

Testimony
Of
Mary Achilles, Victim Advocate

September 19, 2000

Before the:
House Of Representatives
Judiciary Committee, Subcommittee on Courts

Mr. Chairman and members of the Committee, good morning. My name is Mary Achilles and I am the Victim Advocate. I would like to thank you for the opportunity to provide testimony here today. Although we provide services in the Department of Corrections and Probation and Parole I will focus my comments on the victim input and notification processes of the Board of Probation and Parole and the Office of the Victim Advocate.

As you know the Office of the Victim Advocate was established by Act 8 of 1995 to represent the rights and interests of crime victims before both the Department of Corrections and the Board of Probation and Parole. The Victim Advocate is charged with providing notification to registered crime

victims and of the opportunity to provide input into the parole release decisions made by the Board. We are also authorized to petition the board to deny parole and or set conditions of parole upon the request of the victim.

I took office as the Victim Advocate in June of 1995 and have since that time worked closely with the members of the Board of Probation and Parole in integrating an effective and victim sensitive notification system into their process of parole review.

The process of victim notification for the Office of the Victim Advocate actually starts at the time of sentencing when the law provides for the county District Attorney to inform crime victims of their post sentencing rights. Their rights include notification and input into the release decisions made by the Department of Corrections and the Board of Probation and Parole. We have received tremendous support and assistance from the

Board particularly its technology division in refining a system that provides the mandated services to victims in an effective manner.

We provide registration forms/brochures to the county prosecutors offices, which also provide some program information. The District Attorney completes the portion of the registration form pertaining to the inmate information. Once the crime victim receives this registration brochure they make the choice as to whether or not they wish to register. Once they submit the completed form to the Office of the Victim Advocate we then provide the required notices.

The first notice for most registered crime victims is the notice they receive eight months prior to the inmates' minimum sentence date that he/she is being processed for consideration for parole and has an interview date set. At that time we provide them with information on the options of input, written or oral testimony as prescribed by law.

If they choose to provide oral testimony arrangements are made for the victim to meet with a Board Hearing Examiner. Most oral testimony is taken at the board hearing office nearest the victim's home or at a place of convenience to the victim. Oral testimony is conducted by a Hearing Examiner and audio taped. It is then transcribed and summarized. The victim reviews the summarization and has the opportunity to make any corrections and/or additions prior to submission to the board.

Most testimony that is submitted is in the form of written statements. To date, in the year 2000, we have received over 2,100 written statements from crime victims and over 500 oral testimonies have been completed.

We provide, in addition to our mandated notifications, a variety of notifications to registered crime victims that give victims needed and requested information on the status of their offender. For example, we

provide notification of the opportunity to provide input into the parole decision, a 30 day follow-up letter to those that did not respond, notification of all subsequent reviews, Boot Camp notifications including transfer to and graduation from the Boot Camp.

Staff of the Office of the Victim Advocate is also on call to provide notification of the escape of the inmate including walk always from the community correction centers, and recaptures. This notification also includes staff assisting victims in designing a safety plan should they feel at risk.

In calendar year 1999 we provided a total of 13, 892 notifications to crime victims and over 6,000 other services. To date in the year 2000, our overall notifications are already over 8,900 with over 10,000 other documented services.

Those other services reflect a variety of contacts with crime victims. We often have contact with crime victims long before the parole review to address their concerns and questions about the inmate, his/her location, and program participation and status also to address unwanted contact from the inmate. We provide assistance to crime victims in preparing their oral and or written statements. We attempt to address the needs of victims as they arise to make this process as sensitive and user friendly as possible.

I would say that we spend a significant amount of time addressing the safety concerns of victims. We assist them in identifying what it is that they need from the system and how that can be gained. For example we spend a lot of time addressing issue of geographic restrictions - location and proximity of the victim and other potential victims - to the release plan proposed by the offender. Victims often ask if the offender will contact them and if they do what are the ramifications.

I am clearly someone who believes that parole, particularly discretionary parole and other forms of community corrections, are a service to crime victims. I say that from what I have learned from crime victims themselves. Although there are many who believe that victim input is focused on voting whether or not to release an offender I can assure that it is much more than that and of much greater significance in the reconstruction of the lives damaged by crime.

Although I cannot share comments that are submitted since they are considered confidential I can share some common themes that arise when you review the comments on a daily basis.

- ❖ Yes victims often want parole to be denied.
- ❖ That request is after accompanied by detail on the long-term damage to their lives and to the lives of those around them.

- ❖ A statement, which says, “ if you have to let him out here are some conditions that I think he should be required to meet”, also often accompanies that statement to request denial of parole.
- ❖ They often want the offender to know what effect the crime has had on them.

Most important I believe is that they need to know that their comments are taken seriously. They need to know that the Board Members are reading them and incorporating their comments into the overall decision-making process. Many victims would not want to make the decision as to parole or not parole. They just want to know that they are being heard.

Another interesting theme in the comments that we see is that it is not always about just the victims' safety. They often write about overall public safety that concerns them and of their interest in seeing that this inmate

receives intensive supervision with conditions that include electronic monitoring, curfews and other tools to ensure an intensive supervision.

My comments here today have been a general overview of the process for victim input and notifications. I have included with you copy of my testimony some additional material on the Office of the Victim Advocate. I would be more than happy to answer any questions that you may have.

