

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2248

Session of
1976

INTRODUCED BY IRVIS, FINEMAN, BUTERA, HAMMOCK, WOJDAK, BERSON,
SCIRICA, LETTERMAN, PARKER, TOLL, ROSS, SCHMITT, LEDERER,
GREEN, PRATT, OLIVER, REED, M. E. MILLER JR., COLE, SHUPNIK,
ZELLER, J. B. KELLY III AND HOPKINS, MARCH 23, 1976

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 23, 1976

AN ACT

1 Establishing a Department of Corrections; providing for
2 correctional facilities for inmates, for prerelease programs,
3 for administration of correctional field services, for joint
4 county detention facilities and for the powers of courts with
5 respect to offenders; and establishing a Board of Parole.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 ARTICLE I

9 PRELIMINARY PROVISIONS

10 Section 101. Definitions.--As used in this act:

11 "Board" means Board of Parole established by this act.

12 "Community treatment center" means a community based and
13 oriented facility which may provide "live-in" accommodations for
14 offenders who enroll in academic courses; who participate in
15 vocational training programs; to utilize the resources of the
16 community in meeting their personal and family needs; who obtain
17 employment; and who participate in whatever specialized programs
18 exist in the community treatment center.

1 "Correctional field services" means any correctional program
2 or facility that is community based including State parole and
3 probation services, community treatment centers, community based
4 parole centers, and all other types of prerelease programs.

5 "Days" means calendar days unless otherwise specified.

6 "Department" means the Department of Corrections established
7 by this act.

8 "Local correctional facility" means any jail, workhouse,
9 correctional institution or facility, penitentiary, or prison
10 operated by a unit of local government.

11 "Parole" means the conditional and revocable release of a
12 committed person under the authority of the Board of Parole or
13 the sentencing court.

14 "Parole services" means supervision, counselling, treatment
15 and other programs to assist an individual placed on parole in
16 the reintegration into the community.

17 "Prerelease programs" means any program that allows an inmate
18 to participate in a community treatment center, an educational
19 or work release program, or a furlough, under the rules
20 established pursuant to this act.

21 "Probation services" means supervision, counselling,
22 treatment and other programs to assist an individual placed on
23 probation by a sentencing court.

24 "State correctional facility" means any correctional
25 institution, regional correctional facility, women's community
26 treatment center, community treatment center, community based
27 parole center and other facility operated by the department for
28 the custody, treatment, training, education and reintegration of
29 offenders committed to the Department of Corrections.

30 "State correctional institution" means the State correctional

1 facilities known as the State Correctional Institution at
2 Graterford, State Correctional Institution at Muncy, State
3 Correctional Institution at Dallas, State Correctional
4 Institution at Camp Hill, State Correctional Institution at
5 Rockview, State Correctional Institution at Huntingdon, and the
6 State Correctional Institution at Pittsburgh and other such
7 institutions as may be authorized by law.

8 "State regional correctional facilities" means institutions
9 that are operated on a regional basis for the custody,
10 treatment, training, education and reintegration of offenders
11 sentenced from six months to five years who have been committed
12 to the Department of Corrections.

13 "Unit of local government" means a city, county municipality,
14 town, township, borough, or other general purpose political
15 subdivision of the State.

16 ARTICLE II

17 ORGANIZATION OF THE DEPARTMENT

18 Section 201. Department of Corrections; Establishment.--An
19 administrative department to be known as the Department of
20 Corrections is hereby established. The provisions of the act of
21 April 9, 1929 (P.L.177, No.175), known as "The Administrative
22 Code of 1929," which apply generally to administrative
23 departments shall also apply to the Department of Corrections.

24 Section 202. Secretary of Corrections; Appointment;
25 Compensation.--(a) The department shall have as its chief
26 administrative officer the Secretary of Corrections who shall,
27 either personally, by deputy, or by the duly authorized agent or
28 employee of the department, and subject at all times to the
29 provisions of this act and of "The Administrative Code of 1929,"
30 exercise the powers and perform the duties by law vested in and

1 imposed upon the department.

2 (b) The Governor shall nominate and, by and with the advice
3 and consent of a majority of all the members of the Senate,
4 appoint the Secretary of Corrections, who shall hold office for
5 a term of four years, from the third Tuesday of January next
6 following the election of a Governor, and until a successor
7 shall have been appointed and qualified.

8 (c) The secretary shall be qualified for the position by
9 character, personality, ability, education, training and/or
10 successful administrative experience.

11 Section 203. Powers and Duties of the Secretary.--(a) The
12 secretary shall administer the department in accordance with the
13 provisions of this act and of "The Administrative Code of 1929."

14 (b) The secretary shall prescribe rules and regulations for
15 the operation of the department.

16 (c) The secretary shall appoint such personnel as are
17 required to administer the provisions of this act. Such
18 employees shall be appointed, suspended, discharged or otherwise
19 disciplined in accordance with the provisions of "The
20 Administrative Code of 1929" and of the act of August 5, 1941
21 (P.L.752, No.286), known as the "Civil Service Act." All
22 positions in the department shall be deemed to be included in
23 the list of positions set forth in of section 3 (d) of the
24 "Civil Service Act" and the provisions and benefits of that act
25 shall be applicable to the employees of, and the positions in,
26 the department.

27 (d) The secretary, in cooperation with the Office of
28 Administration and the State Civil Service Commission, shall
29 establish minimum qualifications and standards for positions in
30 the department and shall provide pre-employment and in-service

1 training and education for all employees of the department. The
2 secretary shall also, in cooperation with the Office of
3 Administration and the State Civil Service Commission, develop
4 classes of positions to enable paraprofessionals to perform
5 appropriate services for the department.

6 (e) To assist the department in fulfilling its
7 responsibilities, the secretary shall have the authority to
8 accept uncompensated and voluntary services. Such volunteers may
9 be reimbursed for travel expenses at the same rates as State
10 employees.

11 (f) The secretary may establish such advisory committees as
12 may be deemed necessary to assist the department in fulfilling
13 its responsibilities under this act. Members of advisory
14 committees shall receive no compensation but may receive
15 reimbursement for reasonable expenses incurred when actually
16 engaged in their official duties as directed by the secretary.

17 ARTICLE III

18 POWERS AND DUTIES OF THE DEPARTMENT

19 Section 301. Departmental Facilities; Programs and
20 Services.--The department shall have the power and its duty
21 shall be to maintain, supervise, and administer the following
22 facilities, programs and services:

23 (1) All State correctional facilities for the care,
24 custody, and correction of persons lawfully committed,
25 sentenced or transferred to the department.

26 (2) Parole services for persons committed by criminal
27 courts and placed on parole by the Board of Parole.

28 (3) Parole services for any person sentenced to a
29 maximum period of less than two years and placed on parole by
30 any judge of a court having criminal jurisdiction, when the

1 judge, by special order, directs supervision by the
2 department.

3 (4) Probation services for any person placed on
4 probation by any judge of a court having criminal
5 jurisdiction, when the judge, by special order, directs
6 supervision by the department.

7 (5) Services and assistance to units of local government
8 operating local correctional facilities as set forth in
9 section 304.

10 (6) Establishment of uniform Statewide standards and
11 provision of services as set forth in section 305.

12 (7) Establishment of programs of research, collection of
13 statistics and planning, including evaluation of the
14 performance of various functions of the department and the
15 effectiveness of the treatment of offenders.

16 (8) A grant-in-aid program to county courts for the
17 improvement of adult probation services.

18 (9) Presentence investigations when requested to do so
19 by the court.

20 Section 302. Establishment of State Correctional
21 Facilities.--(a) The department shall have the power and its
22 duty shall be to establish, with the approval of the Governor,
23 such State correctional facilities as it may deem necessary to
24 carry out the provisions of this act: Provided, however, That
25 the department may only establish or construct such additional
26 State correctional institutions and State regional correctional
27 facilities as are approved by the Governor and provided by law.

28 (b) The department, with the approval of the Governor and
29 the county commissioners involved, may acquire by purchase or
30 lease any county workhouse or jail or other suitable existing

1 facilities for use as a State correctional facility.

2 (c) The department, with the approval of the Governor, may
3 select for acquisition by purchase or lease, by the Department
4 of General Services, tracts of land or other real property
5 suitable for the construction of or use by the department as
6 State correctional facilities. The title to the lands so
7 acquired shall be approved by the Attorney General.

8 Section 303. Establishment of Women's Community Treatment
9 Centers.--(a) There are hereby established women's community
10 treatment centers distributed geographically throughout the
11 State for the treatment and rehabilitation of female prisoners.

12 (b) In the case of female prisoners the department shall
13 have the power and its duties shall be:

14 (1) To operate and manage community treatment centers
15 for females.

16 (2) To provide for the treatment, care, maintenance,
17 employment and rehabilitation of inmates of the centers.

18 (3) To establish standards for county jails and prisons,
19 including standards for physical facilities and standards for
20 correctional programs of treatment, education and
21 rehabilitation of the inmates.

22 (4) To inspect county jails and prisons and to classify
23 them in accordance with standards adopted under paragraph (3)
24 as eligible to receive prisoners under this act.

25 (5) To release any inmate in its custody for such
26 purposes and under such terms and conditions as the
27 department shall determine pursuant to Article V of this act.

28 (c) The women's community treatment centers shall receive,
29 subject to the affirmative authorization of the department, the
30 following:

1 (1) Females 16 years or over received by commitment or
2 sentence of the criminal courts.

3 (2) Females detained in default of bond after
4 preliminary hearing unless the department affirmatively
5 authorized the use of a county jail or prison in a specific
6 county.

