

<p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p>	<p>Volume III Chapter 3</p> <p>Procedure 3.02.05</p>	<p>Replaces No. Chapter II C.4 3.4 2/26/02, 4/01/03,10/24/0 3,4/30/04; 1/23/12; Bulletin 3.02.05-01, 9/28/12; 12/28/12, 11/01/13</p>
<p>Chapter Title CASE RECORDS, DECISIONAL PROCESSING</p>		<p>Date Issued 4/22/16</p> <p>Effective Date 5/1/16 PUBLIC</p>
<p>Subject CASE REVIEW AND RELEASE PROCESSING PAROLE RELEASE PLANNING</p>		

I. AUTHORITY

The chairman of the board is granted the authority to “[d]irect the operations, management and administration of the board” and to “[p]erform all the duties and functions of chairperson, including organizing, staffing, controlling, directing and administering the work of the staff.” 61 Pa.C.S. § 6112 (a)(1) & (a)(4).

II. PURPOSE

The purpose of this procedure is to provide institutional parole staff information regarding release planning.

III. APPLICABILITY

This procedure is applicable to all board staff.

IV. DEFINITIONS

Definitions located in Procedure 3.02.01 Glossary.

V. POLICY

The policy of the board is to ensure that every offender leaving prison under the jurisdiction of the board is equipped with the tools necessary to succeed under parole supervision.

VI. PROCEDURE

A. Parole Orientation and Education Classes

1. Parole Orientation

It is the responsibility of the institutional parole staff to conduct a monthly orientation class at the DOC classification centers. In addition to distributing

the board's parole handbook, areas to be discussed in the parole orientation class are:

- a. Home planning
- b. Programming
- c. Misconducts
- d. Docketing
- e. Legislative mandates for release
- f. Detainer(s)

2. Parole Education

These classes are held monthly for inmates who have approximately eight (8) months until their minimum sentence date. The docket should be utilized to determine offenders' eligibility for participation. Staff should be present in order to answer questions about parole supervision. These classes should emphasize early parole planning using the approved curriculum developed by the Bureau of Reentry. Each offender is to be provided with a copy of the PBPP parole handbook.

Areas to be discussed in the parole education class are:

- a. Parole planning
 - 1) Community concerns
 - 2) Family relationships
 - 3) Home planning
 - 4) Provide a copy of the "Pennsylvania Guidebook for Incarcerated Veterans", if applicable
- b. Parole interview
 - 1) Board interview and possible results
 - 2) Institutional adjustment and progress
 - 3) Requirement to submit a written version of the offense
 - 4) Disposition of detainer (s)**
- c. Parole release
 - 1) General parole conditions, with emphasis on absconder prevention

- 2) Special parole conditions
- 3) Parolee's relationship with his parole agent
- 4) Legislative mandates for release
- 5) Payment of financial obligations
- 6) Parole violations

B. Parole Release Plan Investigation Process

1. Development of Home Plan

Home plans are an essential part of the parole release process. Offenders are advised of the need to establish appropriate release plans at various intervals during their incarceration.

a. Minimum Cases

Four (4) months prior to the parole minimum date, if the completed Statement of Residence (PBPP-1) forms have not been received from the offender, the institutional parole agent **shall** contact the offender to find out why the **offender has not filled out the form**, counsel the offender on the need for a plan, and provide assistance and guidance in seeking and developing a release plan.

b. Review/Reparole Cases:

- 1) When an offender is given a board action that establishes a future review date, the offender should also be given a Statement of Residence (PBPP-1) and told to submit these completed forms at least three (3) months prior to the scheduled review month.
- 2) During the **agent's face-to-face interview with the offender for his/her** scheduled review/interview, **if** the completed Statement of Residence (PBPP-1) forms have not been received, the institutional parole staff will **discuss with the** offender to find out why **the offender has not filled out the form**, counsel the offender on the need to have a plan, and provide assistance and guidance in developing a release plan. Institutional parole staff's efforts with the offender to develop a release plan should be indicated in the parole planning section of the ICSA or summarization report.
- 3) If the reparole review time frame is such that the normal time frame for submitting a release plan does not exist (such as a board action to review on next available docket **or automatic reparole cases pursuant to 61 Pa.C.S. §§ 6138 (c), (d)**), the offender should be instructed to submit the home plan forms as soon as possible.