If you elect oral testimony, please complete the "oral testimony request" post card in this mailing and return it as soon as possible. Once we receive your post card we will send your request to the Hearing Examiner located in the Parole Board District Office nearest to your home. The Hearing Examiners staff will contact you directly to schedule a convenient date, time, and location for your oral testimony. If you are unavailable to keep the scheduled date, you must contact the Hearing Examiner's staff to reschedule or contact the Office of the Victim Advocate.

If you have special needs such as a interpreter, handicapped accessible facility, or the need to communicate through TDD machine, please call the Office of the Victim Advocate at 1-800-563-6399 or list those issues on the enclosed post card.

What to Include in Your Testimony

What you include in your testimony is a personal choice. However, the following is a list of common issues raised by crime victims: the financial, emotional and physical impact that the crime has had on you and your family, anything you would like to tell the Board about the crime, what has been happening to you since the crime, how your life has changed as a result of the crime, and any issues you would like addressed if the inmate is released on parole.

Petitioning by the Victim Advocate

Act 8 - 1995 established the Office of the Victim Advocate to represent the rights and interests of crime victims before the Department of Corrections and the Board of Probation and Parole. *It authorizes the Victim Advocate to petition the Board to deny parole, or set conditions of parole upon the request of the crime victim.* If you are interested in having our office petition the Board on your behalf, please be sure to state that in your comments.

Confidentiality of Your Testimony

The law provides that your testimony be kept confidential and will not be released to the inmate. Only those individuals involved in the decision making process have the authority to review your input.

*Please remember that
it is your responsibility
to keep the
Office of the Victim Advocate
informed as to your
current address
and phone number.*

Office of the Victim Advocate

Making a Statement Victim Input into the Parole Process

Mary Achilles, Victim Advocate

VICTIM INPUT INTO THE PAROLE PROCESS

The testimony you provide to the Board of Probation and Parole will be submitted through the Office of the Victim Advocate. It is the responsibility of the Office of the Victim Advocate to represent your rights and interests before the Board of Probation and Parole and the Department of Corrections. This brochure is designed to provide you with information on the process of providing victim testimony before the Board of Probation and Parole. Your testimony is important to the Board in making their decision.

The Parole Decision Making Process

Inmates serving a state sentence, in either a state correctional facility or a county facility, can be granted parole only by the Pennsylvania Board of Probation and Parole. Under Pennsylvania law, inmates must serve their minimum sentence before becoming eligible for parole. Parole is a privilege in Pennsylvania, not a right. The Board of Probation and Parole is the sole decision maker in the parole process. Members of the Board are appointed by the Governor and confirmed by the Pennsylvania State Senate.

Since the parole decision making process is a serious one, the Board begins to collect important information on which to make their decision six months prior to the inmate's minimum sentence. The Board reviews a variety of material including, but not limited to: the inmate's proposed residence, place of

employment, treatment needs, adjustment while in prison, psychological evaluation, the offense, comments from the district attorney and the sentencing judge, prior criminal record, testimony from the victim or survivors, any other comments received and a personal interview with the inmate.

The entire Board does not meet with the inmate. Either a Board Member or a Hearing Examiner interviews the inmate at the prison two months prior to the inmate's minimum sentence date. The information collected about the inmate, notes from the interview, and your comments will then be reviewed by other members of the Board to reach a final decision.

The decision making process takes approximately two to four months after the inmate is interviewed. You will be notified by the Office of the Victim Advocate of the Board's final decision. You will also be provided with information on any further or future review dates for the inmate. The Board's decision may be either to refuse parole and set another date for review or to release on parole and outline conditions for supervision.

QUESTIONS OR CONCERNS CALL
1-800-563-6399
TDD 717-772-3521

**Interpreters available through
AT&T Language Line.**

**Si necesita traduccion llame a la
Oficina Para Defensa de Victimas,
1-800-563-6399.**

About Your Testimony

Although many crime victims experience similar reactions, have similar questions and concerns, only you can provide the Board with insight on how the crime has impacted you and your family's lives. Now is the time for you to prepare your testimony for consideration in the decision making process. The choice of which form of testimony to provide is a personal one. Listed below are two forms of testimony. Both forms of testimony are treated equally by the Board. If these forms of testimony are not comfortable for you, or if you would like further assistance, please contact the Office of the Victim Advocate at 1-800-563-6399.

WRITTEN TESTIMONY - You can send written testimony directly to the Office of the Victim Advocate. It can be as long or as short as you would like. Once your written testimony is received, the Office of the Victim Advocate ensures that it is reviewed by the Board Members prior to making the decision regarding parole.

ORAL TESTIMONY - Oral testimony is an interview with you conducted by a Hearing Examiner employed by the Board of Probation and Parole. A Hearing Examiner is a representative of the Board, trained to take your testimony. The inmate and the Board are not present while you are being interviewed. Your testimony is audio taped, summarized by the Hearing Examiner and put into written form. You will have the opportunity to review the summarized testimony prior to submission to the Board.

Witness to an Execution Program

- ♦ Pennsylvania law permits up to four victims to witness an execution
- ♦ Confidentiality of participation is protected by law
- ♦ Support and information services are available during this process

Outreach Initiatives

- ♦ OVA publishes a quarterly Newsletter to inform and educate on victim rights and available services
- ♦ Provide training for correctional, probation, and parole staff on victim issues
- ♦ Provide training to instructors who teach the Impact of Crime Classes to inmates
- ♦ Provide speakers to community groups and others on issues of victim rights and services

The Office of the Victim Advocate recognizes that all victims do not maintain the same views on issues. Therefore, we are dedicated to representing as many views as possible. Our program list is evidence of this commitment as we seek to be inclusive of all victims. Our program has grown and continues to grow in the direction that victims steer us. This brochure reflects only a portion of the services that we provide. If you are interested in a service that is not listed, please call us at one of our 800 numbers listed on the front cover.

