

COMMONWEALTH COURT OF PENNSYLVANIA

Lewis Watkins v. Pennsylvania Parole Board

Watkins · No. 968 C.D. 2022 · Decided August 15, 2023

SUMMARY

The Pennsylvania Commonwealth Court affirmed the Pennsylvania Parole Board’s recommitment of Lewis Watkins as a technical parole violator after his unsuccessful discharge from a community corrections center. The court held that substantial evidence supported the Board’s finding that Watkins violated the center’s rules and that the Board’s credibility determinations were not reviewable on appeal. The court also rejected Watkins’ due process claim, concluding that he had notice and a meaningful opportunity to present evidence and was not entitled to reopen the record for a second hearing.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Lori A. Dumas; Renée Cohn Jubelirer, President Judge; Christine Fizzano Cannon, Judge; Lori A. Dumas, Judge
JURISDICTION	Pennsylvania
DECIDED	August 15, 2023
DOCKET	968 C.D. 2022
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petition for review of a Pennsylvania Parole Board order affirming Watkins's recommitment as a technical parole violator.
STANDARD OF REVIEW	The court reviewed whether constitutional rights were violated, an error of law was committed, or the Board's findings were supported by substantial evidence. The Board's credibility determinations and findings would not be disturbed if supported by substantial evidence.
PRECEDENTIAL VALUE	Nonprecedential; opinion not reported
PARTIES	Lewis Watkins v. Pennsylvania Parole Board

TOPICS

judicial review of agency action

administrative law

standard of review

procedural due process

appellate procedure

PRACTICE AREAS

Administrative law

Parole

Constitutional law

Appellate procedure

QUESTIONS PRESENTED

1. Whether substantial evidence supported the Pennsylvania Parole Board's finding that Watkins violated the terms of his parole.
2. Whether the Board violated Watkins's procedural due process rights by failing to permit him to present additional exculpatory evidence after the violation hearing.

HOLDINGS

1. Substantial evidence supported the Board's finding that Watkins violated the rules of Create House and consequently violated the terms of his parole.
2. The Board did not violate Watkins's due process rights because he received notice of his rights and a meaningful opportunity to be heard, and due process did not guarantee a second hearing or reopening of the record to present additional evidence.

KEY QUOTATIONS

“The essential requisites of procedural due process are notice and a meaningful opportunity to be heard.” (5)

FACTUAL BACKGROUND

Watkins was released to Create House, a community corrections center, subject to a parole condition requiring him to abide by the center's rules and successfully complete the program. After receiving multiple infraction reports, including allegations that he absconded without authorization, violated the center's mask policy, and became aggressive with staff, Watkins was unsuccessfully discharged and arrested as a technical parole violator. At the violation hearing, Create House's director testified for the Board, while Watkins denied leaving without permission and threatening staff. The Board credited the director's testimony and documentary evidence and recommitted Watkins for up to six months.

PROCEDURAL HISTORY

The Pennsylvania Parole Board found Watkins in technical violation of his parole, revoked his parole, and recommitted him to serve up to six months of backtime. Watkins filed an administrative appeal, which an appeal panel denied. He then petitioned the Commonwealth Court of Pennsylvania for review, asserting insufficient evidence and a due process violation.

DISPOSITION

affirmed

CASES CITED

- *Hudak v. Pa. Bd. of Prob. & Parole*, 757 A.2d 439 (Pa. Cmwlth. 2000)

- Falasco v. Pa. Bd. of Prob. & Parole, 521 A.2d 991, 995 (Pa. Cmwlth. 1987)
- Gregory v. Pa. Bd. of Prob. & Parole, 530 A.2d 1048, 1050 (Pa. Cmwlth. 1987)
- Harper v. Pa. Bd. of Prob. & Parole, 520 A.2d 518, 523 (Pa. Cmwlth. 1987)
- McCauley v. Pa. Bd. of Prob. & Parole, 510 A.2d 877, 879 (Pa. Cmwlth. 1986)
- Price v. Pa. Bd. of Prob. & Parole, 863 A.2d 173, 175 (Pa. Cmwlth. 2004)
- Commonwealth v. Turner, 80 A.3d 754, 761 (Pa. 2013)

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