



POLICY
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: SUPERVISION, REENTRY: PROBATION SERVICES PRE-SENTENCE INVESTIGATION REPORTS		Policy Number: 12.4.04.06
Date of Issue: September 19, 2022	Authority: Signature on File George M. Little	Effective Date: PUBLIC September 26, 2022

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. PURPOSE

The purpose of this policy is to set forth written Department protocol for the acceptance, preparation, and submission of Pre-Sentence Investigation (PSI) reports.¹

III. APPLICABILITY

This policy is applicable to all Department employees who are involved with the administration, acceptance, preparation, and submission of PSI reports, and all courts having criminal jurisdiction.

IV. DEFINITIONS

All definitions are located in Policy **12.4.01.01, Glossary**.

¹ 4-APPFS-1B-01

V. POLICY

The Department acknowledges our duty to provide sufficient resources to ensure timely submittal of all requested PSIs.² The Department shall provide the sentencing judge of the court having criminal jurisdiction with PSIs and reports that contain timely, relevant, and accurate data³ to assist the court in determining the most appropriate sentencing alternative or correctional disposition pursuant to Pa. R. Crim. P. 702. These procedures will be updated, as needed, to meet the needs of the court.⁴

It shall be policy of the Department that staff will coordinate with victim advocates, if involved, and or contact victim(s) and a statement obtained when the victim wishes, and that said information is contained in the PSI report.⁵

When expected by the court, recommendations are developed during the investigation and included in the report.⁶ Consideration for sentencing alternatives, matching reentrant characteristics and needs, and the balance of those needs with the primary mission of public safety should be undertaken when possible.⁷

Department supervisory staff shall review and approve all PSI reports prior to submission to the court.⁸ The Department shall ensure the confidentiality of PSIs and reports consistent with law and privacy policies.⁹

VI. PROCEDURES

A. Court Responsibilities

1. With the exception of Mercer and Venango Counties, the court having criminal jurisdiction may request that the Department prepare a PSI report by completing the **DC-P 302, Request for Pre-Sentence Investigation** and submitting it, either by mail or via email at **RA-courtservices@pa.gov**, to the Division of Court Services.
2. Upon receipt of the **DC-P 302**, the Division of Court Services shall review the request to determine if it meets acceptance criteria pursuant to 37 Pa. Code § 65.1. Acceptance of a case for PSI from a county, which, on December 31, 1985, maintained adult probation offices and parole systems, will be at the Department's discretion. The Department will ordinarily accept a case that meets the following criteria for PSI:

² 4-APPFS-1B-02

³ 4-APPFS-1B-03

⁴ 4-APPFS-1B-08

⁵ 4-APPFS-1B-04

⁶ 4-APPFS-1B-05

⁷ 4-APPFS-1B-06

⁸ 4-APPFS-1B-07

⁹ 4-APPFS-1B-10

- a. a felony conviction; and
 - b. a case otherwise under the Department's jurisdiction.
3. **DC-P 302** originating from the Mercer County Court of Common Pleas, 35th Judicial District, and the Venango County Court of Common Pleas, 28th Judicial District, shall be sent directly to the Mercer District Office. The Department will accept all requests for PSI reports originating from the Mercer County Court of Common Pleas, 35th Judicial District, and the Venango County Court of Common Pleas, 28th Judicial District pursuant to 37 Pa. Code § 65.1.

B. Request for PSI Report – Accepted

1. The electronic reentrant records (ERR) shall be checked to determine if the reentrant is currently under the jurisdiction of the Department or has previously been under the jurisdiction of the Department.¹⁰ If a Department record is found, the parole number shall be placed on the **DC-P 302**. If no record is found, a parole number shall be assigned and included on the **DC-P 302**. If the reentrant is currently under supervision, the assigned agent is noted on the **DC-P 302**. If a prior PSI report was completed by the Department, the previously assigned agent, investigator or auditor, and date shall be noted on the **DC-P 302**.
2. Controls shall be maintained by entry of information in ERR and include the reentrant's name, assigned parole number, parole auditor, or parole auditor supervisor to which the PSI report is assigned, and deadline for submission of the completed PSI report.
3. The deadlines for submission of the PSI report to the court are as follows below.
 - a. Court established submission deadline – The Department deadline for submission to the court shall be the same date.
 - b. Court established sentencing date – The Department deadline for submission to the court shall be a minimum of five business days in advance of the sentencing date, unless specified otherwise by the court. The court shall allow sufficient time for completion of the investigation.
 - c. Court does not establish a submission deadline or sentencing date – The Department deadline for submission to the court shall be established as 60 calendar days from date of receipt.
4. The **DC-P 302** will be forwarded by the Division of Court Services or Mercer District Office to the parole auditor supervisor or designee within three business days of receipt. The Department will allocate the resources necessary to meet submission deadlines of PSI reports to the court having criminal jurisdiction.

¹⁰ 4-APPFS-3D-29

C. Request for PSI report – Not Accepted

If the **DC-P 302** is not accepted by reviewing staff, written correspondence shall be sent to the requesting court no later than one business day by the Division of Court Services, refusing acceptance of the **DC-P 302**, including the reason(s) for the decision.

D. Parole Auditor Supervisor Responsibilities

Upon receipt of the **DC-P 302**, the parole auditor supervisor shall review and determine the following listed below.