Mary Achilles
Victim Advocate



Our Legislative Mandate is...

"To represent the rights and interests of crime victims before the Board of Probation and Parole and the Department of Corrections."

Our Mission is...

"The Pennsylvania Office of the Victim Advocate is dedicated to representing, protecting and advancing the individual and collective rights and interests of crime victims."

Office of the Victim Advocate
Board of Probation & Parole
1101 South Front Street, Suite 5200
Harrisburg, PA 17104
1-800-563-6399 Nationwide
(717) 772-3521 TDD

Office of the Victim Advocate
Department of Corrections
P.O. Box 598
Camp Hill, PA 17001
1-800-322-4472 Nationwide

OVA Programs and Services

RIGHTS FOR CRIME VICTIMS AFTER SENTENCING

Pennsylvania law provides rights for victims of crime regarding the release decision of state sentenced offenders. State sentenced offenders are those that have been sentenced to a maximum sentence of two or more years. In these cases, victims have the right to provide comment or testimony to be considered in the release decisions made by the Department of Corrections and the Board of Probation and Parole. This opportunity to provide comment and receive notification is facilitated throughout the Office of the Victim Advocate.

Notification Services & Victim Testimony

Victims registered with the Office of the Victim Advocate will receive a variety of notifications regarding the status of the inmate, including but not limited to the inmate's consideration for pre-release into a community corrections center, furloughs, parole consideration and escape.

Staff from the Office of the Victim Advocate will assist victims in preparing their testimony, either oral or written, and identification of issues of concern for the inmate's eventual release into the community.

General Services

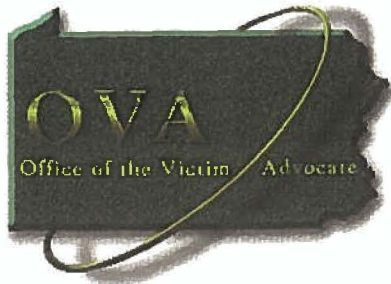
- ♦ Petition the Board of Probation and Parole to deny parole or set conditions of parole which address the concerns of victims
- ♦ Advocate within the Department of Corrections and the Board of Probation and Parole on specific issues identified by victims
- ♦ Community referrals
- ♦ Information and assistance in understanding victim rights and services in the probation, parole and correctional process
- ♦ Information and assistance on restitution collection
- ♦ Other services upon request

OVA Mediation Program for Violent Crime Victims

- ♦ Victim initiated request to contact offender
- ♦ Direct and indirect dialogue options
- ♦ Voluntary process for both victim and offender
- ♦ Trained volunteers are utilized to facilitate the dialogue after extensive preparation

Impact of Crime Classes for Inmates

- ♦ An educational program available in each of the state prisons which educates inmates in the emotional, physical and financial impact of crime on victims and the community
- ♦ Affords crime victims and other guest speakers an opportunity to talk to inmates about their experience



OVA Newsletter

Mary Achilles, Victim Advocate

Volume 4 Issue 2

June 2000

A Letter From The Victim Advocate

From where I sit, parole in Pennsylvania is carried out in the interest of public safety and as a service to victims of crime. Unless you work in the system, or have some cause to interact with it, many people's perception of parole is what they see in made-for-TV movies or hear as sound bites during the evening news when something very wrong happens.

But there is so much more to it. There are primarily two components to parole in Pennsylvania. First, there is the decision making. Second, there is the actual supervision of parolees in our communities. This newsletter focuses primarily on the latter; supervision of parolees. But I think that it is necessary to say a few words first about the decision-making process. The primary role of the Victim Advocate is to represent the rights and interest of crime victims before the Board of Probation and Parole and the Department of Corrections. We spend most of each day providing notifications to crime victims and assisting them in the preparation of their statements, whether oral or written, to the Board of Probation and Parole. What makes that of greater significance here in Pennsylvania is that this type of Victim Advocate position appears nowhere else in the nation and of equal importance we have discretionary parole in Pennsylvania.

I consider us fortunate. We have virtually no laws that require that we release any state inmates without due consideration by the members of the Board of Probation and Parole except those sentenced to motivational boot camp. Discretionary parole provides us with the guarantee that each case is judged on it's individual merits and where victims, if they chose to participate, have the right to provide input. What could be more in the interest of public safety? I think that it is a service to crime victims to have offenders released under supervision after careful review and planning for their reintegration into the community. Parole supervision provides someone to watch over those who have a history of having trouble behaving in our communities.

I have been amazed over the last five years at the dedication and commitment of the members of the Board of Probation and Parole toward the work they are assigned. The life altering decisions that they make everyday are made with a seriousness and commitment to community safety. I applaud their efforts.

This newsletter is designed to provide my colleagues in victim services and other arenas a closer look at the workings of *parole supervision*. You will find some details on what plans need to be approved before an inmate can be released and information on the general and special conditions of parole.

We have also included a three-page article on the experiences of staff as they spent an evening in Philadelphia with parole agents on duty. Renee Langan's account portrays an outsider-looking-in view of the role of the parole agent.

The staff of the Office of the Victim Advocate in general echoes Renee's admiration and respect for the work of these agents and field supervision staff.

