



The Green Sheet

PA Board of Probation and Parole

July 2009 - Volume 1

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Welcome to the Pennsylvania Board of Probation and Parole newsletter.

The “green sheet” is the commonly used term for the Board Action, the public document that records the decision of the Board to grant or deny parole. Over time, the term “green sheet” has become synonymous with the Board Action for a simple reason – it’s printed on green paper. The term has become so accepted that even the courts have recognized it.

The goal of the newsletter is to help you better understand the state parole system, the research that drives the process, reentry efforts and the Board’s solid supervision practices as we work toward safer communities throughout Pennsylvania.

Understanding Pennsylvania Parole

The Parole Board was established by the Parole Act of 1941, which states “The parole system provides several benefits to the criminal justice system, including the provision of adequate supervision of the offender while protecting the public, the opportunity for the offender to become a useful member of society and the diversion of appropriate offenders from prison.”

The Board has the responsibility to parole, recommit for violations of parole, and to discharge from parole offenders sentenced to two years or more and offenders requested by the court for special probation.

The Board’s primary goal is to protect the safety of the public through effective parole decisions and proper supervision and management of offenders who are returning to their communities. Successful reentry of an offender can reduce the likelihood that offenders will victimize anyone else and ultimately return to prison.

What is parole?

Parole is the release of an inmate from prison prior to his or her sentence’s maximum date, but after the minimum sentence date, to continue serving the balance of the sentence under supervision in the community. Parole is a conditional release that requires parolees to abide by rules that do not apply to



Edward G. Rendell
Governor

Catherine C. McVey
Chairman

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From the Desk of the Chairman

Welcome to the first edition of the Pennsylvania Board of Probation and Parole's newsletter, ***The Green Sheet***.

Pennsylvania's criminal justice system is, in actuality, a family of agencies and organizations working in partnership with one another to achieve the common goal of public safety.

This newsletter will help you to understand the responsibility of parole and the vital role it contributes to community safety.

There is no better time to initiate this newsletter than now, a time when parole systems have more opportunities than ever before to adopt effective offender management strategies.

The Green Sheet will communicate ongoing advancements of the commonwealth's parole system as it continues to incorporate the latest evidence based practices into our decision making and supervision processes.

The Green Sheet will keep you informed of our operations, performance, and new initiatives. Periodically, ***The Green Sheet - Special Edition*** will be published to provide in depth coverage of a particular topic.

I hope you will find this newsletter interesting and informative.



Catherine C. McVey
Board Chairman

Catherine C. McVey

Understanding Parole

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PAROLE

Arrest → Conviction → Prison → Parole → Sentence Complete

PROBATION

Arrest → Conviction → Probation → Sentence complete

other members of society. In Pennsylvania, parole is a privilege, not a right; it is not automatic or guaranteed.

Pennsylvania has both state and county level parole systems. Which system an offender is in depends on the length of the sentence given when the offender was convicted. If the sentence was 24 months or longer, it is a state sentence and the Parole Board makes the decision whether to grant parole and determines the conditions of parole. If the sentence is less than 24 months, it is a county sentence and the sentencing judge makes the decision.

Probation is a sentence that does not include a period of incarceration; it is served in the community rather than jail. The sentencing judge always makes the decision regarding an offender's probation conditions and violations. However, a judge may request that the Parole Board supervise certain county offenders with the judge retaining decision making power; however, these are known as "special probation" cases.

Parole is also different from a pardon or a commutation. The Governor may grant a pardon or commutation if the Board of Pardons, which is separate from the Board of Probation and Parole, recommends that one be granted.

Who is eligible for parole?

Inmates who have served their minimum sentence are eligible for parole consideration. As a discretionary parole state, offenders are given a minimum and maximum sentence date by the judge. State sentenced offenders must serve the minimum amount of time in prison before they can be considered for parole and - if granted parole - will remain on parole supervision until their maximum sentence date.

Most criminal justice experts agree that it is better for society if offenders are reintegrated into the community on a gradual basis and under structured supervision rather than being released without supervision.

When is an inmate granted parole?