c. Hard to Place Offenders

DOC counselors will identify offenders designated as 'Hard to Place' cases. Institutional parole staff will meet with DOC staff to ensure that coordinated release planning efforts begin as early as possible for these offenders. Information on 'Hard to Place' offenders should be noted in the parole plan section of the ICSA or summarization report, if available. Offenders who have been identified as 'Hard to Place' **may** be referred to the Bureau of Reentry to coordinate more intensive efforts to help secure placement for offenders.

d. Hardship Cases

When an offender or their representative presents parole staff with evidence of a hardship or an exceptional situation, the staff will summarize this information into a memorandum to the board. The memorandum will include a recommendation for either an early review or the advancement of the parole release date. Hardship cases include terminal illness, severe disability, etc.

2. Time Frame For Submitting Pennsylvania Pre-Parole Investigation Request/Report (PBPP-30).
 1. If the in-person decision maker indicates that the inmate is likely to be released on parole, the institutional parole staff will complete the required sections of the PBPP-30. This form is sent electronically to the appropriate field office's PM, BA resource account for investigation, ie. [PM, BA Allentown](#).
 2. The institutional parole office will establish a 21 calendar day control for receipt of the completed investigation. The 21 calendar day time frame begins the date the PBPP-30 was submitted to the field office.
 3. If the completed PBPP-30 has not been returned from the field office in the prescribed time frame, a status inquiry **shall be sent by the institutional parole staff** to the field office's "PM, BA inbox" to determine why the investigation results have not yet been received. If institutional parole staff does not receive a response within three (3) business days, the institutional parole supervisor will contact the **assigned field agent's chain of command** for status.
3. Preparing the Pre-Parole Investigation Request/Report (PBPP-30)

Prior to sending the parole plan investigation to the field office, the **proposed home plan** must be reviewed by the institutional parole staff for existence of possible relationships to victims or family members of victims (for example, domestic violence or sexual assault). If it is determined that such a relationship exists, comments must be provided in the remarks section of the PBPP-30.

- a. Determine if the offender meets the definition for domestic violence protocol. If yes, check the "DV Protocol" box on the PBPP-30 and document information in the remarks section of the PBPP-30. If the

completed PBPP-30 is returned with indication "DV Protocol", do not modify this designation.

- b. Determine if the offender meets the definition of a sexual offender in accordance with Procedure 4.01.15. If yes, check 'Sex Offender' box on PBPP-30.
 - c. **For automatic reparole cases pursuant to 61 Pa.C.S. §§ 6138(c), (d) (Act 122 of 2012) indicate the reparole date in the "Remarks" section of the PBPP-30.**
 - d. **For max out cases to special probation/parole supervision, indicate "For informational purposes" in the "Remarks" section of the PBPP-30.**
4. Distribution of a Split Pre-Parole Plan Investigation Packet

When an offender submits a pre-parole investigation plan in which the home **plans** are located in different field offices, the request must be entered twice into the Client Server Investigation Request/Report (PBPP-30) application. Individual copies of the parole plan investigation must be emailed to the appropriate field offices' BA mailbox for example, [PM, BA Allentown](#); [PM, BA Harrisburg](#). Designated responsibility for each part of the investigation must be cross-referenced in the PBPP-30 remarks section.

5. Results of the Pre-Parole Plan Investigation

- a. Upon notification that a completed pre-parole investigation report or an interstate reply to transfer request has been approved, the institutional parole staff **shall** inform the offender in writing **using the Results of Parole Plan Investigation (PBPP-31). Institutional parole staff shall sign the PBPP-31 and secure the offender's signature on the PBPP-31.**
- b. **If the parole plan is rejected, institutional parole staff shall inform the offender in writing of the rejection and include a written explanation of the reasons for rejection in the Results of Parole Plan Investigation (PBPP-31). Institutional parole staff must also discuss with the offender the denial and solicit information for submission of a subsequent investigation. Institutional parole staff shall sign the PBPP-31 and secure the offender's signature on the PBPP-31.**
- c. Confidential information will not be disclosed to the offender.
- d. **A copy of the executed Results of Parole Plan Investigation (PBPP-31) for all approved and rejected pre-parole plans shall be provided in accordance with the Procedure 1.04.01 Release of Information to:**
 - 1) **The offender;**