Parole Plan Investigations

Prior to an inmate being interviewed for parole they must submit an approved parole plan. A parole plan has two parts, an employment segment and a residence segment. The proposed employment plan is investigated by the assigned parole agent to determine if the inmate has potential or guaranteed employment when released. If there is not adequate employment, then family support is investigated to determine if there are significant resources to support the parolee.

A home investigation consists of a visit conducted by the parole agent to the proposed home site. The individual offering the home is interviewed to determine the suitability of the home. The agent looks at a significant number of factors including, but not limited to, who resides in the home, their relationships to the offender, sleeping quarters, proximity of the home to transportation and/or the parolees employment and history of domestic violence in the home.

Parole Supervision - What does it mean?

Parolees are required to report to the assigned district office within 24 hours of their release from prison. They are immediately assigned to a parole agent and a level of supervision is assessed for the initial period of supervision.

A level of supervision represents the minimum amount of contacts that an agent must have with a parolee. Parole agents utilize a risk needs assessment instrument to determine the level of supervision required once the Board of Probation and Parole decides to release an offender on parole. In addition to the risk needs assessment, the following are also considered: 1) a parolee serving time for a violent

Face to Face Meetings - Face-to-Face meetings give parole agents an opportunity to meet with the parolee at his/her home or place of employment. Most face-to-face meetings take place in the field, not in the local parole office.

Collateral Visits - Collateral visits give the parole agent an opportunity to have contact with individuals or programs that have a relationship with the parolee. Examples of these types of contacts are family members of the parolee, treatment program staff, or employers. Collateral visits provide an opportunity for the agent to get a broad view of the parolee's behavior and progress in the community. Collateral visits are conducted without the parolee present.

offense can never be below the medium level of supervision; 2) sex offenders supervision level must never be below the maximum; 3) upon release, ALL parolees must be under a supervision level of at least medium; 4) parole agents cannot reduce a parolee from the enhanced or maximum level of supervision without the consent of the District Office Director.

There are general conditions of parole supervision that are imposed on all parolees. Additional conditions can be assigned by the Board at the time of a parole decision and/or by the supervising parole agent.

All parolees are required to maintain an approved residence and cannot move without permission of the parole supervision staff. Parole agents have the right to conduct random visits to the residence in the evening to ensure that the parolee is adhering to the conditions of supervision. Curfew restrictions and electronic monitoring bracelets can be utilized for this purpose.

Levels of Supervision

Enhanced - 4 face to face per month
2 collateral contacts

Medium - 1 face to face per month
1 collateral contact

Maximum - 2 face to face per month
2 collateral contacts

Minimum - 2 face to face per quarter
collateral visit in the opposite month

A Look Inside the Job of A Parole Agent

By: Renee Langan

I've always been morbidly fascinated by the seedier side, the underbelly you might say, of cities. When I learned I was going to be in Philadelphia for a conference, I thought, why not see the underbelly of the fifth largest city in America. No offense to those from Philly, but there is definitely a *very* seedy side to the City of Brotherly Love.

The Badlands. It doesn't get its name from the tranquil and picturesque surroundings. And let's face it, for a voyeur like me, there is nowhere seedier to go in Philadelphia than the Badlands.

After much planning and a little whining, my boss, Victoria, and I were able to weasel our way on a ride along with parole agents from the Philadelphia District Office. The deal was to accompany the agents to see what their job is like, and to gather information to bring back to victims regarding home plan investigations and supervision. To appease me, there was the promise of viewing dubious and somewhat dangerous areas as well.

We were met at the District Office by parole agents, and divided up into two groups. I went with one agent and Victoria rode with another agent. We communicated by a two-way-radio. On our several hour ride, I learned a lot, but what struck me most was the camaraderie that exists between the agents. There was lots of laughter and banter, but it was only to soften the harshness of a *really* tough job. Five minutes into the ride, I realized they laugh because if they don't they'll probably cry.

If an agent is doing their job, they are usually not sitting behind a desk all day. They are out in the field. In this case, the field constitutes some of the worst neighborhoods in the city. This is where they work, amidst the drugs deals, prostitutes and daily violence. Their office is the streets and on the night we were out, the streets were teeming with activity.

Our first order of business was to investigate a home plan turned in by an offender. On the drive over, the agent shared stories about past home investigations. The element of surprise works very well in cases like this, although he has gone to investigate home plans that were scheduled, only to find that despite his presence in the home, the drug activity continued to flow at an uninterrupted pace. Needless to say, those homeplans were denied.

At the home in question, a young woman was living there with her four year old son. She was willing to submit to the investigation that occurs when you say you'll take a parolee in. She stated up front that she and the potential parolee planned to get married.

The agent looked in every room of the house. He asked who slept in which rooms and which room the parolee would be sleeping in. He questioned who else would be residing in the house and who owned the home. Documentation was needed in the form of leases and employment papers.

He also covered stipulations that people don't think about, such as not being allowed alcohol in the home and no weapons, even those for hunting.

He verified that there was a working phone and that the doorbell worked. When the homeowner asked why her doorbell was important, the agent answered that when he comes knocking in the middle of the night, there will be no excuse for the parolee not to have heard, even if he's sleeping.

Rules were gone over, including the rights of the agent and the privacy and rights that are temporarily given up when you open your home to a parolee. The entire time we were in the house, the parole agent's eyes never stopped wandering. He later told us he was looking for any signs that something wasn't right, any not-so-obvious clues that would indicate the homeowner was not being truthful.

