**File #:** 130569, **Version:** 0

Urging the Philadelphia District Attorney's Office to initiate an investigation into the Pennsylvania Board of Probation and Parole's policies and procedures that are a risk to the public safety of the citizens of Philadelphia.

WHEREAS, The defined mission of the Pennsylvania Board of Probation and Parole (the Board) is to protect the safety of the public, address the needs of crime victims, improve county adult probation and parole services and assist in the fair administration of justice by ensuring the custody, control, and treatment of offenders under the jurisdiction of the Board; and

WHEREAS, 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; and

WHEREAS, The Board has the legal responsibility to parole, recommit for violations of parole, and discharge from parole offenders sentenced to two years or more; and

WHEREAS, In Pennsylvania, parole is a privilege, not a right; it is not automatic or guaranteed. Parole is a conditional release that requires parolees to abide by rules that do not apply to other members of society; and

WHEREAS, Probation and parole is an integral part of the criminal justice system. While probation and parole are responsible for a variety of services, the most important is the supervision of offenders in the community. The people responsible for this supervision are the parole agents; and

WHEREAS, Many offenders on parole carry a high risk for violence and a high risk to reoffend. Parole agents work hard to make sure that these rehabilitating criminals in the community stay on the right path and do not go on to commit more crimes; and

WHEREAS, The Public Safety Committee held two investigatory hearings. At the first hearing on April 12, 2013, the witness list included three retired State Probation and Parole Agents; Michael C. Potteiger, Chairman of the Pennsylvania Parole Board; Charles Hoyt, Deputy Chief Probation Officer, Philadelphia Adult Probation & Parole; and Charles Junod, Assistant Managing Director and the Director of Philadelphia's Criminal Justice Coordination and Prison Population Unit; and

WHEREAS, The second hearing was held on June 14, 2013. The witness list included one former and one current State Probation and Parole Agent; Lloyd A. White, Acting Chairman of the Board in Chairman Potteiger's absence; Tom Costa, Regional Director for Eastern District of the Board; and William Burrell, a Corrections Management Consultant; and

WHEREAS, At the hearings, the Committee examined caseload ratios of agents to offenders, agent allocation, retention and transfer policies as well as the consequences of violating parole conditions and the existing no warrant culture of probation and parole; and

WHEREAS, Philadelphia is extremely understaffed when compared to the rest of the Commonwealth. There are currently 145 available agent positions in Philadelphia. However, only 136 positions are filled. Of the 136, there are only 84 agents allocated to supervise 6,884 offenders on general supervision, as well as 6,058 pre-parole offenders; and

WHEREAS, The Board was confronted with information they provided to City Council which shows a clear discrepancy in the way agents are allocated throughout the Commonwealth. In the last three years the Harrisburg and Pittsburgh districts hired a combined 16 agents. Meanwhile, Philadelphia's offender population increase is nearly double that of those districts and has only hired six agents. The discrepancy does not make sense and the Board could offer no explanation; and

WHEREAS, A parole agent's most valuable and effective tools are time for one-on-one interaction with an offender and job experience. According to the Board, the average experience for a Philadelphia agent is less than three years. Experts and agents agree it takes up to five years to become seasoned and truly effective; and

WHEREAS, Philadelphia Parole agents are extremely overworked when compared with the rest of the Commonwealth. It is nearly impossible for a Philadelphia agent to build relationships and have any meaningful one-on-one interaction with an offender. The American Probation and Parole Association and the National Institute of Justice both recommend a ratio of 50 high risk offenders to one agent. In Philadelphia, more than two thirds of agents handle a caseload of more than 82 offenders, as well as, other pre-release investigative duties, including 6,058 pre-parole investigations annually; and

WHEREAS, William Burrell, an expert in the field of Probation and Parole supervision, as well as the author of the American Probation and Parole Association's ratio, testified that the heavy caseload of a Philadelphia agent is impossible to effectively manage. As a result, agents can do little more than monitor the offender, not supervise. Further, if agents are not effective in supervising and controlling their caseloads, the offender is more likely to commit violations as well as additional crimes; and

WHEREAS, There currently exists a no warrant culture in the Board as it applies to technical parole violations. All agents that testified at both hearings stated that the only time a warrant to recommit an offender to prison is issued is for a new arrest. There is no limitation on the number of sanctions an offender can receive for violating conditions of parole. Therefore, technical parole violators are rarely, if ever, recommitted to prison. Parolees have little, if any, fear of consequence; and

WHEREAS, This no warrant culture has the effect of keeping prison numbers down, recidivism rates low and the citizens of Philadelphia unsafe by keeping parolees, who should otherwise be recommitted to prison, out in



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the community; and

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,That we hereby urge the Philadelphia District Attorney's Office to initiate an investigation into the Pennsylvania Board of Probation and Parole's policies and procedures that are a risk to the public safety of the citizens of Philadelphia.



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