


Commonwealth of Pennsylvania  <b>Pennsylvania Parole Board</b>	Volume III Chapter 3  <b>Procedure 03.01.06</b>	Date Revised: 11/10/2020
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	Chapter Title <b>RECORDS AND CASE MANAGEMENT</b>	Effective Date: 12/01/2020
Subject <b>SENTENCING JUDGE, PROSECUTING ATTORNEY, AND CLERK OF COURT LETTERS</b>		<b>PUBLIC</b>

#### I. AUTHORITY

This procedure is issued by the Chairperson, pursuant to 61 Pa.C.S. § 6112.

#### II. PURPOSE

The Pennsylvania Parole Board is required by statute to solicit input from the sentencing judge and the prosecuting attorney when considering releasing an offender to parole supervision.

The Parole Board also sends a letter to the county Clerks of Court to seek sentencing court records.

#### III. APPLICABILITY

This procedure is applicable to all Parole Board staff.

#### IV. DEFINITIONS

OnBase: An electronic document management system utilized to store official records. OnBase is also utilized for tracking of cases.

Parole Files: The official inmate or parolee file containing all necessary information used by the Parole Board to make release or recommit decisions. Active Parole Board files are electronic and located in OnBase. Inactive Parole Board files are in paper form and housed in the State Records Center.

DOC Correctional Plan (DC 43): A standard form that is generated in the Unit Management System and is used with all inmates to summarize the programmatic objectives and to document progress or the lack thereof. General Expectations, Recommended Programs, Enrolled Programs, and Previously Enrolled Programs are recorded on the DC 43 Report.

DOC Misconduct Report (DC 141): A document that is provided by the Department of Corrections that outlines an alleged violation of rules within the institution by the inmate.

## V. POLICY

It is the policy of the Parole Board to solicit input from the sentencing judge and prosecuting attorney when considering release of an inmate.

## VI. PROCEDURE

### A. Clerk of Courts

1. At least six months prior to the expiration of the inmate's minimum sentence, Parole Board staff seeks the following from the Clerk of Courts:
  - a. Copy of the notes of testimony of the sentencing hearing that may have been filed of record in the case.
  - b. Copy of criminal identification records.
  - c. Copy of presentence reports

### B. Sentencing Judge and Prosecuting Attorney

1. At least six months prior to the expiration of inmate's minimum sentence Parole Board staff sends notice to sentencing judges and prosecuting attorneys, soliciting their input. In addition to the solicitation of input from the sentencing judge and prosecuting attorney, they receive the following information:
  - a. Department of Corrections Misconduct Report
  - b. Department of Corrections Correctional Case Plan
2. Respondents are requested to provide comment and the sentencing transcript within 30 days. If no input is received, the Parole Board will proceed as if there is no objection.
3. Response letters are uploaded to the electronic Parole Board file for decision maker(s) consideration when reviewing the case for parole
4. When responses are received after the parole interview has occurred, the below applies:
  - a. If the response is in agreement or does not oppose with the Parole Board decision, the response is included in the Parole Board file and the case is processed routinely.
  - b. If the response is in disagreement with the Parole Board decision, staff informs assigned decision makers via memo and, if required, recirculates the case to decision makers for a re-vote.

## VII. SUSPENSION DURING AN EMERGENCY

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

## VIII. RIGHTS UNDER THIS PROCEDURE

This procedure creates no right under the law.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF PROCEDURE

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

X. CROSS REFERENCES

A. Statutes

61 Pa.C.S. § 6134

61 Pa.C.S. § 6135

XI. SUSPENDED POLICY, CROSS REFERENCES AND APPLICABLE ACA STANDARDS

None