As the investigation went on, I could see the homeowner, who started the interview so hopeful, becoming deflated with each passing minute. You could actually *see* what she was thinking, and what she was thinking was, this is a lot of responsibility.

She almost crumbled when the agent asked for her work telephone number, "just in case." She said she could not receive phone calls at work. But the agent insisted, explaining why, in the event the parolee would abscond from parole, it would be important to get in contact with her. Eventually she relented.

The agent also asked her if she knew what the offender was serving for. A nod of her head was not sufficient and a discussion of the actual offense, along with past parole violations took place. The agent later explained that there have been plenty of times when the home owner has no idea who or what they are letting into their home. He's not taking any chances.

The total home plan investigation took a little less than two hours, which is average, although they can take much longer, depending on the circumstances.

The thoroughness of the interview provided many things. The first was that the homeowner now realized she was taking on a big responsibility by letting the parolee reside with her. She would be one more ally and source of information for the agent. She would have a special interest in the parolee doing well.

The interview also provided the agent with more information and a better idea of the circumstances and environment the parolee would be residing in; information that might come in handy at some time in the future.

As our evening ride along came to an end, I was struck again by how tough parole agent's jobs are. I was tired and had seen enough. I wanted to go back to the safety of my hotel, but after dropping me off, the agents still had a long night ahead of them. There were curfew checks to complete, which meant going to the parolee's homes and making sure they were there. It might sound simple enough, until either the parolee isn't there or is there and is caught doing something they shouldn't be doing. It can and does occur, and when it does, you never know how people will react or if it will turn into a volatile situation.

Naturally, the parole agent's responsibilities don't stop there. In the morning, they will be up again, checking on parolees in their homes and at work, completing more home plan investigations and putting their lives and personal safety at risk.

Although I worried about the agents' safety, my ride along also gave me some peace of mind. I know parole agents can't control everyone and everything but I do know they are trying their hardest. The agents I met knew the city and their parolees very well and they did everything in their power to prevent the parolee from committing future crimes.

The next time a victim asks about parole, I will feel comfortable in telling them that a parolee will not just be out on the streets without supervision. I will know parole agents will be supervising and monitoring them with strict attention.

Although the agent's are only human, I got the feeling they were sometimes performing superhuman tasks on the street.

Parole District Offices

Erie District Office - 814-871-4201

Allentown District Office - 610-821-6779

Mercer District Office - 724-662-2380

Chester District Office - 610-447-3359

Pittsburgh District Office - 412-442-5840

Philadelphia District Office - 215-560-6290

Altoona District Office - 814-946-7357

Butler Sub Office - 724-284-8888

Williamsport District Office - 570-327-3584

Norristown Sub Office - 610-270-1660

Harrisburg District Office - 717-787-2563

Scranton District Office - 570-963-4326

COMMONLY ASKED QUESTION ABOUT PAROLE

What does it mean when an inmate comes up for parole?

Pennsylvania has a minimum and maximum sentencing structure. What that means is that offenders are sentenced to a minimum sentence and a maximum sentence. For example, an offender may receive a five to ten year sentence. The five years is the minimum and the ten years is the maximum. Parole in Pennsylvania is a privilege, not a right and inmates must serve their minimum sentence before they can be released on parole. When an inmate is granted parole they are supervised in the community by a parole agent until the expiration of their maximum sentence.

What is considered in a parole decision?

The Board, when making a determination for parole, considers factors such as input from the district attorney, sentencing judge, and victims. They also consider the facts of crime and criminal history, institutional adjustment, recommendations from warden or Department of Corrections and whether public safety can be achieved if the offender is released on parole.

If an inmate is denied parole at his/her minimum sentence review, when will that inmate be seen again by the board?

If a parolee is refused parole at the expiration of their minimum sentence date, it would not be unusual for their case to be listed again in a year. But that time period could be shorter or longer depending on the circumstances of the inmates' case. Each case is examined on an individual basis.

What if an inmate is never paroled?

If the Parole Board orders an offender to serve his/her maximum sentence in prison, the offender will be released to the community at the completion of their maximum sentence without any parole supervision.

Can inmates sentenced to life be considered for parole?

A life sentence in Pennsylvania means natural life without the possibility of parole. The only release option opened to these inmates is the commutation or pardon process before the Board of Pardons (see OVA Newsletter Volume 2 Issue 3).

CONDITIONS GOVERNING PAROLE/REPAROLE

In addition to any conditions imposed by the Board the following conditions pertain to all parolees.

1. Report in person within 24 hours to the district office or sub-office, and do not leave that district without prior written permission of the parole supervision staff.
2. Your approved residence may not change without the written permission of the parole supervision staff.
3. Maintain regular contact with the parole supervision staff by:
 - a. reporting regularly as instructed and following any written instructions of the Board or the parole supervision staff.
 - b. notifying the parole supervision staff within 72 hours of: (1) your arrest; or (2) your receipt of a summons or citation for an offense punishable by imprisonment upon conviction; and
 - c. notify the parole supervision staff within 72 hours of any change in status, including, but not limited to, employment, on-the-job training, and education.
4. Comply with all municipal, county, state and Federal criminal laws, as well as the provisions of the Vehicle code (75Pa. C.S. § 101 et seq.), and the Liquor Code (47 P.S. § 1-101 et seq.)
5. You shall:
 - a. abstain from the unlawful possession or sale of narcotics and dangerous drugs and abstain from the use of controlled substances within the meaning of the Controlled Substances, Drug Device, and Cosmetic Act (35 P.S. § 780-101 et seq.) without a valid prescription;
 - b. refrain from owning or possessing any firearms or other weapons; and
 - c. refrain from any assaultive behavior.
6. You shall pay fines, costs, and restitution imposed on you by the sentencing court. You shall establish with appropriate county authorities within thirty (30) days of your release from prison a payment schedule for the fines, costs and restitution owed for those cases for which you are now on state parole. Thereafter, you shall:
 - a. pay these obligations according to the established payment schedule or as ordered by the court;
 - b. provide proof of such payment to parole supervision staff; and
 - c. keep the parole supervision staff and the court informed of any changes in your financial ability to pay fines, costs and restitution.
7. You shall comply with the special conditions determined by a case to case bases imposed by the Board and with special conditions imposed by the parole supervision staff.