Parole is not guaranteed. At the minimum sentence date, the offender is eligible for parole consideration. The Parole Board interviews offenders 3-4 months prior to this date. Although the parole process, including the interview, is begun prior to the minimum sentence date, an offender cannot be released on parole prior to this date.

What does the Board consider when making a parole decision?

Many factors are required by law to be considered during the parole interview:

- Nature and circumstances of the crime
- Criminal history
- General background and character of the offender
- Notes of testimony from the sentencing hearing
- Physical, mental and behavioral condition and history of the offender
- History of family violence
- Recommendations made by the sentencing judge and district attorney
- Input from the victim or the victim's family
- Recommendations from the warden or superintendent

Once a decision is made the offender is given his or her green sheet - the official decision or Board Action. The green sheet also contains some of the conditions of parole while the offender is on supervision.

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Parole Professional of the Year

Like many young people, Supervisor Joe Gillespie entered college uncertain of his future career. He was fortunate to discover the criminal justice field, found it interesting and has managed to land what he considers the perfect job.

In recognition of his dedication and hard work, the Pennsylvania Association of Probation, Parole and Corrections (PAPPC) awarded Supervisor Gillespie the Adult Probation/Parole Professional of the Year award for 2008.

The PAPPC is a statewide organization that supports and promotes best practice methods and professionalism in the field of juvenile and adult probation, parole, corrections, institutional care and community supervision. The award is given to an individual who demonstrates exceptional leadership, initiative and management skills in the field of adult probation and parole.

"It's nice to be honored by your peers – from the people who truly know what you do," Gillespie stated.

Over the past year, Gillespie's leadership skills were put to the test when the agency faced enormous challenges after parolees killed Philadelphia police officers. Gillespie showed leadership, determination and bravery in spearheading the Board's assistance in the investigations and subsequent apprehension of the fugitives involved in these shootings.

Reflecting on the past year, Gillespie said, "It was tough when those officers were killed. We work closely with the Philadelphia police and know many of them personally."

(from l to r): John Tuttle, Philadelphia District Director Dennis Powell, Agent Joe Gillespie, Deputy District Director Jim Poulus, and Regional Director Tom Costa.

A budding career

Gillespie's personal success was not cultivated over night. His career began with an entry level job as a youth development counselor and then a counselor at the Department of Corrections (DOC).

He started his career at the Board in 1996 as an agent in the Intensive Supervision Unit, working with high risk offenders. He later supervised parolees in community corrections centers and then became a general field agent.

As his career progressed, Gillespie said, "I began looking for an investigative occupation. Something with more of a law enforcement focus." Gillespie did not have to leave the Board to achieve his career goal. The Fugitive Apprehension Search Team (FAST) unit was formed in 2002 and offered Gillespie the opportunity to pursue violent criminal absconders actively.

As Gillespie noted, it was the "sense of satisfaction of getting high risk offenders who are not reporting off the street that lead me to FAST."

Approximately five years ago, Supervisor Gillespie and an old college buddy, U.S. Marshal James Burke, now the supervisor of the U.S. Marshal's Fugitive Task Force in Philadelphia, discovered they could be more effective in tracking down violent fugitives by joining forces.



Members of the FAST Unit are deputized as U. S. Marshals and the majority of FAST operations are conducted with this task force of state, local and federal law enforcement. "We go out on planned operations throughout the week, usually looking for several offenders, but any given day could be an arrest situation based on information received," said Gillespie.

"U.S. Marshals work federal warrants, but they also assist state and local law enforcement with apprehending violent offenders," Burke explained. "The U.S. Marshals Service provides valuable investigative information, especially when new technologies emerge, and they provide federal funding for overtime, equipment, vehicle travel and informant funds."

According to Burke, the task force has been very successful. "Since I've been associated with the task force and the FAST Unit, I have to say that PBPP and, in particular, Joe Gillespie, has been one of our strongest partners and supporters in the state," Burke said.

Saving a fellow agents life

While part of a task force operation to apprehend a fugitive wanted for

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Gillespie...

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attempted murder and aggravated assault, Agent Mike Deluca was shot and wounded by the parolee he chased into an alley.

