration supervision and release you from custody. The Juvenile Panel may also decide to continue you on parole or post-incarceration supervision without changing the conditions.

E10. Do I lose my "street time" if my parole or post-incarceration supervision is revoked?

You will not lose any credit for time served on parole or post-incarceration supervision unless a parole warrant is issued for your arrest. If a warrant is issued, you will not be credited with the time between the date the warrant was issued and the date you were placed in custody under said warrant. This time period will be added to your maximum date. This adjustment to your maximum date will occur if probable cause is found that you violated your parole or post-incarceration supervision status, whether or not you are found to be in violation of a condition of parole or post-incarceration supervision status. Your maximum date can be adjusted even if your parole or post-incarceration supervision is not revoked.

APPENDICES

1. Definitions
2. Appeal Process
3. General Conditions of Parole
4. Who to Contact

APPENDICES

1. DEFINITIONS

Annual Review Hearing - a review hearing at which the juvenile resident's progress over a twelve (12) month period is evaluated. The Juvenile Panel conducts this hearing

Certified Parole Release Date - a date certified by the Juvenile Panel on which the juvenile resident is to be released on parole status

Conditions of Parole or Post-Incarceration Supervision - rules established by the Juvenile Panel that must be followed while on parole or post-incarceration supervision status

Final Revocation Hearing - a hearing to determine if a violation of parole or post-incarceration supervision conditions has been established based on clear and convincing evidence

Judicial Restriction Date - the date determined by reducing one-third of the custodial sentence (term) by awarded jail credits

Maximum Expiration Date - the date of which the custodial sentence (term) ends

Post-Incarceration Supervision - term equal to one-third of the term of incarceration that begins upon completion of custodial sentence

Post-Incarceration Supervision Maximum Date - the date on which the post-incarceration supervision term ends

Probable Cause Hearing - a hearing conducted to decide if there is probable cause to believe that a juvenile offender has violated a condition of parole or post-incarceration supervision and to decide if the juvenile offender should be detained for a final revocation hearing

Program Participation Credits - days earned off of a tentative release date based on progress and participation in an institutional or community program. Credits are earned pursuant to Board schedule and applied to reduce the tentative release date

Quarterly Review Hearing - a review hearing at which the juvenile resident's progress is evaluated. A Juvenile Panel Board Member, Juvenile Panel and/or Hearing Officer conducts this hearing every three months

Rescission Hearing - a hearing to determine if an institutional infraction(s) or if new information is good reason for the Juvenile Panel to rescind (take away) a certified parole release date

Tentative Release Date - the date determined based on the established time goal being reduced by awarded jail credit

Time Goal - the number of months the Juvenile Panel or a Juvenile Panel Board Member establishes for the juvenile resident to serve

2. APPEAL PROCESS

The following is a brief explanation of how a juvenile offender can request reconsideration of or appeal a decision made by a Board Hearing Officer, a Juvenile Board Member, a Juvenile Board Panel or the Board. For details please refer to N.J.A.C. 10A:71-4.

- (A) You can request reconsideration of any decision of a Hearing Officer or the Juvenile Board Panel for the following reasons:
1. Significant information was not considered, or
 2. Inaccurate information was considered and it substantially affected the decision, or
 3. The Hearing Officer or Juvenile Board Member failed to comply with the Board's Professional Code of Conduct.
- (B) Any failure to grant parole to a juvenile offender by a Juvenile Board Member shall be appealable to the Juvenile Board Panel. Any failure to grant parole by the Juvenile Board Panel shall be appealable to the full Board provided one of the following criteria is met:
1. The Juvenile Board Member or Juvenile Board Panel failed to consider material facts indicating that the juvenile offender, if released, will not cause injury to persons or substantial damage to property.
 2. The Juvenile Board Member or Juvenile Board Panel's decision is contrary to written Board policy or procedure.
 3. A Juvenile Board Member participating in the deliberations or disposition of the case has a demonstrable personal interest or demonstrated prejudice or bias in the case which affected the decision.
 4. A Juvenile Board Member participating in the deliberations or disposition of the case has failed to comply with the Board's Professional Code of Conduct.
- (C) You can appeal any decision setting a parole eligibility term (time goal), setting a future eligibility term or extending a term for the commission of institutional infractions if:
1. The decision did not follow Board policies or procedures, or
 2. Reasons were not given for the establishment of a term outside Board guidelines, or
 3. The term was set longer than permitted by the guidelines or the term violates statutory restrictions, or
 4. A staff member, Hearing Officer or Juvenile Board Member failed to comply with the Board's Professional Code of Conduct.
- (D) You can appeal any revocation of parole by a Juvenile Board Panel to the Full Board if:
1. The Juvenile Board Panel failed to consider material facts or failed to document that you seriously or persistently violated conditions of parole.