OVA MISSION STATEMENT

The Pennsylvania Office of the Victim Advocate (established by Act 8, 1995) is dedicated to representing, protecting and advancing the individual and collective rights and interests of crime victims.

Office of the Victim Advocate
PA Board of Probation & Parole
1101 South Front Street, Suite 5200
Harrisburg, PA 17104
(717) 783-8185
(717) 787-0867 FAX
Crime victims call 1-800-563-6399
TDD 1-877-349-1064 (toll free)

Office of the Victim Advocate
PA Department of Corrections
PO Box 598
Camp Hill, PA 17001-0598
(717) 731-7060
(717) 731-7067 FAX
Crime victims call 1-800-322-4472
TDD 1-877-349-1064 (toll free)

Don't forget to check out our website at www.ova.state.pa.us

Mary Achilles, Victim Advocate
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1101 South Front Street, Suite 5200
Harrisburg, PA 17104



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AFFIX
PROPER
POSTAGE

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Office of the
Victim Advocate

Registration Brochure

Mary Achilles,
Victim Advocate

Tom Ridge,
Governor

OFFICE OF THE VICTIM ADVOCATE...

Overview... Act 8 of 1995 established the Office of the Victim Advocate to represent the rights and interests of crime victims before the Department of Corrections and the Board of Probation and Parole. The Victim Advocate has the responsibility and the duty to petition the Board of Probation and Parole, at the request of the victim, to deny parole and/or set conditions of parole. The Victim Advocate has jurisdiction over the Victim Input and Notification Programs in both the Department of Corrections and the Board of Probation and Parole. The Office of Victim Advocate seeks to provide comprehensive delivery of services to crime victims seeking to exercise their rights in the post-sentencing process.

DEPARTMENT OF CORRECTIONS (DOC)...

Offenders sentenced to a maximum prison sentence of two or more years are usually placed in the custody of the Department of Corrections (DOC). Most inmates are first sent to the State Correctional Institute at Camp Hill for classification. After classification, they are sent to a specific institution which can best meet their identified security and programmatic needs. The DOC operates twenty-five (25) correctional institutions, one motivational boot camp, and fifteen (15) community corrections centers throughout the state.

If you have questions or need additional information contact 1-800-322-4472. ATT Language Line services available for translation.

BOARD OF PROBATION AND PAROLE (PBPP)...

The Pennsylvania Board of Probation and Parole (PBPP) has the authority to grant or deny parole for all inmates sentenced to a maximum term of two or more years in prison. In Pennsylvania, most offenders receive a minimum and maximum sentence and by law are required to serve the entire minimum sentence before being eligible for release on parole. The PBPP is responsible for the supervision of these offenders upon release and for the duration of their maximum sentence.

If you have questions or need additional information contact 1-800-563-8399 or TDD (717) 772-3521. ATT Language Line services available for translation.

VICTIM RIGHTS...

As a victim of crime in Pennsylvania, you have the following post sentencing rights:

- To receive notice of all post sentencing release decisions, including work release, furlough, parole, pardon or community corrections placement.
- To submit prior oral or written comment on post sentencing release decisions including, work release, furlough, parole, pardon, or community corrections placement.
- To receive immediate notice of the escape of the offender from a correctional facility.
- To receive notice of a commitment of the offender to a mental health facility from a State correctional institution and of the discharge, transfer or escape of the offender from the mental health facility.
- To have the Victim Advocate petition the Board of Probation and Parole to deny parole or set conditions of parole.
- To receive notice and provide input on inmate applications for commutations and pardons.

GIVING CRIME VICTIMS A VOICE

ENROLLMENT...

If the opportunity to provide input on release decisions made by the DOC and the PBPP and PBPP Victim Input and Notification programs are to be notified of these decisions is important to you, we encourage you to exercise your rights as a crime victim. To do so you must complete the attached registration form. This one registration form will register your desire to be notified of any inmate release decisions made by the DOC and the PBPP.

VICTIM RESPONSIBILITIES...

- To complete the attached registration form and mail it to the Office of the Victim Advocate, Pennsylvania Department of Corrections.
- To keep the Office of the Victim Advocate informed as to your current address and phone number.

VICTIM COMMENTS...

Your comments may be oral or written and may include the physical, financial and emotional impact of the crime on you and your family, the anticipated risk of continued physical, financial, and emotional impact, the advisability of release and conditions of release, and any other issues of concern to you.

Your comments shall be considered in the final release decisions made by both agencies. Both agencies review a variety of factors including: comments from the Sentencing Judge and District Attorney, institutional adjustment, previous parole experience and emotional stability.

