

Commonwealth of Pennsylvania  Pennsylvania Parole Board Pennsylvania Department of Corrections	Volume 12 Chapter 4 Procedure 12.4.05.01	Date Revised: 12/05/08, 4/3/14, 7/4/17
Chapter Title SUPERVISION, REENTRY		Date of Issue 3/16/2020
Subject INTERSTATE SERVICES AND PAROLE SERVICES GLOSSARY		Effective Date 3/26/2020 PUBLIC

I. AUTHORITY

The Chairman of the Pennsylvania Parole Board herein after referred to as board, is granted the authority to “direct the operations of the board and fulfill the functions established by the act... 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 define terms, abbreviations, and forms used throughout this chapter that are unique to the Interstate Compact for Adult Offender Supervision and the Interstate Services Division as well as to the extradition process and related activity under the Parole Services Division.

III. APPLICABILITY

This procedure is applicable to all agency staff.

IV. DEFINITIONS

A. Abbreviations

AFLS – Automated File Location System

AOPC – Administrative Office of Pennsylvania Courts

AVR – Addendum to Violation Report

CAPTOR – Corrections and Probation Total Online Repository

CAR – Compact Action Request

CAR-Reply – Compact Action Request Reply

CCC – Community Corrections Center

CCF – Community Contract Facility

CCN – Case Closure Notice

DOC – Department of Corrections

DV – Domestic Violence

ERR – Electronic Reentrant Record

FEEO – Supervision Fee Waiver Code

ICAOS – Interstate Commission for Adult Offender Supervision

ICAOS – Also referring to Interstate Compact for Adult Offender Supervision

ICOTS – Interstate Compact Offender Tracking System

ICSA – Integrated Case Summary Application

JNET – Justice Network

LSI-R – Level of Service Inventory - Revised

MOC – Management Operations Center

NCIC – National Crime Information Center

NOA – Notice of Arrival

NOD – Notice of Departure

OMC – Operations Monitoring Center (aka 24/7). Referenced in procedures as
OC – Operations Center

OnBase – Electronic filing system application

ORI – The originator number is an agency's terminal identification number issued by the Federal Bureau of Investigation (FBI). The main PB ORI number is PA022035G. All of the agency's wanted person notices are posted under this ORI designation.

OVA – Office of the Victim Advocate

PB – Pennsylvania Parole Board (effective 2/17/2020)

PBPP – Pennsylvania Board of Probation and Parole (historical)

PCH – Probable Cause Hearing

PFA – Protection From Abuse

PR – Progress Report

PSP – Pennsylvania State Police

PV – Parole Violator

PVCCC – Parole Violator Community Corrections Center

QPO – Protection Order Query

RFRI – Request for Reporting Instructions

RS – Receiving State

RTTR – Reply to Transfer Request

RVR – Response to Violation Report

SCI – State Correctional Institution

SID – State Identification Number

SOAB – Sexual Offender Assessment Board

STG – Security Threat Group

TR – Transfer Request

VA – United States Department of Veterans Affairs

VINE – Victim Notification Network

VOP – Violation of Probation

VR – Violation Report

B. Words and Phrases

Used in this chapter, unless the context clearly requires a different interpretation.

Abscond – to be absent from the offender's approved place of residence and employment; and failing to comply with reporting requirements.

Adult – both individuals legally classified as adults and juveniles treated as adults by court order, statute, or operation of law.

Application fee – a reasonable sum of money charged an interstate compact offender by the sending state for each application for transfer prepared by the sending state.

Arrival – to report to the location and officials designated in reporting instructions given to an offender at the time of the offender's departure from a sending state under interstate compact transfer of supervision.

Asylum State – where a fugitive or defendant is found.

Behavior Requiring Retaking – an act or pattern of non-compliance with conditions of supervision that could not be successfully addressed through the use of documented corrective action or graduated responses and would result in a request for revocation of supervision in the receiving state.

By-laws – those by-laws established by the ICAOS for its governance, or for directing or controlling the Interstate Commission's actions or conduct.

Central Office case – Pennsylvania agency reentrant or special probation case transferred to and accepted by another state through the ICAOS. Such cases are statistically assigned to Interstate Services Division manager and/or director. Also includes Pennsylvania agency reentrants or special probationers released to out-of-state detainers, immigration, or federal sentence detainers. Reentrants who are in convicted violator status, serving sentences in excess of six months outside of Pennsylvania may be re-assigned from parole supervision staff to Central Office designation under the Parole Services Division.

Compact – overseen by ICAOS. A legally binding agreement entered into by member states that seeks to promote public safety by systematically controlling the interstate movement of certain adult offenders through promulgated rules intended to create a uniform system.

Compact Administrator – the individual in each compacting state appointed under the terms of the compact and responsible for the administration and management of the state's supervision and transfer of offenders subject to the terms of the

compact, the rules adopted by the ICAOS, and policies adopted by the State Council under this compact.

