

## **Intensive Supervision Program (ISP) Frequently Asked Questions**

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### **How long is the application process?**

The entire process from application to an appearance in front of the ISP Judges takes three to four months.

### **Can I apply for ISP if I have period of parole ineligibility (stip)?**

You may apply; however, you would not be scheduled for a court date until after the completion of your stip. You may want to hold your application until you are within four months of the stip expiration.

### **My offense is a 2nd degree offense. Am I still eligible to apply to ISP?**

In most cases, yes, however, if the Prosecutor objects, you must serve at least six months of your sentence and be within nine months of your earliest Parole Eligibility date.

### **Are there offenses that would make me ineligible?**

Yes, any offenses under the Bribery and Corrupt Influence, Robbery, Sex Offenses, and Homicide statutes; and any first-degree offenses. Also, those convicted of any second degree offense under the Misconduct/Abuse of Office statutes are ineligible to participate in the program. If you are not sure whether or not you are eligible, you are encouraged to apply and let the ISP staff determine whether or not you are eligible. Applications are also screened for a number of factors including prior record, violence in the offense or in prior record, significant institutional infractions, and absence of sincerity and motivation to carry out programmatic obligations. If the regional office deems that these factors exist, the application is forwarded to the ISP Screening Board for a further review before any other action is taken. The Screening Board (which includes citizen-members) may ask for additional information, may request that the case proceed for development, or may deny the case. With a denial, the inmate would be informed of the decision of the ISP Screening Board.

### **Do I need a sponsor to get into ISP?**

Having a sponsor is a crucial part of the case plan and most participants do have sponsors. However, some applicants who do not have a place to stay and must be placed in alternative housing do not have sponsors. Sponsors are developed through the alternative housing, employees, and AA/NA sponsors.

### **Do I need attorney representation?**

Normally, applicants are represented by a private attorney or a Public Defender (PD) if they qualify. At the time of the interview, applicants will be asked if they are applying for PD representation and will fill out a form for that purpose. On rare cases, the Resentencing Panel allows the applicant to go *Pro Se* meaning they represent themselves; this approach is not recommended.

### **How long will I be under supervision?**

If your sentence is five years or less, you must be under ISP supervision for a **minimum of sixteen months**; for a six to seven-year sentence, **eighteen months minimum**; for an eight to ten-year sentence, **twenty months minimum**; for over ten years, **twenty-two months minimum**; however, the actual number of months served and your successful discharge from ISP depends on your performance under supervision. In no case can you be on supervision for longer than five years minus time served.

### **Does successful completion of ISP erase my record?**

No, only New Jersey statute *N.J.S.A. 2C:52-2*, allows for an **application for expungement** of a conviction after ten years following the conviction, or completion of the supervision period.

### **Can I fill out an application for my spouse, boyfriend, or relative?**

Yes, however, if they are unable to sign the application, the inmate should follow up with a letter affirming his desire to apply to ISP.

### **Can I re-apply for ISP for a new offense after either violating ISP or completing ISP successfully?**

Recent changes in legislation allow individuals who have previously participated in ISP (both graduates and violators of the program) to re-apply to the program for possible admission.

### **Do I need a place to live in order to apply for ISP?**

While it is preferable, we do place applicants in shelters or halfway houses according to availability of space.

### **Must I live in New Jersey?**

There is no provision for transferring supervision outside of New Jersey. **You must live in New Jersey.**

### **Can I reside with a convicted felon?**

This would depend on a number of factors and would have to be reviewed and approved by the regional office and the ISP Resentencing Panel.

### **What is the Cost of Supervision Fee?**

While the Cost of Supervision Fee is initially a minimum of \$1000, the Resentencing Panel can set the fee at any level based on your ability to pay up to \$9,000.