APPEAL PROCESS (continued)

2. The Juvenile Board Panel failed to show, other than when revocation is for a new criminal conviction, that revocation is desirable.
3. The decision is contrary to Board policy or procedure.
4. A Juvenile Board Panel Member failed to comply with the Board's Professional Code of Conduct.

Appeals must be sent in writing to the Board within 180 days of written notice of the action or decision being received by you. You should include the date of the action or decision being appealed as well as the reason. You must first appeal any action or decision of a Hearing Officer, Juvenile Board Member, or Juvenile Board Panel before you can appeal the decision to the Appellate Division of the Superior Court.

3. GENERAL CONDITIONS OF PAROLE

1. You are required to obey all laws and ordinances.
2. You are to report in person to your Juvenile Justice Commission's District Parole Supervisor or his/her designated representative, immediately after you are released on parole from the institution or program, unless you have been given other written instructions by a designated representative of the Board, and you are to report thereafter as instructed by the Juvenile Justice Commission's District Parole Supervisor or his/her designated representative.
3. You are to notify your Parole Officer immediately after any arrest, immediately after your 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:
 - i. Prior to any change in your residence
 - ii. Before leaving the state of your approved residence
6. You are not to own or possess any firearm, as defined in N.J.S.A. 2C:39-1f, for any purpose.
7. You are not to own or possess any weapon enumerated in N.J.S.A. 2C:39-1r.
8. You are 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 Juvenile Justice Commission Office of Parole and Transitional Services of any assessments, fines, penalties, lab fees or restitution imposed by the sentencing court.
10. You are to register with the appropriate law enforcement agency and upon a change of address, 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 to submit to drug or alcohol testing at any time as directed by the assigned parole officer.
14. You must attend school on a full-time basis if you are under 16 years of age.

GENERAL CONDITIONS OF PAROLE (continued)

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

16. You are to immediately notify your parole officer of any change in your employment status.

17. You are to submit to a search conducted by a parole officer, without a warrant of your person, place of residence, vehicle or other real or personal property within your control at any time a parole officer has a reasonable, 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.

4. WHO TO CONTACT

If the Parole Book does not answer your questions, use this chart to find out whom to contact.

SUBJECT	CONTACT JUVENILE UNIT OF THE SPB	CONTACT CLASSIFICATION DEPARTMENT OR SOCIAL WORKER	CONTACT PAROLE OFFICER	CONTACT INSTITUTIONAL PAROLE OFFICER
APPEAL OF DECISION OF HEARING OFFICER, BOARD MEMBER OR BOARD PANEL	X			
CONDITIONS OF PAROLE	X			
CREDITS, WORK AND MINIMUM CUSTODY		X		
DECISION OF HEARING OFFICER, BOARD PANEL, BOARD MEMBER	X			
DETAINER (S)		X		
EXTENSION OF PAROLE ELIGIBILITY	X			
FINE(S), VCCB, ASSESSMENT(S) OR PAYMENT(S)		X	X	
FURLOUGH		X	X	
HEARING (S), RESULT OF	X			
HEARING (S), SCHEDULE OF	X			
JAIL CREDIT		X		
MAXIMUM DATE		X		
PAROLE PLAN				X
RECALL OF SENTENCE		X		
RECORDS		X		
RESCISSION, GRANT OF PAROLE	X			
RESTITUTION, PAYMENT		X	X	
REVOCAION OF PAROLE STATUS	X			
SENTENCE (S), ADDITIONAL,		X		
SPECIAL CONDITIONS	X		X	
TENTATIVE RELEASE DATE	X			
TRANSFER, INSTITUTIONAL		X		
TRANSFER OF PAROLE SUPERVISION			X	X
WARRANTS		X		
WORK RELEASE		X		