


Commonwealth of Pennsylvania 	Chapter III	Date Revised: 02/01/2024
	<b>Procedure 03.03.09</b>	Date of Issue: 02/01/2024
<b>Pennsylvania Parole Board</b>		Effective Date: 02/01/2024
Chapter Title <b>CASE RECORDS, DECISIONAL PROCESSING</b>		
Subject <b>ADMINISTRATIVE REMEDIES</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 establish a uniform system of administrative relief remedies for parole violators who wish to contest a revocation, recalculation, rescission, or other evidentiary hearing decision, or any combination thereof.
  
- III. Applicability  
This procedure is applicable to all Parole Board employees, PA Department of Corrections employees, and defense participants.
  
- IV. Policy  
It is the policy of the Board to provide an administrative remedy process for parole violators who wish to contest revocation, recalculation, rescission, and other evidentiary hearing decisions or any combination thereof.
  
- V. Procedure
  - A. General rules  
In order for the Board to accept a request for administrative relief, the following characteristics must be met:
    1. The request must be received at the Pennsylvania Parole Board, Administrative Remedies Unit, 1101 South Front Street, Suite 5100, Harrisburg, PA 17104-2517, within 30 days of the mailing date of the Board decision.
    2. The Board will accept receipt via:
      - a) U.S. Postal Service,
      - b) Overnight Delivery Service,
      - c) Email to [RA-PYADMINREMEDIES@pa.gov](mailto:RA-PYADMINREMEDIES@pa.gov),
      - d) Facsimile to 717-772-2157, or
      - e) Personal delivery at the Board's Central Office as noted in subsection (V)(A)(1).
    3. The request may be submitted on the Administrative Remedies Form (PB 40) or any legible paper source which substantially includes the same information.
    4. All requests must conform to the requirements set forth in 37 Pa. Code § 73.1, including but not limited to:
      - a) The request may only be submitted by the offender or the offender's attorney; and

- b) The request must be factual and/or state legal claims the offender seeks the Board to consider with accuracy, brevity, clearness and specificity (including any supporting documentation).

B. Scope of Review

Requests for administrative relief submitted to the Board are limited to the following:

- 1. Whether the decision is supported by substantial evidence;
- 2. Whether an error of law has been committed; and
- 3. Whether there has been a violation of constitutional law.

C. Response procedure

1. Administrative Appeals

- a) Upon receipt, administrative appeals shall be forward to the Administrative Remedies Unit for review and response.
- b) The decision shall then be processed in accordance with the panel's determination, and then mailed out under the Board Secretary's signature.

2. Petitions for Administrative Review

- a) Upon receipt, petitions for administrative review shall be forward to the Administrative Remedies Unit for review and response.
- b) The Administrative Remedies Unit shall decide the merits of the petition in accordance with the law.
- c) The decision shall then be processed and mailed out under the signature of the Administrative Remedies Unit staff.

3. Combination Administrative Appeal and Petition for Administrative Review

- a) Upon receipt, a combination of an administrative appeal and petition for administrative review shall be forward to the Administrative Remedies Unit for review and response.
- b) The decision shall then be processed in accordance with the panel's determination, and then mailed out under the Board Secretary's signature.

- 4. Any request for administrative relief deemed to be invalid or not in compliance with this policy shall be forwarded to the Records and Administration Office, Inmate Inquiry Unit.

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.