

**COMMONWEALTH OF PENNSYLVANIA**  
**BOARD OF PROBATION AND PAROLE**  
**DUTIES, TRAINING & ARREST POWERS**  
**OF**  
**STATE AND COUNTY PROBATION AND PAROLE OFFICERS**  
**BY**  
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**ARREST POWERS:**

All State and County Probation and Parole Officers are given the status of Peace Officers under Commonwealth of Pennsylvania statutes.

Legislative Act No. 323, August 6, 1941, P.L. 861, Section 27, states "Parole Officers appointed by the Board are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest without warrant, writ, rule or process any parolee or probationer under the supervision of the Board for failing to report as required by the terms of his probation or parole, or for any other violation thereof." This Act expressly addresses the Parole Agents, Field Supervision staff and Deputized staff of the Pennsylvania Board of Probation and Parole. (P.B.P.P.)

County Probation Officers are given identical status by Act 277, August 6, 1963, which provides, "that probation officers shall have the power of peace officers in the performance of their duties. Probation Officers heretofore or hereafter appointed by any court of record of this Commonwealth are hereby declared to be peace officers and shall have police powers and authority throughout the Commonwealth to arrest with or without warrant, writ, rule or process any person on probation or parole under the supervision of said court for failing to report as required by the terms of his probation or parole or for any other violation of his probation or parole."

The peace officer/police power provided to State Agents and County Probation Officers is limited to the persons under the supervision of the respective State and County jurisdictions. These two acts do not confer general police powers upon these officers, but limits those powers as described in the Legislation.

Field supervision staff of the P.B.P.P. routinely arrest parolees and probationers in the course of their duties.

Of the sixty-seven (67) county probation departments in the Commonwealth, fifty-five (55) of those departments make their own arrests. The President Judge in each county makes the determination as to who makes arrests of parolee/probationers in their jurisdiction.

Currently, there are no probation departments in Mercer and Venango Counties. The Board provides full service to these counties, including pre-sentence investigations, probation supervision and arrest when necessary.

In 1965, the Parole Act was amended in an effort to provide greater supportive assistance by the Board to the operation of county probation and parole departments. The Board was empowered by statute to establish standards for operation and personnel of county probation and parole offices, with funding being awarded to those counties which complied with the standards and could demonstrate the need for subsidy to hire additional staff. The intent of the grant-in-aid program was to help improve and strengthen the functioning of the county probation departments while helping to encourage uniform standards for operation and personnel practices.

The Board was also authorized to conduct pre-sentence investigations at the request of the court as an aid in the sentencing process and to help alleviate the high workloads that existed in many county probation offices. With this expanded role in the correctional system, the name of the agency was changed to the Pennsylvania Board of Probation and Parole and the membership of the Board was increased from three to five members. Currently, the Board consists of nine (9) members.

#### **DUTIES OF STATE PAROLE AGENTS AND COUNTY PROBATION OFFICERS:**

The day to day duties of State Parole Agents and County Probation Officers are similar, therefore the duties herein described apply to both State and County Officers.

In accordance with the Board's & Court's policy of providing protection to the community, the agent supervises individuals who were sentenced for involvement in a criminal offense and who eventually need the supervision of a parole agent. The offenders may be assigned in any one of the following ways: A parolee from a state institution, a special parole or probation case assigned by a local jurist, or he may be transferred from another county or another state. County probation officers receive probation cases from the Court, and parolees from county prisons upon parole by the sentencing judge.

Agents help offenders reach an improved understanding of themselves and their life situation. Problems such as drug use, employment, etc., are addressed to assist the offender to successfully reintegrate to the community.

Agents refer offenders to other agencies for specialized therapy in order to assist them with problems the agent feels need special attention. These areas of specialized problems may deal with jobs, drugs, alcohol and mental health, or other areas of adjustment. Agents develop and modify treatment plans based upon the particular needs of the offender to assist offenders to develop positive behaviors.

Agents participate in court proceedings providing testimony on offender adjustment, information concerning agency policy and procedures to assist the court in making proper disposition of technical violations of probation or parole. Court cases may result in revocation of probation/parole, or the imposition of special conditions of probation/parole.

Agents participate in Board of Probation and Parole hearings presenting evidence, testimony, presenting witnesses, and performing related work to facilitate the reincarceration of a parole violator. Agents conduct investigations such as: Pre-parole, Pre-sentence, Pardon Board, Arrest, Technical Parole Violation, Special Investigation (other states, other districts, background for new employe, etc.), Commutation, and Classification Summaries.

