

<p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p>	<p>Volume III Chapter 3</p> <p>Procedure 3.02.04</p>	<p>Date Revised: Replaces 3.3 05/01/02 04/30/04 1/23/12 11/15/13 03/05/14 5/29/15</p>
<p>Chapter Title CASE RECORDS, DECISIONAL PROCESSING</p>		<p>Date of Issue 5/01/02</p>
<p>Subject CASE REVIEW AND RELEASE PROCESSING INTERVIEW PREPARATION</p>		<p>Effective Date 8/10/16 PUBLIC</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 explain how to prepare a case for the decision maker’s interview.

III. APPLICABILITY

This procedure is applicable to all institutional parole staff.

IV. DEFINITIONS

Refer to Procedure 03.02.01 Glossary.

V. POLICY

It is the policy of the board to ensure that all parole interview preparation is done in a timely and efficient manner.

VI. PROCEDURE

A. Types of Interview

1. Parole Minimum Summary – Report prepared on offenders who are approaching their minimum sentence date.
2. Parole Review Summary – Report prepared on offenders who were previously refused parole.
3. Reparole Review Summary – Report prepared on offenders who were recommitted.

4. Application for Parole/Reparole Review – Report prepared on offenders who have submitted an application for interview and determined to be eligible.

B. The Integrated Case Summary Application (ICSA)

The purpose of the ICSA is to provide the decision makers with a complete analysis of the case. This is a shared document with DOC and the report can be obtained through DOC Info. **DOC staff begins the ICSA. Once DOC information is completed, DOC staff forwards the ICSA to the institutional parole agent. The ICSA is valid for 6 months from the date of superintendent signature.**

If an offender who is scheduled for a non-minimum interview requests to serve their maximum sentence during the institutional parole staff's preparation of their case for interview, the original ICSA need not be updated. In these cases, a Request to Serve Max (PBPP-17) should be signed and sent to the Office of Board Secretary with a memo outlining the offender's desire to serve his/her max and any reasons stated.

Self-reported information should be noted as such in applicable sections.

1. ICSA Document Sections

a. Sentence Information

Current sentence - In this section, the institutional parole staff will provide all offense(s) originally charged, county(s) of conviction(s), sentencing judge(s), the offender's plea, plea agreement, convictions and sentence, including offenses for which no penalty was imposed.

This section should also include any other pertinent sentence information, such as constructive parole, concurrent or consecutive probation, **sex offender** registration requirements, etc. Also, note any under-lapping sentences that have reached maximum expiration as well as any detainer(s).

b. Official Version

All instant offenses which are listed as crimes of violence on the board's violent/sexual crimes chart (Appendix A), **firearms offenses**, and DUI offenses require an official version. Institutional parole staff should include information on co-defendants and victims by name and relationship. Regarding victim information, provide the age of minor victims at the time of the incident. For violent offenses where the official version is unavailable, a notation must be made as to the effort to secure the information. For DUI offenses, the summary of the official version must also include the blood alcohol content (BAC), if available.

For the purposes of parole reviews, in this section, summarize the violations which led to the current recommitment.

c. Offender Version

This section summarizes the offender's verbal version of the instant offense as obtained during the institutional parole staff interview. This version should be brief, but provide sufficient details so the reader can understand the offense from the offender's point of view. The version should address co-defendant(s) participation. In cases where the offender version differs from the official version or a prior Offender Version, this difference in events must be noted. Also, a written Offender Version (PBPP-14) is required for each board interview.

Every time an offender is listed for board interview, institutional parole staff must obtain the offender's version of the instant offense as well as the most recent parole violation. Simply stating that the offender's version has not changed is unacceptable.

d. Offense History

1) Juvenile Offense History

A juvenile is anyone under the age of 18. This section begins with a summarization of the number of arrests, incidents leading to adjudications, confinement, and probation revocations. Self-reported incidents and each offense tracking number (OTN) should also be listed in this section.

Juvenile arrests resulting in convictions, when certified to adult court, **must** be counted in the adult offense total.

