

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 239 Session of  
1991

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BATTISTO AND BELARDI, FEBRUARY 4, 1991

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 25, 1991

## AN ACT

1 Providing for a system of post-release supervision; establishing  
2 an adjudicative agency to render decisions regarding  
3 violations and providing for its powers and duties; providing  
4 for the supervision of offenders by the Department of  
5 Corrections AND THE BOARD OF PAROLE and transferring <—  
6 supervisory powers and duties to that department AND THE <—  
7 BOARD; ESTABLISHING THE OFFICE OF DEPUTY COMMISSIONER FOR  
8 PAROLE SUPERVISION AND PROVIDING FOR ITS POWERS AND DUTIES;  
9 providing for work-related time and earned time; continuing  
10 the Advisory Committee on Probation; and making repeals.

11 It is the intent of the General Assembly that the sentencing  
12 policy of the Commonwealth shall be readily understandable by  
13 the citizens of this Commonwealth and shall provide for  
14 increased certainty, proportionality and fairness in criminal  
15 sentencing. To achieve these ends, the General Assembly is  
16 establishing with this act a truth in sentencing structure.  
17 Further, it is the intent of the General Assembly to maintain  
18 parole supervision as a disciplinary and corrective process so  
19 that persons sentenced to imprisonment for crime shall, on

1 release therefrom, be subjected to a period of parole for their  
2 rehabilitation, adjustment and restoration to social and  
3 economic life.

4 TABLE OF CONTENTS

5 Chapter 1. General Provisions

6 Section 101. Short title.

7 Section 102. Definitions.

8 Chapter 3. Board of Parole

9 Section 301. Establishment and composition.

10 Section 302. Incompatible offices.

11 Section 303. Removal of members.

12 Section 304. Chairman.

13 Section 305. Secretary.

14 Section 306. Compensation.

15 Section 307. Seal.

16 Section 308. Quorum.

17 Section 309. Employees.

18 ~~Section 310. Removal of employees.~~

<—

19 ~~Section 311. Political activity.~~

20 ~~Section 312. Powers and duties generally.~~

21 ~~Section 313. Panels.~~

22 SECTION 310. OFFICE OF VICTIM ADVOCATE.

<—

23 SECTION 311. REMOVAL OF EMPLOYEES.

24 SECTION 312. POLITICAL ACTIVITY.

25 SECTION 313. POWERS AND DUTIES GENERALLY.

26 SECTION 314. PANELS.

27 Chapter 5. Sentence and Parole

28 Section 501. Powers of board and court.

29 Section 502. Duties of prison officials.

30 Section 503. Sentencing and parole plan.

1 Section 504. Parole supervision.  
2 ~~Section 505. Offender not paroled.~~ <—  
3 ~~Section 506. Notice to victim.~~  
4 ~~Section 507. Notice to victim of escape.~~  
5 ~~Section 508. Convicted violators.~~  
6 ~~Section 509. Appeal of sanction.~~  
7 SECTION 505. PAROLE DENIAL. <—  
8 SECTION 506. EVIDENCE.  
9 SECTION 507. NOTICE TO VICTIM.  
10 SECTION 508. NOTICE TO VICTIM OF ESCAPE.  
11 SECTION 509. CONVICTED VIOLATORS.  
12 SECTION 510. APPEAL OF SANCTION.  
13 Chapter 7. Supervision of Offenders  
14 Section 701. Powers relating to supervision.  
15 Section 702. Other powers enumerated.  
16 Section 703. Access to records.  
17 Section 704. Controlled substances.  
18 Section 705. Parole districts.  
19 Section 706. Peace officers.  
20 Section 707. Deputization of certain agents.  
21 Section 708. Reciprocal agreements with other states.  
22 Section 709. Relationship with Board of Pardons.  
23 SECTION 710. VICTIM SERVICES. <—  
24 Chapter 9. Work-Related and Earned Time  
25 Section 901. Work-related time.  
26 Section 902. Earned time.  
27 Section 903. Report to legislative committees.  
28 Chapter 15. Miscellaneous Provisions  
29 Section 1501. Advisory Committee on Probation.  
30 SECTION 1502. FUNDING. <—

1 SECTION 1503. SENTENCES PRIOR TO EFFECTIVE DATE.

2 Section ~~1502~~ 1504. Transfer provisions. <—

3 Section ~~1503~~ 1505. Repeals. <—

4 Section ~~1504~~ 1506. Effective date. <—

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

7 CHAPTER 1

8 GENERAL PROVISIONS

9 Section 101. Short title.

10 This act shall be known and may be cited as the Sentencing  
11 Reform Act.

12 Section 102. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Advisory committee" or "committee." The Advisory Committee  
17 on Parole.

18 "Board." The Pennsylvania Board of Parole.

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

21 CHAPTER 3

22 BOARD OF PAROLE

23 Section 301. Establishment and composition.

24 (a) Establishment.--There is hereby established an  
25 independent administrative board which shall be known as the  
26 Pennsylvania Board of Parole.

27 (b) Composition and terms.--

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

1       whom shall hold office for a term of six years, or until his  
2       successor shall have been duly appointed and qualified, but  
3       in no event more than 90 days beyond the expiration of his  
4       appointed term.

5           (2) This board shall be deemed a continuation of the  
6       former Pennsylvania Board of Probation and Parole and all  
7       members of that board on the effective date of this act shall  
8       be deemed members of the Pennsylvania Board of Parole, until  
9       the expiration of their current terms and as otherwise  
10      provided in this act.

11      (c) Vacancies.--Vacancies occurring by expiration of term,  
12      death, resignation, removal or for any other reason shall be  
13      filled in the manner provided by section 8 of Article IV of the  
14      Constitution of Pennsylvania for the remainder of the term.  
15      Whenever a board member's term expires, that member's position  
16      shall be immediately deemed a vacancy and the Governor shall  
17      nominate a person to fill that membership position on the board  
18      within 90 days of the date of expiration, even if the member  
19      continues to remain on the board.

20      (d) Eligibility.--To be eligible for membership on the  
21      board, an individual shall have at least six years of  
22      professional experience in parole, probation, social work or  
23      related areas, including one year in a supervisory or  
24      administrative capacity and a bachelor's degree. Any equivalent  
25      combination of experience and training shall be acceptable.

26      Section 302. Incompatible offices.

27      The members of the board shall not hold any other public  
28      office or employment, nor engage in any business, profession or  
29      employment during their terms of service as members.

30      Section 303. Removal of members.

1 Members shall hold their offices during the terms for which  
2 they shall have been appointed, so long as they shall behave  
3 themselves well. A member of the board may be removed by the  
4 Governor, by and with the advice and consent of two-thirds of  
5 all the members of the Senate. During a recess of the Senate,  
6 the Governor may suspend a member of the board for cause, and  
7 before suspension he shall furnish to such member a statement in  
8 writing of the reasons for his proposed suspension, and such  
9 suspension shall operate and be effective only until the  
10 adjournment of the next session of the Senate following such  
11 suspension.

