

A RESOLUTION

Providing for the manner of voting on paroling decisions in application cases where the Board previously established a review date in excess of 18 months in the future.

RESOLVED, that cases where an inmate who was refused parole and receives a review date in excess of 18 months in the future and where a parole application is filed shall be processed as follows:

1. A hearing examiner will review the case and conduct an interview within one month of the parole application being filed to determine whether the inmate has complied with the stipulations indicated in the most recent parole refusal.
2. If the hearing examiner determines that the inmate complied with the stipulations indicated in the most recent parole refusal, the case will be scheduled for review via the regular review process.
3. If the hearing examiner determines that the inmate has not complied with the stipulations in the most recent parole refusal, the hearing examiner will vote the case based on the current facts.
4. If the hearing examiner votes in favor of parole, the matter will proceed through the standard voting process.
5. If the hearing examiner votes to deny parole, the matter will be proceed to the Chairman for a second vote, and through the standard voting process, if required.

REASONS FOR ADOPTION

WHEREAS, the Pennsylvania Board of Probation and Parole is an independent administrative board of the Commonwealth of Pennsylvania that is responsible for the administration of the probation and parole laws of this Commonwealth;

WHEREAS, pursuant to the Prisons and Parole Code, 61 Pa.C.S. § 6132, the Board has power to parole persons sentenced to imprisonment in a correctional facility;

WHEREAS, pursuant to the Prisons and Parole Code, 61 Pa.C.S. § 6113, the Board is authorized to make decisions on parole by a majority of the entire membership of the Board, or by a panel consisting of one board member and one hearing examiner or two board members;

WHEREAS, the Board has the authority to consider for parole on its own motions or upon an application filed by an inmate. 61 Pa.C.S. § 6139;