2) Adult Offense History

This section begins with a summarization of the number of arrests, incidents leading to convictions, confinements, probation revocations and parole revocations. Convicted parole violation(s) (CPV) and technical parole violation(s) (TPV) occurring during the same supervision period count as one (1) parole **recommitment**.

Self-reported incidents should also be listed in this section.

Incidents are separated by time and place. Convictions are to be counted as incidents. For example, if an offender illegally enters a home and is convicted of burglary, theft and RSP, these three (3) charges count as one incident leading to a conviction.

Confinement is defined as serving a period of incarceration in a county prison, state correctional facility or federal penitentiary.

List all arrests with dispositions chronologically by the date of arrest. Do not list the instant offense.

Each disposition of any assaultive, domestic violence, board defined crime of violence or sexual offense should include a brief explanation of the circumstances of the crime; no official version is required. In the event that the RAP sheet indicates “unreported disposition”, the institutional staff should cross reference the Unified Justice System Portal (AOPC) and interview the offender in an attempt to ascertain the disposition. Include any information available on arrests resulting in probation without verdict (PWV), accelerated rehabilitative disposition (ARD), or intermediate punishment (IP) sentences. Plea bargain information should also be noted.

e. Institutional Adjustment-

1) Move information is pre-populated.

2) Misconduct Details

Review the information entered by DOC staff **regarding misconducts occurring within the past year and/or since the last review** and update as necessary. An explanation must be included for any misconduct where the circumstances are unclear. Contraband misconducts should describe the contraband.

3) Overall Adjustment

Any inmate separations and security threat group (STG) affiliations are noted in this section.

f. Social History

1) Family and Education

a) Family and Siblings

Note any history of family violence, and/or physical, emotional or sexual abuse. Identify by name and relationship parent/sibling criminal history and/or substance abuse patterns. Include the family member’s inmate number if incarcerated. Describe any on-going contact with offender’s family members.

b) Education

This section should include the highest educational grade completed, the schooling location, dates of achievement, educational adjustment and whether a GED has been obtained.

2) Employment and Finance

a) Employment History

This section should include any history of employment up to the time of arrest, with a special reference to the most recent employment. Criminal activities which financed the offender's lifestyle should also be included. Include details of any military service including branch of service, rank at discharge, dates of service and type of discharge. Also, include knowledge of job-related skills.

b) Financial Status

List the offender's assets or debts. Information concerning fines, costs and restitution should be noted separately. Reflect any public assistance that the offender received prior to incarceration, **and include the reason why the offender received the public assistance.**

3) Mobility and Marital:

a) Mobility

List each city and state(s) of prior residence. Include any periods of homelessness.

b) Marital and Children

This section should include whether or not the offender has ever been married and whether or not the offender has any children. If married, provide full maiden name of current and former spouses and information regarding spousal addiction(s). Any known historical marital problems should be explained. For all children, include their names, ages and corresponding parent, if known, and with whom they reside. Any child support obligations should be reported.

4) Domestic Violence, Drug and Alcohol, and Medical

a) Domestic Violence:

If the RAP sheet contains a statement indicating "possible domestic violence", institutional parole staff must request an official version under the domestic violence protocol. The name(s) and relationship(s) of the victim(s) should be included, if available. If the official version has not been returned prior to the completion of the ICSA report, the following statement shall be entered into this section of the report: "Criminal history indicates possible domestic violence. An official version has been requested from (district or sub-office location)." **Institutional staff shall check JNET for protection from abuse (PFA) orders if no official version is available.** Note if the offender has any active or historical protection from abuse orders.

b) Alcohol and Other Drugs (AOD) History:

If the offender has a drug and/or alcohol history, information documented in this section must include: age of first usage, substances abused (including inhalants, solvents, and prescription drugs) and length of substance abuse history. List any treatment programs attended including dates and program progress/completion.

c) Medical History:

This section should reflect any known current or past medical problems, diagnoses and any current medications.