12 Section 304. Chairman.

13 The Governor shall, from time to time as the occasion may  
14 arise, designate one of the members of the board to be its  
15 chairman who shall direct the operations of the board and  
16 fulfill the functions established by this act. He shall preside  
17 at all meetings of the board and perform all the duties and  
18 functions of chairman thereof, including organizing, staffing,  
19 controlling, directing and administering the work of the staff.  
20 The board may designate one of its members to act as chairman  
21 during the absence or incapacity of the chairman and, when so  
22 acting, the member so designated shall have and perform all the  
23 powers and duties of chairman of the board, but shall not  
24 receive any additional compensation for so acting. The chairman,  
25 in performing his duties, shall act in accordance with the  
26 policies and procedures established by the board.

27 Section 305. Secretary.

28 The board shall appoint a secretary, who shall not be a  
29 member of the board and who shall hold office at its pleasure.  
30 The secretary shall have such powers and duties as the board

1 shall prescribe, and shall receive such compensation as the  
2 board shall determine, in conformity with the rules of the  
3 Executive Board. In the absence or incapacity of the secretary  
4 to act, the board may designate such other person as it may  
5 choose to perform temporarily the duties of secretary.

6 Section 306. Compensation.

7 The salaries of board members shall be set by the Executive  
8 Board.

9 Section 307. Seal.

10 The board shall adopt an official seal by which its acts and  
11 proceedings shall be authenticated and of which the courts shall  
12 take judicial notice. The certificate of the chairman of the  
13 board, under the seal of the board and attested by the  
14 secretary, shall be accepted in evidence in any judicial  
15 proceeding in any court of this Commonwealth as adequate and  
16 sufficient proof of the acts and proceedings of the board  
17 therein certified to.

18 Section 308. Quorum.

19 A majority of the board shall constitute a quorum for  
20 transacting business. A majority vote of those present at any  
21 meeting shall be sufficient for any official action taken by the  
22 board.

23 Section 309. Employees.

24 (a) Appointment.--The principal office of the board shall be  
25 in Harrisburg, and the board shall appoint and employ therein  
26 such number and character of employees as may be necessary to  
27 carry out this act. The salaries of persons so appointed and  
28 employed by the board shall be fixed by the board.

29 (b) Compensation.--In fixing compensation for its officers,  
30 clerks and employees, the board shall have regard to the kind,

1 grade or class of service to be rendered, and whenever any  
2 standard compensation has been fixed by the Executive Board for  
3 any kind, grade or class of service or employment, the  
4 compensation of all persons appointed or employed by the board  
5 in the same kind, grade or class shall be fixed by it in  
6 accordance with such standard.

7 (C) RETIREMENT.--EMPLOYEES COVERED BY THIS ACT WHO ARE <—  
8 RESPONSIBLE FOR WORKING WITH INMATES AND/OR RESPONSIBLE FOR THE  
9 OVERSEEING OR SUPERVISION OF PROBATIONERS OR PAROLEES SHALL, FOR  
10 THE PURPOSES OF RETIREMENT, BE DEEMED CORRECTION OFFICERS FOR  
11 THE PURPOSES OF RETIREMENT AS PROVIDED IN 71 PA.C.S. PART XXV  
12 (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND OFFICERS).  
13 SECTION 310. OFFICE OF VICTIM ADVOCATE.

14 (A) ESTABLISHMENT.--THERE IS HEREBY ESTABLISHED WITHIN THE  
15 BOARD THE OFFICE OF VICTIM ADVOCATE TO REPRESENT THE INTERESTS  
16 OF CRIME VICTIMS BEFORE THE BOARD AND THE DEPARTMENT, WHICH  
17 OFFICE SHALL OPERATE UNDER THE DIRECTION OF THE VICTIM ADVOCATE  
18 AS PROVIDED IN THIS SECTION.

19 (B) APPOINTMENT.--THE VICTIM ADVOCATE SHALL BE AN INDIVIDUAL  
20 WHO BY REASON OF TRAINING, EXPERIENCE AND ATTAINMENT IS  
21 QUALIFIED TO REPRESENT THE INTERESTS OF INDIVIDUAL CRIME VICTIMS  
22 BEFORE THE BOARD AND THE DEPARTMENT. THE VICTIM ADVOCATE SHALL  
23 BE APPOINTED BY, AND SERVE AT THE PLEASURE OF, THE GOVERNOR.  
24 COMPENSATION SHALL BE SET BY THE EXECUTIVE BOARD.

25 (C) SERVICES AND EMPLOYEES.--THE VICTIM ADVOCATE, WITH THE  
26 APPROVAL OF THE BOARD, SHALL APPOINT SUCH CLERICAL, TECHNICAL  
27 AND PROFESSIONAL STAFF AS MAY BE APPROPRIATE, AND MAY CONTRACT  
28 FOR ADDITIONAL SERVICES AS SHALL BE NECESSARY FOR THE  
29 PERFORMANCE OF THE FUNCTIONS OF THE OFFICE OF VICTIM ADVOCATE.  
30 THE COMPENSATION OF EMPLOYEES OF THE OFFICE OF VICTIM ADVOCATE



1 SHALL BE SET BY THE EXECUTIVE BOARD. EMPLOYEES OF THE OFFICE OF  
2 VICTIM ADVOCATE SHALL BE SUBJECT TO THE PROVISIONS OF SECTIONS  
3 311 AND 312. THE VICTIM ADVOCATE SHALL BE SUBJECT TO THE  
4 PROVISIONS OF SECTION 312.

5 (D) POWERS AND DUTIES OF VICTIM ADVOCATE.--IN ADDITION TO  
6 ANY OTHER AUTHORITY CONFERRED BY THIS ACT OR ANY OTHER LAW, THE  
7 VICTIM ADVOCATE IS AUTHORIZED, AND IT SHALL BE HIS DUTY, TO  
8 REPRESENT THE INTERESTS OF INDIVIDUAL CRIME VICTIMS BEFORE THE  
9 BOARD AND THE DEPARTMENT. THE VICTIM ADVOCATE SHALL BE  
10 RESPONSIBLE FOR NOTIFYING CRIME VICTIMS, WHO HAVE FILED A FORM  
11 WITH THE BOARD OR THE DEPARTMENT CONCERNING VICTIM INPUT INTO A  
12 RELEASE DECISION, OF ANY PENDING RELEASE DECISION. THE VICTIM  
13 ADVOCATE SHALL ASSIST IN AND COORDINATE THE PREPARATION AND  
14 SUBMISSION OF COMMENTS BY CRIME VICTIMS PRIOR TO A RELEASE  
15 DECISION, AND SHALL REPRESENT THE INTERESTS OF A CRIME VICTIM  
16 PURSUANT TO THE PROVISIONS OF SECTION 505(B).