7 (3) Females detained in default of bond upon arrest if
8 the department so authorizes, and at the same time, prohibits
9 use of a particular county jail or prison for female
10 commitments except on an emergency basis.

11 (4) Females sentenced by justices of the peace with
12 authorization for temporary release by the department and
13 paroled by the court of common pleas without consent of
14 justices of the peace.

15 (5) Females sentenced by the court of common pleas, who
16 remain under county jurisdiction, or females who are under
17 State jurisdiction.

18 (6) Females who are alleged or determined to be in
19 violation of their parole (county or State, convicted or
20 technical).

21 (d) All females on probation or parole may participate in a
22 specified program at the center when operationally feasible in
23 the determination of the department.

24 (e) All females on bond and those released or discharged may
25 participate in a specified program when operationally feasible
26 in the determination of the department.

27 (f) All females committed to a community treatment center
28 shall be subject to the exclusive jurisdiction and control of
29 the department and shall be subject to transfer within the
30 discretion of said department.

(g) The department is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in the administration of this section.

Section 304. Services to Units of Local Government; Reports From Units of Local Government.--The department shall have the power and its duty shall be to provide the following services and assistance to units of local government operating local correctional facilities:

(1) The department shall establish standards for local correctional facilities including standards for physical facilities, standards for correctional programs of treatment, education and reintegration of inmates, standards for staff development and training, and other matters necessary to the operation of such facilities.

(2) The department shall regularly inspect local correctional facilities and shall classify them in accordance with standards established pursuant to paragraph (1) as eligible to receive prisoners sentenced to maximum terms of six months or more but less than five years. The department shall conduct such other inspections and investigations of such facilities as it deems necessary.

(3) The department shall report to appropriate public officials the results of its inspections of local correctional facilities. The department shall have the power and its duty shall be to enforce the standards established pursuant to paragraph (1) by appropriate legal action in the Commonwealth Court or in the court of common pleas for the county in which the local correctional facility is located. The court shall have jurisdiction to enter an appropriate order requiring that the standards be met.

(4) Upon petition being presented to the secretary by the official in charge of any local correctional facility, and upon a showing of good cause therefor, the secretary may transfer persons lawfully detained in a local correctional facility to a State correctional facility: Provided, however, That before any transfer is made, as aforesaid, the court of common pleas of the county wherein the local correctional facility is located, shall give its consent to such transfer. Upon petition being presented to the secretary by the official in charge of any local correctional facility, and upon a showing of good cause therefor, the secretary may retransfer persons transferred to a State correctional facility from a local correctional facility pursuant to this paragraph. Such petition shall set forth the names of the persons whom the official in charge of any local correctional facility deems advisable to transfer or retransfer, together with (i) in the case of persons committed, the date of their commitment, and the term for which they were sentenced, or (ii) in the case of persons convicted but awaiting sentence, the date of conviction, or (iii) in case of persons in custody while awaiting trial, the fact that they are so held, or (iv) in case of persons otherwise confined, the reason for their confinement, and shall further set forth the reasons for which authority is desired to transfer or retransfer the persons therein named. The cost of transferring, retransferring and maintaining inmates transferred to State correctional facilities pursuant to this subsection shall be borne by the county or other unit of local government making such request. The department shall, by regulation, establish the daily cost of such maintenance and shall specify the

1 manner and time of reimbursement to the Commonwealth by the
2 county or other unit of local government. The department may,
3 by regulation, establish costs for special or extraordinary
4 services which shall be borne by the county. Such person or
5 persons as may be so transferred or retransferred shall be
6 subject to the same term of imprisonment as that imposed upon
7 them at the time of sentence under law. It shall be the duty
8 of the warden or keeper of the State or local correctional
9 facility to which a prisoner is transferred or retransferred
10 immediately, upon such transfer or retransfer, to give
11 notice, in writing, of the transfer or retransfer, to the
12 county commissioners of the county in which the prisoner was
13 sentenced or convicted or is being held, and to the clerk of
14 the court which sentenced or convicted the prisoner, or in
15 which the trial of the prisoner is pending, or which directed
16 the person be held, who shall file and enter the same of
17 record, and to the Board of Parole when the prisoner is
18 subject to board authority.

19 (5) It shall be the duty of the inspectors, sheriffs or
20 other persons having charge of any local correctional
21 facility to transmit to the department on or before February
22 1 in each and every year a full statement in detail of the
23 condition of such local correctional facility and the inmates
24 thereof during the year ending on the previous December 31,
25 providing such information as shall be specified by the
26 department by regulation.

27 Section 305. Statewide Standards and Services to Counties;
28 Presentence Investigations and Probation.--(a) The department
29 shall have the power and its duty shall be to establish uniform
30 Statewide standards for (i) presentence investigations; (ii)

1 supervision of probationers and parolees; (iii) the
2 qualifications of probation personnel; (iv) minimum salaries;
3 and (v) quality of probation services.

4 (b) The standards for the qualifications of probation
5 personnel shall only apply to probation personnel appointed
6 after December 31, 1965. Should any probation personnel
7 appointed prior to December 31, 1965 fail to meet the standards,
8 the court having jurisdiction of such personnel may request the
9 department to establish in-service training for such personnel.

10 (c) All probation officers appointed by any court of this
11 Commonwealth shall be required by the court to submit to the
12 department such information as the department may require on
13 forms prescribed and furnished by the department.

14 (d) The department shall have free and ready access to all
15 probation and parole records of the counties of this
16 Commonwealth.

17 (e) Any county which provides additional probation staff for
18 presentence investigations and for improved probation
19 supervision and program, may receive a grant-in-aid from the
20 Commonwealth through the department for additional cost incurred
21 thereby but only to the extent that the additional staff and
22 program funded by the grant-in-aid meet the qualifications and
23 standards established by the department. The department shall
24 establish rules and regulations for the allocation of funds
25 available for such grants-in-aid, and shall assure Statewide
26 compliance with standards established pursuant to this section.

27 (f) The department shall provide in-service training for
28 personnel of county probation offices when requested to do so by
29 the courts having jurisdiction of the probation office.

30

ARTICLE IV

INMATES

Section 401. Commitment and Transfer.--(a) The department shall accept custody of every person committed, sentenced or transferred to the department in accordance with law.

(b) All persons sentenced to total or partial confinement for:

(1) Maximum terms of five or more years shall be committed to the Department of Correction for confinement.

(2) Maximum terms of two years or more but less than five years may be committed to the Department of Correction for confinement or may be committed to a county prison within the jurisdiction of the court.

(3) Maximum terms of less than two years shall be committed to a county prison within the jurisdiction of the court except that as facilities become available on dates and in areas designated by the Governor in proclamations declaring the availability of State correctional facilities, such persons may be committed to the Department of Correction for confinement.

(c) The secretary shall have complete authority to transfer, after initial assignment, any person lawfully confined in any State correctional facility to any other State correctional facility subject to the limitations contained in Article V of this act.

Section 402. Diagnostic Facilities and Services.--(a) The department shall provide diagnostic facilities to make social, medical, psychological and other appropriate studies of persons committed to its care.

(b) Every person hereafter sentenced by any court in this Commonwealth to a State correctional facility shall be sent to

1 and received by the diagnostic facility designated by the
2 secretary, in his discretion, as proper for persons sentenced
3 from that judicial district: Provided, however, That the
4 provisions of this subsection shall not apply to those persons
5 condemned to death. Such diagnostic services shall be completed
6 as soon as possible and in no case longer than 60 working days
7 excluding Saturdays, Sundays and holidays after admission.

8 (c) Every person delivered to and received by any diagnostic
9 facility in accordance with this act shall be therein confined,
10 diagnosed and classified by the department for incarceration or
11 care in the State correctional facility deemed by the department
12 to be appropriate, subject to the limitations contained in
13 Article V of this act. Such person shall be assigned to such
14 State correctional facility for service of sentence, and such
15 person may be reassigned at any time to the proper diagnostic
16 facility for reclassification.

17 (d) Upon assignment of each person from any diagnostic
18 facility, the department shall make a written report of the
19 examination of the inmate including findings resulting from that
20 examination, which shall include a designation of the
21 institution of assignment and the date of assignment. Within 48
22 hours after the assignment, this report shall be filed with the
23 clerks of the court from which the person was sentenced or
24 committed. A copy of each report shall be sent to the
25 institution to which the person was assigned, to the board and
26 to the secretary. The report in the office of the clerk of court
27 shall be impounded and shall be accessible only upon
28 authorization in writing by a judge of the court from which the
29 person was sentenced or committed.

30 (e) At the request of any sentencing court, and in

1 accordance with standards established by the department,
2 diagnostic services shall be provided for any person who has
3 been convicted, is before the court for sentencing, and is
4 subject to commitment to the department. Such diagnostic
5 services shall be completed as soon as possible and in no case
6 longer than 60 days after request of the sentencing court. A
7 report of the findings shall be furnished to the court. To the
8 maximum extent feasible, diagnostic services shall be made
9 available in the community.

10 Section 403. Transfer of Mentally Ill and Mentally Retarded
11 Inmates.--(a) The department shall establish programs for the
12 treatment of mentally ill and mentally retarded inmates, either
13 in a separate facility or as part of State correctional
14 facilities.