Refer to the DC-481 for diagnosed chronic conditions and limitations.

d) Mental Health History:

If a psychological or psychiatric evaluation has been prepared, a brief synopsis should be provided. The synopsis should include the date of the report, the I.Q. (Beta score), any diagnoses given, any psychotropic prescription(s), and the prognosis for successful parole, if available. A summary of prior mental health history should be noted including hospitalizations, civil commitments, etc. A **psychological evaluation** is required on all crimes of violence and sexual offenses, as defined by **violent/ sexual crimes chart** (Appendix A). The **psychological evaluation** should be no older than 24 months at the time of the offender's interview.

g. Additional Information:

Reentry Information: This section is completed by DOC and institutional parole staff should update as applicable.

h. Supervision History:

- 1) Current Supervision History - This section provides a chronological account, beginning with the release date, of the offender's adjustment to supervision, to include violation(s) details. Anytime an offender is charged with a violation resulting in sanction or arrest, the details will be reported in the below format providing all necessary details.

02-15-05: **PAROLED** (bolded and capitalized)

12-30-05: Arrested, detained pending disposition of criminal charges

06-23-06: Convicted of 'Simple Assault' – received 1-2 year sentence

09-16-06: **RECOMMITTED** (bolded and capitalized) as a CPV to serve 9 months

06-17-07: **REPAROLED** (bolded and capitalized) to an approved plan

04-18-07: PBPP-336 issued – special condition – consuming alcohol.
Sanction: 60 days EME

09-27-07: Admin Con 2 – violation condition 5a – cocaine use.
Referred to CPCP 90 days
11-10-07: Absconded from CCC program. Declared delinquent
effective 10/10/07
11-19-07: Arrested for violations
02-12-08: RECOMMITTED (bolded and capitalized) as a TPV – 6
months.

2) Prior PBPP Supervision History - This section provides a summary of all prior supervision periods (institution number), detailing offender adjustment to include violations, sanctions, **and treatment discharge summaries**. This information shall be presented in a paragraph format.

i. Board Actions and Stipulations - Shall be noted chronologically with the date and decision of each board action.

j. Parole Planning and Summary:

This section will be presented in narrative form to include efforts made by the offender to develop a suitable release plan. Information should include proposed residency and financial support for self and/or dependent(s).

1) Special Needs: Check if any of the following apply and include any additional pertinent information in the comments section:

- a) offender requests to serve max,
- b) is designated as hard to place,
- c) not conversant in English,
- d) in RHU,
- e) requires special communication aid, **or**
- f) **other circumstances worth noting.**

2) Parole Recommendation:

Release Planning: This section should reflect where (city and county) and with whom the offender plans on residing upon release. If the offender does not have a home plan, identify all attempts to develop a home plan. Employment plan information is also addressed in this section.

3) Parole Summary: This section provides a brief summary of relevant information not covered in other sections of the ICSA report such as:

- a) Program involvement to include completion dates and anticipated completion dates. **If an offender has not completed required programming at the time institutional parole staff completes the ICSA report, institutional parole staff shall note this in the ICSA but continue to monitor progress until the parole interview. If an offender completes the required programming prior to the parole interview, institutional parole staff shall provide the completion report for the decision-maker's review.**
 - b) During the offender interview, document any negative or notable behavior that might be relevant to the decision maker(s).
 - c) **The DOC Recommendation: This recommendation is valid for 6 months after superintendent signature unless the recommendation is from a diagnostic center facility for a short minimum offender (12 months for these offenders). Note if the unit team and superintendent have different recommendations.**
 - d) **Note if the offender requests to serve maximum sentence.**
- 4) On the parole planning screen, there is an "Additional Information" block that populates on the ICSA face sheet, "Other (Specify)" section.

