

## Survey to Chief APOs

### Issue: Gagnon I Hearings – Special Probation Cases (325)

#### Question (from Lawrence County):

I have a related question, for 325 State special probation cases, how are G-1's handled in your county? Does the State Agent present the violations and you provide a hearing officer? Does County policy or state board policy govern the process. We recently had this where we detained for the board for a 325 special probation case. Since it was our detainer, I believe it is our policies that are in play. The Agents aren't familiar with county policy and are used to how the board does it. (meaning a board hearing officer should conduct the hearing and not a county officer).

#### Allegheny County

In reference to Jamie's 325 case question:

The G1 hearings are conducted by our hearing officers and the state agent appears, also by video.

#### Bucks County

In Bucks County, we (BCAPPD) would provide the Gagnon 1 Hearing Officer (Supervisor or DC) for a special supervision case. If a Gagnon 2 is scheduled on a special supervision case, the State Agent is expected to appear and present an overview of the supervision, along with a recommendation. We assist in developing a recommendation, if requested/ In the past, many Agents had difficulty with this process so we ran a training based on the expectations of the Court in Bucks County. This was organized by the Eastern District Director and went as well as could be expected. I should point out that recently, these issues arose again due to new State Agents being unfamiliar with our process. We had a meeting with regional PBPP/DOC Managers and the matter was quickly resolved.

#### Chester County

As far as special probations to the board, we treat those similar to courtesy supervision cases. They are returned to us and we either resolve the violation or follow through with the violation

#### Lancaster County

We have never had a certified to state case that was returned for violation ever ask for a Gagnon I. If they did though, we would follow our Gagnon I process. We would conduct the Gagnon 1 and the state agent would be subpoenaed to testify at it.

#### Lebanon County

In Lebanon County, if the offender doesn't waive either the Gagnon 1 or Gagnon 2 hearing, the PBPP agent attends the hearing...even if merely as a witness.

York County

In York County, the Parole Agent submits a report to us outlining the violations. We lodge the detainer, submit the violation report and represent it in Court.