

TESTIMONY BEFORE THE HOUSE JUDICIARY COMMITTEE  
ON PAROLE REFORM  
JUNE 9, 1995  
PENNSYLVANIA BOARD OF PROBATION AND PAROLE  
ALLEN CASTOR, CHAIRMAN

MR. CHAIRMAN AND MEMBERS OF THE HOUSE JUDICIARY COMMITTEE, I HAVE BEEN ASKED TO TESTIFY TODAY ON THE SUBJECT OF PAROLE REFORM. I AM GRATEFUL FOR THE OPPORTUNITY TO TALK ABOUT AN ISSUE I SUPPORT. I NOTE THAT THE REFORM LEGISLATION CALLS FOR A FIVE MEMBER BOARD WHICH MUST PROVIDE TWO MEMBERS TO PERSONALLY INTERVIEW EACH PAROLEE FOR RELEASE. SUCH A PROVISION CAUSES CONCERN. IN 1994, THE AGENCY INTERVIEWED OVER 10,000 INDIVIDUALS FOR PAROLE. IF TWO MEMBERS MUST PERSONALLY INTERVIEW EACH AND EVERY PROSPECTIVE PAROLEE, THERE WOULD BE NO TIME LEFT TO CONDUCT PANEL VIOLATION HEARINGS; TO ATTEND POLICY DEVELOPMENT SESSIONS; OR TO CONDUCT BOARD MEETINGS. PLEASE REMEMBER THAT AT PRESENT THERE ARE IN EXCESS OF TWENTY STATE INSTITUTIONS SCATTERED THROUGHOUT THE COMMONWEALTH WITH SIXTY-SEVEN COUNTY INSTITUTIONS HOUSING STATE ELIGIBLE INMATES FOR PAROLE. AT OUR PRESENT FIVE MEMBER COMPLEMENT, THE PAROLE PROCESS WOULD BE SLOWED PLACING ADDITIONAL STRESS ON EXISTING SCARCE INSTITUTIONAL SPACE. THE REMOVAL OF HEARING EXAMINERS FROM THE PAROLING PROCESS WILL NECESSITATE A GREATLY EXPANDED BOARD IN ORDER TO GIVE CASES APPROPRIATE SCRUTINY.

ADDITIONALLY, THE REFORM LEGISLATION ESTABLISHES A COMMISSIONER OF PROBATION AND PAROLE. THE BOARD HAS SIGNIFICANT CONCERN ABOUT THIS POSITION. FIRST, THE BOARD WORRIES THAT FUTURE ADMINISTRATIONS POSSIBLY BESET BY PRISON OVERCROWDING MAY DIRECT ITS' COMMISSIONER TO RELAX SUPERVISION

STANDARDS AND NOT RETURN DESERVING INDIVIDUALS TO INCARCERATION. WE BELIEVE PUBLIC SAFETY COULD BE ENDANGERED. AS AN AGENCY WE SHALL BE FURTHER REVIEWING THE BILL WHICH WE RECEIVED YESTERDAY AND PASSING OUR CONCERNS ON TO THE COMMITTEE.

AS CHAIRMAN OF THIS AGENCY, I NEED TO ADDRESS SOME OF THE CONCERNS RAISED IN CHAIRMAN PICCOLA'S PRESS RELEASE ABOUT THE REFORM LEGISLATION. THE CHAIRMAN NOTED CONCERNS ABOUT AGENCY MANAGEMENT AND FIVE NOTORIOUS CASES. I NEED TO INFORM THE COMMITTEE ABOUT THE CONCERNS RAISED IN THE RELEASE.

I INHERITED AN AGENCY IN 1993 WHICH WAS IN NEED OF REFORM. WE HAD LONG-TERM ONGOING DISCRIMINATION SUITS WHICH NEEDED TO BE RESOLVED AND STAFF ATTITUDES AND PROCEDURES WHICH NEEDED REFORM. THIS WAS RESOLVED THROUGH SUPERVISORY TRAINING WITH AN EMPHASIS ON FAIR, NON-DISCRIMINATORY DISCIPLINE. OUR LAWSUITS WERE EVENTUALLY SETTLED.

