



# Understanding the Technical Parole Violation Process in Pennsylvania

August 2014

The Provisions of Act 122 of 2012 that changed how the Board manages technical parole violators became effective January 1, 2013.

## Understanding Parole Conditions

Parole violators are classified as either convicted parole violators (CPVs) or technical parole violators (TPVs). A CPV is a parolee under the jurisdiction of the Board who violates the terms and conditions of the parole by committing a new crime. A TPV is a parolee under the jurisdiction of the Board who violates the terms and conditions of parole, other than by committing a new crime. Breaking curfew, moving without permission or unauthorized contact with a victim are examples of technical parole violations.

During an offender's initial meeting with his or her parole agent, the conditions governing parole are thoroughly explained to the offender by the parole agent. The offender signs a form to indicate he or she understands all of the conditions and that he or she understands parole supervision staff may add special conditions of parole.

The conditions clearly state that if the parolee violates a condition of parole/re-parole he or she may be recommitted to prison.

## Technical Parole Violator Management Process

As a result of Act 122, there are now three tracks for management of a technical parole violator.

### Track 1

Offenders whose recommitment (recorded Board decision) occurred before January 1, 2013, are not affected by Act 122. These offenders may be recommitted to serve the remainder of their sentence.

### Track 2

If any of the following types of violations occur, the parolee will be detained in or recommitted to a state correctional institution (SCI) or a contracted county jail (CCJ). A parolee recommitted for any of these violations can be recommitted for up to six months for the first recommitment, up to nine months for the second recommitment, and up to one year for the third and subsequent recommitments:

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1. The violation was sexual in nature.
  2. The violation involved assaultive behavior.
  3. The violation involved possession or control of a weapon.
  4. The parolee absconded, and the parolee cannot be safely diverted to a community corrections center or community corrections facility.
  5. There exists an identifiable threat to public safety, and the parolee cannot be safely diverted to a community corrections center or community corrections facility.

At the end of the commitment period, the offender is automatically reparaoled, unless during the commitment the offender committed a disciplinary infraction involving assaultive behavior, sexual assault, a weapon or controlled substances; spent more than 90 days in segregated housing due to one or more disciplinary infractions; or refused programming or a work assignment.

### **Track 3**

All other technical parole violators will be placed in a secure parole violator center (PVC). In a parole violator center, offenders are not permitted to leave the center without an official escort.

Parole violator centers are designed to focus on providing immediate treatment and programming that is specific to each offender's circumstance. The goal of the Parole Board is to quickly address the circumstances that caused the offender to violate the conditions of parole and to facilitate behavior change in order to help offenders successfully complete parole and lead a law-abiding lifestyle.

The length of stay is dependent on offender programming needs and commitment to satisfying the requirements of the program and satisfactory adjustment while at the center. The maximum period of custody is six months.

Offender benefits from this program include:

- The offender will be placed in the parole violator center instead of returning to a state correctional institution, which will keep the offender close to community support systems.
- The offender will immediately receive programming at the parole violator center. If an offender waives the right to a hearing and completes all programs, he or she does not need to go through the Board's violation hearing process.
- The offender will likely be released to an approved home plan in a much shorter time period as long as he or she successfully completes ALL programming or any other requirements.

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