Document in this section if applicable:

- a) If the offender has a designation of SVP (sexually violent predator), "SEXUALLY VIOLENT PREDATOR" must be bolded and capitalized.
- b) ICE immigration status.
- c) Offender request to serve max.
- d) **If the offender is eligible for a reentry program the notation should include the county of eligibility. In addition to noting this in the parole summary section of ICSA, institutional parole staff shall also stamp the outside of the board file, office file, and all copies of the release orders with a reentry program stamp issued by the Bureau of Offender Reentry Coordination. The eligibility criteria is as follows:**
 - i. **Controlling conviction from a county in which the PBPP currently runs a reentry program;**
 - ii. **LSI-R score of 20 or higher;**

- iii. **TCU score of 6 or higher. Lower scores can be considered if the offender has a significant history of drug and alcohol abuse;**
- iv. **History of drug and/or alcohol abuse;**
- v. **At least 18 months to maximum expiration upon parole;**
- vi. **Offender plans to reside in county of conviction;**
- vii. **Sex offenders or offenders with serious mental health issues are not eligible.**

k. Finalizing, Routing and Approval of the ICSA Document - Upon completion, the ICSA report shall be routed for review by the PBPP supervisor. The institutional parole supervisor will review information and approve the ICSA document. The supervisor will ensure that the status in ICMA is updated to "Interview Pending."

C. Integrated Case Summary Application for Short Minimum Offenders

1. **For non-violent, short minimum offenders (as defined in section 3.02.01), institutional parole staff are not required to complete a full ICSA as described in section B. This applies only to minimum interview cases. Any subsequent interview shall require a full ICSA.**
2. **Institutional parole staff will continue to conduct a full interview with the offender in order to prepare the case for the decision makers. Staff will not update DOC entry unless while conducting the interview or reviewing case information additional information is discovered that is not reported or contradicts the DOC report.**
3. **The interview packet will remain the same for these offenders.**
4. **Staff are only required to complete the following sections as described below for applicable cases:**
 - a. **Current Sentence:** Parole staff will indicate that the case is a short min case.
 - b. **Juvenile Offense History:** Parole staff will expand on the types of arrests/convictions in a summary in the comments section.
 - c. **Adult Offense History:** Parole staff will expand on the types of arrests/convictions in the summary in the comments section, i.e., "Offender has five prior arrests for 3 retail thefts, and two DUI's. He was convicted of all of them. All arrests took place in PA."
 - d. **Financial Status:** Parole staff will add if any additional information is provided. DOC only reports how much restitution, fines or costs are owed.

- e. **Mobility:** Parole staff will add if any additional information is provided.
- f. **Domestic Violence History:** Parole staff will continue to request official versions on any DV offenses that occurred within the past ten years.
- g. **Parole Planning:** Parole staff will complete all sections of the parole planning section as they do now.

- 1) The parole summary section will be completed in the following format:

The offender is serving a “short minimum sentence of [#] to [#] years for [offenses] from [county name] County.”

Since being confined, the offender has incurred [#] misconducts.

The Department of Corrections recommended the following programs for this offender OR The Department of Corrections has not recommended any programming for this offender.
[Program] [completed, failed, in-process, pending placement]
[date completed/failed, anticipated completion date, anticipated start date]

Refer to Section 8 for a summary of the offender’s assessment scores.

Mental Health Stability Rating- [rating, diagnoses, and medications as applicable]; Intellectual Rating - [IQ score]

Custody Level- [custody Level]

OVRT- [OVRT category]

The offender has the following verified problem areas: [verified problem areas from page 1]

DOC Recommendation: [favorable/unfavorable] Note: The DOC recommendation from a diagnostic center for a short minimum offender is valid for 12 months from the date of the superintendent’s signature as opposed to 6 months for all other offenders.

- 2) The release planning section will be completed in the following format:

Indicate if the offender is a potential reentry program candidate and indicate county.

The offender intends to reside in [county] at [address] with [whomever] OR The offender has no home plan and is requesting BCC placement. Indicate any potential employment plans.

D. County Prison Cases

1. Institutional Case Management Automation application (ICMA)

- a. Summarization Report (PBPP-382) will provide the decision makers with a complete analysis of the case. The completed document will be reviewed and signed by the agent. The supervisor will sign the document and approve it in ICMA.

The following categories in the heading of this report are to be completed.