WE NEEDED REFORM IN OUR MANAGEMENT INFORMATION SYSTEM AND I EMPOWERED MY M.I.S. DIRECTOR TO IMPROVE HIS EQUIPMENT WHILE SEEKING MORE FUNDS FOR HIS OPERATION. WE NEEDED REFORM IN OUR RELATIONSHIP WITH THE DEPARTMENT OF CORRECTIONS WHICH I PURSUED AND I ABOLISHED OUR ADVERSARIAL INTERACTION. THAT DEPARTMENT AND OURS ENTERED INTO A SUCCESSFUL, COOPERATIVE EFFORT

REQUESTED BY THE SENATE APPROPRIATIONS COMMITTEE TO EXPLORE WAYS TO REENGINEER THE PAROLE PROCESS.

BUT THE MOST SERIOUS REFORM WAS THE NEED TO REALLOCATE SCARCE RESOURCES, ESPECIALLY IN THE PHILADELPHIA OFFICE, IN ORDER TO EFFECTIVELY SUPERVISE THE DANGEROUS, HIGH RISK OFFENDERS IN THE GENERAL UNITS. THAT REFORM - DUE TO ONGOING OPPOSITION - HAS NOT MOVED AS QUICKLY AS IT COULD HAVE. A MAJOR CONCERN IN THE PHILADELPHIA OFFICE WAS THAT FULLY HALF OF OUR RESOURCES IN THAT OFFICE WERE GOING TO TEN PERCENT OF OUR CASES IN THE DRUG UNITS.

THIS MANAGEMENT ISSUE WAS CAUSE FOR SERIOUS MORALE PROBLEMS AND DEFICIENCIES IN THE SUPERVISION OF HIGH RISK, DANGEROUS OFFENDERS IN THE GENERAL UNITS. THE DRUG UNITS WERE COMPRISED PRIMARILY OF DRUG-DRIVEN PROPERTY OFFENDERS WHO WERE SUPERVISED IN CASELOADS LIMITED TO FORTY-FIVE, BUT OFTEN NOT EXCEEDING THIRTY CASES ON THE STREET. GENERAL UNITS FREQUENTLY HAD CASELOADS APPROACHING TWO HUNDRED. THE SITUATION WAS FURTHER AGGRAVATED BY THE FACT THAT OVERTIME ALLOCATIONS WERE PRIMARILY MADE TO THE DRUG UNITS.

IN AN EFFORT TO REFORM THE SITUATION AND BRING PHILADELPHIA INTO A MORE STANDARDIZED RESPONSE WITH THE REST OF OUR DISTRICTS, A MEETING WAS CALLED IN OCTOBER, 1994, WHICH WAS

ESSENTIALLY BOYCOTTED BY THE PHILADELPHIA DISTRICT MANAGEMENT. AS A RESULT OF COMMENTS MADE BY UNIT SUPERVISORS WHO WERE CALLED TO REPRESENT THE DISTRICT, IT WAS CLEAR THAT THE MANAGEMENT STRUCTURE IN PHILADELPHIA, THE LARGEST AGENCY OFFICE, WAS NEAR COLLAPSE. I ORDERED AN INTERNAL AUDIT WHICH REVEALED SERIOUS MISMANAGEMENT IN THE AREAS OF OVERTIME USE AND PAROLEE TREATMENT. I SINCERELY APPRECIATE CHAIRMAN PICCOLA'S PATIENCE AND UNDERSTANDING IN WAITING FOR THIS AUDIT DOCUMENT WHILE THE INSPECTOR GENERAL COMPLETED HER REVIEW OF THE AGENCY. THE AUDIT IS AVAILABLE TODAY AS REQUESTED.

I ORDERED AN INTERIM MANAGEMENT TEAM INTO PHILADELPHIA TO CORRECT DEFICIENCIES AND TO AID THE ONSITE MANAGERS. THAT TEAM, LIKE THE AGENCY AUDITORS, WAS COMPRISED OF SENIOR STAFF WHOSE INTEGRITY AND KNOWLEDGE OF AGENCY OPERATIONS WAS UNPARALLELED. THAT TEAM MET WITH STRONG RESISTANCE AND AN ORGANIZED ATTEMPT TO DISCREDIT THEIR EFFORTS THROUGH VARIOUS LEGISLATORS. IN SPITE OF THOSE OBSTACLES, THE TEAM WAS ABLE TO SLOWLY GAIN CONTROL OF A CHAOTIC OFFICE. THEY REQUESTED THAT I PRESENT TO THE COMMITTEE A REPORT WHICH THEY GAVE ME THIS MORNING. THIS REPORT DETAILS THEIR FINDINGS IN THE PHILADELPHIA DISTRICT OFFICE.