When Supervisor Gillespie entered the alley he heard shots fired and then saw Deluca go down. Gillespie bravely engaged the suspect, shot and mortally wounded him. Agent Deluca survived his wounds.

In 2004, as a result of his heroic efforts, Gillespie received the Law Enforcement Officer of the Year Award from the U. S. Marshals Service; the American Legion Police Post – Outstanding Law Enforcement Officer of the Year; Masons Shield and Square Lodge – Law Enforcement Officer of the Year; and the Fraternal Order of Police – Valor Award.

In 2005, Gillespie became the supervisor of the Philadelphia FAST unit. Other districts have either created FAST units or have agents who have been deputized by the U.S. Marshals Service who dedicate a significant amount of time to tracking down fugitives. “I am proud that it has developed into a model for the rest of the state. I cherish the camaraderie of the people I work with,” Gillespie said.

Supervisor Gillespie is married and has three children. When asked how his family view’s his work, he said his wife understands.

“My wife knows the job can be dangerous, but she also knows the people I work with are professionals, they are prepared before we go out,” Gillespie said.

“Usually 90% of arrests are peaceful, some try to hide or run, but a small percentage are ‘fighters’ who resist.”

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Agents Go Above and Beyond; Parolees Turn Their Lives Around

“Not only was he my parole agent, he was my mentor.”

Those were the words written by Craig, a former parolee, in a recent letter addressed to the Board of Probation and Parole.

Too often, positive experiences of former parolees, like Craig’s, go unreported – overshadowed instead by news of increased recidivism rates and tragedies. While many would readily concede to a pessimistic outlook on a parolee’s future prospects, parolees continuously demonstrate that they can, and often do, change their lives.

At the forefront of a parolee’s successful re-entry is the agent. Tasked with supervising prior offenders, these men and women frequently provide much needed guidance to the offenders they supervise.

In his letter, Craig highlighted the exceptional service of Agent Mondrosch, who as Craig wrote, put forth effort to “assist and understand him.”

Craig, a self-described “career criminal,” was arrested in over 15 states and served prison terms in Mississippi and Florida. When granted parole, even Craig assumed he would repeat his prior mistakes, but due to the efforts of his parole agent, he was able to break the cycle.

Successfully completing parole on February 28, 2009, Craig’s case shows that even difficult offenders can be rehabilitated. Craig now

strives to build a new life; though it would not have been possible without the courageous dedication of his agent.

“Agent Mondrosch genuinely cared about my well-being,” wrote Craig.

Stories like Craig’s are not isolated incidents. Across the commonwealth, agents work tirelessly to maintain safety in the community and ensure successful re-entry of offenders. Over 31,000 parolees are presently under supervision in the state. Agents are frequently called on to use every resource available, even unlikely ones, to encourage parolees to turn their lives around.

Marc, who faced hardships after his incarceration, cited Agent Brian Brooks’ unconventional approach as the reason for his successful completion of parole.

Employed for nearly four years, Marc had become dissatisfied with his work and began to feel a sense of hopelessness. According to Marc, “Agent Brooks detected some dissatisfaction in me.”

Without any prompting, the agent offered to put Marc in contact with another parolee who managed a car dealership looking for new employees. After consultation, Marc was offered a job and, shortly thereafter, accepted a position in his new occupation. Now gainfully employed, Marc is presently working toward a new life in the community.

“Without Agent Brooks choosing to positively expand the boundaries of his role, none of this would have

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Above and Beyond...

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happened – it means the world to me,” wrote Marc.

While certainly not every story is a success, those parolees who are willing to change, abide by parole restrictions and listen to their agent will often realize a new lease on life.

Ex-offenders like Dave, who was released from supervision in January, is one of those. He is now married, a homeowner, father of two children and continually maintains steady employment. Dave was not always so fortunate. Due to noncompliance with drug and alcohol restrictions, he was one violation away from being recommitted. Yet, through the efforts of his agent and his own self discipline, Dave managed to rehabilitate his life.

To the families of these prior offenders, words often cannot convey the relief of witnessing the rehabilitation of their sons, daughters and relatives.