17 Section ~~310~~ 311. Removal of employees.

<—

18 No employee of the board, except the secretary, shall be  
19 removed, discharged or reduced in pay or position, except for  
20 cause, and only after giving him the reasons therefor in writing  
21 and affording him an opportunity to be heard in answer thereto.  
22 An employee may, however, be suspended without pay and without  
23 hearing for a period not exceeding 30 days, but the reason or  
24 reasons for this suspension shall be given to the employee by  
25 the board in writing. Successive suspensions of the same  
26 employee shall not be made.

27 Section ~~311~~ 312. Political activity.

<—

28 (a) General rule.--

29 (1) No member of the board, or officer, clerk or  
30 employee thereof, or any person officially connected

1 therewith, shall take any active part in politics or be a  
2 member of or delegate or alternate to any political  
3 convention or be present at such convention, except in the  
4 performance of official duties under this act. No member of  
5 the board, officer, clerk or employee thereof, or any person  
6 officially connected therewith, shall serve as a member of or  
7 attend the meetings of any committee of any political party,  
8 or take any part in political management or political  
9 campaigns, or use his office to influence political  
10 movements, or to influence the action of any other officer,  
11 clerk or employee of the board.

12 (2) No member of the board, officer, clerk or employee  
13 thereof, or any person officially connected therewith, shall  
14 in any way or manner interfere with or participate in the  
15 conduct of any election or the preparation therefor at the  
16 polling place, or with the election officers while counting  
17 the votes or returning the ballot boxes, books, papers,  
18 election paraphernalia and machinery to the place provided by  
19 law, or be within any polling place, save only for the  
20 purpose of voting as speedily as it reasonably can be done,  
21 or be otherwise within 50 feet thereof, except for purposes  
22 of ordinary travel or residence during the period of time  
23 beginning with one hour preceding the opening of the polls  
24 for holding the election and ending with the time when the  
25 election officers shall have finished counting the votes and  
26 have left the polling place.

27 (3) No member of the board, officer, clerk or employee  
28 thereof, or any person officially connected therewith, shall  
29 directly or indirectly make or give, demand or solicit, or be  
30 in any manner concerned in making, giving, demanding,

1 soliciting or receiving any assessments, subscriptions or  
2 contributions, whether voluntary or involuntary, to any  
3 political party or for any political purpose whatsoever.

4 (b) Penalty.--Any person who violates any provision of this  
5 section commits a misdemeanor, punishable by a fine not  
6 exceeding \$500 and imprisonment not exceeding one year.  
7 Additionally, such person shall forfeit his office or  
8 employment, as the case may be, and shall not thereafter be  
9 appointed or employed by the board in any position or capacity  
10 whatsoever. It shall be the duty of the board to dismiss from  
11 his office or employment any officer, clerk or employee thereof  
12 who violates this section.

13 Section ~~312~~ 313. Powers and duties generally. <—

14 Subject to the provisions of this act, the board shall have  
15 all the powers and shall perform the duties generally vested in  
16 and imposed upon independent administrative boards and  
17 commissions by the act of April 9, 1929 (P.L.177, No.175), known  
18 as The Administrative Code of 1929.

19 Section ~~313~~ 314. Panels. <—

20 (a) Composition.--The board may make decisions on parole <—  
21 ~~violations or prohibiting the parole of an offender~~ VIOLATIONS <—  
22 OR PAROLE DENIAL pursuant to section 505 in panels of two  
23 persons. A panel shall consist of one board member and one  
24 hearing examiner or of two board members. Panels shall be  
25 appointed by the chairman or the chairman's designee.

26 (b) Disagreements.--If there is disagreement on a parole  
27 violation or ~~prohibition of parole~~ PAROLE DENIAL pursuant to <—  
28 section 505 between the members of the panel, the matter shall  
29 be decided by three board members appointed by the chairman or  
30 the chairman's designee. At least two of these members must not

1 have been on the disagreeing panel, if practicable.

2 (c) Review of decision.--An interested party may appeal a  
3 revocation decision within 30 days of the board's order. The  
4 decision shall be reviewed by three board members appointed by  
5 the chairman or the chairman's designee. If practicable, at  
6 least two of the board members reviewing the decision must not  
7 have been on the panel whose decision is being appealed. The  
8 three board members deciding the appeal may affirm, reverse or  
9 remand the decision of the panel or may order the matter be  
10 heard de novo.

## 11 CHAPTER 5

### 12 SENTENCE AND PAROLE

13 Section 501. Powers of board and court.

14 (a) Board.--The board shall have exclusive power to prohibit  
15 parole of an offender under section 505 and to impose sanctions  
16 for parole violations on all persons heretofore or hereafter  
17 sentenced by any court in this Commonwealth to a maximum term of  
18 imprisonment of two years or more in a State correctional  
19 institution or county prison.

20 (b) Court.--~~Nothing herein contained shall prevent any court~~ <—  
21 ~~of this Commonwealth from paroling any person sentenced by it~~  
22 ~~for a maximum period of less than two years.~~ ANY COURT OF THIS <—  
23 COMMONWEALTH SHALL HAVE THE POWER TO PAROLE ANY PERSON SENTENCED  
24 BY THE COURT FOR A MAXIMUM PERIOD OF IMPRISONMENT OF LESS THAN  
25 TWO YEARS AND TO IMPOSE SANCTIONS ON THAT PERSON FOR A VIOLATION  
26 OF ANY CONDITIONS OF PAROLE.

27 (c) Period described.--The period of two years herein  
28 referred to shall mean the entire continuous term of sentence to  
29 which a person is subject, whether the same be by one or more  
30 sentences, as now or hereafter authorized by law to be imposed

1 for criminal offenses pursuant to 42 Pa.C.S. Ch. 97 (relating to  
2 sentencing).

3 Section 502. Duties of prison officials.

4 It shall be the duty of all prison officials at all  
5 reasonable times to grant access to any prisoner who is under  
6 the jurisdiction of the board, ~~by~~ TO the members of the board or <—  
7 its properly accredited representatives, AND TO THE VICTIM <—  
8 ADVOCATE, and all prison officials shall at all reasonable times  
9 provide for the board or its properly accredited representatives  
10 facilities for communicating with and observing the prisoner  
11 while imprisoned. Prison officials shall also furnish to the  
12 board, from time to time, those reports concerning the conduct  
13 of prisoners in their custody as the board shall, by general  
14 rule or special order, require, together with any other facts  
15 deemed pertinent by the board.