- 1) Special Needs
 - a) Desires to serve max
 - b) Designated as hard to place**
 - c) Currently in RHU
 - d) Not conversant in English
 - e) Requires special communication aid
 - f) Other circumstances worth noting**
- 2) Date of Interview
- 3) Docket Month
- 4) Institutional Parole Office
- 5) Name (including any alias known by the board). NOTE: If offender requests to serve maximum sentence or refuses to be interviewed by parole staff indicate this in BOLD above name
- 6) Institution Number
- 7) Parole Number
- 8) Type of Interview
- 9) Fines, costs and restitution. This information can be obtained from various sources.
- 10) Problem Areas: The problem area section of this report is designed to act as a "red flag" indicator to the decision maker. Any problem areas

that are checked should be explained in the relevant section of the body of the summarization report.

The Level of Service Inventory Revised (LSI-R) instrument can be of assistance to the institutional staff in assessing other problem areas when a response provided by the offender correlates to a definite need.

- a) Assaultive – this box should be checked if the offender has a current offense, or history of committing any crime as defined in the violent/ sexual crimes chart (Appendix A). This box should also be checked if the offender has any other history of violence or assaultive behavior (i.e., institutional misconducts or other threatening behavior).
- b) Domestic Violence Protocol - If one or more of the following apply, for intimate partner relationships, check the “DV Protocol” box.
 - i. Convicted of an instant offense in which the official version indicates a crime **or** crimes involving domestic violence against a current or former intimate partner.
 - ii. A past criminal conviction(s) involving domestic violence against a current or former intimate partner.
 - iii. Offender discloses their history of abusive behavior **against** a current or former intimate partner.
 - iv. Current protection from abuse order or a PFA issued against the offender at the time of arrest for the instant offense.
 - v. Offender threatened or abused a current or former intimate partner(s) while incarcerated or under supervision.
 - vi. Collateral sources disclose credible evidence of domestic violence as determined after case review with supervisor and concurrence of district director (for example: field staff may learn of this while conducting a pre-parole investigation).
- c) After the original ICMA document was submitted, and an official version or other documentation is returned confirming domestic violence occurred against a current or former intimate partner, **prepare a memo to the board with the updated information/ official version.**
- d) Sexual – check box if present or past convictions for sexual offenses or sexual misconducts that are violations of the crimes code.

- e) Vocational – check box if offender has no marketable skills, sporadic employment history, or employment opportunities appear to be limited.
- f) Education - check box if there is negative impact on offender's ability to financially support self and family through legitimate means.
- g) Psychiatric/Psychological – check box if there is a past or present diagnosis of mental disorder or treatment or the offender is currently receiving medication to treat mental illness or any history of suicidal ideation or attempts.
- h) Drugs and/or Alcohol – check box if there is a history of substance abuse, treatment, or diagnosis of chemical dependency and/or criminality as a result of alcohol and other drug usage. Usage can be self-reported by offender.
- i) Other Problems – check box if any problem area that could affect the parole decision or placement decision if parole is granted. This includes circumstances such as escape, suicide, or health related issues.
- j) Superintendent/Warden Recommendation – In the check box “other” explain if a specific condition or placement is recommended, such as: upon completion of a specific program, etc.
- k) Decisional Instrument Recommendation – The instrument factor scores are added automatically by ICMA.
- l) DNA Collection: Act 185 of 2004 requires the collection of DNA samples from persons convicted of the offenses listed in **the violent / sexual crimes chart** (Appendix A).
- m) Sex Offender Registration and Notification Act: requires the board to provide the Pennsylvania State Police with information on offenders who have been convicted of a designated sexual offense. Reference the violent/ sexual crimes chart (Appendix A).
- n) Crime Victim's Compensation **Payments: There are statutory requirements that require offenders to make payments to funds established to benefit crime victims. These payments** must be satisfied prior to the offender's release on parole. For crimes committed prior to 6/30/84, no payment is required. The different acts that relate to the crime victim compensation payment **are:**
 - i. Act 96 of 1984 - Applies to crimes committed on or after 6/30/84, but before 10/13/91. The fee for this act is \$15 and is a condition of release.