15 (b) On the recommendation of appropriate institutional
16 treatment staff and with the approval of the departmental
17 medical director, designated by the secretary, the secretary
18 shall transfer an inmate for observation, testing and diagnosis
19 to an appropriate facility chosen by the secretary for not more
20 than 30 working days excluding Saturdays, Sundays and holidays.
21 The Department of Public Welfare shall accept for placement in
22 an appropriate mental health facility inmates transferred by the
23 secretary for observation, testing and diagnosis. If the inmate
24 is found to require commitment because of mental illness, the
25 secretary shall initiate legal proceedings for such commitment
26 pursuant to the provisions of the act of October 20, 1966 (3rd
27 Sp.Sess., P.L.96, No.6), known as the "Mental Health and Mental
28 Retardation Act of 1966." Pending final adjudication by the
29 court, the inmate shall remain at the mental health facility.
30 The time during which an inmate has been transferred for

1 observation, testing and diagnosis or committed pursuant to the
2 "Mental Health and Mental Retardation Act of 1966," shall be
3 credited in full towards the term for which the inmate has been
4 sentenced.

5 When in the judgment of the administrator of the institution
6 to which an inmate has been transferred or committed, the inmate
7 has been shown through observation, testing and diagnosis, not
8 to require further care at the mental health facility, the
9 inmate shall be returned to the department consistent with the
10 provisions of the "Mental Health and Mental Retardation Act of
11 1966."

12 (c) After appropriate psychological and/or psychiatric
13 testing and on the recommendation of appropriate institutional
14 treatment staff, the secretary may transfer an inmate for
15 observation, testing and diagnosis to the Department of Public
16 Welfare or other appropriate facility for not more than 30 days.
17 If the inmate is found to require commitment for mental
18 retardation, the secretary may initiate legal proceedings for
19 such commitment pursuant to provisions of the "Mental Health and
20 Mental Retardation Act of 1966." Pending final adjudication by
21 the court, the inmate shall remain at the appropriate facility.
22 The time during which an inmate has been transferred for
23 observation, testing and diagnosis or committed pursuant to the
24 "Mental Health and Mental Retardation Act of 1966," shall be
25 credited in full towards the term for which the inmate has been
26 sentenced.

27 (d) In cases where the term for which an inmate was
28 sentenced expires while the inmate is confined in a facility for
29 the mentally ill or mentally retarded pursuant to subsections
30 (b) and (c), the commitment pursuant to which the inmate is so

1 confined shall expire simultaneously with the sentence. If in
2 the judgment of the administrator of the facility the inmate
3 should continue to be confined in a facility for the mentally
4 ill or mentally retarded, new commitment proceedings may be
5 instituted as provided by law. Such proceedings shall be
6 initiated prior to the expiration of the maximum sentence.

7 Section 404. Programs for Inmates.--Efforts of the
8 department shall be directed generally toward the ultimate
9 reintegration with family and community for all persons
10 committed to the custody of the department. Treatment plans for
11 inmates shall be developed within the legal limits of the
12 sentence and the authority of the department. The department
13 shall establish programs of education, casework, counselling,
14 psychotherapy, work, vocational training, and guidance, and such
15 other programs as are deemed necessary or desirable to meet the
16 needs of inmates.

17 Section 405. Work by Inmates in State Correctional
18 Institutions and State Regional Correctional Facilities;
19 Allowances.--(a) The department shall provide employment
20 opportunities, work experiences and vocational training for all
21 sentenced inmates in State correctional institutions and State
22 regional correctional facilities. To the maximum extent
23 possible, vocational training and experience shall reflect
24 conditions of employment in the community. Inmates shall not be
25 required to work in excess of eight hours per day, six days per
26 week.

27 (b) To the extent to which the department is unable to
28 provide work for every physically able sentenced inmate, the
29 department shall permit inmates to engage in such work or
30 industries in State correctional institutions and State regional

1 correctional facilities as the department may approve and which
2 the department is able to provide from other sources under the
3 rules and regulations of the department covering the same.

4 (c) The department shall contract to sell or sell articles
5 manufactured or produced in the said industries carried on in
6 State correctional facilities which cannot be used therein, to
7 the Commonwealth or to any political subdivision thereof, or to
8 any state, municipality, municipal or county authority created
9 by or under any law of this Commonwealth, or to any State
10 institution, or to any educational or charitable institution
11 receiving aid from the Commonwealth, or Commonwealth chartered
12 nonprofit organizations, or to the Government of the United
13 States or any department, bureau, commission, authority or
14 agency thereof, or to any State or political subdivision or
15 authority thereof, or to any institution receiving aid from the
16 Government of the United States or of any other state.

17 (d) The department may make contractual arrangements for the
18 use of inmate labor by other tax-supported units of government
19 responsible for the conservation of natural resources or other
20 public works and Commonwealth chartered, nonprofit
21 organizations.

22 (e) All moneys received hereunder, except for moneys created
23 out of subsection (d), shall be paid into the Manufacturing Fund
24 through the Department of Revenue. The department shall pay out
25 of the Manufacturing Fund all expenses necessary for the proper
26 conduct of the work of the Department of Corrections pertaining
27 to the establishment, maintenance and carrying on of industries
28 in the State correctional facilities and the rehabilitation of
29 the inmates thereof. Estimates of the amounts to be expended
30 from the Manufacturing Fund shall be submitted to the Governor,

1 from time to time, for his approval. No expenditures out of this
2 appropriation shall be made in excess of the estimates approved
3 by the Governor, or in excess of the amount in the Manufacturing
4 Fund at the time of the making of any such expenditures.

5 (f) Inmates shall be compensated, at rates fixed by the
6 secretary, for work performed, including institutional
7 maintenance and attendance at training and educational programs.
8 Inmates who are unable to work because of injury, illness, or
9 other incapacity may be compensated at rates to be fixed by the
10 secretary. The inmate shall pay court fines, judgments and costs
11 and contribute to the support of his dependents who may be
12 receiving public assistance during the period of commitment if
13 funds available to him are adequate for such purpose: Provided,
14 however, That no more than three-fourths of such wages shall be
15 used for these purposes unless the inmate specifies otherwise.

16 Section 406. Discipline.--(a) The secretary shall prescribe
17 rules and regulations for the maintenance of good order and
18 discipline and for the safety and security of all persons in the
19 facilities and institutions of the department, including
20 procedures for dealing with violations. A copy of such rules
21 shall be provided to each inmate. Corporal punishment is
22 prohibited.

23 (b) The secretary shall provide for a record of charges of
24 infractions by inmates, any punishment imposed, and medical
25 inspections made.

26 Section 407. Medical Care.--(a) The secretary shall
27 establish and shall prescribe standards for health, medical and
28 dental services for each facility under the jurisdiction of the
29 department, including preventive, diagnostic and therapeutic
30 measures on both an outpatient and inpatient basis, for all

1 inmates.

2 (b) An inmate may be taken, when necessary, to a medical
3 facility outside the jurisdiction of the department.

4 Section 408. Discharge Allowances.--Inmates released upon
5 completion of their term or released on parole may, in
6 accordance with rules promulgated by the department, be supplied
7 with appropriate clothing, transportation, and financial
8 assistance.

9 ARTICLE V

10 PRERELEASE PROGRAMS

11 Section 501. Establishment of Prerelease Programs.--(a) The
12 department shall have the power and duty to develop such
13 prerelease programs and community treatment centers as are
14 deemed necessary for the reintegration of inmates of State
15 correctional facilities.

16 (b) Subject to the limitations contained in subsections (d),
17 (e) and (f), the secretary may permit any person incarcerated
18 under the supervision of the department, who has not been
19 sentenced to death or life imprisonment, to participate in any
20 of the department's prerelease programs.

21 (c) Subject to the limitations contained in subsections (d),
22 (e) and (f), any person transferred to or confined in a State
23 correctional institution or a regional correctional facility may
24 be released therefrom temporarily with or without direct
25 supervision at the discretion of the department in accordance
26 with rules provided in section 502, for the purposes of gainful
27 employment, vocational or technical training, education and
28 other lawful purposes as the department shall consider necessary
29 and appropriate for the furtherance of the inmate's individual
30 prerelease program.

1 (d) A person who has not served the minimum sentence as
2 provided in the act of June 19, 1911 (P.L.1055, No.812), section
3 6, referred to as the Indeterminate Sentence, Probation and
4 Penitentiary Parole Law, shall not be permitted to participate
5 in a prerelease program unless (i) more than 20 days have
6 elapsed after written notice of the proposed transfer,
7 describing the person's individual prerelease program, has been
8 received by the sentencing judge, or in the event the sentencing
9 judge is unavailable, the sentencing court and the prosecuting
10 district attorney's office and no written objection by the judge
11 containing the reason therefor has been received by the
12 department, or (ii) the judge withdraws the objection after
13 consultation with representatives of the department, or (iii)
14 approval of the proposed transfer is given by the Board of
15 Pardons as provided in subsection (e).

16 (e) In the event of a timely objection by the judge,
17 representatives of the department shall consult with the judge
18 and attempt to resolve the disagreement. If, within 20 days of
19 the department's receipt of the objection, the department does
20 not withdraw its proposal for transfer, or the judge and the
21 department do not agree on an alternative proposal for transfer,
22 the matter shall be listed for hearing at the next session of
23 the Board of Pardons to be held in the hearing district in which
24 the judge is located. At the hearing before the Board of
25 Pardons, representatives of the judge, the department, the
26 district attorney of the county where the individual was
27 prosecuted, any victim of the offense of which the inmate was
28 convicted and other interested and affected persons may appear
29 and testify.

30 (f) A person who has served his minimum sentence may be

1 released to a prerelease program by the department only after
2 notice to the judge that the privilege is being granted.

3 (g) Notice of the release of each person shall be given to
4 the Pennsylvania State Police, the district attorney, the
5 probation office, the Pennsylvania Board of Parole and the chief
6 of police of the county, municipality or township of the
7 locality to which the individual is assigned or of his
8 authorized destination.