16 Section 503. Sentencing and parole plan.

17 ~~(a) Terms. Every sentence of imprisonment imposed after the~~ <—  
18 ~~effective date of this act, excluding life sentences for murder,~~  
19 ~~shall include both a minimum and a maximum term, with the~~  
20 ~~minimum not to exceed the maximum imposed. Except for an~~  
21 ~~offender sentenced to a maximum term of imprisonment of less~~  
22 ~~than two years, any other offender sentenced to imprisonment~~  
23 ~~after the effective date of this act~~ (A) RELEASE TO PAROLE <—  
24 PLAN.--AFTER THE EFFECTIVE DATE OF THIS ACT, AN OFFENDER  
25 SENTENCED TO TOTAL OR PARTIAL CONFINEMENT FOR A MAXIMUM TERM OF  
26 IMPRISONMENT OF TWO YEARS OR MORE shall, except as provided in  
27 section 505, be released to a parole plan after serving the  
28 minimum term fixed by the court in its sentence or by the Board  
29 of Pardons in a sentence which has been reduced by commutation,  
30 minus any work-related time as provided for in section 901 and

1 earned time as provided for in section 902 for which he THE <—  
2 OFFENDER is eligible.

3 (b) Parole plan.--A parole plan MUST BE APPROVED BY THE <—  
4 DEPARTMENT PRIOR TO PAROLE OF THE OFFENDER AND shall consist of:

5 ~~(1) A residence investigated by the department staff.~~ <—

6 ~~(2) A verifiable means of support, which may include~~  
7 ~~employment or an educational or training program,~~  
8 ~~investigated by the department staff.~~

9 (1) AN APPROPRIATE RESIDENCE FOR THE OFFENDER, VERIFIED <—  
10 BY THE DEPARTMENT STAFF.

11 (2) A MEANS OF SUPPORT FOR THE OFFENDER, WHICH MAY  
12 INCLUDE EMPLOYMENT OR AN EDUCATIONAL OR TRAINING PROGRAM,  
13 VERIFIED BY THE DEPARTMENT STAFF.

14 (3) General and special conditions of parole to be AS <—  
15 determined by the department.

16 Section 504. Parole supervision.

17 (a) Time period.--Following release, all offenders shall be  
18 subject to parole supervision for the duration of the maximum  
19 sentence imposed.

20 (b) Sanctions.--

21 (1) The board shall have the power during the period of  
22 parole to impose sanctions pursuant to guidelines adopted by  
23 the Pennsylvania Commission on Sentencing for violation of <—  
24 ~~any conditions set by the Department of Corrections for~~  
25 ~~offenders subject to the jurisdiction of the board. For~~  
26 ~~offenders subject to the parole supervision of the sentencing~~  
27 ~~court, the sentencing court has the power to impose sanctions~~  
28 ~~for violation of any conditions set by the sentencing court.~~

29 A VIOLATION OF ANY GENERAL OR SPECIAL CONDITIONS OF PAROLE <—  
30 ESTABLISHED BY THE DEPARTMENT.

(2) In every case in which the board imposes a sanction for parole violation, the board shall make as a part of the record a statement of the reason or reasons for the sanction imposed. A copy thereof shall be forwarded to the Pennsylvania Commission on Sentencing. In every case where the board imposes a sanction outside the parole violation guidelines adopted by the Pennsylvania Commission on Sentencing, the board shall provide a contemporaneous written statement of the reason or reasons for the deviation from the guidelines. Failure to comply shall be grounds for vacating the sanction and resanctioning the offender.

(3) If incarceration is the sanction, the period of recommitment shall not extend beyond the maximum sentence imposed and the supervision period following rerelease shall extend to the expiration of the maximum sentence.

Section 505. ~~Offender not paroled~~ PAROLE DENIAL. <—

(a) ~~Grounds~~ DEPARTMENT PETITION.--The board may, in its discretion upon petition of the department and after a hearing, order an offender not to be paroled upon the completion of ~~his~~ THE OFFENDER'S minimum term if the department demonstrates that the offender demonstrated violent behavior while incarcerated, repeatedly violated the rules and regulations of the department while imprisoned or committed one serious violation thereof. The department shall recommend to the board the length of time for which the offender should continue to be imprisoned. <—

(B) PETITION BY VICTIM ADVOCATE.--UPON THE REQUEST OF THE VICTIM OF A CRIME WHO HAS NOTIFIED THE DEPARTMENT AND BOARD OF THE VICTIM'S DESIRE TO HAVE INPUT AND MAKE COMMENT PRIOR TO A PAROLE RELEASE DECISION, THE VICTIM ADVOCATE SHALL PETITION THE BOARD TO ORDER THAT THE OFFENDER NOT BE PAROLED UPON THE <—

1 COMPLETION OF THE OFFENDER'S MINIMUM TERM. THE VICTIM OR THE  
2 VICTIM'S REPRESENTATIVE SHALL BE PERMITTED TO APPEAR IN PERSON  
3 BEFORE THE BOARD. THE TESTIMONY OF A VICTIM BEFORE THE BOARD  
4 SHALL BE CONFIDENTIAL. THE BOARD MAY, IN ITS DISCRETION, UPON  
5 PETITION AND AFTER A HEARING, ORDER THAT THE OFFENDER NOT BE  
6 PAROLED BASED ON THE CONTINUING EFFECT OF THE CRIME ON THE  
7 VICTIM, OR IF THE BOARD FINDS THAT THE OFFENDER WOULD POSE A  
8 RISK OR DANGER TO THE VICTIM OR THE FAMILY OF THE VICTIM IF THE  
9 OFFENDER WERE RELEASED ON PAROLE OR THAT THE INTERESTS OF THE  
10 COMMONWEALTH WOULD OTHERWISE BE INJURED. THE BOARD SHALL NOTIFY  
11 THE VICTIM OF ITS DECISION PRIOR TO A RELEASE OF THE OFFENDER.

12 (C) HIGH-RISK DANGEROUS OFFENDERS.--UPON THE EXPIRATION OF  
13 THE MINIMUM SENTENCE OF AN OFFENDER IDENTIFIED AS A HIGH-RISK  
14 DANGEROUS OFFENDER PURSUANT TO 42 PA.C.S. § 9756 (RELATING TO  
15 SENTENCE OF TOTAL CONFINEMENT), THE BOARD SHALL DETERMINE IF  
16 THERE CONTINUES TO EXIST AN UNDUE RISK THAT THE OFFENDER WILL  
17 POSE A SERIOUS THREAT TO PUBLIC SAFETY. IF THE BOARD DETERMINES  
18 THAT THERE EXISTS AN UNDUE RISK THAT THE OFFENDER WILL POSE A  
19 SERIOUS THREAT TO THE PUBLIC SAFETY, IT SHALL ORDER THE  
20 CONTINUED IMPRISONMENT OF THE OFFENDER PENDING SUBSEQUENT  
21 REVIEW, AT WHICH TIME THE BOARD SHALL DETERMINE IF THE OFFENDER  
22 CONTINUES TO POSE SUCH A THREAT. IF THE BOARD DETERMINES THAT  
23 THE OFFENDER MAY BE PAROLED, THE DEPARTMENT SHALL IMPOSE SPECIAL  
24 CONDITIONS OF PAROLE WHICH PROVIDE FOR A DEFINITE PERIOD OF  
25 INTENSIVE PAROLE SUPERVISION OF THE OFFENDER, IN ADDITION TO ANY  
26 OTHER GENERAL OR SPECIAL CONDITIONS OF PAROLE. IF THE OFFENDER  
27 SUCCESSFULLY COMPLIES WITH THE CONDITIONS OF INTENSIVE PAROLE  
28 SUPERVISION, THE DEPARTMENT MAY IMPOSE LESS RESTRICTIVE  
29 CONDITIONS. THE BOARD SHALL PROMULGATE REGULATIONS ESTABLISHING  
30 CRITERIA FOR THE DETERMINATION OF WHETHER THERE EXISTS AN UNDUE