BY WAY OF ILLUSTRATION OF THEIR EFFORTS, THE TEAM ENDED SEVERAL PRACTICES WHICH WERE NOT CONSISTENT WITH AGENCY

POLICY. THEY ENDED THE PRACTICE OF HANDCUFFING AND SHACKLING PAROLEES MERELY TO HOLD DISCIPLINARY CONFERENCES AND TO TEACH THEM A LESSON. MANY PAROLEES WERE HELD IN THIS MANNER FOR UP TO EIGHT HOURS WITHOUT FOOD, WATER OR BATHROOM FACILITIES. THE TEAM REQUIRED THAT OVERTIME USAGE FOLLOW AGENCY POLICY AND PROCEDURE. NO LONGER WAS OVERTIME ALLOWED TO BE APPROVED AT THE LOWEST LEVELS BY AGENTS AND SUPERVISORS WITHOUT APPROPRIATE DISTRICT MANAGEMENT OVERSIGHT. THE TEAM REQUIRED THAT ACCURATE RECORDS BE KEPT ON WARRANT AUTHORIZATIONS.

IN SPITE OF RESISTANCE AND ONGOING MISINFORMATION, THE INTERIM TEAM WAS ABLE TO INITIATE A CRITICAL PROJECT IN PHILADELPHIA. THEY ESTABLISHED AN ABSCONDER EFFORT WHICH AT PRESENT IS SEEKING THE NEARLY ONE IN TEN PHILADELPHIA PAROLEES WHO ARE IN DELINQUENT STATUS. I NOTE THAT CHAIRMAN PICCOLA REFERENCED ABDUL SEIFULLAH IN HIS PRESS RELEASE. ONE OF THE AGENTS ASSIGNED TO THE ABSCONDER EFFORT HAD BEEN ASSIGNED THE CASE OF SEIFULLAH. THAT AGENT ASSERTS THAT HE HAD THE SEIFULLAH CASE WELL MANAGED. HOWEVER, HE WAS TRANSFERRED AT THE ORDER OF THE PHILADELPHIA DISTRICT DIRECTOR TO A PRISONER TRANSPORT DETAIL. DURING HIS STINT ON THAT DETAIL, SEIFULLAH ABSCONDED AND KILLED OFFICER COLE IN NEW CUMBERLAND. THAT BREAK IN SUPERVISION MAY WELL HAVE SIGNIFICANTLY CONTRIBUTED TO OFFICER COLE'S DEATH.

THE AGENCY HAS ONGOING AND SERIOUS MANAGEMENT PROBLEMS IN THE PHILADELPHIA SEX OFFENDER UNIT. THESE PROBLEMS ARE OUTLINED IN THE REPORT PROVIDED TO YOU TODAY. RECENT INFORMATION INDICATES THAT VIOLENT, PREDATORY SEX OFFENDERS ARE NOT GETTING THE SUPERVISION EXPECTED. CORRECTIVE MEASURES ARE BEING INITIATED. MY EXECUTIVE DIRECTOR, CALVIN OGLETREE, AND MY REGIONAL DIRECTOR FOR SOUTHEASTERN PENNSYLVANIA, DANIEL GOODWIN, HAVE BEEN INSTRUMENTAL IN IDENTIFYING AND RECTIFYING PROBLEMS. ADDITIONALLY, I APPLAUD THE GOVERNOR FOR CONCURRING WITH OUR EFFORTS TO HAVE AN OUTSIDE AUDIT CONDUCTED BY THE INSPECTOR GENERAL.

THIS PAROLE ADMINISTRATION BELIEVES IN AND SUPPORTS REFORM IN ORDER TO MAXIMIZE PUBLIC PROTECTION. THIS PROTECTION IS PROVIDED BY THE INTELLIGENT MANAGEMENT OF RISK ASSOCIATED WITH PAROLEES ON THE STREET. THIS ADMINISTRATION IS COMMITTED TO THE CUSTODY, CONTROL AND TREATMENT OF PAROLEES.

I THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY AND WELCOME YOUR QUESTIONS.

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APPENDIX

HISTORY OF PAROLE ACT AND RECOMMENDED CHANGES

ON AUGUST 6, 1941, THE PAROLE ACT OF 1941 WAS SIGNED INTO LAW BY GOVERNOR AUTHUR H. JAMES. IT CREATED AN INDEPENDENT BOARD OF PAROLE, RESPONSIBLE ONLY TO THE GOVERNOR.

THE PAROLE ACT GAVE THE BOARD THE POWER:

- A) TO PAROLE AND REPAROLE, COMMIT AND RECOMMIT FOR PAROLE VIOLATION, ALL CASES SENTENCED TO COUNTY AND STATE INSTITUTIONS WITH A MAXIMUM SENTENCE OF TWO YEARS OR MORE;
- B) TO SUPERVISE ALL CASES THAT HAVE BEEN PAROLED BY SAID BOARD; AND
- C) TO ENTER INTO AGREEMENT WITH OTHER STATES TO SUPERVISE PAROLEES FROM OTHER STATES AND TO HAVE THEM SUPERVISE PENNSYLVANIA PAROLEES LIVING IN OTHER STATES.

UNDER THIS ACT THE BOARD WAS TO CONSIST OF FIVE MEMBERS APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE, AND WAS TO BEGIN FUNCTIONING JUNE 1, 1942. THIS WAS CARRIED OUT, BUT IN 1943 THE LEGISLATURE PASSED AN AMENDING ACT REDUCING THE MEMBERSHIP OF THE BOARD TO THREE MEMBERS.

IN 1965, THE PAROLE ACT WAS AMENDED IN AN EFFORT TO PROVIDE GREATER SUPPORTIVE ASSISTANCE BY THE BOARD TO THE OPERATION OF COUNTY PROBATION AND PAROLE DEPARTMENTS. THE BOARD WAS EMPOWERED BY STATUTE TO ESTABLISH STANDARDS FOR OPERATION AND PERSONNEL OF COUNTY PROBATION AND PAROLE OFFICES, WITH FUNDING BEING AWARDED TO THOSE COUNTIES WHICH COMPLIED WITH THE STANDARDS AND COULD DEMONSTRATE THE NEED FOR SUBSIDY TO HIRE ADDITIONAL STAFF. THE INTENT OF THE GRANT-IN-AID PROGRAM WAS TO HELP IMPROVE AND STRENGTHEN THE FUNCTIONING OF THE COUNTY PROBATION DEPARTMENTS WHILE HELPING TO ENCOURAGE UNIFORM STANDARDS FOR OPERATION AND PERSONNEL PRACTICES.

THE BOARD WAS ALSO AUTHORIZED TO CONDUCT PRESENTENCE INVESTIGATIONS AT THE REQUEST OF THE COURT AS AN AID IN THE SENTENCING PROCESS AND TO HELP ALLEVIATE THE HIGH WORKLOADS THAT EXISTED IN MANY COUNTY PROBATION OFFICES. WITH THIS EXPANDED ROLE IN THE CORRECTIONAL SYSTEM THE NAME OF THE AGENCY WAS CHANGED TO THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE AND THE MEMBERSHIP OF THE BOARD WAS INCREASED FROM THREE TO FIVE MEMBERS.

MANY FACTORS ENTER INTO THE DECISION OF THE BOARD AS TO WHETHER OR NOT AN INDIVIDUAL SHOULD BE PAROLED. THE ACT OF 1941 SPECIFICALLY IDENTIFIED THE FOLLOWING FACTORS TO BE CONSIDERED WHEN MAKING THE PAROLE RELEASE DECISION: EXTENT OF RISK TO THE COMMUNITY, THE NATURE OF THE OFFENSE, PRIOR CRIMINAL HISTORY, EMPLOYMENT POTENTIAL, EMOTIONAL STABILITY AND ADJUSTMENT TO PRISON. THE BOARD ALSO HAS THE POWER TO RETURN A PAROLEE TO THE INSTITUTION FROM WHICH PAROLED EITHER AS A TECHNICAL VIOLATOR OR AS A CONVICTED VIOLATOR.