- ii. Act 35 of 1991 - Applies to crimes committed on or after 10/13/91, but before 1/1/96. The fee for this act is \$30 and is a condition of release.
 - iii. Act 27 of 1995 - Applies to crimes on or after 1/1/96, but before 12/29/2000. The fee for this act is \$30 and is a condition of release.
 - iv. Act 86 of 2000 - Applies to crimes committed on or after 12/29/2000, but before 8/27/02. The fee for this act is \$40 and is a condition of release.
 - v. Act 85 of 2002 - Applies to crimes committed on or after 8/27/02. The fee for this act is \$60 and is a condition of release.
- o) **The Prisons and Parole Code** requires that all offenders submit a urine sample with negative results before being released to parole supervision.

Check the box that applies.

- i. **97-1: An inmate who tested positive for the presence of a controlled substance or a designer drug.**
 - ii. **97-2: An inmate who was sentenced from a conviction under The Controlled Substance, Drug, Device and Cosmetic Act.**
 - iii. **97-3: An inmate who was sentenced from a conviction for a drug-related crime.**
- p) Victim Awareness: Act 143 of 1998 requires persons sentenced on or after 02/21/99 of any offense(s) as outlined on the **violent/sexual crimes chart** (Appendix A) to complete a mandatory victim awareness class per commitment.

The offender need only take the class once while incarcerated regardless of the number of crimes the person committed from the violent/sexual crimes chart (Appendix A) prior to being incarcerated.

If the offender who is released and convicted of another crime and it is an offense that is listed on the violent/sexual crimes chart (Appendix A), that offender will need to take the class again prior to being released. Offenders returned as a TPV need not take this class.

- q) Sexual Offender Treatment Requirement: Act 98 of 2000 requires sex offender treatment for crimes listed on the **violent/sexual crimes chart** (Appendix A).
- r) Current Sentence: See page 2 of this Procedure 3.02.04
- s) Prior PBPP Supervision History: See page 6 of this Procedure 3.02.04
- t) Detainers: List all detainers on file. The agent is to specify the nature and status of the detainer to include untried cases, VOPs, new sentences, ICE immigration status, etc.
- u) Official Version: See page 2 of this Procedure 3.02.04
- 1. Offender Version: See pages 2-3 of this Procedure 3.02.04
- 2. Prior Criminal Record: See page 3 of this Procedure 3.02.04
- 3. Social History: Refer to pages 4-6 of this Procedure 3.02.04.

The headings for this section are:

- i. Family and Siblings
 - ii. Education
 - iii. Marital
 - iv. Domestic Violence History
 - v. Employment History
 - vi. Financial Status
 - vii. Mobility
 - viii. Drug and Alcohol History
 - ix. Medical History
- y) Institutional Adjustment: See page 4 of this Procedure 03.02.04
 - z) Mental Health History: If a psychological or psychiatric evaluation has been prepared, a brief synopsis should be provided. The synopsis should include the date of the report, the I.Q. (Beta score), any diagnoses given, the prescription of any psychotropic medication, and the prognosis for successful parole, if available. A summary of prior mental health history should be noted including hospitalizations, etc. A mental health evaluation is required on all crimes of violence and sexual offenses, as defined by **the violent/**

sexual crimes chart (Appendix A). The report should be no greater than 24 months old at the time of the offender's interview.

- aa) Parole Planning: This section will be presented in narrative form and is to include efforts made by the offender to provide a suitable plan for where he/she plans to reside and how the offender will support themselves and their dependents.

Document in this section if applicable:

- i. Offenders' requests to max-out.
- ii. If the offender is a SVP.
- iii. ICE immigration status.