“You’ve been a blessing to me, and my family,” said Aneesha, mother of a former parolee.

While many positive parolee stories may go unreported, the gratitude toward their agents will never be forgotten. Former offenders are quick to cite the role of agents in building their confidence and providing them with hope.

As Aneesah, reflecting on her son’s parole agent, wrote “you guys protect us - your life is on the line every day you go to work – thank you.”

Partner of the Year Award

Erie District Director Patricia Lightner and Agent Bob LaBenne were awarded the 2008 CareerLink Partner of the Year Award for Northwest Pennsylvania. Agent LaBenne was given special recognition for his assistance with offenders and helping them to understand employment implications of a criminal record. The award recognizes individuals who go above and beyond their role in order to improve workforce development in their area.

Last fall, various community partners including the Board, the Erie County Correctional Department, Gaudenzia of Erie, Gateway, the County Adult Probation Department and CareerLink met to discuss reemployment services for county residents who are soon to be released, reconnected with their community and in need of employment. The discussion highlighted the need to not only refer offenders to CareerLink but to help them fully engage with the process.

Bob LaBenne put together employment workshops that included how to write cover letters and resumes, effective job searching, networking, how to fill out a job application, good interviewing skills and tips to keep a job.

Following these workshops the CareerLink staff noticed a considerable amount of parolees applying their newly obtained skills to their job search.

Key Board Contacts

For specific inmate inquiries from attorneys, family members, friends and the general public, please call the Inmate Inquiry Unit at:

717.772.4343

For inquiries from elected officials, the media and other government agencies, please call the Board’s Office of Policy, Legislative Affairs and Communications at:

717.787.6208

Calendar of Events

**Probation, Parole and
Community Supervision
Week**

July 19 - 25, 2009

**National Night Out
Tuesday, August 4, 2009**

**National Association of
Parole Executives Annual
Meeting
August 23-26, 2009**

**American Probation and
Parole Association
Annual Training Institute
August 23-26, 2009**

Valiant Lifesaving Attempt

Parole agents put themselves in harm's way every day to make our neighborhoods safer. When conducting operations to serve warrants on violent offenders the risks become even greater.

Last year, those risks were tragically played out when FBI Special Agent Samuel Hicks was killed in the line of duty.

On November 19, 2008, Agent Hicks, parole agents Thomas Pekar and Bruce Schmolke were part of a multi-jurisdictional task force with the FBI and Pittsburgh Police to serve federal warrants.

The target of their arrest was a member of a drug distribution ring who had a 17-year criminal history for assault, drugs and weapons violations.

As the team approached the front door of the offender's home, knocked on it and identified themselves, they were spotted by the offender. He ran and the officers breached the door. As Hicks cleared the front door he was immediately shot in the neck by the offender's wife, who was lying in wait for the agents to come through the door.

Parole agents Pekar and Schmolke, acting without regard for their own personal safety, bravely entered the house, pulled Hicks to safety and valiantly attempted to save his life. Tragically, he did not survive.

For their heroic and valiant life saving efforts, Pekar and Schmolke received the Board's 2008 Group Achievement Award for Public/Employee Safety.

They not only faced their own vulnerability and mortality, but under duress put the life and safety of another officer before their own. Their efforts reflect great credit upon themselves, the Board and the Commonwealth.

On June 18th, the Pittsburgh Bureau of Police presented the Recognition of Excellence Award to agents Pekar and Schmolke for their courageous efforts. This award is presented to individuals who provide vital assistance and their actions are clearly above what is expected of a non-member of the Bureau.

As finalists for the Governor's Award for Excellence, they will receive a certificate from the Governor recognizing their brave actions.

Special Agent Hicks was only 35 years old. He is survived by his wife and three-year-old son. On May 2, 2009, six months after his death, his name was etched into the National Law Enforcement Officers Memorial.

Addressing Repeat Violent Offenders

The Board considers over 22,000 cases for parole each year and annually has over 45,000 offenders who have been under supervision in the community.