THE BOARD HAS NO AUTHORITY TO DISCHARGE FROM PAROLE WHICH IS GRANTED ONLY BY THE GOVERNOR BY COMMUTATION OF THE MAXIMUM SENTENCE OR A PARDON UPON RECOMMENDATION OF THE BOARD OF PARDONS. THE BOARD HAS NO JURISDICTION WHATSOEVER OVER CASES COMMITTED TO VARIOUS STATE INSTITUTIONS BY JUVENILE COURTS. NOR DOES THE BOARD HAVE THE POWER TO PAROLE PERSONS WITH LIFE SENTENCES UNLESS THE MINIMUM SENTENCE IS COMMUTED BY THE GOVERNOR, UPON RECOMMENDATION OF THE BOARD OF PARDONS.

PRISONERS WHOSE SENTENCES HAVE BEEN COMMUTED BY THE GOVERNOR UPON RECOMMENDATION OF THE BOARD OF PARDONS BECOME ELIGIBLE FOR PAROLE AS OF THE MINIMUM EXPIRATION DATE SET BY THE COMMUTATION CHARTER. WITH THE PASSAGE OF ACT 16 OF 1995 (EFFECTIVE JULY 31, 1995), WHICH WILL AMEND THE PAROLE ACT, THE BOARD MAY NOT PAROLE CERTAIN INMATES WHOSE SENTENCES ARE COMMUTED UNLESS THEY HAVE SERVED AT LEAST ONE YEAR IN A PRERELEASE CENTER. BUT IN ALL APPLICATIONS FOR COMMUTATION OF SENTENCE OR PARDON PRESENTED TO THE BOARD OF PARDONS, THE INVESTIGATION OF THE CRIME AND THE PAROLE PLAN IS MADE BY BOARD STAFF AS REQUIRED BY LAW.

RECOGNIZING THE BOARD MEMBERS' ENORMOUS RESPONSIBILITY OF DISCRETIONARY JUDGMENT ON EACH CASE, A DECISION-MAKING INSTRUMENT WAS DEVELOPED IN 1980. THE INFORMATION USED IN THE BOARD'S PAROLE DECISION MAKING GUIDELINES PROVIDES A SCIENTIFIC BASIS FOR THE CLASSIFICATION OF EACH INMATE IN TERMS OF THE RISK OF RECIDIVISM, WHICH IS THEN FOLLOWED BY A POLICY ASSESSMENT WHICH EVALUATES EACH INMATE IN TERMS OF CRIMINAL JUSTICE POLICY. THE INTERVIEW PROCESS IS STRUCTURED SO THAT EACH INMATE IS TREATED IN A FAIR AND CONSISTENT MANNER WHILE ALLOWING FOR CLINICAL ASSESSMENT THROUGH DIRECT OBSERVATION AND INTERACTION. THE INSTRUMENT WAS LAST REVALIDATED IN 1991. HOWEVER, THE INSTRUMENT NEEDS TO BE VALIDATED AGAIN DUE TO THE CHANGING CHARACTERISTICS OF CRIMINALS COMING THROUGH THE CRIMINAL JUSTICE SYSTEM.

THE PASSAGE OF ACT 134-1986 MADE SEVERAL MAJOR CHANGES TO THE PROBATION AND PAROLE ACT AFFECTING NUMEROUS ASPECTS OF BOARD OPERATIONS. ONE OF THE MOST SIGNIFICANT CHANGES WAS THE PROVISION FOR THE BOARD TO "MAKE DECISIONS ON PAROLE, REPAROLE, RETURN, OR REVOCATION IN PANELS OF TWO PERSONS...". THE PANELS CONSIST OF A BOARD MEMBER AND A HEARING EXAMINER, OR TWO BOARD MEMBERS. PROVISION WAS ALSO MADE FOR APPEALS TO REVOCATION DECISIONS OF THE BOARD TO BE DECIDED BY THREE BOARD MEMBERS.