D. County Prison/Contract County Jail Cases—Act 122 Reviews

1. **TPV's who have become ineligible for Act 122 automatic reparole and are placed on a docket with a review date within six months do not require the full county prison preparation as described in section C.**
 - a. **No new ICSA will be created. The TPV recommendation form issued by the Bureau of Community Corrections will be used instead (see attachment).**
 - b. **Institutional parole staff will provide decision makers with the CO file, PBPP-361, misconducts and a parole summary outlining supervision history and parole planning by updating ICMA.**
 - c. **The most recent ICSA will be in the CO file for use by decision makers.**

E. Assessment Materials

1. The LSI-R is a risk/needs assessment tool completed through ICMA.
2. **The Static- 99R is an actuarial risk assessment completed through ICMA. It is not applicable to nor an appropriate measurement for female sex offenders or offenders who have only been convicted of cyber sex offenses. This instrument is completed whenever one is not completed by the Sexual Offenders Assessment Board. Institutional Parole Staff shall only complete a new Static- 99R if any of the following incidents have occurred since the completion of the most recent Static- 99R:**
 - a. **a new sex offense conviction,**
 - b. **a misconduct that is sexual in nature that could result in criminal charges if committed in the community, or**

- c. **an arrest that is sexual in nature but resulted in no conviction.**
 - d. **Institutional staff receive any other new information that would change the score.**
3. OVRT – “Offender violence risk typology” is a risk instrument that places offenders into one of three categories.
- 4. RST – “risk screening tool” is a risk assessment used to complete the OVRT and is administered by DOC staff.**

F. Parole Decisional Instrument (PBPP-361) (Both county and state)

The institutional parole staff must complete the decisional instrument in ICMA and provide the document to the decision maker.

1. Section #1 (pg.1) requires that the OVRT category be entered. Staff completes the OVRT to determine the correct category and scoring to be placed in this section. **Staff may use the results of any OVRT previously completed by the Department of Corrections during an inmate’s current period of incarceration for entry into the PBPP-361.**
2. Section #2 (pg.1) requires the LSI-R information to be entered through ICMA.
3. Static 99 information, if applicable, will self-populate to the PBPP-361.
4. Section #3 (pg.1) requires that a score regarding institutional programming be entered.
 - a. For an LSI-R high risk violent offender (as determined by LSI-R results) should reflect a score under these circumstances:
 - 1) Sex Offenders – applicable to current offense only. A Static 99 completion is not indication that this section is to be marked.
 - 2) Multiple DUIs - current and/or prior.
 - 3) Murder II and III - current offense only.
 - 4) Domestic Violence Indicator - current and/or prior offenses.
 - 5) Scores to be entered:
 - i. Assign a 0 if completion of required programs.
 - ii. Assign a 1 if participating in required programs.
 - iii. Assign a 2 if on a waiting list for required programs.
 - iv. Assign a 3 if unwilling to participate in required programs.

- b. For an LSI-R high risk non-violent offender, medium risk violent or non-violent offenders (as determined by LSI-R results):
 - 1) Assign a 0 if on a waiting list, participating or completion in required programs.
 - 2) Assign a 3 if unwilling to participate in required programs.
 - c. For an LSI-R low risk offenders, the assigned score is 0.
2. Section #4 (pg.1) requires institutional behavior to be scored. Check all reasons that apply that have occurred in the past year or since the last board review. The five areas of behavior consideration are:
- a. Crimes code violation: If the offender has charges pending in which probable cause has been established or a conviction has occurred from an offense that was committed while serving a sentence currently under consideration for parole, check this section.
 - b. Drug/Alcohol offense: If it is determined the offender was in possession of any controlled substance and /or tested positive for drugs or alcohol while in prison, check this section.
 - c. Assaultive behavior: For scoring purposes, assaultive behavior is defined as threatening, assaultive, and/or fighting while incarcerated.
 - d. Community Corrections Center (CCC) failure: Indicate a score for CCC failure if offender was returned from pre-release after a paroling action was rescinded and is being seen on the next available docket.
 - e. Pattern of institutional misconducts: If the offender has three (3) or more Class II, or two (2) Class II and one (1) Class I, or two (2) or more Class I misconducts, score this section.
 - f. If none of the above situations applies, click on the box for none.

