


<p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p>	<p>Volume III Chapter 4</p> <p>Procedure 4.01.18</p>	<p>Date Revised: Replaces No 4.17 08/01/04 02/01/06 4.01.18 01/14/08; 4.01.18 10/30/09; 5/26/11 Bulletin: 4.01.18-01, 6/14/12; 4.01.18-02, 9/28/12; 4.01.18-03, 4/12/13 Bulletin 4.01.18-04 11/15/13</p>
<p>Chapter Title SUPERVISION, REENTRY</p>		<p>Date Issued: 12/14/2012</p>
<p>Subject SUPERVISION SUPERVISION TERMINATION</p>		<p>Effective Date: 12/28/2012 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 cases are terminated from probation/parole supervision.

III. APPLICABILITY

This procedure is applicable to all Board staff.

IV. DEFINITIONS

All definitions are located in Procedure 4.01.01.

V. POLICY

It shall be the policy of the Board that the parole agent shall be responsible to monitor assigned cases for expiration of the maximum sentence. The parole supervisor shall be responsible to monitor the closure of cases utilizing reports generated from the automated offender record.

VI. PROCEDURE

A. Final Offender Contact

1. Prior to the final offender contact, the parole agent shall communicate with appropriate law enforcement agencies to ascertain whether the offender has incurred any new criminal arrests or is suspected in criminal activity that may result in charges being filed. This could delay closure of the case until the matters are resolved.
2. Within ten (10) business days prior to the expiration of sentence, the parole agent will conduct a final interview with the offender. The final contact will include discussion concerning the following issues:
 - a. Residence and employment situation.
 - b. Any unpaid legal financial obligations will remain outstanding and payable even after case closure.
3. The offender should also be informed that limited services are available to them, upon request, after discharge from supervision. For additional information, refer to Procedure 4.01.08, Offender Supervision Planning and Assistance.
4. **If the offender is registered through SORT, he/she will be instructed to report to a PSP registration site for mandated periodic registration verifications.**

B. Final Supervision Report-

1. A final Supervision Plan/Report (PBPP-22), which summarizes the overall adjustment of the offender during the entire period of supervision, must be completed for all cases. This report will be submitted to the parole supervisor when one of the following occurs:
2.
 - a. Maximum sentence expires.
 - b. Board Action recommitts offender to a correctional facility.
 - c. Board Action is issued to close the case.
 - d. Order from a Court terminating a probation/special parole sentence.
 - e. The Governor commutes the maximum sentence or pardons the offender.
 - f. Offender death is verified; death certificate is required.
3. This report must be prepared within thirty (30) calendar days after supervision is terminated. Contents of the report should include:
 - a. Unusual occurrences.

- b. Use or unavailability of community resources that affected the outcome of supervision.
 - c. Current problems.
 - d. Review FOCF and include a summarization of any treatment services received during supervision.
 - e. Parole supervision staff's assessment of the reasons for the outcome, success or failure of the offender's re-entry.
 - f. Reason(s) for closing the case.
 - g. Include results of a nationwide want/warrant verification and criminal history review conducted through CLEAN/NCIC.
3. For additional instruction on other states' cases, refer to the Interstate Commission for Adult Offender Supervision (ICAOS) website by following the PBPP Agency Intranet Path:

Case Management > Out of State > Other > IC Website > ICAOS Rules > Chapter 4 Supervision in Receiving State > 4.112 Closing of Supervision by the Receiving State.

C. Discharge Certificates

Final Discharge Certificates (PBPP-131 or PBPP-269) are issued to offenders who have reached the maximum expiration of a Board sentence(s), except when a Board action results in a case being closed. Before a Final Discharge Certificate is issued, parole supervision staff shall:

- 1. Examine the offender's FOCF for verification of expiration of the maximum sentence by checking the offender's Order to Release on Parole (PBPP-10), the Classification Summary (PBPP-130) or Integrated Case Summary Application (ICSA) Report and the Order to Recommit (PBPP-39) if the offender was a parole violator.
- 2. Check the automated offender record to determine whether there are unexpired sentences from any institution or court that may be concurrent or consecutive to the Board sentence being closed.

a. Preparation and Issuance of Discharge Letters

When it has been determined that the offender's maximum sentence(s) has expired, the district director/designee may authorize the issuance of the Final Discharge Certificate. The district office staff shall complete an original and two copies of the appropriate certificate. The original certificate shall contain the Board's seal and district director/designee signature. The certificate shall be distributed as follows:

- 1) The original document is to be personally delivered or sent by mail to the offender within thirty (30) calendar days following the maximum sentence expiration date.
- 2) A copy is placed in the offender FOCF.
- 3) A copy is attached to the final Supervision Plan/Report (PBPP-22).

b. Types of Discharge Certificates

- 1) Final Discharge Certificate (PBPP-131-Congratulatory): The congratulatory certificate is to be used for offenders who have completed their maximum sentence in a satisfactory manner.
- 2) Final Discharge Certificate (PBPP-269-Non-congratulatory): This certificate is to be used for offenders who are not entitled to the congratulatory final discharge, but whose maximum sentence has expired. This certificate only gives notice to the offender that the maximum sentence(s) has expired, parole supervision has concluded, and the Board's records have been closed. If the offender is confined at the time of closing the case, it should be noted on the certificate.
- 3) In some cases a special probation/parole sentence continues, or takes effect, after the expiration of the Board's maximum sentence date. In these cases, the following statement shall be included at the bottom of the appropriate certificate:

Note - You will remain under the supervision of the Pennsylvania Board of Probation and Parole as a, Special Probation or Parole case certified to the Board by the _____ County Court under Indictment Number _____ with a maximum sentence date of _____.