9 Section 502. Establishment of Rules and Regulations.--The
10 secretary shall promulgate rules and regulations for granting
11 and administering prerelease programs and shall determine those
12 inmates who may participate in any such program. If any inmate
13 violates the rules or regulations prescribed by the secretary,
14 his prerelease privileges may be withdrawn.

15 Section 503. Penalties.--Failure of any inmate to report to
16 or return from the assigned place of employment, training,
17 education or other authorized destination at the designated time
18 and place shall be deemed an escape under the provisions of
19 Title 18 Pa.C.S., §5121, (relating to escape).

20 Section 504. Salaries and Wages of Inmates.--(a) The
21 salaries or wages of inmates gainfully employed under any
22 prerelease program, shall be collected by the department. Such
23 wages shall not be subject to garnishment or attachment for any
24 purpose either in the hands of the employer or the department
25 during the inmate's term of imprisonment and shall be disbursed
26 only as provided in this section, but for tax purposes they
27 shall be income of the inmate.

28 (b) The salaries or wages of any inmate participating in any
29 such prerelease program shall be disbursed by the department in
30 the following order:

(1) The room and board of the inmate including food and clothing.

(2) Necessary travel expense to and from work and other incidental expenses of the inmate.

(3) Support of inmate's dependents, if any.

(4) Payment, either in full or partial, of the inmate's obligations acknowledged by the inmate in writing or which have been reduced to judgment.

(5) The balance, if any, to the inmate upon his discharge.

ARTICLE VI

ADMINISTRATION OF CORRECTIONAL FIELD SERVICES

Section 601. Establishment of Departmental Offices.--(a) The department may, with approval of the Governor, divide the Commonwealth for administrative purposes into a suitable number of regions, in each of which there shall be a department office which shall have immediate charge of all correctional field services.

(b) As the occasion may require, the supervision of particular parolees and inmates of State correctional facilities participating in correctional field service programs may be transferred by the department to the appropriate regions.

(c) The department shall fix and determine the location of the various offices within their respective regions having regard to local conditions in each district and to the most convenient and efficient functioning of the office therein established.

Section 602. Power of Secretary to Deputize; Police Powers of Correctional Field Service Staff.--(a) The secretary is hereby authorized and empowered to deputize any person of the

1 department to act as an officer and agent of this State in
2 effecting the return of any person who has escaped from the
3 custody or supervision of the department or has violated the
4 terms and conditions of parole, prerelease or probation as
5 granted by the board, the department, or by any court of this
6 Commonwealth having criminal jurisdiction when assistance of the
7 department is requested by the court. In matters relating to the
8 return of such a person, any agent so deputized shall have all
9 the powers of a police officer of the State.

10 (b) Any deputization, pursuant to this section, shall be in
11 writing and any person authorized to act as an agent of this
12 Commonwealth pursuant thereto, shall carry formal evidence of
13 his deputization and shall produce the same upon demand.

14 (c) Staff responsible for parole supervision and so
15 designated by the secretary are hereby declared to be peace
16 officers and are hereby given police power and authority
17 throughout the Commonwealth to arrest without warrant, writ,
18 rule or process any inmate, parolee or probationer under the
19 supervision of the department, or when requested to do so by any
20 court of this Commonwealth having criminal jurisdiction for
21 failing to report as required by terms of his probation or
22 parole, or for any other violation thereof.

23 Section 603. Notification of Parole Violations.--(a) The
24 department shall keep regular records of any suspected parole
25 violations and in those cases where it deems necessary it may
26 charge a parolee with a violation. In all cases where the
27 department charges a parole violation it shall forthwith in
28 writing notify the board and the parolee of said charges and may
29 if it deems it necessary hold the person for a preliminary
30 hearing. The board shall in any event conduct a preliminary

1 hearing by a board member or its designated representative
2 within reasonably prompt time of such notification or detention,
3 whichever is earlier. The board shall determine if there is
4 reasonable cause to believe that the parolee has violated
5 specific conditions of parole and whether the parolee should be
6 detained until a revocation hearing can be held.

7 (b) If reasonable cause is established, the board shall hold
8 a revocation hearing within 60 days of the preliminary hearing
9 to determine by a preponderance of the evidence whether the
10 parolee has substantially violated conditions of parole and
11 whether parole should be revoked: Provided, however, That the
12 department, when requested by a court of this Commonwealth with
13 criminal jurisdiction to effect the return of a suspected
14 probation or parole violator, shall upon apprehension of said
15 suspected violator return him or her to the custody of the
16 court.

17 Section 604. Absconding from Parole.--The department shall
18 notify the board whenever a parolee has not made himself
19 available for parole supervision as required by the board. The
20 board may then declare the individual an absconder from parole
21 and may decide that the period during which such individual was
22 not available for parole supervision will not count as part of
23 the sentence for which the parolee was originally sentenced.

24 Section 605. Expense of Returning Parole Violators;
25 Supervision of Out-of-State Parolees.--(a) The secretary is
26 hereby authorized to enter into contracts with similar officials
27 of any other state or states for the purpose of sharing an
28 equitable portion of the cost of effecting the return of any
29 person who has violated the terms and conditions of parole or
30 probation as granted by this State: Provided That, all such

1 contracts in effect as of the effective date of this act shall
2 remain fully in effect, except that the Pennsylvania official
3 party to such contracts shall be, instead of the Chairman of the
4 Pennsylvania Board of Parole, the Secretary of Corrections.

5 (b) In compliance with the Federal Interstate Compact Laws,
6 the Department of Corrections is authorized to supervise persons
7 paroled by other states and now residing in Pennsylvania, where
8 such other states agree to perform similar services for the
9 Pennsylvania Department of Corrections or have agreed to perform
10 similar services for the Pennsylvania Board of Parole.

11 Section 606. Investigations for Board of Pardons.--The
12 department shall be charged with the duty of making
13 investigations and recommendations to the Board of Pardons in
14 cases coming before it, and upon its request.

15 ARTICLE VII

16 JOINT COUNTY DETENTION FACILITIES

17 Section 701. Power to Establish Joint County Detention
18 Facilities.--(a) The county commissioners of any two or more
19 adjoining counties may join in establishing, according to a
20 plan, detention facilities for the confinement of persons
21 awaiting trial or sentence on criminal charges, convicted on
22 criminal charges, or not otherwise eligible for confinement in
23 other jails.

24 (b) Before establishing detention facilities, the counties
25 shall submit their plan to the department for approval. The
26 department may require, as a condition to approving any plan,
27 that two or more adjoining counties join with another adjoining
28 county to establish detention facilities.

29 (c) Whenever the commissioners of any two or more adjoining
30 counties shall decide and agree to construct such joint

1 detention facilities, they shall acquire a suitable site for the
2 same. Such site may be selected from suitable lands already held
3 by any county of the district for county purposes, or from lands
4 donated for such purposes, or any quantity of land within the
5 respective districts. In the selection of a site, there shall be
6 taken into consideration the objects and purposes of the
7 institution. Title to such land shall be approved by the county
8 solicitor of the county in which the land is located, or such
9 other title guarantee corporation or attorney-at-law as may be
10 designated by the commissioners of the counties and shall be
11 taken in the name of the county or counties comprising the
12 district. The site, before purchase, shall be approved by the
13 department.

14 (d) After the selection and acquisition of such sites, the
15 county commissioners of such counties may erect and construct
16 suitable and necessary buildings thereon, repair any buildings
17 already erected, and equip the same for use and occupancy.

18 (e) Such detention facilities shall be constructed by
19 contract or contracts let by the county commissioners of such
20 counties to the lowest responsible and best bidder, after due
21 advertisement in at least one newspaper, published in each of
22 the counties joining in the erection of such detention
23 facilities, once a week for two consecutive weeks; and, when so
24 constructed, the detention facilities shall be equipped by the
25 county commissioners of such counties at the cost of the
26 counties in the same manner as other county buildings are
27 equipped.

28 Section 702. Advisory Board; Appointments.--(a) After such
29 joint detention facilities have been erected and equipped and
30 are ready for occupancy, president judges of the courts of

1 common pleas of the counties joining in the construction of such
2 detention facilities shall appoint an advisory board, to consist
3 of three persons from each of such counties. The president
4 judges of each of such counties shall appoint one member of said
5 board to serve for one year, one to serve for two years, and one
6 to serve for three years, or until their successors are
7 appointed and qualified. All appointments at the expiration of
8 any term shall be for a term of three years.

9 (b) The board shall meet at such times as it may deem
10 necessary but not less than monthly, excluding July and August.
11 The board shall visit and inspect and keep in close touch with
12 the management and operation of said detention facilities and
13 shall, from time to time, make such recommendations and
14 suggestions to the county commissioners for changes or
15 improvements in said management and operations as may be deemed
16 advisable. It shall also make an annual report to the county
17 commissioners concerning the management and operation of said
18 detention facilities.

19 (c) The county commissioners shall, at the expense of the
20 counties, provide a meeting place for said board, and furnish
21 all supplies and materials necessary to carry on its work.

22 (d) The members of the board shall not receive any
23 compensation for their services, but shall be allowed all actual
24 and necessary expenses incurred in the discharge of their
25 duties, which shall be paid by the counties as part of the cost
26 of maintenance of such detention facilities.

27 Section 703. Administration of Joint County Detention
28 Facilities.--(a) The county commissioners of such counties may,
29 after consultation with the advisory board, employ a
30 superintendent or matron, or both, and such other employees as

1 may be necessary to conduct and manage properly such detention
2 facilities, and shall fix their compensation. The duties of such
3 officers shall be prescribed by the rules and regulations of
4 such detention facilities. They shall hold their offices,
5 respectively, during the pleasure of, and their compensation
6 shall be fixed by, the appointing power.