1 RISK THAT AN OFFENDER WILL POSE A SERIOUS THREAT TO PUBLIC  
2 SAFETY.

3 ~~(b) Evidence. In determining that a parole violation took~~ <—  
4 SECTION 506. EVIDENCE. <—

5 IN DETERMINING THAT A PAROLE VIOLATION TOOK place, or upon a  
6 petition filed pursuant to ~~subsection (a)~~ SECTION 505, the <—  
7 members of the board acting thereon shall not be required to  
8 personally see or hear all the witnesses and evidence submitted  
9 to them for their action, but they may act on reports submitted  
10 to them by their agents and employees OR THE VICTIM ADVOCATE, <—  
11 together with any pertinent and adequate information furnished  
12 to them by fellow members of the board or by others.

13 Section ~~506~~ 507. Notice to victim. <—

14 (a) Concerns regarding parole.--No later than 90 days prior  
15 to the parole date of an offender, the ~~department~~ VICTIM <—  
16 ADVOCATE shall notify the victim of the offense for which the  
17 offender was sentenced, or a member of the immediate family of  
18 the victim if the victim was a juvenile, is incapable of  
19 communicating or died as a result of the defendant's conduct, of <—  
20 the opportunity to submit a statement expressing concerns or  
21 recommendations regarding THE PAROLE OR parole supervision of <—  
22 the offender.

23 (b) Enrollment in program.--Each victim or family member  
24 shall be responsible for enrolling in the ~~department's victim~~ <—  
25 ~~program by notifying the department of his intention to submit~~  
26 ~~such a statement and to provide and keep a current and~~  
27 ~~appropriate mailing address.~~ VICTIM ADVOCATE'S VICTIM PROGRAM BY <—  
28 NOTIFYING THE VICTIM ADVOCATE OF HIS INTENTION TO SUBMIT SUCH A  
29 STATEMENT AND PROVIDING AN APPROPRIATE MAILING ADDRESS, AND  
30 TIMELY NOTICE OF CHANGE OF MAILING ADDRESS.

1 (c) Procedure.--The ~~department~~ VICTIM ADVOCATE shall notify <—  
2 such person at his last known mailing address. The person shall  
3 submit the statement to the ~~department~~ VICTIM ADVOCATE within 30 <—  
4 days of the date of notice. The statement shall be referred to  
5 by the department during preparation of the parole plan and the  
6 setting of special conditions of parole for the offender  
7 pursuant to section 503.

8 Section ~~507~~ 508. Notice to victim of escape. <—

9 Upon the escape of an offender from any correctional  
10 institution under the jurisdiction of the department, the  
11 department shall immediately notify any enrolled victim of the  
12 offense for which the offender was sentenced, or a member of the  
13 immediate family of the victim if the victim was a juvenile, is  
14 incapable of communicating or died as a result of the offender's  
15 conduct.

16 Section ~~508~~ 509. Convicted violators. <—

17 (a) General rule.--

18 (1) Any parolee under the jurisdiction of the board  
19 released from any State correctional institution or county  
20 jail in this Commonwealth who, during the period of parole or  
21 while delinquent on parole, commits any crime punishable by  
22 imprisonment, for which he is convicted or found guilty by a  
23 judge or jury or to which he pleads guilty or nolo contendere  
24 at any time thereafter in a court of record, may, at the  
25 discretion of the board, upon application of parole violation  
26 guidelines for convicted violators adopted by the  
27 Pennsylvania Commission on Sentencing, be recommitted as a  
28 parole violator. The period of time ~~for~~ which the parole <—  
29 violator is required to serve shall be computed from and  
30 begin on the date that he is taken into custody ~~to be~~ <—

1 ~~returned~~ FOR RETURN to the institution as a parole violator. <—

2 (2) If a new sentence or sentences are imposed upon such  
3 parolee, the service of the balance of the term originally  
4 imposed shall precede the commencement of the new term  
5 imposed in all cases except where the parolee is paroled from  
6 a county correctional institution and the new sentence, or at  
7 least one of the new sentences, is to be served in a State  
8 correctional institution. In that case, the service of the  
9 new sentence or sentences shall precede the service of the  
10 balance of the original term.

11 (b) Technical violators.-- Any parolee under the  
12 jurisdiction of the board released from any State correctional  
13 institution or county jail in this Commonwealth who, during the  
14 period of parole, violates the terms and conditions of ~~his~~ <—  
15 parole, other than by the commission of a new crime of which he  
16 is convicted or found guilty by a judge or jury or to which he  
17 pleads guilty or nolo contendere in a court of record, may be  
18 recommitted or ordered to comply with increased special  
19 conditions of parole in the discretion of the board upon  
20 applying parole violation guidelines for technical violators  
21 adopted by the Pennsylvania Commission on Sentencing after  
22 hearing before the board. If ~~he is recommitted, he~~ RECOMMITTED, <—  
23 THE OFFENDER shall be given credit for the time served on parole  
24 in good standing but with no credit for delinquent time. If the  
25 offender is recommitted, a new parole date shall be set which  
26 may be extended only upon petition by the department pursuant to  
27 section 505.

28 (c) Recommitment.--Technical violators who are recommitted  
29 shall serve the period of recommitment as follows:

30 (1) If paroled from a county penal or correctional

1 institution, to the same institution or to any other  
2 institution to which legally transferred.

3 (2) If paroled from a State correctional institution  
4 under the control and supervision of the department, to the  
5 institution designated by the Secretary of Corrections.

6 Section ~~509~~ 510. Appeal of sanction. <—

7 (a) Petition.--The PAROLEE MAY FILE A REQUEST FOR <—  
8 ADMINISTRATIVE REVIEW OF A RECOMMITMENT ORDER UNDER SECTION 508  
9 WITH THE BOARD. AFTER THE ADMINISTRATIVE REMEDIES ARE EXHAUSTED,  
10 THE parolee may file a petition for allowance of appeal  
11 regarding the sanction imposed pursuant to section 508 to the  
12 appellate court that has initial jurisdiction for such appeals.  
13 Allowance of appeal may be granted at the discretion of the  
14 appellate court where it appears that there is a substantial  
15 question that the sanction imposed is not appropriate under this  
16 act.

