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| <p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p> | <p>Volume III<br/>CHAPTER 4</p> <p>Procedure<br/>4.04.08</p> | <p>Date Revised:<br/>03/11/02<br/>02/01/07<br/>03/31/08</p> |
| <p>Chapter Title<br/>SUPERVISION, REENTRY</p>   |  | <p>Date of Issue<br/>03/17/08</p>                           |
| <p>Subject<br/>PROBATION SERVICES<br/>COUNTY ADULT PROBATION AND PAROLE STANDARDS AUDITS</p>  |  | <p>Effective Date<br/>08/10/16<br/><b>PUBLIC</b></p>        |

I. AUTHORITY

The authority of the board to administer uniform statewide standards for pre-sentence investigations, supervision of probationers, the qualifications for probation personnel, minimum salaries, and quality of probation services is based upon the statutory provisions found in **Prisons and Parole Code, 61 Pa. C.S. § 6131(a)(5)**.

II. PURPOSE

The purpose of this procedure is to set forth procedures for the implementation and auditing of county adult probation and parole standards.

III. APPLICABILITY

These procedures are applicable to the board and all county and court personnel of the counties participating in the Grant-In-Aid Continuing Program.

IV. DEFINITIONS

**All definitions are located in Procedure 4.01.01**

V. POLICY

It is the policy of the board to ensure uniform standards for pre-sentence investigations, supervision of probation, the qualifications for probation personnel, minimum standards and quality of probation services statewide.

VI. PROCEDURE

A. General

1. The board has adopted the American Correctional Association's (ACA) **Performance-Based** Standards for Adult Probation and Parole Field Services, 4<sup>th</sup> Edition, for implementation in all county adult probation and parole departments participating in the Grant-In-Aid Continuing Program.
2. A copy of the ACA **Performance-Based** Standards for Adult Probation and Parole Field Services, 4<sup>th</sup> Edition, shall be provided to the President Judge,

Board of County Commissioners/County Executive, and the chief adult probation officer of all counties participating in the Grant-In-Aid Continuing Program.

3. The Bureau of Probation Services shall seek advice from the Governor's Advisory Committee on Probation and the County Chief Adult Probation and Parole Officers' Association of Pennsylvania (CCAPPOAP) relevant to implementation **of the standards adopted by the board.**
4. Grant-In-Aid Continuing Program Funds shall be awarded upon the assurance that the participating county adult probation and parole department will meet and maintain compliance with the standards adopted by the board.

#### B. Standards Audit

1. Each fiscal year, the Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, shall conduct a standards audit of approximately one-third of the ACA **Performance-Based** Standards for Adult Probation and Parole Field Services, 4<sup>th</sup> Edition, along with any standards determined to be in non-compliance or not applicable the previous fiscal year. All standards will be reviewed within a three (3) year audit cycle.
2. The county adult probation **and parole** department shall meet and maintain compliance with a minimum of ninety percent (90%) of all applicable standards established and/or adopted by the board.
3. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, shall coordinate the schedule and activities necessary to conduct the standards audit with the chief adult probation officer.
4. The standards audit shall be conducted without unnecessary disruption of the regular activities/operations of the county adult probation **and parole** department.

#### C. Audit Preparation

1. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, shall schedule the date(s) of the standards audit in cooperation with the chief adult probation officer of the county adult probation **and parole** department.
2. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, shall send the chief adult probation officer an audit confirmation letter, which will include the date(s) of the scheduled standards audit visit, a schedule of the standards that will be audited, and a request for any specific information that should be available during the standards audit visit.
3. The chief adult probation officer shall be requested to make standards compliance documentation available as needed.

4. The chief adult probation officer shall be requested to have available adult probation personnel, records, documents, program information, and facilities accessible to the auditor(s) during the audit visit.