7 (b) The county commissioners of such counties shall, before
8 any prisoner may be admitted to this institution, after
9 consulting with the advisory board, make general rules and
10 regulations for the management of the detention facilities which
11 rules and regulations shall be effective after they are approved
12 by the department.

13 (c) When, in any district, formed by such counties, the
14 arrangements are complete for the reception of inmates, transfer
15 shall be made to the detention facilities of the district, of
16 all persons who are subject to confinement as provided in this
17 act.

18 Section 704. Employment of Inmates.--Every person sentenced
19 to detention facilities under the provisions of this act unless
20 disqualified by sickness or otherwise, shall be kept at some
21 useful employment, such as may be suited to his or her age and
22 capacity, and such as may tend to promote the best interest of
23 the inmate.

24 Section 705. Costs of Facility; Transporting Inmates; Annual
25 Statement.--(a) The cost of transporting inmates committed to
26 the detention facilities shall be paid by the counties,
27 respectively, from which the prisoners are committed. The
28 sheriff of the county, for prisoners committed by the court, and
29 constables for prisoners committed by magistrates, shall receive
30 for such prisoners committed to the detention facilities no

1 mileage or traveling expenses on writs, except the actual cost
2 of transporting said prisoners so committed to the detention
3 facilities, together with any other fees for their services
4 allowed by law.

5 (b) A detailed statement of the receipt and expenditures by
6 any county constituting a part of said district for detention
7 facilities erected under the provisions of this act shall be
8 published by the county commissioners of each county, or by the
9 controller in said county. Where such report is published by the
10 controller, it shall be included in the annual statement of the
11 fiscal affairs of such county.

12 (c) The original cost of the site and buildings of the
13 detention facilities and the equipment thereof and all additions
14 thereto, and all fixed overhead charges in conducting the
15 institution, shall be paid by the counties constituting the
16 districts in the ratio of their population according to the last
17 preceding United States census or be paid according to an
18 agreement negotiated by the county commissioners of the counties
19 constituting the districts.

20 (d) The cost of the care and maintenance of the inmates in
21 said districts shall be certified monthly to the counties from
22 which inmates have been committed. Such cost shall be paid by
23 the counties in proportion to the number of inmates committed
24 from each county. All payments shall be on warrants of the
25 county commissioners, countersigned by the county controller in
26 counties where such offer exists.

27 (e) The county commissioners of each county joining in
28 establishing detention facilities as provided for in this act,
29 may make appropriations or incur or increase the indebtedness of
30 the county, in the manner now provided by law, to an amount

1 sufficient to pay its proportionate part of the cost of
2 acquiring a site and of erecting, constructing, and equipping
3 the said detention facilities, by issuing coupon bonds at a rate
4 of interest not exceeding 7%, and payable within 30 years from
5 the date of issue. The county commissioners of such county shall
6 levy an annual tax in an amount necessary to pay interest and
7 sinking fund charges upon such bonds.

8 Section 706. All the property, real and personal, authorized
9 to be held by virtue of this article, shall be exempt from
10 taxation.

11 ARTICLE VIII

12 POWERS OF COURTS

13 Section 801. Parole; Sentence under Two Years.--Paroles from
14 imprisonment for less than a maximum period of two years shall
15 be granted by the sentencing court and shall, together with all
16 probations, except such paroles and probations as to which
17 supervision is specially ordered by the court, be without
18 supervision by the department. If the court specially orders
19 departmental supervision of a parole, the parole case shall be
20 known as a special case and the authority of the department with
21 regard thereto shall be the same as herein provided with regard
22 to the parole cases of persons placed on parole by the Board of
23 Parole.

24 Section 802. Illness of Inmate; Removal for Treatment.--(a)
25 Whenever any inmate is confined in any State or local
26 correctional facility under conviction of sentence of a court or
27 is so confined while awaiting trial or is confined for any other
28 reason or purpose and it is shown to a court of record by due
29 proof that such inmate is seriously ill, and that it is
30 necessary that the inmate be removed from such State or local

1 correctional facility, the court shall have the power to modify
2 its sentence, impose a suitable sentence, or modify the order of
3 confinement for trial, as the case may be, and provide for the
4 official detention for the care of such inmate in some other
5 suitable medical institution or facility where proper treatment
6 may be administered. Upon the recovery of such person, the court
7 shall recommit the inmate to the State or local correctional
8 institution from which the inmate was removed.

9 (b) Upon the order of the court to transfer an individual
10 from a local correctional facility to a State correctional
11 facility under subsection (a) the cost of transferring,
12 retransferring and maintaining inmates so transferred shall be
13 borne by the county or other unit of local government. The
14 department shall, by regulation, establish the daily cost of
15 such maintenance and shall specify the manner and time of
16 reimbursement to the Commonwealth by the county or other unit of
17 local government. The department may, by regulation, establish
18 costs for special or extraordinary services which shall be borne
19 by the county.

20 ARTICLE IX

21 BOARD OF PAROLE

22 Section 901. Establishment and Organization of the Board;
23 Members of the Board.--(a) There shall be and there is hereby
24 established an independent administrative board to be known as
25 the "Board of Parole" which shall have the paroling authority
26 for all persons committed by the courts whose maximum period of
27 incarceration is two years or more.

28 (b) The board shall consist of five members who shall be
29 appointed by the Governor, by and with the advice and consent of
30 a majority of all the members of the Senate, and each of whom

1 shall hold office for a term of six years, or until a successor
2 shall have been duly appointed and qualified.

3 (c) The present members of the Pennsylvania Board of
4 Probation and Parole, established by the act of August 6, 1941
5 (P.L.861, No.323), referred to as the Pennsylvania Board of
6 Probation and Parole Law, shall become members of the Board of
7 Parole until the terms for which they were appointed shall
8 expire whereupon their successors shall be appointed so that the
9 terms of not more than two board members shall expire in any
10 two-year period so as to maintain the system of staggered terms
11 established by the act of August 6, 1941 (P.L.861, No.323),
12 referred to as the Pennsylvania Board of Probation and Parole
13 Law.

14 (d) The members of the board shall be qualified for their
15 appointment by character, personality, ability, education,
16 training and/or successful administrative ability.

17 (e) The members of the board shall not hold any other public
18 office or employment, elective or appointive, nor engage in any
19 other business, profession or employment.

20 Section 902. Chairman of the Board.--(a) One member of the
21 board shall be designated by the Governor to be chairman and
22 shall serve as chairman at the pleasure of the Governor.

23 (b) The chairman shall preside at all meetings of the board
24 and shall act in accordance with the policies and procedures
25 established by the board.

26 (c) The board shall designate one of its members to act as
27 chairman during the absence or incapacity of the chairman of the
28 board, but this individual shall not receive any additional
29 compensation for so acting.

30 Section 903. Quorum; Number Authorized to Act.--(a) A

1 majority of the board shall constitute a quorum for transacting
2 business and, except as hereinafter otherwise provided, a
3 majority vote of those present at any meeting shall be
4 sufficient for any official action taken by the board.

5 (b) The board shall assign its members in panels of two to
6 hold parole and reparole hearings and to act on parole
7 discharges. Cases of nonagreement by panel members as to release
8 and parole, reparole or discharge shall be referred to the full
9 board for review and decision. In cases of agreement by panel
10 members, the decision is binding on the board.

11 Section 904. Seal of the Board.--The board shall adopt an
12 official seal by which its acts and proceedings shall be
13 authenticated and of which the courts shall take judicial
14 notice. The certificate of the chairman of the board, under the
15 seal of the board and attested by a person authorized by the
16 board, shall be accepted in evidence in any judicial proceeding
17 in any court of the Commonwealth as adequate and sufficient
18 proof of the acts and proceedings of the board therein certified
19 to.

20 Section 905. Office of Board.--The principal office of the
21 board shall be in Harrisburg. The board shall appoint and employ
22 therein such number and character of employees as may be
23 necessary to carry out the purposes of this act.

24 Section 906. Political Activities of Members and
25 Employees.--No member of the board or employee thereof shall
26 serve as a member of or attend the meetings of any committee of
27 any political party or use his office to influence political
28 movements, or be an officer of any political organization or be
29 a member of or delegate or alternate to any political
30 convention. No member of the board or employee thereof shall

1 directly or indirectly, demand or solicit, or be in any manner
2 concerned in demanding, soliciting or receiving any assessments,
3 subscriptions or contributions, whether voluntary or
4 involuntary, to any political party or for any political purpose
5 whatsoever. No member of the board or employee thereof shall
6 take an active part in the management of a political campaign
7 except that this provision shall not be construed as limiting
8 the right of a member of the board or employee to express an
9 opinion with regard to any political issue, party or candidate.
10 Any person who shall violate any of the provisions of this
11 section shall forfeit the office or employment, as the case may
12 be, and shall not thereafter be appointed or employed by the
13 board in any position or capacity whatsoever. It shall be the
14 duty of the board to dismiss from office or employment any
15 employee thereof who violates this section.

16 Section 907. Powers and Duties of the Board.--The Board of
17 Parole shall have the power and its duty shall be:

18 (1) To parole and reparole, commit and recommit for
19 violations of parole, and to discharge from parole all
20 persons sentenced by a State court of criminal jurisdiction
21 in this Commonwealth for a period of two years or more
22 regardless of place of confinement.

23 (2) Subject to the provision of section 912, to grant
24 parole on its own motion whenever in its judgment the
25 interest of justice require the granting of the same.

26 (3) To consider applications for parole by a convicted
27 person or his attorney, relatives or friends or by any person
28 properly interested in the matter.

29 (4) To prescribe rules and regulations for the operation
30 of the board and its employees.