17 (b) Vacation and remand.--The appellate court shall vacate  
18 the sanction imposed and remand the case to the board with  
19 instructions if it finds any of the following:

20 (1) The board purported to sanction within the  
21 guidelines developed by the Pennsylvania Commission on  
22 Sentencing but applied the guidelines erroneously.

23 (2) The board sanctioned within the guidelines developed  
24 by the Pennsylvania Commission on Sentencing but the case  
25 involves circumstances where the application of the  
26 guidelines would be clearly unreasonable.

27 (3) The board sanctioned outside the guidelines and the  
28 sanction is unreasonable.

29 (c) Construction of act.--Nothing in this act shall be  
30 construed to enlarge the parolee's ability to achieve parole

1 pending appeal.

2 CHAPTER 7

3 SUPERVISION OF OFFENDERS

4 Section 701. Powers relating to supervision.

5 (a) General rule.--

6 (1) The department shall have exclusive power to  
7 supervise all persons during their parole period who are  
8 heretofore or hereafter sentenced by any court in this  
9 Commonwealth to a maximum term of imprisonment of two years  
10 or more. THE DEPARTMENT SHALL ESTABLISH AN OFFICE OF DEPUTY <—  
11 COMMISSIONER FOR PAROLE SUPERVISION, WHICH SHALL HAVE THE  
12 POWER AND DUTY TO PROTECT THE COMMUNITY AND ASSIST THE  
13 OFFENDER IN REINTEGRATION INTO THE COMMUNITY. THE OFFICE  
14 SHALL APPLY FOR ACCREDITATION FOR ITS PROGRAM BY THE  
15 COMMISSION ON ACCREDITATION OF THE AMERICAN CORRECTIONAL  
16 ASSOCIATION ON A RECURRING BASIS.

17 (2) In any county where, as of December 31, 1985, there  
18 existed no adult probation office or parole system, the court  
19 may by special order direct the department to supervise  
20 offenders placed on ~~parole where such offenders are sentenced~~ <—  
21 ~~to a maximum term~~ PROBATION AND OFFENDERS PLACED ON PAROLE <—  
22 WITH MAXIMUM TERMS of imprisonment of less than two years.

23 (3) The department shall also have the power to accept a  
24 case for supervision or presentence investigation from a  
25 county which, on December 31, 1985, maintained adult  
26 probation offices and parole systems. The department shall  
27 promulgate regulations establishing criteria for acceptance  
28 of such cases.

29 (b) Other persons.--The department may accept responsibility  
30 for supervision of persons placed on probation as it deems

1 appropriate if a court of criminal jurisdiction so directs and  
2 if the term of probation is not less than two years or when  
3 persons placed on probation are currently under the jurisdiction  
4 of the department.

5 Section 702. Other powers enumerated.

6 The department shall have the power:

7 (1) To supervise and make presentence investigations and  
8 reports when requested to do so by a court.

9 (2) To collect and maintain copies of presentence  
10 investigations and reports as necessary.

11 (3) To collect and maintain a record of all persons who  
12 are placed on probation and parole.

13 (4) To collect, compile and publish statistical and  
14 other information relating to probation and parole work in  
15 all courts and such other information the department may deem  
16 of value.

17 (5) To establish, by regulation, uniform Statewide  
18 standards for the following:

19 (i) Presentence investigations.

20 (ii) The supervision of persons on probation and  
21 parole.

22 (iii) The qualifications and minimum salaries for  
23 personnel supervising persons on probation and parole.

24 (iv) The quality of probation and parole services.

25 The standards for the qualifications of probation and parole  
26 personnel shall only apply to personnel appointed after the  
27 date the standards are established. The department may  
28 provide in-service training for county probation and parole  
29 personnel when requested to do so by the court having  
30 jurisdiction of such personnel.

1           (6) To administer a grant-in-aid program for the costs  
2 incurred by any county which ~~provides additional~~, IN 1965, <—  
3 PROVIDED probation staff for presentence investigations and  
4 for improved probation and post-release supervision and  
5 programs, but only to the extent that the ~~additional~~ staff <—  
6 and programs meet the qualifications and standards  
7 established by the department. The grant-in-aid shall provide  
8 80% of the personnel salary costs incurred by a county to  
9 administer these ~~additional~~ services and programs. If <—  
10 insufficient funds are appropriated, each county shall  
11 receive a prorated reduction in the grant-in-aid. The  
12 department shall establish rules and regulations for the  
13 allocation of funds available for such grants-in-aid.

14           (7) To enter into contracts for purchasing community  
15 services to assist parolees and to supplement existing  
16 programs.

17           (8) To adopt regulations establishing specific  
18 composition, functions and responsibilities for citizens  
19 advisory committees, and to receive reports, recommendations  
20 or other input concerning parole supervision policies and  
21 parole supervision-related concerns from these committees.

22 Section 703. Access to records.

23 All probation and parole officers appointed by any court of  
24 this Commonwealth shall be required by the court to submit to  
25 the department such information as the department may require on  
26 forms prescribed and furnished by the department. The department  
27 shall have free and ready access to all probation and parole  
28 records of the counties of this Commonwealth.

29 Section 704. Controlled substances.

30 (a) Pre-parole drug screening.--

1           (1) The department may not release an offender on parole  
2 unless the offender achieves a negative result within one  
3 week prior to the date of release in a screening test  
4 approved by the Department of Health for the detection of the  
5 presence of controlled substances or designer drugs under the  
6 act of April 14, 1972 (P.L.233, No.64), known as The  
7 Controlled Substance, Drug, Device and Cosmetic Act. Persons  
8 who are being paroled to a consecutive or concurrent detainer  
9 sentence or being recommitted as a parole violator, and will  
10 remain in custody, are ~~exempt~~ NOT SUBJECT TO THE PROVISIONS     <—  
11 OF THIS PARAGRAPH until they are eligible for release to the  
12 community. An offender who tests positive under this section  
13 shall forfeit any work-related or earned time in accordance  
14 with the regulations of the department.

15           (2) The cost of these pre-parole drug screening tests  
16 for offenders subject to the jurisdiction of the department,  
17 whether confined in a State or local correctional facility,  
18 shall be paid by the department.

19       (b) Random screening.--

20           (1) The department shall establish as a condition of  
21 parole for a parolee who, as an inmate, tested positive for  
22 the presence of a controlled substance or a designer drug or  
23 who is serving a sentence for a violation of The Controlled  
24 Substance, Drug, Device and Cosmetic Act, or for a drug-  
25 related crime, the parolee's participation in a drug-  
26 treatment program and the achievement of negative results in  
27 such screening tests randomly applied.

28           (2) The random screening tests shall be performed at the  
29 discretion of the department, and the parolee undergoing the  
30 tests shall be responsible for the costs of the tests. The



1 funds collected for the tests shall be applied against the  
2 contract for such testing between the department and a  
3 testing laboratory approved by the Department of Health.

