


Commonwealth of Pennsylvania 	Chapter 3  <b>Procedure 03.03.04</b>	Date Revised:
<b>Pennsylvania Parole Board</b>		Date of Issue: 09.01.2023
Chapter Title <b>CASE RECORDS, DECISIONAL PROCESSING</b>		Effective Date: 09.01.2023
Subject <b>Violation Hearing</b>		<b>PUBLIC</b>

I. Authority

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

II. Purpose

The purpose of this procedure is to outline the Parole Board’s process for conducting and processing violation hearings.

III. Applicability

This procedure is applicable to all Parole Board employees, PA Department of Corrections employees, and defense participants.

IV. Policy

It shall be the policy of the Parole Board to conduct due process hearings in accordance with relevant statutes, regulations and case law.

V. Procedure

A. Scheduling a violation hearing

1. A violation hearing will be scheduled by the Hearing Examiner Division upon the occurrence of one of the following:
  - a) Receipt of a valid waiver of preliminary hearing
  - b) Issuance of 340A by Hearing Examiner, or
  - c) Request by institutional or field supervision staff via the Hearing Interview Planner (HIP).
2. The Board will conduct a panel violation hearing unless the offender waives the right to a panel by executing a PB-72.
3. The hearing coordinator who schedules the violation hearing will notify the following people: Hearing Coordinator, Hearing Examiner, Board Member (if applicable), SCI Institutional Staff, Field Agent of Record, Resource Account for District Office of the field Agent, and SCI Resource Account through the HIP application.

B. Hearing Packet Requirements

1. Department of Corrections, Field Services staff must provide a hearing packet to the Hearing Examiner, Board Member (if a panel hearing), the offender, and to their

counsel. The packet shall be provided to all parties no later than the day before the scheduled hearing. The following documents shall be contained in a hearing packet:

- a) All current Technical Arrest Reports (DC-257T),
- b) A Supervision History (DC-257H) covering the entire period of supervision,
- c) The Notice of Charges and Hearing (PB-257N),
- d) The Offender Rights at Board Hearings (PB-257OR)
- e) A copy of the Waiver/Request of Hearing/Counsel (PB-72),
- f) All applicable Order to Release on Parole/Reparole (PB-10) and Conditions Governing Parole/Reparole (PB-11),
- g) Copies of all related warrants,
- h) Any prior Requests for Continuation of Hearing (PB-72), and
- i) Any relevant evidence

C. Violation Hearing Report

1. The Hearing Examiner shall complete the violation report and subsequent board action shall be generated informing all parties of the decision.

VI. Suspension during an emergency

This procedure may be suspended during an emergency at the sole discretion of the Parole Board Chairman.

VII. Rights under this procedure

This procedure creates no right under the law.

VIII. Release of information and distribution of procedure

- A. This procedure does not contain information that impacts 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.