1. The type of PSI report requested (full or modified)

a. Full Report

If a full report is requested, the parole auditor or parole auditor supervisor shall utilize the **DC-P 318, Pre-Sentence Investigation**. If the **DC-P 318** is not appropriate due to case complexities, a more complete narrative report may be substituted.

b. Modified Report

If a modified report is requested, the parole auditor or parole auditor supervisor shall note the topics on which information is requested by the court having criminal jurisdiction and prepare the report, including only the information requested, utilizing either **DC-P 318** or a narrative style report.

Reports typically include: victim statements, if provided;¹¹ accurate restitution information, if involved; instant offense circumstances; official/police statements; reentrant demographics; treatment, mental health information; supervision history, reentrant statements, if provided and full disclosure of prior criminal history, educational background, family history, employment, financial, and health information. When the involved court requests, the report may also contain proposed supervision plans and/or sentencing recommendations.¹²

2. Whether the reentrant has been adjudicated guilty of the alleged offense(s);

3. The deadline for submission to the court.

4. Whether appropriate time has been allotted for the completion of the report.

¹¹ 4-APPFS-1B-04

¹² 4-APPFS-1B-05

E. Conducting the Investigation

1. The parole auditor supervisor shall assign the PSI report for completion of the information requested and enter as open in the ERR.
2. Parole auditors or parole auditor supervisors are to conduct the investigations.
3. All persons interviewed during the course of the PSI shall be advised that the PSI report is subject to disclosure at the court's discretion. All PSI reports are confidential and shall only be submitted to the sentencing judge of the court having criminal jurisdiction; the sentencing judge will be responsible for any further dissemination pursuant to Pa. R. Crim. P. 703.¹³
4. **DC-P 283A, Authorization for Use or Disclosure of Personal Information** shall be utilized, as needed.
5. When directed by the court having criminal jurisdiction, victim(s) shall be contacted and if the victim(s) elect to make a statement, the statement shall be included in the PSI report. **DC-P 84, Victim Impact Statement** may be used for securing this information.¹⁴
6. When directed by the court having criminal jurisdiction, recommended special conditions are developed and included in the evaluative summary section of the PSI report.¹⁵
7. The parole auditor or parole auditor supervisor shall consider and include in the PSI report sentencing alternatives that match offender characteristics and needs while balancing those needs with the primary mission of public safety.¹⁶
8. If it becomes evident, due to unexpected circumstances, that the PSI report cannot be completed in time to meet the established deadline, the parole auditor supervisor shall request an extension for submission of the report from the sentencing judge of the court having criminal jurisdiction. This information must be communicated to the Division of Court Services, and the new extension date entered into the ERR.
9. The parole auditor supervisor, parole manager, or director shall review and approve by signature all PSI reports and recommendations prior to submission to the court¹⁷ and update data in the ERR as needed.

¹³ 4-APPFS-1B-10

¹⁴ 4-APPFS-1B-04

¹⁵ 4-APPFS-1B-05

¹⁶ 4-APPFS-1B-06

¹⁷ 4-APPFS-1B-07

10. In the event the court continues a case while the investigation is in process of completion, the parole auditor supervisor shall adjust the investigation due dates as necessary.
11. The parole auditor supervisor or designee shall submit the original completed **DC-P 318** to the sentencing judge of the court having criminal jurisdiction, either by mail or email, and upload one copy into the ERR. Where electronic versions are accepted, completed PSI reports shall be forwarded electronically to the court's designee. An email confirmation acknowledging receipt of the **DC-P 318** shall be requested from the court.
12. Supporting court documents: criminal complaint, affidavit of probable cause, related plea orders, district attorney information sheet, and **DC-P 302** shall also be placed in appropriate areas of the ERR.¹⁸
13. The PSI process shall be reviewed by Department staff, deputy secretary, and/or division or bureau director periodically in consultation with the courts.¹⁹

VII. SUSPENSION DURING AN EMERGENCY

The Secretary of the Department of Corrections may suspend this policy in case of an emergency.

VIII. RIGHTS UNDER THIS POLICY

This policy creates no rights under law.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF POLICY

- A.** This policy does not contain information that impacts the security of Department staff or reentrants and may, therefore, be released to the public.
- B.** This policy is to be distributed to the following: all Department staff; president judge of each court of common pleas judicial district; chief probation officers/directors; board of county commissioners/county chief executive officer.

X. CROSS REFERENCES

A. Superseded

This policy replaces the previous versions listed below.

11/01/01; 02/01/07; 03/31/08; 08/10/2016

¹⁸ 4-APPFS-3D-29

¹⁹ 4-APPFS-1B-08

B. Statutes

1. Federal – None
2. State

Prisons and Parole Code, 61 Pa. C.S. § 6172.
Pa. R. Crim. P. 702
Pa. R. Crim. P. 703
37 Pa. Code § 65.1

C. Agency Policies

12.4.01.01

D. American Correctional Association Standards

4-APPFS-1B-01
4-APPFS-1B-02
4-APPFS-1B-03
4-APPFS-1B-04
4-APPFS-1B-05
4-APPFS-1B-06
4-APPFS-1B-07
4-APPFS-1B-08
4-APPFS-1B-10
4-APPFS-3D-29

E. Management Directives – None

F. Report of the Reentry Policy Council – None