D. Standards Compliance Audit

1. Standards compliance **audits** shall be based on the **interpretive guidance for County Adult Probation and Parole Standards Audits**.
2. To comply with a standard, **the county adult probation and parole department** must fulfill all of the requirements of the standard at all times. Anything less than total compliance is non-compliance.
3. All standards requiring written policy, procedure, and practice shall be supported by documentation substantiating adherence to the written policy and procedure.
4. Verbal documentation alone shall not be sufficient to determine compliance. Written or sight confirmation, as appropriate, shall be necessary to reach a conclusion as to standards compliance, non-compliance, or not applicable.
5. The board shall have access to all county adult probation and parole department records as they pertain to the standards audit.
6. The county adult probation and parole department is responsible for obtaining any and all release of information approval, as needed and appropriate.
7. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, shall determine whether standards are in compliance, non-compliance, or not applicable:
  - a. By conducting interviews with the county chief adult probation officer, county adult probation and parole personnel, and other appropriate county/court personnel;
  - b. By reviewing **court policies and procedures**, county adult probation and **parole** department practices, case records, and other appropriate files and documents.
8. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, auditor(s) shall meet with the chief adult probation officer and other staff, as appropriate, in an exit interview at the conclusion of the standards audit. During the exit interview, the auditor(s) will discuss the standards audit and inform the chief adult probation officer of the audited standards that will be cited as non-compliant, or not applicable.
9. The Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, auditor(s) will complete a standards audit worksheet citing whether the audited standards were in compliance, non-compliance, or not applicable. The standards audit worksheet will be available for review by the Director,

Bureau of Probation Services, upon review of the respective standards audit report.

#### E. Audit Report

1. The **director, Division of Grants, Standards, and Court Services**, shall submit, for review, a completed standards audit report to the director, Bureau of Probation Services, within thirty (30) calendar days of **the auditor(s)** completing the standards audit visit.
2. The standards audit report **may** include information on the following:
  - a. Introduction
  - b. Staff
  - c. Standards Compliance
  - d. Workload Statistics
  - e. Programs
  - f. Fiscal Information
  - g. Accomplishments/Goals
  - h. Issues/Concerns
  - i. Summary
  - j. Recommendations
3. One (1) copy of the completed standards audit report shall be **sent** to the president judge of the respective county adult probation **and parole** department with a cover letter signed by the director, Bureau of Probation Services, requesting comment on the standards audit report findings. One (1) copy shall be sent to the chief adult probation officer and the Bureau of Probation Services shall maintain a file copy.

#### F. Appeal Procedure

1. The president judge may appeal the standards audit findings of non-compliance by the Bureau of Probation Services, **Division of Grants, Standards, and Court Services**, auditor(s) within thirty (30) calendar days of the date of the standards audit report cover letter.
  - a. To initiate the appeal (first level), the president judge shall submit written correspondence to the director, Bureau of Probation Services, indicating the desire to appeal the standards audit findings of non-compliance.

- b. The president judge shall provide written documentation or other evidence to support compliance with standard(s) **in which the auditor's finding was non-compliance.**
- c. The director, Bureau of Probation Services shall review the additional documentation and determine if it supports a finding for standard(s) compliance.
- d. The decision for standard(s) compliance or non-compliance shall be communicated in writing to the president judge and chief adult probation officer.
- e. The president judge may appeal the first level appeal decision of standards non-compliance by writing to the director, Bureau of Probation Services within thirty (30) calendar days of the date of the first level appeal decision letter. The second level appeal shall include **any additional** written documentation or other evidence to support compliance with standard(s) **in which the auditor's finding was non-compliance.**
- f. The director, Bureau of Probation Services, through the director, Office of **Reentry and Quality Assurance**, shall provide to the board all relevant material for its consideration in arriving at a decision for standard(s) compliance or non-compliance. When the board schedules a meeting to review the second level appeal, the director, Bureau of Probation Services, shall notify the president judge and chief adult probation officer of the date, time, and location of the scheduled board meeting to address the second level appeal. The president judge, chief adult probation officer, and/or their representative(s) may attend said meeting and will be given an opportunity to present documentation to support standard(s) compliance.
- g. The board's decision on appeals shall be final for purposes of determining a county adult probation **and parole** department's compliance with applicable standards, and shall be communicated in writing to the president judge and chief adult probation officer.

## 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 the following: all board staff; President Judge of each Court of Common Pleas Judicial District; Chief **Adult** Probation Officers; Board of County Commissioners/County Chief Executive Officer.

X. CROSS REFERENCES

A. Statutes

1. Federal

None

2. State

a. **Prisons and Parole Code, 61 Pa. C.S. § 6131(a)(5)**

B. PBPP Policies

None

C. American Correctional Association Standards

None

D. Management Directives

None

E. Report of the Reentry Policy Council

None