G. Interview Packet Format

- 1. Request to Serve Max (PBPP-17); if applicable
- 2. OVRT
- 3. RST (SCI Cases only)
- 4. RRRI
- 5. Blank Parole Decisional Instrument (PBPP-361)
- 6. ICSA or current Summarization Report

7. Vote Sheet (DC-46)
 8. Correctional Plan (DC-43)
 9. Inmate Needs Assessment Profile
 10. Program Evaluations
 11. Treatment Reports / Certificates of Participation
 12. Sex Offender Treatment (SCI cases only); if applicable
 13. Static-99; if applicable
 14. Psychological Reports / Current MH Evaluation
 15. Medical Release Form (SCI cases only)
 16. Misconducts (DC-141s)
 17. Separations (SCI cases only)
 18. Sentence Status Summary (DC-16E) or Initial Sentence Status Report (PBPP-102)
 19. LSI-R
 20. Offender's Handwritten Version (PBPP-14)
 21. PSI
 22. Official Version
 23. RAP Sheet
 24. Family Letters
 25. Other Documents
 26. SOAB Evaluation; if applicable
- H. Videoconferencing Packet Format

The videoconference packet shall contain the following information which shall be provided by either IPS or executive office staff as noted.

1. Request to Serve Max (PBPP-17); if applicable **(IPS)**
2. OVRT **(IPS)**
3. RST (SCI cases only) **(Executive Office)**

4. RRRI **(IPS)**
5. **Violence Forecast (Executive Office)**
6. Blank Parole Decisional Instrument (PBPP-361) **(Executive Office)**
7. ICSA **(Executive Office)**
8. Vote Sheet **(IPS)**
9. Correctional Plan (DC-43) **(Executive Office)**
10. Inmate Needs Assessment Profile **(Executive Office)**
11. Program Evaluations **(Executive Office)**
12. Treatment Reports/Certificates of Participation **(IPS)**
13. Sex Offender Treatment; if applicable **(IPS)**
14. Static-99; if applicable **(Executive Office)**
15. Psychological Reports **(IPS if new or updated only since last interview)**
16. Medical Release Forms **(IPS)**
17. Misconducts (DC-141s) **(IPS)**
18. Separations **(Executive Office)**
19. Sentence Status Summary (DC-16E) or Initial Sentence Status Report (PBPP-102) **(Executive Office)**
20. LSIR **(Executive Office)**
21. Offender's handwritten Version (PBPP-14) **(IPS)**
22. Prior Board Actions **(Executive Office)**
23. Prior 361s (*With signature page attached) **(Executive Office)**
24. Summarization Reports **(Executive Office)**
25. 257 Series / Hearing Reports **(Executive Office)**
26. Judge and District Attorney Letters **(Executive Office)**
27. OVA – Victim Information **(Executive Office)**
28. PSI – Presentence Investigation **(Executive Office)**

29. Sentencing Transcripts **(Executive Office)**

29. Official Version, Other Police Arrest Reports, Criminal Complaint, Affidavit of Probable Cause **(IPS)**

30. Family Letters **(IPS)**

31. Miscellaneous Materials from SCI i.e., Special Probation Acceptance Forms, etc. **(IPS)**

32. SOAB Evaluation; if applicable **(IPS)**

33. Application for Parole; if applicable (IPS)

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. § 6132
- c. 61 Pa.C.S. § 6135(a)(4)
- d. 61 Pa.C.S. § 6137
- e. 61 Pa.C.S. § 6137(e)(1)
- f. 61 Pa.C.S. § 3907
- g. 61 Pa.C.S. §§ 4506-4507
- h. 42 Pa.C.S. § 9756(b)(1)
- i. 42 Pa.C.S. § 9762(b)(2)
- j. 42 Pa.C.S. § 9795.1
- k. 44 Pa.C.S. § 2316(b)

- l. 18 Pa C.S. § 1106(c)
- m. 18 P.S. § 11.1101(b)(1)
- n. 18 P.S. § 11.1102(b)(d)
- o. 42 Pa.C.S. §9718.1
- p. 42 Pa. C.S. § 9728

b) PBPP Policies

- 3.02.02
- 3.02.05
- 4.01.15
- 4.01.25

c) American Correctional Association

- 4-APPFS-2C-01
- 4-APPFS-2C-02

d) Management Directives

None.

e) Report of the Reentry Policy Council

None.