Agents speak to prospective employers regarding the importance of employment for offenders.

Agents assess offender's conduct and activities through home, office and employment contacts. Agents keep a running records of these contacts in their field work books.

Agents write periodic progress and conduct reports which summarize the parolee/probationers adjustment for the Board or Court.

Agents transport prisoners to and from county and state correctional institutions as necessary. Agents review circulated materials, attend staff meetings and training sessions in order to keep abreast of changes in the law and Agency policies and procedures.

Agents routinely arrest parolees and probationers who have violated their conditions of parole or probation.

Agents answer telephone calls and questions from visitors and conduct interviews with offenders in order to maintain continuity of services in the absence of the assigned parole agent. Agents monitor the status of outstanding criminal charges against clients by reviewing information maintained by local law enforcement authorities. Agents meet with these authorities in order to determine if further action is needed by the Board of Probation and Parole.

The Pennsylvania Board of Probation and Parole is legislatively mandated to provide training to county probation and parole departments throughout the Commonwealth. The primary means by which this is accomplished is the joint state/county training program, managed by the Board's Division of Training. To accomplish this, an annual curriculum is developed and presented to the counties by way of a quarterly training catalog. The centerpiece of each training quarter is a Basic Probation and Parole Skills Academy. That academy is ten days in length and prepares newly hired probation officers to function in the field.

## TRAINING

For State parole agents, their attendance at the Basic Skills Academy is followed by a five day firearms qualification course. Concurrent with the Basic Skills Academy and Firearms, a six month on-the-job training program is administered by their immediate supervisor. The on-the-job training follows a programmed manual and guides newly hired parole agents through their duties in a logical progression.

For most county departments some form of local classroom and on-the-job training is presented to new officers as a compliment to the Basic Skills Academy. Once they have completed the Basic Training Academy, both State parole agents and County probation officers are eligible to attend courses offered in our general curriculum. Attached for your review are samples of that curriculum as presented in our quarterly course catalogs.

All State parole agents must take and complete the Use of Force curriculum. It is mandatory for all State parole agents to attend and complete a five day Initial Firearms Course. At this point in time, it is optional for parole agents to choose to carry a Board issued firearm. Those agents choosing to carry a firearm must successfully complete all Use of Force trainings and the Initial Firearms Course. Parole Agents must attend and successfully complete mandatory firearms training throughout each calendar year and successfully pass an annual requalification course. All Board firearms instructors must successfully complete the one week Municipal Police Officers Firearms Instructor Course given by the Pennsylvania State Police Firearms Training Unit. Board instructors are then certified as firearms

instructors by the PSP. The Board Firearms Instructor continues to receive additional firearms, case law, first-aid and other trainings throughout each calendar year. The Board's firearms instructors must requalify annually and attend mandatory trainings to maintain their status of Board Firearms Instructors. These instructors conduct all initial, requalificaion, and tactical trainings mandated for parole agents authorized to carry a firearm in the course of their duties.

Of the 67 county probation departments in the Commonwealth, 34 departments authorize probation officers to carry firearms. Recently, the County Probation and Parole Officers' Firearms Education and Training Commission was created. The Commission has already begun to conduct training and certify probation officers to carry firearms. The Board Firearms Coordinator and a number of Board Firearms Instructors have participated in the Commission's initial trainings.

In addition to Use of Force and Firearms training received by Parole Agents and Probation Officers, there is a host of professional development trainings given to this staff. Included in the attachment to this report, are examples of actual course offerings.

## ATTACHMENTS

- 1) PA State Parole Agent Identification Card
- 2) County Probation Officer Identification Card
- 3) Information Sheet for County Probation & Parole Officers
- 4) PBPP Manual of Operations - Chapter 4.12a (Use of Force)
- 5) PBPP Manual of Operations - Chapter 4.13 (Arrests/Searches/Warrants)
- 6) PBPP Manual of Operations - Chapter 4.15 (Use of Firearms and other Weapons)
- 7) Memorandum Enforcement Skills Training
- 8) Firearms Training Document
- 9) Firearms Fundamental Training Manual - (Courses of Fire)
- 10) Annual 9mm Requalification Course & Written Test
- 11) Memorandum: Armorers' Responsibilities
- 12) Basic Training Agenda
- 13) On-the-Job Training Package - Supervisor Manual
- 14) On-the-Job Training Package - Parole Agents Manual
- 15) Training Course Catalogs