

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2352 Session of  
1992

INTRODUCED BY MELIO, COY, HARPER, KOSINSKI, LEH, KRUSZEWSKI,  
COLAIZZO, STISH, CLARK, MICOZZIE, JOHNSON, TANGRETTI,  
BELARDI, DeLUCA, SAURMAN, NAHILL, O'BRIEN, KENNEY, WOGAN,  
LAUGHLIN, KASUNIC, TRELLO, STABACK, TIGUE, M. N. WRIGHT,  
REINARD, CORRIGAN, RUDY, SURRA, HALUSKA, STEELMAN, BILLOW,  
WILLIAMS, GAMBLE, PESCI, ARNOLD, WOZNIAK, MICHLOVIC,  
TOMLINSON, McCALL, WAMBACH, DeWEESE, ITKIN AND DALEY,  
JANUARY 29, 1992

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 1992

AN ACT

1 Prohibiting the release of certain prisoners unless a court  
2 order requires otherwise.

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

5 Section 1. Release of certain prisoners prohibited.

6 Unless a Federal or State court order specifically requires  
7 otherwise, a person convicted of a crime of violence as defined  
8 in 18 Pa.C.S. § 6102 (relating to definitions) may not be  
9 released by the Department of Corrections prior to serving his  
10 minimum sentence.

11 Section 2. Court order.

12 If prisoners are to be released in compliance with a court  
13 order, persons convicted of a crime of violence as defined in 18  
14 Pa.C.S. § 6102 (relating to definitions) shall remain  
15 incarcerated as long as is possible under the stated court

1 order.

2 Section 3. Priority of release.

3 The release of prisoners under section 2 shall occur only  
4 after persons convicted of nonviolent crimes are released.

5 Prisoners convicted of violent crimes shall be incarcerated as  
6 long as is possible in accordance with the following prioritized  
7 order, with persons convicted of murder to be released last:

8 (1) Murder.

9 (2) Voluntary manslaughter.

10 (3) Rape.

11 (4) Kidnapping

12 (5) Aggravated assault.

13 (6) Robbery.

14 (7) Burglary.

15 (8) Other crimes of violence.

16 Section 4. Effective date.

17 This act shall take effect immediately.