1 (5) To prescribe the general conditions for the conduct
2 of persons heretofore or hereafter placed on parole. In
3 addition, the board may, in particular cases, as it deems
4 necessary to effectuate the purpose of parole, prescribe
5 special conditions for particular parolees.

6 (6) To appoint such personnel as are required to
7 administer the provisions of this act. Such employees shall
8 be appointed, suspended, discharged or otherwise disciplined
9 in accordance with the provisions of the act of April 9, 1929
10 (P.L.177, No.175), known as "The Administrative Code of 1929"
11 and of the act of August 5, 1941 (P.L.752, No.286), known as
12 the "Civil Service Act." All positions created by the board
13 shall be deemed to be included in the list of positions set
14 forth in section 3 (d) of the Civil Service Act and the
15 provisions and benefits of that act shall be applicable to
16 the employees of, and the positions in, the board.

17 (7) Subject to the provisions of this act, the board
18 shall have all the powers and shall perform the duties
19 generally vested in and imposed upon independent
20 administrative boards and commissions by The Administrative
21 Code of 1929 and shall be subject to all the provisions of
22 such code which apply generally to independent administrative
23 boards and commissions: Provided, however, That the board
24 shall have the duty to the greatest possible extent to
25 utilize the personnel and facilities of the department in
26 order to coordinate the handling of administrative matters
27 with the department so as to avoid duplication of personnel
28 and facilities.

29 Section 908. Recommendations to the Board as to Parole;
30 Notification of Parole.--(a) At any time a judge may make a

1 recommendation to the board concerning a person sentenced by
2 him, but such a recommendation respecting the parole or terms of
3 parole shall be advisory only.

4 (b) The board shall, in all cases, consider the
5 recommendations of the trial judge and of the district attorney
6 and of each warden, superintendent, or other official, as the
7 case may be, who has had charge of an applicant, each of whom is
8 directed to submit to the board his recommendation and the
9 reasons therefor, with respect to each parole application.

10 (c) At least ten days before paroling a prisoner on its own
11 motion the board shall give written notice of such contemplated
12 parole to the district attorney of the county wherein the
13 prisoner shall have been sentenced, and, in cases of hearings on
14 applications for parole as herein provided for, at least ten
15 days written notice of the time and place fixed for such
16 hearings shall be given either by the board or by the applicant,
17 as the board shall direct, to the court and district attorney of
18 the county wherein the applicant shall have been sentenced.

19 Section 909. Transmission of Records.--It shall be the duty
20 of the court sentencing any person for a term, as to which power
21 to confine or parole is herein given to transmit to the
22 requesting agency, within 30 days after the imposition of such
23 sentence, a full and complete copy of the record upon which
24 sentence is imposed, including any notes of testimony if
25 requested by the board which may have been filed of record in
26 the case, together with copies of any criminal identification
27 records secured from the Federal Bureau of Investigation, copies
28 of presentence investigation reports and of behavior clinic
29 reports, if any were submitted to the court, the last two of
30 which records, being confidential records of the court, are to

1 be treated confidentially by the members of the board and the
2 department, who shall not permit examination of the same by
3 anyone other than their duly authorized agents or
4 representatives, except upon court order.

5 Section 910. Access to Inmates of Correctional Facilities.--

6 It shall be the duty of all officials of State and local
7 correctional facilities at all reasonable times to grant access
8 to any inmate whom the board has power to parole, reparole,
9 commit or recommit to the members of said board, its properly
10 accredited representatives, or others authorized in writing by
11 the board, and all such officials shall at all reasonable times
12 provide for the board, its properly accredited representatives,
13 or others authorized in writing by the board, adequate and
14 secure facilities for communicating with and observing such
15 inmates while imprisoned.

16 Section 911. Parole and Reparole Eligibility.--(a) The board
17 is hereby authorized to release on parole any person confined in
18 any correctional facility of this Commonwealth as to whom power
19 to parole is herein granted to said board, except persons
20 condemned to death or serving life imprisonment, whenever in its
21 opinion the best interests of the person justify or require his
22 being paroled and it does not appear that the interests of the
23 Commonwealth will be injured thereby.

24 (b) The power to parole herein granted to the board may not
25 be exercised in the board's discretion at any time before, but
26 only after, the expiration of the minimum term of imprisonment
27 as provided by law, or by the Governor upon recommendation of
28 the Board of Pardons with regard to a sentence which has been
29 reduced by commutation: Provided, however, That if the board
30 refuses to parole an inmate at the expiration of any minimum

1 term fixed by the Governor, upon recommendation of the Board of
2 Pardons, the board shall, within ten days after the date when
3 the minimum term expired, transmit to the Board of Pardons a
4 written statement of the reasons for refusal to parole the
5 person at the expiration of the minimum term fixed by the Board
6 of Pardons. Thereafter, the Board of Pardons may either accept
7 the action of the board, or order the immediate release on
8 parole of the inmate, under the supervision of the department.

9 (c) The board shall have the power during the period for
10 which a person shall have been sentenced to recommit the person
11 on parole for violation of the terms and conditions of the
12 parole, and from time to time to reparole and recommit in the
13 same manner and with the same procedure as in the case of an
14 original parole or recommitment, if, in the judgment of the
15 board, there is a reasonable probability that the person will be
16 benefited by again according the person liberty and it does not
17 appear that the interests of the Commonwealth will be injured
18 thereby.

19 Section 912. Preparation for Parole Hearings and
20 Determination.--(a) Hearings for parole applicants shall be held
21 by the board whenever in its judgment hearings are necessary and
22 permitted by law. Reasonable rules and regulations shall be
23 adopted by the board for the presentation and hearing of parole
24 applicants.

25 (b) In no case shall parole be granted, or an application
26 for parole be denied unless a member of the board, or other
27 authorized representative, shall have seen and heard the
28 applicant in person in regard thereto and have filed a report
29 with the board. The granting or dismissal of parole must be
30 taken within six months of the date of filing for the

1 application for parole.

2 (c) Whenever any person is paroled by the board, whether of
3 its own motion, or after hearing of application therefor, or
4 whenever an application for parole is refused by the board, a
5 brief statement of the reasons for the board's action shall be
6 filed of record in the offices of the board and shall be, at all
7 reasonable times, open for public inspection. Such statement of
8 reasons shall also be transmitted to the applicant.

9 (d) The board shall initially act on the parole application,
10 if possible, before the expiration of the minimum so fixed,
11 except in cases where the Governor upon recommendation of the
12 Board of Pardons has reduced a minimum term by commutation.

13 (e) In granting paroles, and in discharging from parole, the
14 vote of a majority of the board shall be the final decision of
15 the board.

16 Section 913. Violations of Parole; Revocation of Parole.--

17 (a) If prior to expiration or termination of the term of parole,
18 the parolee violates a condition of parole, the board may (i)
19 continue the existing parole with or without modifying or
20 enlarging the conditions; or (ii) revoke the parole and recommit
21 the person.

22 (b) When recommitment is so ordered, the parolee shall be
23 reentered to serve the remainder of the term or any portion
24 thereof which said parolee would have been compelled to serve
25 had the parolee not been paroled: Provided, however, That the
26 parolee shall be given full credit for time served, in good
27 standing, while on parole. The period of time for which the
28 parole violator is required to serve shall be computed from and
29 begin on the date that the parolee is taken into custody.

30 (c) If a new sentence is imposed upon a parolee, resulting

1 from the conviction which was the basis for parole revocation,
2 the service of the balance of the original term imposed shall
3 precede the commencement of the new term imposed (i) if a person
4 is paroled from a sentence to the department and the new
5 sentence imposed upon the person is to the department or (ii) if
6 a person is paroled from a sentence to a county institution and
7 the new sentence is to the same county institution. In all other
8 cases, the service of the new term for the latter crime shall
9 precede commencement of the balance of the term originally
10 imposed.

11 Section 914. Procedure for Parole Revocation Hearings.--The
12 individual members of the board, or hearing examiners employed
13 by the board shall be assigned by the chairman to preside at
14 parole revocation hearings in panels of two. The panels assigned
15 to a parole revocation hearing shall personally hear all
16 relevant testimony and study all relevant evidence and shall
17 personally decide whether to revoke parole. The parolee, if
18 parole is revoked, may appeal the decision of the panel to the
19 entire board. In deciding such appeals, the board shall not
20 conduct de novo hearing, but shall decide the appeal on the
21 basis of the record made before the panel. The board may affirm,
22 reverse or remand with instructions.

23 Section 915. Extension of Act.--The provisions of this act
24 are hereby extended to all persons who, on the effective date
25 hereof, may be on parole or liable to be placed on parole under
26 existing laws with the same force and effect as if this act had
27 been in operation at the time such persons were placed on
28 parole, or become liable to be placed thereon, as the case may
29 be.

30

ARTICLE X

1 GENERAL PROVISIONS, REPEALS, EFFECTIVE DATE

2 Section 1001. Transfer of Personnel, Appropriations;

3 Records, Etc.--(a) All personnel, allocations, appropriations,

4 equipment, files, records, contracts, agreements, obligations

5 and other materials which are used, employed or expended in

6 connection with the powers, duties or functions given by this

7 act to the Department of Corrections, which powers, duties and

8 functions were formerly exercised by the Bureau of Corrections

9 of the Department of Justice or the Pennsylvania Board of

10 Probation and Parole are hereby transferred to the Department of

11 Corrections with the same force and effect as if the

12 appropriations had been made to and said items had been the

13 property of the Department of Corrections in the first instance

14 and as if said contracts, agreements, and obligations had been

15 incurred or entered into by said Department of Corrections.