To enhance the safety of the public, the Board continually seeks to improve its approaches and strategies to parole. The application of evidence based practices across the parole system is a reflection of the commitment to do what has been proven to work to reduce future crime.

Despite all of the efforts by the Department of Corrections and the Board to change offender behavior to reduce victimization, last year Pennsylvania experienced several tragic murders of police officers and citizens by parolees and pre-release inmates.

In response, Governor Rendell requested that the DOC suspend releases pending a review of the corrections and parole processing system by an independent expert. The Board and DOC supported the Governor's request and cooperated with Dr. John Goldkamp, a criminal justice expert from Temple University, in his review.

After two months of research and review of documentation, Dr. Goldkamp stated that, "the paroling process in Pennsylvania met or exceeded standards and best practices in effect in the United States." Specifically, Dr. Goldkamp found that the practices relating to violent offenders in Pennsylvania "stand up well."

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Understanding Parole

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If an offender is denied parole, the green sheet will give reasons for the denial, state when the offender will next be reviewed for parole and what the Board expects the offender to do prior to the next review date.

Why is there a gap between the grant of parole and release?

After inmates are notified that they have been granted parole, they must satisfy certain requirements of law before being released on or after their minimum sentence date:

- a negative drug screening test for illegal drugs
- submission of a DNA sample, if applicable
- payment of all victims fees
- registration under Megan's Law, if applicable
- violent offenders must complete a Victim Impact Education Program
- development of a reentry plan – where they plan to live and work

Even after these requirements are fulfilled, an inmate must have a place to live that is approved by the Board, either a home, community corrections center or they may be waiting for a treatment bed in a community facility.

What rules must parolees follow to stay out of prison?

Inmates granted parole must follow all of the conditions of parole

established by the Board or their supervising agent. General conditions of parole require: reporting to their parole officer, residing at the approved residence, paying court costs and restitution owed and complying with all laws. Special conditions are conditions that are tailored to an individual offender's needs, such as electronic monitoring, mental health treatment or drug and alcohol counseling.

What do parole agents do?

Through a balance of supervision, enforcement and problem-solving case management, parole agents work with parolees to ensure that they are following their conditions of parole and help parolees transition successfully into the community. By assisting parolees with job training and employment, treatment for mental and/or physical illnesses, drug and alcohol programs, and life skills development they are much more likely to succeed, less likely to commit another crime and the public is safer.

What happens when a parole rule is broken?

Parole violators are categorized as either technical parole violators, convicted parole violators, or both.

Technical parole violators have violated a condition of their parole. These violators may be sanctioned by an additional constraint on their freedom, sent to a treatment program or be recommitted to prison, depending on the severity and frequency of the violation.

Convicted parole violators are parolees who have been convicted of another crime while on parole and they are returned to prison. In

this instance, the parolee loses all of the “street” time spent on parole and must serve that time back in prison.

Offenders who violate parole are entitled to parole violation hearings to establish that they violated the conditions of their parole. However, the standard for violation of parole is not as high as that of a criminal trial. The standard is a preponderance of the evidence - it must be more likely than not that parolee violated the condition.

How does parole end?

Parole ends when an offender has served their maximum sentence while under parole supervision without having their parole revoked. When their maximum sentence date arrives, offenders are discharged from parole supervision and receive a congratulatory letter from the district office where their supervising agent works.

The Parole Process

The process of parole is best described as a series of steps for both the parolee and the Board.

Preparation of Case File

Required Documentation is Gathered and Prepared for the Parole Interview



Institutional Parole Agent

Inmate works with Institutional Parole Agent to Develop a Reentry Plan and Prepare for Interview



Pre-Interview Case Review

Board Members/Hearing Examiners Review File and Re-entry Plan.



Board Interview

Conducted either in person by a Board Member or Hearing Examiner or by a Panel of Two Decision Makers.

Parole Decisional Instrument Assists the Board in the Exercise of its Discretion.



Post Interview

Final Board Decision to Grant or Deny Parole
If granted parole, includes Approval of Home Plan, Conditions of Parole and Release.



Supervision

Parolee Reports to the Approved Home Plan within 24 hours of Release. Conditions of Parole are Reviewed with the Field Agent.