CONFIDENTIALITY...

Your enrollment and participation in the DOC and PBPP Victim Input and Notification programs are confidential. Your actual comments, whether oral or written, are deemed confidential by law.

THE RELEASE PROCESS...

Pre-Release... Pennsylvania law allows the Department of Corrections to release inmates on furlough, work and educational release, or to a community corrections center. The department reviews a variety of factors in making their decision including the statements of any victims registered in the victim input and notification program.

Parole...In Pennsylvania, most offenders receive a minimum and maximum sentence. By law, they are required to serve the entire minimum before being considered for release on parole. Seven months prior to the offender's minimum sentence date, victims who are registered in the Victim Input and Notification Program have an opportunity to make an oral or written statement to the PBPP. Two months prior to the offenders' minimum sentence date, the PBPP begins to review a variety of factors to determine the offender's eligibility for parole. The victim's comments are seen to be an important part of the final decision-making process.

Pardons/Commutations... Offenders may seek a pardon or commutation of their sentence by filing an application with the Pennsylvania Board of Pardons. If an offender receives a public hearing with the Board of Pardons, the victim is notified. The victim or next of kin is encouraged to provide oral or written comments to the Board.

PA Department of Corrections and Board of Probation and Parole Victim Input and Notification Program

INSTRUCTIONS: District Attorney—complete all information on the defendant, Victim—complete all information in the unshaded area, detach card, affix postage, and mail in an envelope to: Office of the Victim Advocate, Pennsylvania Department of Corrections, P.O. Box 598, Camp Hill, PA 17001-0598

Defendant's Name:		Sentence:		Date of Sentence:	
Date of Birth:		Committing County:		Charge:	
Please provide one of the following identifiers:					
PhilPng Photo ID#:		State ID#:		Social Security #:	
Serving Sentence in County: <input type="checkbox"/> Yes <input type="checkbox"/> No					

Your Name:		Daytime Phone # with Area Code:		Evening Phone # with Area Code:	
Street/Free/PO Box:		City:		State:	
Zip:					
Your Mother's Maiden Name:		Last Four Digits of Your Social Security Number:			
Check One: <input type="checkbox"/> Crime Victim <input type="checkbox"/> Homicide Survivor <input type="checkbox"/> Parent/Guardian of Victim					
Name of Minor or Deceased Victim:					

Office of the Victim Advocate
Pennsylvania Department of Corrections
P.O. Box 598
Camp Hill, PA 17001-0598

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Oficina para la
Defensa de Víctimas

Folleto de
Matriculación

Mary Achilles,
Defensora de Víctimas

Tom Ridge,
Gobernador

Oficina Para La Defensa De Víctimas...

Compendio ... El Código 8 de 1995 estableció la Oficina para la Defensa de Víctimas para representar los derechos e intereses de las víctimas de delitos ante el Departamento de Correcciones y la Junta de Libertad Condicional y Libertad Bajo Palabra. El Defensor de Víctimas tiene la responsabilidad y la tarea de solicitar a la Junta de Libertad Condicional y Libertad Bajo Palabra, pedido por la víctima, el negar la libertad bajo palabra y/o establecer las condiciones de la libertad bajo palabra. El Defensor de Víctimas tiene jurisdicción sobre el Programa de Notificación y Comentarios por Víctimas en ambos, el Departamento de Correcciones y la Junta de Libertad Bajo Palabra. La Oficina para la Defensa de Víctimas busca el proveer una entrega completa de servicios a las víctimas de crímenes que buscan ejercer sus derechos en el proceso de post-sentencia.

Departamento De Correcciones (DDC)...

Los delincuentes penados a una sentencia de prisión máxima de dos o mas años son usualmente puestos bajo la custodia del Departamento de Correcciones (DDC). La mayoría de los reclusos son enviados primero a la Institución Correccional de Camp Hill para ser clasificados. Después de la clasificación, estos son enviados a una institución específica que pueda mejor cumplir con sus necesidades programadas y de seguridad ya identificadas. El DDC opera 25 instituciones correccionales, un campamento de entrenamiento para reclusos, y 15 centros correccionales comunitarios alrededor del estado.

Si tiene alguna pregunta o necesita información adicional llame al 1-800-322-4472. Hay servicios de idiomas denominado ATT disponibles para traducción.

Junta De Libertad Condicional y Libertad Bajo Palabra (JLCLBP)...

La Junta de Libertad Condicional y Libertad Bajo Palabra de Pennsylvania (JLCLBP) tiene la autoridad de otorgar o denegar la libertad bajo palabra a todos los reclusos sentenciados a un término máxima de dos o mas años en prisión. En Pennsylvania, la mayoría de los delincuentes reciben una sentencia mínima y una máxima y por ley están obligados a cumplir la sentencia mínima en su totalidad antes de ser elegibles para la libertad bajo palabra. La JLCLBP es responsable de la supervisión de estos delincuentes al ser liberados y por la duración de su sentencia máxima.

Si usted tiene alguna pregunta o necesita información adicional llame al 1-800-563-6399 o a TDD (717) 772-3521. Hay servicios de idiomas denominado ATT disponibles para traducción.

Derechos De Las Víctimas...