A MAJOR SUBSECTION WAS ADDED TO THE ACT ALLOWING VICTIMS OF CRIMES TO PROVIDE WRITTEN OR ORAL TESTIMONY TO THE BOARD FOR CONSIDERATION AT THE TIME OF PAROLE RELEASE DECISION-MAKING. THE TESTIMONY OF THE VICTIM IS LIMITED TO "THE CONTINUING NATURE AND EXTENT OF ANY PHYSICAL HARM OR PSYCHOLOGICAL OR EMOTIONAL HARM OR TRAUMA SUFFERED BY THE VICTIM, THE EXTENT OF ANY LOSS OF EARNINGS OR ABILITY TO WORK SUFFERED BY THE VICTIM AND THE CONTINUING EFFECT OF THE CRIME UPON THE VICTIM'S FAMILY. WRITTEN VICTIM STATEMENTS, OR SUMMARY REPORTS OF ORAL TESTIMONY HEARD BY A HEARING EXAMINER, ARE PROVIDED TO THE DECISION-MAKING PANEL FOR THEIR CONSIDERATION. VICTIMS WHO PROVIDE SUCH TESTIMONY ARE SUBSEQUENTLY INFORMED OF THE BOARD'S PAROLE RELEASE DECISION. TO FURTHER ENHANCE THE RIGHTS OF VICTIMS, THIS LEGISLATURE PASSED AND THE GOVERNOR SIGNED ACT 8 OF 1995 (EFFECTIVE MAY 22, 1995) WHICH CREATED THE OFFICE OF VICTIM ADVOCATE TO REPRESENT THE INTERESTS OF CRIME VICTIMS BEFORE THE BOARD OF PROBATION AND PAROLE AND THE DEPARTMENT OF CORRECTIONS.

OTHER AMENDMENTS INCLUDED IN ACT 134-1986 PROVIDES FOR THE FOLLOWING.

- CRITERIA ARE TO BE ESTABLISHED FOR THE BOARD'S ACCEPTANCE OF CASES FOR SUPERVISION AND PRESENTENCE INVESTIGATIONS FROM COUNTIES.
- SPECIFIC QUALIFICATIONS WERE ESTABLISHED IN THE APPOINTMENT OF MEMBERS TO THE BOARD BY THE GOVERNOR.

- THE HISTORY OF FAMILY VIOLENCE IS TO BE CONSIDERED BY THE BOARD IN MAKING ITS PAROLE RELEASE DECISION.
  
- APPOINTMENTS TO THE ADVISORY COMMITTEE ON PROBATION WERE INCREASED BY TWO AND REGULATIONS WERE ADOPTED TO ESTABLISH THE SPECIFIC COMPOSITION, FUNCTIONS AND RESPONSIBILITIES FOR CITIZENS ADVISORY COMMITTEES.
  
- THE BOARD'S GRANT-IN-AID PROGRAM SHALL PROVIDE 80% OF THE PERSONNEL SALARY COSTS INCURRED BY THE COUNTY TO MEET THE QUALIFICATIONS AND STANDARDS ESTABLISHED BY THE BOARD TO PROVIDE IMPROVED PROBATION SERVICES.
  
- THE BOARD MAY ENTER INTO CONTRACTS FOR PURCHASING COMMUNITY SERVICES TO ASSIST PAROLEES.

QUOTING FROM THE BILL OF RIGHTS FOR PEACE OFFICERS ADOPTED BY THE PENNSYLVANIA ASSOCIATION OF PROBATION, PAROLE, AND CORRECTIONS,

"LAW IS THE FOUNDATION ON WHICH A GOOD PROBATION AND PAROLE SYSTEM IS BASED. WITHOUT A GOOD STATUTORY FOUNDATION, AN EFFECTIVE SYSTEM IS NOT POSSIBLE. EVEN SO, GOOD LAWS DO NOT ASSURE GOOD ADMINISTRATION. APPROPRIATE PROGRAMS MAY BE AUTHORIZED OR MANDATED, BUT SUBSTANDARD FUNDING, STAFFING, AND ADMINISTRATION FREQUENTLY CAUSE THEIR DEMISE. INADEQUATE FUNDING HAS BEEN THE MOST SIGNIFICANT PROBLEM IN PROBATION AND PAROLE IN THE LAST TWENTY-FIVE (25) YEARS. IT IS CRITICAL TO THE COMMUNITY CORRECTIONS SYSTEM OF PROBATION AND PAROLE THAT THIS MUST BE RECOGNIZED AND CHANGED."