4 Section 705. Parole districts.

5 The department may, with approval of the Governor, divide  
6 this Commonwealth for administrative purposes into a suitable  
7 number of districts, not to exceed ten, in each of which there  
8 shall be a district office which shall have immediate charge of  
9 the parole cases arising in the courts of the judicial districts  
10 embraced within its territorial limits, but as occasion may  
11 require, the supervision of particular persons may be  
12 transferred by the department to other appropriate districts.

13 Section 706. Peace officers.

14 Staff responsible for parole are hereby declared to be peace  
15 officers and are hereby given police power and authority  
16 throughout this Commonwealth to arrest without warrant, writ,  
17 rule or process any probationer or parolee under the supervision  
18 of the department for failing to report as required by the terms  
19 of his probation or parole, or for any other violation thereof.

20 Section 707. Deputization of certain agents.

21 The Secretary of Corrections is hereby authorized and  
22 empowered to deputize any person to act as an officer and agent  
23 of this Commonwealth in effecting the return of any person who  
24 has violated the terms and conditions of his probation or  
25 parole. In any matter relating to the return of such a person,  
26 any agent so deputized shall have all the powers of a police  
27 officer of this Commonwealth. Any deputization shall be in  
28 writing and any person authorized to act as an agent of this  
29 Commonwealth, pursuant hereto, shall carry formal evidence of  
30 his deputization and shall produce the same upon demand.

1 Section 708. Reciprocal agreements with other states.

2 In compliance with the Federal interstate compact laws, the  
3 department is authorized to supervise persons paroled or placed  
4 on probation by other states and now residing in this  
5 Commonwealth, where such other states agree to perform similar  
6 services for the department.

7 Section 709. Relationship with Board of Pardons.

8 The department shall be charged with the duty of making  
9 investigations and recommendations to the Board of Pardons in  
10 cases coming before it, and upon its request.

11 SECTION 710. VICTIM SERVICES.

<—

12 THE DEPARTMENT SHALL DESIGNATE AN EMPLOYEE TO DEVELOP VICTIM  
13 SERVICES WITHIN THE DEPARTMENT AND COORDINATE VICTIM  
14 NOTIFICATION ACTIVITIES WITH THE OFFICE OF VICTIM ADVOCATE.

15 CHAPTER 9

16 WORK-RELATED AND EARNED TIME

17 Section 901. Work-related time.

18 (a) General rule.--After the effective date of this section,  
19 any offender serving a sentence of imprisonment, excluding  
20 offenders serving life sentences for murder and mandatory  
21 minimum sentences, shall be awarded work-related time after each  
22 month during which the offender complies with work assignments  
23 as determined by the department for offenders incarcerated in  
24 institutions operated by the department.

25 (b) Accrual.--Offenders may accrue ~~work-related time~~, up to  
26 one day per month OF WORK-RELATED TIME in accordance with  
27 regulations promulgated by the department.

<—

<—

28 (c) Forfeiture of time.--An offender who is found guilty of  
29 a misconduct violation as defined by the department shall  
30 forfeit work-related time in accordance with regulations

1 promulgated by the department up to a maximum of 24 days for  
2 each misconduct violation. An offender who escapes while serving  
3 a Pennsylvania sentence or sentences shall forfeit all of the  
4 work-related time the offender accrued prior to the escape.

5 (d) Construction of section.--Nothing in this section shall  
6 be construed to create a right of transfer to a different State  
7 correctional institution from the institution to which the  
8 inmate has been assigned by exercise of the discretion of the  
9 department, regardless of the availability of work assignments  
10 at the assigned institution.

11 Section 902. Earned time.

12 (a) General rule.--

13 (1) After the effective date of this act, offenders may  
14 accrue ~~earned time, up to four days~~ UP TO FOUR DAYS OF EARNED <—  
15 TIME per month in accordance with regulations promulgated by  
16 the department. These regulations shall define the minimum  
17 eligibility requirements for inmate participation in an  
18 earned time program.

19 (2) The selection of eligible inmates to participate in  
20 each program, as well as the number, size and type of  
21 programs to be made available at each State institution,  
22 shall be at the discretion of the Secretary of Corrections or  
23 his designee.

24 (b) Participation not guaranteed.--Meeting the minimum  
25 eligibility requirements shall not guarantee an inmate an  
26 opportunity to participate in a program under this section nor  
27 is any inmate guaranteed the availability of any particular  
28 program.

29 (c) Regulations.--The department shall promulgate  
30 regulations which shall provide for the following:

1           (1) A description of the programs for which time may  
2 accrue.

3           (2) The amount of earned time that may accrue for each  
4 individual program.

5           (3) The procedures for applying for admission to a  
6 program.

7           (4) The standards which must be met by the offender  
8 participant in order to earn all or any portion of the time  
9 that may be accrued through satisfactory participation in the  
10 program.

11           (5) A certification process indicating the Secretary of  
12 Corrections or his designee has found the inmate has  
13 successfully complied with such standards.

14           (6) The time and manner in which the time that has been  
15 earned will be awarded to each participant.

16           (7) Provisions for the awarding of earned time for  
17 earning a high school diploma or its equivalent while in  
18 prison.

19       (d) Forfeiture of time.--An offender who is found guilty of  
20 a misconduct violation as defined by the department shall  
21 forfeit earned time in accordance with regulations promulgated  
22 by the department up to a maximum of 96 days for each misconduct  
23 violation. An offender who escapes while serving a Pennsylvania  
24 sentence or sentences shall forfeit all of the earned time the  
25 offender accrued prior to the escape.

26       (e) Life and mandatory sentences.--An offender serving a  
27 life sentence or a mandatory minimum sentence shall not be  
28 eligible for earned time. However, an offender serving a life  
29 sentence shall be eligible for earned time if his sentence is  
30 reduced by commutation. In such cases, the offender shall be

1 eligible to receive earned time for each program satisfactorily  
2 completed after the commutation is ordered.

3 (f) Parolees.--A parolee who has been returned to prison for  
4 violations of parole shall not be eligible for earned time  
5 during service of any new sentence imposed.

6 (g) Construction of section.--Nothing in this section shall  
7 be construed to create a right of transfer to a different State  
8 correctional institution from the institution to which the  
9 inmate has been assigned by exercise of the discretion of the  
10 department, regardless of the availability of programming at the  
11 assigned institution.

12 (h) Purpose.--The purpose of earned time programs is to  
13 provide an incentive for offenders serving a maximum term of two  
14 years or more to achieve the maximum benefit from all  
15 educational, treatment and vocational training programs which  
16 are currently available or which may be made available by the  
17 department to promote their successful rehabilitation and  
18 reintegration into society in a more positive and productive  
19 manner.

