


Commonwealth of Pennsylvania  <b>Pennsylvania Parole Board</b>	Volume III Chapter 3  <b>Procedure 03.03.13</b>	Date Revised: 11/01/2024
		Date of Issue: 7/11/2022
Chapter Title <b>CASE RECORDS, DECISIONAL PROCESSING</b>		Effective Date: 7/12/2022
Subject <b>HEARING PROCESS – SUBPOENAS</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 process for requesting and processing subpoenas.

III. APPLICABILITY

This procedure is applicable to all Parole Board employees, PA Department of Corrections employees, and parties appearing before the Board.

IV. POLICY

It shall be the policy of the Board to conduct due process hearings in accordance with established statutes, regulations and case law. Parties may request subpoenas from the Board to compel attendance of persons at hearings. Subpoenas may include a duces tecum clause.

V. PROCEDURE

A. Requesting a Subpoena

1. Requests for subpoenas shall be submitted to and processed by the Hearing Division of the Board. The Chief Hearing Examiner or other designee shall review and process these requests.
2. Requests must be submitted in writing via one of the following methods:
  - a. Mailed to the Board's Central Office at 1101 South Front Street, Suite 5335, Harrisburg, PA 17104;
  - b. Personal service at the Board's Central Office;
  - c. Emailed to: PM, Hearing Division Correspondences [RA-PMHEARINGDIVISONC@pa.gov](mailto:RA-PMHEARINGDIVISONC@pa.gov); or
  - d. Faxed to 717.772.4375.

3. Subpoenas shall be requested for by completing the Application for Subpoena (PB 3 form).
  4. Subpoena requests must be submitted no later than three business days before the scheduled hearing; however, requests for subpoenas are encouraged to be submitted as soon as possible to allow for processing time.
  5. The subpoena request shall specify the following in order to be considered:
    - a. The parolee name and parole number/inmate number for the relevant parolee,
    - b. Identifying information for the witness and/or evidence being sought,
    - c. The scope/parameters of the subpoena request, and
    - d. The materiality and relevance of the witness or evidence requested.
- B. Decisions on the Subpoena
1. Granted – When a request for subpoena is granted, the Hearing Division shall advise the requesting party in writing (via letter, email or fax) and provide the completed subpoena form (PB 4 form) for each request.
  2. Denied – When a request for subpoena is denied, the Hearing Division shall advise the requesting party in writing (via letter, email or fax) and provide a reason(s) for the decision.
- C. Serving the Subpoena
1. Parties are responsible for securing, serving and seeking enforcement of any subpoenas.

VI. SUSPENSION DURING AN EMERGENCY

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

VII. RIGHTS UNDER THIS PROCEDURE

This procedure creates no rights under law.

VIII. 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 be released to the public.
- B. This procedure is to be distributed to all Board staff.