

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2190 Session of  
1989

INTRODUCED BY HAGARTY, ARGALL, EVANS, CARN, CALTAGIRONE,  
GODSHALL, ANGSTADT, GEIST, LAUGHLIN, McVERRY, ROBBINS,  
NAHILL, SCHULER, G. SNYDER, TIGUE, MARKOSEK, DEMPSEY,  
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BELARDI, FOX, DOMBROWSKI, MELIO, SAURMAN, JOHNSON, HASAY,  
BATTISTO, FARGO, KASUNIC, VEON, CHADWICK, BELFANTI, TELEK,  
FREEMAN AND FAIRCHILD, DECEMBER 13, 1989

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 13, 1989

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for boot camp  
3 units as an alternate form of imprisonment.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 42 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 9728. Boot camp units.

9 (a) General rule.--In addition to any other terms or  
10 conditions of incarceration authorized by law, the department  
11 may require that an inmate in a State correctional facility,  
12 except inmates excluded by subsection (c), satisfactorily  
13 complete a program of incarceration in a boot camp unit as a  
14 component of the inmate's period of incarceration. These units  
15 shall provide a program of physically strenuous work and

exercise patterned after military basic training, enrollment in a drug treatment program and other programming as determined by the department.

(b) Qualifications for participation.--In order for an inmate to be placed in a unit program, he shall meet all of the following requirements:

(1) He is 17 years of age or older and 25 years of age or younger.

(2) He has never previously served a sentence of imprisonment in a State correctional facility or previously served a sentence in a boot camp unit.

(3) He will be eligible for placement in a prerelease center pursuant to the act of July 16, 1968 (P.L.351, No.173), referred to as the Prisoner Pre-release Plan Law, or will be eligible for parole upon completion of the program.

(4) He is physically able to participate in the boot camp program.

(5) He does not appear to have a mental disability which would prevent participation in the boot camp program.

(c) Exclusions.--Excluded from the program under this section is any person convicted of violating any one or more of the following provisions of Title 18:

Section 2501 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Section 2901 (relating to kidnapping).

Section 3121 (relating to rape).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3701 (relating to robbery).

(d) Completion of program.--At any time during an inmate's

1 incarceration in a unit, but not less than five days before his  
2 expected date of release from the unit, the department shall  
3 certify as to whether he has satisfactorily completed the course  
4 of training at the unit. An inmate shall not be placed in a unit  
5 for more than 180 days.

6 (e) Expulsion from program.--The department shall develop  
7 regulations setting forth grounds for expulsion from the  
8 program.

9 (f) Location of boot camps.--The location of boot camp  
10 programs operated by the department shall be at the discretion  
11 of the secretary. The boot camps may be located within State  
12 correctional facilities or at other locations, provided the  
13 department adequately insures the security of the unit and the  
14 safety of the surrounding community.

15 (g) Definitions.--As used in this section, the following  
16 words and phrases shall have the meanings given to them in this  
17 subsection:

18 "Department." The Department of Corrections of the  
19 Commonwealth.

20 "Secretary." The Secretary of Corrections of the  
21 Commonwealth.

22 "Unit." A boot camp unit.

23 Section 2. This act shall take effect in 180 days.