16 (b) All personnel, allocations, appropriations, equipment,

17 files, records, contracts, agreements, obligations, and other

18 materials which are used, employed or expended in connection

19 with the powers, duties or functions given by this act to the

20 Board of Parole, which powers, duties and functions were

21 formerly exercised by the Pennsylvania Board of Probation and

22 Parole are hereby transferred to the Board of Parole, with the

23 same force and effect as if the appropriations had been made to

24 and said items had been the property of the Board of Parole in

25 the first instance and as if said contracts, agreements, and

26 obligations had been incurred or entered into by said Board of

27 Parole.

28 (c) Until such time as a secretary of the department shall

29 be appointed and qualified, the Governor shall appoint such

30 personnel, including deputy secretaries, and establish such

1 bureaus and divisions of the department as shall be necessary
2 for the effectuation of the purposes of this act.

3 (d) The department and the board may request from any person
4 such relevant information as the department or the board deems
5 necessary to exercise its duties. All public officials are
6 hereby required and directed to furnish such information upon
7 request of the department and the board and without charge
8 therefore.

9 Section 1002. Savings Provisions.--The provisions of this
10 act shall not affect any act done, liability incurred right
11 accorded or vested or adjudication or decision made, including
12 parole revocations, under the authority of any act of Assembly
13 or part thereof, repealed by this act.

14 Section 1003. Repeals.--(a) The following acts and parts of
15 acts are repealed absolutely:

16 (1) Section XV, act of February 14, 1730 (1 Sm.L.181,
17 Ch.CCCXV), entitled "An act for the relief of insolvent
18 debtors within the province of Pennsylvania."

19 (2) Sections II and III, act of December 5, 1789 (2
20 Sm.L.513, Ch.MCCCCLXI), entitled "An act to provide for the
21 custody of prisoners committed under the authority of the
22 United States."

23 (3) The act of March 3, 1814 (P.L.79, Ch.L), entitled "A
24 Supplement to the act entitled 'An act to provide for the
25 custody of prisoners committed under the authority of the
26 United States.'"

27 (4) Section 3 and Articles I, II, III, IV, V, VI, VIII
28 and IX of section 8, act of April 23, 1829 (P.L.341, No.204),
29 entitled "A further Supplement to an act, entitled 'An act to
30 reform the penal laws of this commonwealth.'"

1 (5) Section 3, act of April 15, 1834 (P.L.473, No.215),
2 entitled "A supplement to the act entitled 'An act relative
3 to the eastern and western State penitentiaries, and to the
4 Philadelphia county prisons.'"

5 (6) Resolution six of the Resolution of April 16, 1838
6 (P.L.689, No.19), entitled "Resolution relative to the State
7 Library, and for other purposes."

8 (7) Clause twenty-fourth of section 1, act of May 31,
9 1844 (P.L.582, No.377), entitled "An act to provide for the
10 ordinary expenses of government, repair of the canals and
11 railroads of the state, and other claims upon the
12 commonwealth."

13 (8) Section 5, act of April 16, 1845 (P.L.507, No.342),
14 entitled "An act to provide for the ordinary expenses of the
15 government, repair of the canals and railroads of the state,
16 and other claims upon the commonwealth."

17 (9) Section 1, act of February 27, 1847 (P.L.172,
18 No.131), entitled "An act requiring the inspectors of
19 prisons, sheriffs, prothonotaries and clerks of criminal
20 courts and others, to make annual returns to the secretary of
21 the commonwealth, and for other purposes."

22 (10) Section 2, act of April 10, 1848 (P.L.428, No.312),
23 entitled "A further supplement to the penal laws of this
24 state."

25 (11) The act of April 16, 1866 (P.L.105, No.93),
26 entitled "An act to authorize the inspectors and warden of
27 any of the penitentiaries to permit the use of tobacco, by
28 convicts, as a reward for good conduct."

29 (12) The act of April 8, 1869 (P.L.18, No.18), entitled
30 "An act authorizing the congregating of convicts in the

1 Western Penitentiary for labor, learning and religious
2 services."

3 (13) Sections 1 and 2, act of April 5, 1872 (P.L.42,
4 No.34), entitled "A supplement to an act, entitled 'An Act to
5 create a board of public charities,' approved the twenty-
6 fourth day of April, Anno Domini one thousand eight hundred
7 and sixty-nine."

8 (14) The act of May 8, 1876 (P.L.149, No.124), entitled
9 "An act authorizing the warden of the penitentiaries of the
10 state to subscribe for and distribute papers or periodicals
11 to the convicts."

12 (15) The act of June 11, 1879 (P.L.140, No.148),
13 entitled "An act to permit all inmates of any institution
14 supported in part or in whole by the state to choose such
15 religious advisers as they may determine upon."

16 (16) Sections 1 and 2, act of June 13, 1883 (P.L.112,
17 No.99), entitled "An act to abolish the contract system in
18 the prisons and reformatory institutions of the State of
19 Pennsylvania, and to regulate the wages of the inmates."

20 (17) The act of June 20, 1883 (P.L.125, No.110),
21 entitled "An act to require a brand upon all goods, wares,
22 merchandise or other article or thing made for sale by
23 convict labor in any penitentiary, reformatory prison, school
24 or other establishment in which convict labor is employed."

25 (18) Sections 4, 5 and 6, act of May 7, 1889 (P.L.103,
26 No.109), entitled "An act for the identification of habitual
27 criminals."

28 (19) The act of May 20, 1891 (P.L.100, No.75), entitled
29 "An act making eight hours as a days' labor in penal
30 institutions under control of the State."

1 (20) The act of June 3, 1893 (P.L.280, No.245), entitled
2 "An act to provide for the payment of the cost and expense of
3 trying prisoners convicted in the courts of Huntingdon county
4 for the violation of law while inmates of the Pennsylvania
5 Industrial Reformatory, and for their maintenance in the
6 county prison or penitentiary after their conviction."

7 (21) Sections 3, 4 and 5, act of June 6, 1893 (P.L.326,
8 No.263), entitled "A supplement to an act, entitled 'An act
9 in relation to the imprisonment, government and release of
10 convicts in the Pennsylvania Industrial Reformatory at
11 Huntingdon,' approved the twenty-eighth day of April, Anno
12 Domini one thousand eight hundred and eighty-seven."

13 (22) The act of May 2, 1901 (P.L.126, No.92), entitled
14 "An act to provide for the sale of unserviceable machinery in
15 the Industrial Reformatory at Huntingdon, Pennsylvania, and
16 the other State Reformatories, when said machinery has been
17 purchased by appropriations made from the State Treasury for
18 the purpose."

19 (23) Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and
20 17, act of May 10, 1909 (P.L.495, No.275), entitled "An act
21 authorizing the release on probation of certain convicts,
22 instead of imposing sentences; the appointment of probation
23 and parole officers, and the payment of their salaries and
24 expenses; regulating the manner of sentencing convicts in
25 certain cases, and providing for their release on parole."

26 (24) Section 4, act of May 11, 1911 (P.L.274, No.176),
27 entitled "An act to prohibit the bringing into prisons of all
28 weapons or other implements which may be used to injure any
29 convict or person, or in assisting any convict to escape
30 punishment, or the selling or furnishing of same to convicts;

1 to prohibit the bringing into prisons of all spirituous or
2 fermented liquors, drugs, medicines, poisons, opium,
3 morphine, or any other kind or character of narcotics; or the
4 giving, selling or furnishing of spirituous or fermented
5 liquor, drugs, medicine, poison, opium, morphine, or any
6 other kind or character of narcotics; or bringing into or
7 taking out letters, notes, money, or contraband goods of any
8 kind, whatsoever; and providing a penalty for the violation
9 thereof."

10 (25) Sections 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and
11 18, act of June 19, 1911 (P.L.1055, No.812), entitled "An act
12 authorizing the release on probation of certain convicts,
13 instead of imposing sentences; the appointment of probation
14 and parole officers, and the payment of their salaries and
15 expenses; regulating the manner of sentencing convicts in
16 certain cases, and providing for their release on parole;
17 their conviction of crime during parole, and their rearrest
18 and reconviction for breach of parole; and extending the
19 powers and duties of boards of prison inspectors of
20 penitentiaries."

21 (26) The act of April 4, 1913 (P.L.44, No.36), entitled
22 "An act authorizing the purchase of livestock and farming
23 implements for the new Western Penitentiary in Centre County,
24 and authorizing the board of inspectors of said penitentiary
25 to charge the cost thereof against the several counties in
26 the Western District."

27 (27) The act of May 8, 1913 (P.L.166, No.115), entitled
28 "An act authorizing the warden, superintendent, or person in
29 charge of any penitentiary, jail, reformatory, workhouse, or
30 other penal institution, to lodge female prisoners,

1 temporarily, outside such institution at the time when such
2 prisoners may become mothers, and providing for the
3 collection of expenses thereby incurred."

4 (28) The act of July 7, 1913 (P.L.708, No.395), entitled
5 "An act relating to the management of the Eastern State
6 Penitentiary."

7 (29) The act of July 25, 1913 (P.L.1311, No.816),
8 entitled "An act providing for the establishment of a State
9 Industrial Home for Women; authorizing the purchase of a
10 site, and the erection thereon and equipment of necessary
11 buildings; providing for the commitment to said State
12 Industrial Home for Women of females between the ages of
13 sixteen and thirty years, convicted of, or pleading guilty
14 to, the commission of any criminal offense; and providing for
15 the government and management of said institution; and making
16 an appropriation to carry out the purposes of this act."

17 (30) The act of June 3, 1915 (P.L.787, No.347), entitled
18 "An act to provide for utilizing rock and other minerals
19 existing upon the land owned by the Commonwealth, used for
20 the Western Penitentiary in Centre County, and affording
21 occupation to the inmates thereof, by permitting the board of
22 inspectors by the said inmates to mine, quarry, or dig such
23 materials and make the same into such products and by such
24 means as may be found desirable, and authorizing the use of
25 said materials or products for the purposes of said
26 penitentiary, and the sale of the surplus, if any, for the
27 maintenance of said institution."