Compact Commissioner or Commissioner – the voting representative of each compacting state appointed under the terms of the Interstate Compact for Adult Offender Supervision as adopted in the member state.

Compliance – an offender abiding by all terms and conditions of supervision, including payment of restitution, family support, fines, court costs, or other financial obligations imposed by the sending state.

Deferred sentence – a sentence, the imposition of which is postponed pending the successful completion by the offender of the terms and conditions of supervision ordered by the court.

Demanding State – the state which seeks to extradite the fugitive.

Detainer – warrant placed against a person in a federal, state, or local correctional facility that notifies the holding authority of the intention of another jurisdiction to take custody of that individual when he or she is released.

Discharge – the final completion of the sentence that was imposed on an offender by the sending state.

Electronic Reentrant Record – agency databases, CAPTOR, and OnBase.

Extradition – the return of a fugitive to a state in which the offender is accused, or has been convicted of committing a criminal offense, by order of the governor of the state to which the fugitive has fled to evade justice or escape prosecution.

Financial support information – proof of alternative means of support which could include disability payments, pension, unemployment compensation, or Workmen's Compensation. Documentation of the support is required and could include a Workmen's Compensation Benefit Letter, Social Security Administration Benefit Letter, or retirement fund statement.

Fugitive – the one who is accused or convicted of a crime in one state and is later found in another state, regardless of the manner of or reason for his/her departure from the first state. (New Mexico, ex rel. Ortiz v. Reed, 524 U.S. 151 [1998]; Appleyard v. Massachusetts, 203 U.S. 222, 227 [1906])

Fugitive Complaint – the document filed in the asylum state prior to receipt of the governor's warrant charging the person arrested with being a fugitive, or non-fugitive, from justice.

Fugitive Warrant – the arrest warrant issued by the local court in the asylum state, prior to receipt of the governor's warrant authorizing the arrest and detention of the fugitive pending receipt of the governor's warrant.

Governor or Executive Authority – any person performing the functions of governor under state law.

Governor's Warrant – the warrant issued by the governor of the asylum state commanding that the fugitive be arrested and delivered over to designated agents of the demanding state.

Interstate Rendition – the right of one state to demand from the asylum state the surrender of a fugitive from justice from the demanding state when the fugitive is found in the asylum state. (United States Constitution, Art. IV, § 2, cl. 2; Puerto Rico v. Branstad, 483 U.S. 219, 227 [1987])

Interstate Warrant – (**PB-6, Warrant for Arrest of Paroled Prisoner**) a permanent warrant issued by the director of Interstate Services, attested to by the board chairman, and lodged as a detainer for violation of parole.

Offender – an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

Petition for Requisition – the formal written request from the prosecutor to the governor of the demanding state for a requisition upon the governor of the asylum state for the return of a fugitive.

Plan of supervision – the terms, under which an offender will be supervised, including proposed residence, proposed employment, or viable means of support and the terms and conditions of supervision.

Probable cause hearing – a hearing in compliance with the decisions of the U.S. Supreme Court, conducted on behalf of an offender accused of violating his/her terms or conditions of parole or probation.

Receiving state – a state to which an offender requests transfer of supervision or is transferred.

Relocate – to remain in another state for more than 45 consecutive days in any 12-month period.

Reporting instructions – the orders given to an offender by a sending state or receiving state directing the offender to report to a designated person or place, at a

specified date and time, in another state. Reporting instructions shall include place, date, and time on which the offender is directed to report in the receiving state.

Requisition – the formal demand made by the governor of the demanding state upon the governor of the asylum state and upon which the governor's warrant is based.

Resident – a person who:

1. has continuously inhabited a state for at least one year prior to the commission of the offense for which the offender is under supervision;
2. intends that such state shall be the person's principal place of residence; and
3. has not, unless incarcerated or on active military deployment, remained in another state or states for a continuous period of six months or more with the intent to establish a new principal place of residence.

Resident family – a parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or stepparent who:

1. has resided in the receiving state for 180 calendar days or longer as of the date of the transfer request; and
2. indicates a willingness and ability to assist the offender as specified in the plan of supervision.

Retaking – the act of a sending state in physically removing an offender, or causing to have an offender removed, from a receiving state.

Rules – acts of the Interstate Commission, which have the force and effect of law in the compacting states, and are promulgated under the Interstate Compact for Adult Offender Supervision, and substantially affect interested parties in addition to the Interstate Commission.

Sending state – a state requesting the transfer of an offender, or which transfers supervision of an offender, under the terms of the Compact and its rules.

Sex offender – an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is registered or required to register as a sex offender in the sending state or is under sex offender terms and conditions in the sending state and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

Shall – a state or other actor is required to perform an act, the non-performance of which may result in the imposition of sanctions as permitted by the Interstate Compact for Adult Offender Supervision, its by-laws, and rules.