Como víctima del crimen en Pennsylvania, usted tiene los siguientes derechos de post-sentencia:

- El recibir aviso de todas las decisiones de liberación de post-sentencia, incluyendo la liberación laboral, permisos, libertad bajo palabra, indulto o la colocación en una correccional comunitaria.
- El someter comentarios orales o escritos previo de una decisión de liberación de post-sentencia, incluyendo la liberación laboral, permisos, libertad bajo palabra, indulto o la colocación en una correccional comunitaria.
- El recibir aviso inmediato de la fuga de un recluso de una facilidad correccional.
- El recibir aviso cuando el recluso sea internado a una facilidad de salud mental de una Institución Correccional del Estado como al ser dado de alta, transferido o en caso de fuga del recluso de la facilidad de salud mental.
- Pedirle al Defensor de Víctimas que le solicite a la Junta del Libertad Condicional y Libertad Bajo Palabra negar la Libertad Bajo Palabra a que establezca condiciones para la misma.
- El recibir aviso y proveer comentarios en las solicitudes de los reclusos para conmutación de pena e indultos.

Dándole Voz a las Víctimas del Crimen

Matrícula...

Si la oportunidad de proveer comentarios en cuanto a las decisiones de liberación hechas por el DDC y JLCCLBP y el ser notificado de estas decisiones es importante para usted, le animamos a que ejerza sus derechos como víctima del crimen. Para hacerlo usted tiene que completar la solicitud que se encuentre adjunto. Esta solicitud registrará su deseo de ser notificado de cualquier decisión tomada por el DDC o la JLCCLBP.

Responsabilidades de la Víctima...

- Completar la solicitud adjunta y enviarla por correo a la Oficina para la Defensa de Víctimas, Departamento de Correcciones de Pennsylvania.
- Mantener a la Oficina para la Defensa de Víctimas informada respecto a cambios en su dirección y número de teléfono.

Comentarios de la Víctima...

Sus comentarios pueden ser orales o escritos y pueden incluir el impacto físico, financiero y emocional que el crimen tuvo en usted y su familia, como mencionar también los riesgos anticipados por el continuo impacto físico, financiero y emocional, y su apego al proceso de liberación y las condiciones de ella, y cualquier otro asunto que le cause preocupación.

Sus comentarios deberán ser considerados por ambas agencias en la decisiones finales de liberación. Ambas agencias revisan una variedad de factores incluyendo: la mención del Juez de Sentencia y del fiscal, ajuste institucional, experiencias anteriores de libertad bajo palabra y estabilidad emocional.

Confidencialidad...

Su matrícula y participación en los programas del DDC y de Notificación y Comentarios por Víctimas de la JLCCLBP son confidenciales. Sus comentarios dados, sean estos orales o escritos son confidenciales bajo la ley.

El Proceso de Liberación...

Pre-Liberación... La ley de Pennsylvania le permite al Departamento de Correcciones el liberar reclusos con permisos, liberación laboral y para educarse, o también a un centro correccional comunitario. El departamento revisa una variedad de factores al hacer sus decisiones incluyendo los comentarios de cualquier víctima registrada en el Programa de Notificación y Comentarios por Víctimas.

Libertad bajo palabra... En Pennsylvania, la mayoría de los delinquentes reciben una sentencia mínima y una máxima. Por ley, ellos están obligados a servir el mínimo en su totalidad antes de ser considerados para la liberación bajo palabra. Siete meses antes del cumplimiento de la fecha de sentencia mínima del delincente, las víctimas que están registradas en el Programa de Notificación y Comentarios por Víctimas tienen la oportunidad de hacer comentarios orales o escritos a la JLCCLBP. Dos meses antes del cumplimiento de la fecha de sentencia mínima del delincente, la JLCCLBP comienza la revisión de una variedad de factores para determinar la elegibilidad del delincente para la Libertad Bajo Palabra. Los comentarios de la víctima son considerados como una parte importante en el proceso de la toma de decisión final.

Indultos/Commutaciones de pena... Los delinquentes pueden buscar el perdón o la conmutación de su sentencia a través de llenar una solicitud con la Junta de Indultos de Pennsylvania. Si un delincente recibe una audiencia pública con la Junta de Indultos, la víctima es notificada. La víctima o su familiar más cercano es motivado a proveer sus comentarios orales o escritos a la Junta.

Departamento de Correcciones y la Junta de Libertad Condicional y Libertad Bajo Palabra de PA Programas de Notificación y Comentarios por Víctimas

INSTRUCCIONES: Fiscalía - complete toda la información del acusado, víctima - complete toda la información en el área no conbreada, desprendida la tarjeta, póngale un sello, y envíe por correo: o envíe por correo a: Oficina para la Defensa de Víctimas, Departamento de Correcciones de Pennsylvania, P.O. Box 598, Camp Hill, PA 17001-0598.

Nombre del Acusado:	Sentencia:	Fecha de Sentencia:
Fecha de Nacimiento:	Condado consignador:	Cargo:
Por favor, provea una de las siguientes identificaciones:		
Photo ID, con foto: _____		
ID# del Estado: _____		
Seguro Social: _____		
Cupiendo Sentencia en Condado: <input type="checkbox"/> SI <input type="checkbox"/> NO		

Su Nombre:	Ciudad:	Estado:	Código Postal:
Teléfono con área (Dla):	Teléfono con área (Noche):	Nombre de Soltera de su Madre:	
Últimos cuatro dígitos de su Seguro Social:		Marca Ltra:	
<input type="checkbox"/> Víctima de Crimen		<input type="checkbox"/> Sobreviviente de Homicidio	
<input type="checkbox"/> Padre/Guardián de la Víctima		Nombre de Menor o del Ociso:	