AS OF JANUARY, 1995, 87% OF THE BOARD'S CASE POPULATION WAS UNDER GENERAL CASELOAD SUPERVISION WHERE 179 PAROLE AGENTS SUPERVISED AN AVERAGE OF 123 PAROLEES EACH. THE REMAINING 13% OF THE CASE POPULATION WAS UNDER SPECIAL INTENSIVE SUPERVISION WITH 70 PAROLE AGENTS SUPERVISING AN AVERAGE OF 50 PAROLEES EACH. IN CONTRAST, OVER 40% OF THE CASE POPULATION IS ON PAROLE FOR CRIMES OF VIOLENCE.

WITH RESPECT TO PAROLE CONSIDERATION DURING CALENDAR YEAR 1994, 36,579 BOARD DECISIONS WERE TAKEN. OF THIS TOTAL, 10,662 WERE PAROLE CONSIDERATIONS. ONLY 68% (7,270) WERE GRANTED PAROLE. A MAJORITY OF THESE INMATES COMING BEFORE THE BOARD FOR PAROLE CONSIDERATION ARE SERVING SENTENCES FOR CRIMES OF VIOLENCE. CURRENTLY THE BOARD IS REFUSING ABOUT 35% OF THE INMATES WHO REQUEST PAROLE CONSIDERATION. THESE STATISTICS REVEAL THAT A MAJORITY OF INMATES ARE SERVING STATE SENTENCES FOR CRIMES OF VIOLENCE. THEREFORE THE NUMBER OF NON-VIOLENT OFFENDERS IN THE STATE SYSTEM IS CONSIDERABLY SMALLER THAN WHAT IS PERCEIVED.

WITH REGARD TO PAROLE REFORM, THE FOLLOWING RECOMMENDATIONS ARE BEING MADE BY THE BOARD TO AMEND THE PAROLE ACT.

- A) PERTAINING TO 61 P.S. §331.22 DELETE THE REQUIREMENT THAT A PRISONER MUST BE SEEN BY A DISTRICT SUPERVISOR.
- B) PERTAINING TO 61 P.S. §331.22 DELETE THE PROVISION THAT THE "APPLICATION SHALL BE DISPOSED OF BY THE BOARD WITHIN SIX MONTHS OF THE FILING THEREOF" AND ADD  
THE BOARD MAY DISMISS SECOND AND SUBSEQUENT APPLICATIONS FOR PAROLE WITHOUT SEEING OR HEARING HIM IN PERSON IN REGARD THERETO.

- C) INCREASE THE NUMBER OF BOARD MEMBERS FROM FIVE TO SEVEN. NATIONALLY, 19 PAROLE BOARDS HAVE 7 OR MORE BOARD MEMBERS. PENNSYLVANIA IS THE FIFTH LARGEST STATE
- D) DELETE 61 P.S. §331.10 OF THE PAROLE ACT STATING "THE PRINCIPAL OFFICE OF THE BOARD SHALL BE IN HARRISBURG, AND"
- E) AMEND 61 P.S. §331.4(B) OF THE PAROLE ACT BY ADDING  
FOR CRIMES OF VIOLENCE THE BOARD MAY MAKE DECISIONS ON PAROLE AND REPAROLE IN PANELS OF THREE PERSONS. A PANEL SHALL CONSIST OF TWO BOARD MEMBERS AND ONE HEARING EXAMINER OR THREE BOARD MEMBERS.
- F) DELETE 61 P.S. §331.16 REGARDING POLITICAL ACTIVITY. POLITICAL ACTIVITY OF CIVIL SERVICE EMPLOYEES IS COVERED IN CIVIL SERVICE ACT 71 P.S. § 741.9056.
- G) PERTAINING TO 61 P.S. §331.16.1(A) DELETE "GOVERNOR, WITH THE CONSENT OF THE MAJORITY OF THE MEMBERS OF THE SENATE" AND INSERT BOARD.
- G) DELETE 61 P.S. §331.25 SINCE THIS IS COVERED ELSEWHERE IN THE CRIMES CODE.