Gillespie...

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His job in the FAST unit reflects only one aspect of parole – enforcement. When asked about reentry services and the changes in the agency over the past few years, he stated, “I believe it takes a mix. Some offenders don’t need help, others do and then there are those that refuse to change.” He recognizes the value to his community of working with offenders to “turn their lives around.”

Gillespie’s trust in his fellow agents has inspired loyalty and respect. Philadelphia District Director Dennis Powell said, “It has been my privilege to work beside someone with the integrity, work ethic and loyalty of Supervisor Joe Gillespie.”

Not alone in this sentiment, Powell noted that through the leadership of Supervisor Gillespie the Philadelphia District and the Board enjoy a “respected status” among all law enforcement entities in the city. Powell continued, “Joe stands out as a shining example to all of us. His humility and quiet demeanor mask his intense desire to fulfill the Board’s mission of public safety.”

Supervisor Gillespie also was the recipient this year of the Board’s John W. Perkis Award for Courageous and Significant Service for 2008. This award honors the memory of Agent Perkis who demonstrated courage during his battle with cancer.

In his off duty hours, Supervisor Gillespie volunteers his time to raise money for high school scholarships, helps clean up blighted neighborhoods, helps poor families during the holidays, assists with anti-drug vigils and provides youth anti-drug education.

Repeat Violent Offenders

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Dr. Goldkamp concluded that despite the best efforts to identify all risks and needs of offenders to preserve the safety of the community, there are offenders who will confound the system. There are a small number of offenders who re-offend violently; the consequences of their actions are often heartbreaking and senseless. The stakes involved in these violent offenses demand that we take a closer look at our system and the strategies we have available to us.

Dr. Goldkamp provided several recommendations for the Board and DOC to more precisely identify offenders who are violent, and to strengthen the programming, reentry and supervision of offenders who possess characteristics indicative of violence. The Board has been implementing these procedures to enhance the system of parole.

The key changes recommended are to:

- Modify the definition of a violent offender to include 1) a conviction or adjudication for a violent offense at age 15 or earlier; 2) use or possession of a gun; 3) prior violent history; 4) and the offender's level of risk. This revised definition of violent offender does not depend solely on the crime for which the offender is currently incarcerated. These offenders will be held to tougher standards for parole release and supervision.
- Guide the decision making process by the modified definition of violent offender to examine degrees of violence. As of June 1,

the Parole Decisional Instrument formally incorporates the new violent offender classification system.

- Implement a Violent Offender Management Protocol which requires that the *most serious* violent offenders be paroled to a specialized community corrections center with greater restrictions and closer monitoring. These offenders will be supervised at the maximum level under a curfew for the first 90 days of release.
- In addition, the Board has taken this a step further to ensure all offenders reenter the community in a highly structured manner. All offenders released from state prison, whether violent or non-



violent, are being supervised at the maximum level and placed on a curfew for at least 90 days of supervision.

- Require the appropriate type of violence prevention programming for higher risk offenders prior to parole release and aftercare violence prevention programming while on supervision.

Dr. Goldkamp developed a classification system to look more comprehensively at offenders. However, there is no proven risk assessment instrument that specifically isolates factors predictive of future violent re-offending. Although the Board has

always considered the totality of each offender's history, the ability to precisely predict future violent offending versus general re-offending in decision making is extremely difficult. Across the nation, parole agencies are recognizing a need for an instrument to assist in predicting future violent re-offending versus general re-offending.

The Board is taking the next step by seeking the development of a violence risk assessment instrument. In April, the Board applied for a federal grant to partner with Dr. Richard Berk of the University of Pennsylvania. Dr. Berk and Dr. Lawrence Sherman recently completed a research

project for Philadelphia county probation to determine which high risk probationers are likely to commit homicide.

If the Board receives the federal grant, Dr. Berk will conduct an analysis of the state parole population to identify those factors most predictive of violent re-offending and to create a risk assessment tool to help inform release decisions and guide supervision.

To read Dr. Goldkamp's reports visit: www.pbpp.state.us