- 2) **The unit manager of the SCI (for offenders housed in an SCI) or warden/designee of the county jail (for offenders housed in a county jail).**
 - e. **Upon parole release or max out, all approved and rejected Results of Parole Plan Investigation (PBPP-31) forms issued during the offender's current incarceration shall be sent to the Office of Board Secretary for inclusion in the offender's PBPP CO file.**
6. Validity Dates for Approved Pre-Parole Investigations
- a. Approved Pennsylvania home plans are valid for 150 calendar days from the **supervisor's** date of approval.
 - b. Expired Pennsylvania parole plans may be rechecked within 30 calendar days of the expiration date. A recheck request is sent via email to the appropriate field office's BA mailbox for example, [PM](#), [BA Allentown](#). Institutional parole staff will clearly identify the request as a 'recheck.' If approved, the plan is then valid for 60 calendar days from the original expiration date.
 - c. If institutional parole staff do not receive a response to the recheck request within **ten (10) business** days, the institutional parole supervisor will contact the **assigned field agent's chain of command** for status.
 - d. Approved interstate plans are valid for 120 calendar days from the date of the receiving state's reply to transfer request. Any questions regarding extension of the plan's approval shall be directed to the director of interstate parole services.
7. Alternative Release Planning
- a. When an offender housed in a state correctional institution (SCI) has been granted parole and is unable to develop a release plan, the institutional parole staff will submit a referral to the CCPM for placement into **an unsecured** community correction center/contract facility.
 - b. When an offender housed in an SCI is granted parole to an inpatient program, such as a drug and alcohol or mental health facility, unless the offender has resources to secure a private facility, the institutional parole staff will notify the CCPM to secure placement into an inpatient community corrections center/contract facility.
 - c. Veterans can be referred to the Veterans' Administration for assistance in developing an alternative release plan.
 - d. When an offender does not have employment or other means of support, the offender must continue actively seeking employment.
 - e. When an offender has been issued a board action "Parole is to Deportation Order only...", there is no need to **request a Bureau of Community Corrections (BCC)** bed date.

- f. **When a technical parole violator is approaching his/her automatic reparole date and does not have an approved home plan, or pending out of state investigation, institutional staff shall send an E-mail request for a bed date to the CR, BCC Referral resource account. The E-mail shall include the name, institutional number, current location, where the offender will return, automatic reparole date, and any other information that may impact placement.**

VII. SUSPENSION DURING AN EMERGENCY

This procedure may be suspended during an emergency at the sole discretion of the chairman.

VIII. RIGHTS UNDER THIS PROCEDURE

This procedure creates no rights under law.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF PROCEDURE

- A. This procedure does not contain information that impacts the security of board staff or parolees and may therefore be released to the public.
- B. This procedure is to be distributed to all board staff.

X. CROSS REFERENCES

A. Statutes

1. Federal

None

2. State

- a. 61 Pa.C.S. § 6112
- b. 61 Pa.C.S. § 6133
- c. 61 Pa.C.S. § 6135(a)(4)
- d. 61 Pa.C.S. § 6137(e)(1)
- e. 61 Pa.C.S. § 6137(e)(3)(i)
- f. **61 Pa. C.S. §§ 6138 (c)(d)**
- g. 61 Pa.C.S. § 7112
- h. 61 Pa.C.S. § 7115
- i. 18 P.S. § 11.1101(b)(1)
- j. 18 P.S. § 11.1101(b)(d)
- k. 42 Pa.C.S. § 9718.1
- l. 42 Pa.C.S. § 9728
- m. 42 Pa.C.S. § 9762(b)(2)
- n. 42 Pa.C.S. § 9795.1
- o. 44 Pa.C.S. § 2316(b)

B. PBPP Policies

4.01.10
4.01.15
4.01.25
4.05.03

C. American Correctional Association

4-APPFS-2C-01
4-APPFS-2C-02
4-APPFS-2A-16

D. Management Directives

None

E. Report of the Reentry Policy Council

None