28 (31) The act of June 4, 1915 (P.L.812, No.359), entitled
29 "An act authorizing and regulating the employment of convicts
30 and prisoners on the public highways."

1 (32) The act of May 31, 1919 (P.L.356, No.170),
2 entitled, as amended, "An act authorizing courts of record to
3 remove convicts and persons confined in jails, workhouses,
4 reformatories, reform or industrial schools, penitentiaries,
5 prisons, houses of correction or any other penal
6 institutions, who are seriously ill, to other institutions;
7 and providing penalties for breach of prison."

8 (33) The act of March 24, 1921 (P.L.48, No.23),
9 entitled, as amended, "An act providing for the transfer of
10 convicts from the State penitentiaries and their imprisonment
11 in the penitentiary to which transferred; imposing costs for
12 such transfers upon the Commonwealth; imposing the cost of
13 the maintenance of convicts so transferred upon the counties
14 in which they were convicted; directing that certain notice
15 of such transfer of a convict be given; and making
16 appropriations."

17 (34) The act of May 10, 1921 (P.L.433, No.208), entitled
18 "An act for the segregation of certain classes of prisoners."

19 (35) Subsection (b) of section 10, act of May 25, 1921
20 (P.L.1144, No.425), entitled "An act creating a Department of
21 Public Welfare; defining its powers and duties; abolishing
22 the Board of Public Charities, the Committee on Lunacy, and
23 the Prison Labor Commission, and all offices thereunder, and
24 vesting all the powers of said board, committee, and
25 commission in the Department of Public Welfare; requiring all
26 reports, notices, statements, or matters, heretofore required
27 to be made, given, or submitted to the Board of Public
28 Charities or the Committee on Lunacy, to be made, given, or
29 submitted to the Department of Public Welfare; and providing
30 penalties."

1 (36) The act of May 23, 1923 (P.L.316, No.203), entitled
2 "An act to provide for the welfare of all persons confined
3 (whether such persons be tried or untried prisoners) in any
4 penitentiary or county prison in this Commonwealth."

5 (37) The act of July 11, 1923 (P.L.1044, No.425),
6 entitled, as amended, "An act to authorize and provide for
7 the transfer and retransfer of person or persons confined in
8 any penitentiary, prison, workhouse, house of correction, or
9 any other institution for adult prisoners, under sentence of
10 law, convicted but awaiting sentence, awaiting trial, or
11 confined for any other purpose to some other prison,
12 penitentiary, workhouse, house of correction, or other
13 institution for adult prisoners."

14 (38) Section 4, act of May 4, 1927 (P.L.761, No.399),
15 entitled "An act providing for the preparation of plans and
16 specifications and for the erection of the Eastern State
17 Penitentiary on lands acquired therefor; imposing duties in
18 connection therewith upon the Governor, the Board of Trustees
19 of Eastern State Penitentiary, and the Department of Welfare;
20 and making an appropriation."

21 (39) Sections 911, 912, 913, 914, 914.1, 915 and 916,
22 act of April 9, 1929 (P.L.177, No.175), known as "The
23 Administrative Code of 1929."

24 (40) The act of May 1, 1929 (P.L.1182, No.414), entitled
25 "An act providing the procedure and the powers of the State
26 Board of Pardons and boards of trustees of penitentiaries
27 where prisoners released on parole violate the terms of such
28 parole; and fixing the penalty for such violation."

29 (41) The act of May 1, 1929 (P.L.1183, No.415), entitled
30 "An act relating to persons paroled from the Pennsylvania

1 Industrial Reformatory at Huntingdon; and regulating the
2 procedure when such persons violate the terms of paroles, and
3 the effect of such violations."

4 (42) The act of June 22, 1931 (P.L.864, No.280),
5 entitled "An act making a convict whose minimum sentence
6 exceeds one-half of the maximum sentence eligible to apply
7 for release on parole when said convict has served or will
8 have served one-half his maximum sentence."

9 (43) Sections 1, 2, 3, 4, 5 and 6, act of June 21, 1937
10 (P.L.1944, No.376), entitled, as amended, "An act providing
11 for the erection, construction and equipment of a new
12 Pennsylvania Industrial School, to take the place of the
13 present Pennsylvania Industrial School at Huntingdon;
14 designating the manner of acquiring or setting aside of land
15 for the erection and construction of the new school by The
16 General State Authority; authorizing the Commonwealth to
17 lease the new school and its grounds from The General State
18 Authority upon its completion; providing that the cost of
19 maintaining inmates therein be borne by the Commonwealth and
20 the counties to the extent and in the manner provided by law
21 in the case of inmates maintained in the Pennsylvania
22 Industrial School at Huntingdon; creating the Board of
23 Trustees of the Pennsylvania Industrial School; defining its
24 powers and duties, and conferring powers, and imposing duties
25 upon certain State departments, boards, commissions, and
26 officers."

27 (44) Except section 5, the act of August 6, 1941
28 (P.L.861, No.323), entitled, as amended, "An act to create a
29 uniform and exclusive system for the administration of parole
30 in this Commonwealth; providing state probation services;

1 establishing the 'Pennsylvania Board of Probation and
2 Parole'; conferring and defining its jurisdiction, duties,
3 powers and functions; including the supervision of persons
4 placed upon probation and parole in certain designated cases;
5 providing for the method of appointment of its members;
6 regulating the appointment, removal and discharge of its
7 officers, clerks and employes; dividing the Commonwealth into
8 administrative districts for purposes of probation and
9 parole; fixing the salaries of members of the board and of
10 certain other officers and employes thereof; making
11 violations of certain provisions of this act misdemeanors;
12 providing penalties therefor; and for other cognate purposes,
13 and making an appropriation."

14 (45) The act of July 29, 1953 (P.L.1433, No.409),
15 entitled "An act creating two districts in the Commonwealth
16 for the administration of the State penal and correctional
17 institutions; and repealing certain acts or parts of acts."

18 (46) The act of July 29, 1953 (P.L.1433, No.410),
19 entitled "An act creating certain penal and correctional
20 institutions and boards of trustees; abolishing certain penal
21 institutions; imposing duties upon the Commissioner of
22 Correction of the Department of Justice; and providing for
23 the costs of transportation and maintenance of inmates."

24 (47) The act of July 29, 1953 (P.L.1435, No.411),
25 entitled "An act relating to the more effective treatment of
26 persons convicted of crime or committed as defective
27 delinquents; creating in the Department of Justice
28 correctional diagnostic and classification centers; providing
29 for the diagnosis and classification of persons sentenced or
30 committed by the courts to a State institution; fixing the

1 responsibility for costs of transportation and maintenance of
2 such persons; prescribing duties of the courts and the powers
3 and duties of the Department of Justice relative thereto;
4 making civil and criminal laws applicable to penitentiaries
5 and persons therein or responsible therefor applicable in the
6 case of the said institutions."

7 (48) The act of July 29, 1953 (P.L.1440, No.414),
8 entitled "An act providing for the construction and equipping
9 of the Pennsylvania Institution for Defective Delinquents;
10 providing for the acquisition of land; providing for the
11 reception, confinement, treatment, care, maintenance and
12 control of inmates; imposing duties and conferring powers on
13 the Department of Justice, Department of Property and
14 Supplies and the General State Authority."

15 (49) The act of December 13, 1955 (P.L.841, No.246),
16 entitled "An act authorizing cooperative return of parole and
17 probation violators and the making of contracts or
18 deputization of persons pursuant thereto."

19 (50) The act of December 22, 1965 (P.L.1189, No.472),
20 entitled "An act establishing a correctional facility for
21 criminological diagnosis, classification, social and
22 psychological treatment and research, medical treatment and
23 staff training."

24 (51) The act of December 27, 1965 (P.L.1237, No.502),
25 entitled "An act establishing regional correctional
26 facilities administered by the Bureau of Correction as part
27 of the State correctional system; establishing standards for
28 county jails, and providing for inspection and classification
29 of county jails and for commitment to State correctional
30 facilities and county jails."

1 (52) The act of July 16, 1968 (P.L.351, No.173),
2 entitled, as amended, "An act authorizing the establishment
3 of prisoner pre-release centers and release plans under the
4 jurisdiction of the Department of Justice and defining its
5 powers and duties."

6 (53) The act of December 22, 1969 (P.L.394, No.175),
7 entitled "An act providing for the establishment, operation
8 and maintenance of detention facilities for certain persons
9 by adjoining counties on approval by the Bureau of
10 Correction."

11 (54) The act of October 16, 1972 (P.L.913, No.218),
12 entitled "An act establishing regional community treatment
13 centers for women administered by the Bureau of Correction of
14 the Department of Justice as part of the State Correctional
15 System, providing for the commitment of females to such
16 centers and their temporary release therefrom for certain
17 purposes, restricting confinement of females in county jails
18 and conferring powers and duties upon the Department of
19 Justice and the Bureau of Correction."

20 (b) All other acts and parts of acts, general, local and
21 special are repealed in so far as they are inconsistent with the
22 provisions of this act.

23 Section 1004. Effective Date.--This act shall take effect
24 July 1, 1976: Provided, however, That effective immediately and
25 prior to the aforementioned effective date the Governor may
26 nominate, by and with the advice and consent of a majority of
27 all members of the Senate, appoint the Secretary of Corrections,
28 whose term of office shall begin as soon as he shall be
29 confirmed or on the aforementioned effective date whichever date
30 is the later.