Subsequent receiving state – a state to which an offender is transferred that is not the sending state or the original receiving state.

Substantial Compliance – an offender is sufficiently in compliance with the terms and conditions of his or her supervision so as not to result in initiation of revocation of supervision proceedings by the sending state.

Supervision – the oversight exercised by authorities of a sending or receiving state over an offender for a period of time determined by a court or releasing authority, during which the offender is required to report to or be monitored by supervising authorities, and to comply with regulations and conditions, other than monetary conditions, imposed on the offender at the time of the offender's release to the community or during the period of supervision in the community.

Supervision Fee – a fee collected by the receiving state for the supervision of an offender.

Travel permit – the written permission granted to an offender authorizing the offender to travel from one state to another.

Victim – a natural person or the family of a natural person who has incurred direct or threatened physical or psychological harm as a result of an act or omission of an offender.

Violent Crime – any crime involving the unlawful exertion of physical force with the intent to cause injury or physical harm to a person; or an offense in which a person has incurred direct or threatened physical or psychological harm as defined by the criminal code of the state in which the crime occurred; or the use of a deadly weapon in the commission of a crime; or any sex offense requiring registration.

Waiver – the voluntary relinquishment, in writing, of a known constitutional right or other right, claim, or privilege by an offender.

Waiver of Extradition – the waiver by the accused of the issuance and service of a governor's rendition warrant, and consent to be transported to the demanding state. The ICAOS Offender Application for Interstate Compact Transfer contains such a waiver.

Warrant – a written order of the court or authorities of a sending state or receiving state or other body of competent jurisdiction which is made on behalf of the state, or United States, issued pursuant to the statute and/or rule and which commands

law enforcement to arrest an offender. The warrant shall be entered in the NCIC Wanted Person File with a nationwide pick-up radius with no bond amount set.

C. Agency Forms Referenced in this Chapter

DC-300B DOC Court Commitment

PB-6 Warrant for Arrest of Paroled Prisoner

PB-10 Order to Release on Parole/Reparole

PB-11 Conditions Governing Parole/Reparole

PB-15 Board Action

PB-22P/R Supervision Plan/Report

PB-36 Request for Requisition

PB-72 Waiver of Detention Hearing

PB-72ICS Waiver of Probable Cause Hearing and Admission

PB-81 Criminal Arrest Tracking

PB-100 Interstate Compact Application Fee Acknowledgement

PB-130 Classification Summary

PB-140 Order to Release from Temporary Detention or to Cancel Warrant

PB-141 Warrant to Commit and Detain

PB-234 Acceptance for State Supervision

PB-235 Conditions Governing Special Probation/Parole

PB-243 Written Travel Permission

PB-257C Criminal Arrest and Disposition Report

PB-257H Supervision History

PB-257N Notice of Charges and Hearing

PB-257T Technical Violation Arrest Report

PB-331 Transmittal Letter

PB-336 Special Conditions of Parole

PB-336SO Standard Special Conditions for Sex Offenders

PB-348(I) Parole Written Instructions

PB-348REG Written Instruction to Register (Sex Offender)

PB-529 Interstate Transfer Checklist

PB-530 Notice of Departure Checklist

PB-531 Worksheet for Offenders Requesting Transfer

V. POLICY

It is the policy of the agency to process all cases involving the interstate movement of offenders in accordance with the requirements of the Interstate Compact for Adult Offender Supervision.

VI. PROCEDURE

Apply the definitions, abbreviations, and form designations found in this procedure to all procedures within Chapter 4, Section 5 whether or not the abbreviations, words, and phrases or form designations appear capitalized or in lower case.

VII. SUSPENSION DURING AN EMERGENCY

The compact administrator may suspend the procedure in case of emergency.

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 agency staff or reentrants and may, therefore, be released to the public.
- B.** This procedure is to be distributed to all agency staff.

X. CROSS REFERENCES

A. Statutes and Court Cases

1. Federal

4 U.S.C. Sec. 112
411 U.S. 778, 93S.Ct.1756. 36 L. Ed. 2d 656 (1973)
408 U.S. 471, 92S.Ct.2593, 33 L. Ed.2d 484 (1972)

2. State

18 P.S. § 11.201
18 P.S. § 11.1102(d)
42 Pa.C.S. §§ 9143, 9144, 9148
42 Pa.C.S. § 9146.1
42 Pa.C.S. § 9799.10
61 Pa.C.S. § 6112
61 Pa.C.S. § 6137(e)
61 Pa.C.S. § 6138(c)
61 Pa.C.S. § 7112
61 Pa.C.S. § 7115
61 Pa.C.S. § 7123

B. Agency Policies

Chapter 3, Sections 2 & 3
Chapter 4

C. American Correctional Association – None

D. Management Directives – None

E. Report of the Reentry Policy Council – None

F. Interstate Commission for Adult Offender Supervision website

www.interstatecompact.org