20 Section 903. Report to legislative committees.

21 The Secretary of Corrections shall, each January, make a  
22 report to the Judiciary Committee of the House of  
23 Representatives and the Judiciary Committee of the Senate  
24 regarding the status of the earned time and the ~~meritorious~~ <—  
25 WORK-RELATED time credit systems. This report shall include, but <—  
26 not be limited to, the following:

27 (1) The fiscal impact of these systems on the  
28 department.

29 (2) A statement of credits earned by type.

30 (3) A statement of credits lost for inmate misconduct

1 violations and types of violations for which time was lost.

2 (4) Impact of the systems on the prison population.

3 (5) Changes in or regulations which are being developed  
4 regarding earned time and meritorious time.

5 (6) Recommendations for statutory changes in the earned  
6 time and meritorious time credit system.

7 CHAPTER 15

8 MISCELLANEOUS PROVISIONS

9 Section 1501. Advisory Committee on Probation.

10 (a) Continuation.--The Advisory Committee on Probation is  
11 hereby continued as an advisory committee to assist the  
12 department in matters relating to probation.

13 (b) Composition, appointment, terms, vacancies and  
14 chairman.--The advisory committee shall consist of nine members,  
15 seven of whom shall be appointed by the Governor, with the  
16 consent of a majority of all the members of the Senate. At least  
17 two of the seven members shall be judges of courts of record of  
18 this Commonwealth, at least one of the seven members shall be a  
19 county commissioner, AT LEAST ONE OF THE SEVEN MEMBERS SHALL BE <—

20 A CHIEF PROBATION OFFICER OF A COUNTY ADULT PROBATION DEPARTMENT  
21 and the remaining members shall be qualified in the field of  
22 probation and parole either by training or experience. The  
23 President pro tempore of the Senate and the Speaker of the House  
24 of Representatives shall each appoint a member of their  
25 respective houses to serve as members of the committee. The term  
26 of a member hereafter appointed, except to fill a vacancy, shall  
27 be for four years and until their successors have been appointed  
28 and qualified, but in no event more than 90 days beyond the  
29 expiration of their appointed term. The terms of members of the  
30 committee who are appointed by virtue of holding an office as a

1 member of the General Assembly, as a judge or as a county  
2 commissioner shall be coterminus with the term of their elected  
3 office. Vacancies occurring in an office of a member of the  
4 advisory committee by expiration of term, death, resignation,  
5 removal or for any other reason shall be filled in the manner  
6 provided by section 8 of Article IV of the Constitution of  
7 Pennsylvania for the remainder of the term. Whenever the term of  
8 an advisory committee member, other than one who is a member of  
9 the General Assembly, expires, that member's position shall be  
10 immediately deemed a vacancy and the Governor shall nominate a  
11 person to fill that membership position on the committee within  
12 90 days of the date of expiration, even if the member continues  
13 to remain on the committee. The Governor shall designate one of  
14 the members of the committee as its chairman.

15 (c) Expenses.--Each member of the advisory committee shall  
16 be paid all reasonable and necessary travel and other expenses  
17 incurred by him in the performance of his duties.

18 (d) Formulation and review of standards and services.--The  
19 advisory committee shall aid the department in formulating and  
20 reviewing standards for probation personnel and probation  
21 services in the counties.

22 SECTION 1502. FUNDING.

<—

23 THE GENERAL ASSEMBLY SHALL PROVIDE A LINE ITEM APPROPRIATION  
24 IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE OFFICE OF DEPUTY  
25 COMMISSIONER FOR PAROLE SUPERVISION AND THE STAFF OF THE OFFICE.

26 SECTION 1503. SENTENCES PRIOR TO EFFECTIVE DATE.

27 THE POWERS AND DUTIES OF THE BOARD OF PROBATION AND PAROLE ON  
28 PAROLE, REPAROLE AND REVOCATION, WITH RESPECT TO SENTENCES  
29 IMPOSED PRIOR TO THE EFFECTIVE DATE OF THIS ACT, ARE TRANSFERRED  
30 TO THE BOARD.

1 Section ~~1502~~ 1504. Transfer provisions. <—

2 All personnel, appropriations, equipment, files, records,  
3 contracts, agreements, obligations and other materials which are  
4 used, employed or expended in connection with the powers, duties  
5 or functions transferred by this act from the Pennsylvania Board  
6 of Parole to the Department of Corrections OR THE BOARD OF <—  
7 PAROLE are hereby transferred to ~~that department~~ THE DEPARTMENT <—  
8 OR THE BOARD with the same force and effect as if the  
9 appropriations had been made to and said items had been the  
10 property of the department OR THE BOARD in the first instance <—  
11 and as if said contracts, agreements and obligations had been  
12 incurred or entered into by the department OR THE BOARD. <—

13 Section ~~1503~~ 1505. Repeals. <—

14 The following acts or parts of acts are repealed:

15 Act of June 19, 1911 (P.L.1059, No.813), entitled "An act  
16 extending the powers of judges of courts of quarter sessions and  
17 of oyer and terminer, in relation to releasing prisoners in  
18 jails and workhouses on parole."

19 Act of May 28, 1913 (P.L.363, No.247), entitled "An act  
20 regulating the discharge of prisoners on parole, from the penal  
21 institutions of the Commonwealth."

22 Sections 16, 19, 20 and 27 of the act of July 25, 1913  
23 (P.L.1311, No.816), entitled "An act providing for the  
24 establishment of a State Industrial Home for Women; authorizing  
25 the purchase of a site, and the erection thereon and equipment  
26 of necessary buildings; providing for the commitment to said  
27 State Industrial Home for Women of females between the ages of  
28 sixteen and thirty years, convicted of, or pleading guilty to,  
29 the commission of any criminal offense; and providing for the  
30 government and management of said institution; and making an



1 appropriation to carry out the purposes of this act."

2 Act of May 1, 1929 (P.L.1182, No.414), entitled "An act  
3 providing the procedure and the powers of the State Board of  
4 Pardons and boards of trustees of penitentiaries where prisoners  
5 released on parole violate the terms of such parole; and fixing  
6 the penalty for such violation."

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

12 Act of August 6, 1941 (P.L.861, No.323), referred to as the  
13 Pennsylvania Board of Probation and Parole Law.

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

18 As much of 42 Pa.C.S. § 9755(b) which reads: "~~which shall not~~ <—  
19 ~~exceed~~ one-half of the ~~maximum sentence imposed~~". <—

20 As much of 42 Pa.C.S. § 9756(b) which reads: "~~which shall not~~ <—  
21 ~~exceed~~ one-half of the ~~maximum sentence imposed~~". <—

22 42 Pa.C.S. § 9756(c).

23 The last sentence of 42 Pa.C.S. § 9757 which reads: "~~Such~~ <—  
24 ~~minimum sentence shall not exceed~~ one-half of the ~~maximum~~ <—  
25 ~~sentence imposed~~".

26 Section ~~1504~~ 1506. Effective date. <—

27 This act shall take effect in 60 days.