D. Other Types of Field Closures

1. Death

Parole supervision staff is responsible to close the case after the death of an offender is verified. An offender's death can be verified by securing a copy of the death certificate. If a copy of the certificate cannot be acquired locally, staff may request confirmation from the Bureau of Vital Statistics, Department of Health, using DOH Request for Certification of Death record form. Requestors must include their name and return fax number in the space provided. The form may be either be mailed using the address provided at the bottom of the form or faxed to (724) 656-3224 Attn: Administration. The Department of Health will return service to the requesting office.

Upon receipt, a copy of either required document must be sent along with the final Supervision Plan/Report (PBPP-22) to the Central Office Records Unit, Case Management Division.

2. Deportation

When an offender is deported from the United States immediately upon release from prison, or during the period of supervision, the case is transferred to the Interstate Parole Services Division. The case is statistically controlled until expiration of the maximum sentence. For additional information, refer to Procedure 4.05.04 Outgoing Board Cases Currently Under Active PBPP Supervision in the Interstate Services section of this manual.

3. Early termination of Special Probation

Refer to Procedure 4.04.05 Termination of Special Probation/Parole in the Probation Services section of this manual.

E. Exceptions to Supervision Termination

1. Situations that may prevent closure include the following:

- a. Cases with outstanding criminal charges.
- b. An offender in absconder status.
- c. Cases in delinquent for control status. These are PA parole cases in which the Board has instructed parole supervision staff to follow the disposition of criminal charges which occurred during a period of parole supervision.
- d. Cases with unexpired concurrent or consecutive sentences or with a probation term to follow the current sentence.
- e. Cases with "recommit when available" Board actions.

2. When it is determined that the case can be closed this action is to be completed within thirty (30) calendar days.

F. Processing Closed Case Files due to Maximum Expiration of Sentence, Court Order, Board Action, Recommitment or Death

1. District Office Responsibilities

Prior to closing a case due to a recommit action, reference procedure 4.04.04 New Prison Sentence while under Special Probation/Parole Supervision.

- a. The parole supervisor will ensure that the offender's case is statistically closed within thirty (30) calendar days and the appropriate entry is made into the automated offender record. **Parole supervision staff shall pull** the below listed original documents **from the FOCF and clerical support staff shall scan and**

email these documents to the Central Office Records Unit, Case Management Division at [PM, OBS Case Closure Materials](#). **These documents are** combined with the central office case folder.

- 1) Initial Supervision Report (PBPP-61) (if applicable).
- 2) All Supervision Plan/Reports (PBPP-22).
- 3) All **handwritten** Records of Interview (PBPP-259).
- 4) Copy of Discharge Certificate, (**PBPP-131 or 269**), if completed.
- 5) **Parole Violator Center (PVC) completion summaries, if applicable. Both successful and unsuccessful discharge reports.**

Any signed version of the Consent To Disclosure Of Confidential Information.

- 6) Any original treatment reports or diagnostic summaries received during the current period of supervision, including, but not limited to provider's Discharge Summaries/Reports, mental health reports, sex offender treatment, polygraph analyses, anger management, batterer's intervention, domestic violence, AOD, et al.
 - a) If the FOCF contains a negative Treatment Discharge Summary or report, a copy shall be forwarded to the **director of the Bureau of Reentry Coordination**.
 1. A negative Treatment Discharge Summary reflects program treatment related to Sex Offender, Mental Health, Violence, Domestic Violence and/or AOD; and
 2. Reflects psychological information or characteristics of violent behavior or any diagnosis related to violent behavior.
 - b. The closed FOCF with the remaining material shall be retained in the district/sub-office for one year and shall then be destroyed in accordance with management directives.
 - c. In the event documents forwarded to Central Office need to be retrieved, parole supervision staff should submit the request to the Case Management Division.
 - d. When Offender Treatment Discharge Summaries are received in the District Office after the final PBPP-22 has been sent to Central Office, parole supervision staff shall forward these reports via email to [PM, SPS](#).

2. Central Office Responsibilities

- a. Upon receiving the supervision reports and other documents concerning a terminated case, the materials are combined with the Central Office offender case folder.
- b. When appropriate, the Bureau of Reentry will forward negative Treatment Discharge Summaries or Reports to the DOC Chief Psychologist.

G. Retention of the Field Offender Case File (FOCF)

1. Retain FOCF for one (1) year past closure date unless there is a litigation hold on the file.
2. A closed FOCF in a litigation hold status will be retained and kept in a secure, locked location in the District Director's Office or Deputy District Director's office, as applicable along with any other documents pertaining to that offender, such as the Face Sheet (PBPP-50), Special Conditions imposed by the Board (PBPP-11A), Supervision Progress and Conduct Report (PBPP-22R), Daily Activity Sheet (PBPP-145) or Record of Interview (PBPP-259).
 - a. These documents must be retained until notification is received from the Office of Chief Counsel that the hold is lifted.

H. Commutation of Maximum Sentence

The Board does not have the authority to reduce the length of an offender's supervision term or grant an early discharge from parole. The Board of Pardons is designated with the authority to hear applications for the commutations of sentence and pardon requests and to make recommendations to the Governor as to the exercise of power to commute or pardon sentences.

When a parole agent receives a request for early termination of a Pennsylvania parolee's supervision, the requestor should be advised to contact the Pennsylvania Board of Pardons to request an application for commutation of maximum sentence. For additional information refer to Procedure 5.01.01 Pardons Process.

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 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

61 Pa.C.S. § 6112

B. Board Policies

4.01.28

4.04.04

4.04.05

5.01.01

C. American Correctional Association Standards

1. 4-APPFS-2A-13

2. 4-APPFS-2A-14

D. Management Directives

None.

E. Report of the Reentry Policy Council

None.