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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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DELEGATION

**MEMORANDUM**

To: All Members of the House of Representatives

From: Representative Michelle Brownlee

Date: March 12, 2012

Subject: Co-sponsorship: Corrections Reform

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In the near future, I intend to introduce companion legislation to Senate Bill 100 (Greenleaf), which amends Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes to provide for substantive prison reform in the Commonwealth.

The cost of incarceration, coupled with the astronomical number of incarcerated individuals, requires fundamental changes to the way we sentence and incarcerate the prison population. As such, I have introduced a House companion to Senate Bill 100, which addresses this growing problem by changing the definition of "crime of violence" and by proposing the following:

**Risk Assessment Tool Implementation**

This legislation references the implementation of a risk assessment tool, developed by the Pennsylvania Commission on Sentencing, as part of the sentencing guidelines in order to divert low-risk offenders to alternative sentencing measures.

**County Intermediate Punishment (CIP) Eligibility Changes**

The bill specifically allows eligibility for sentences to CIP for offenders convicted of lower-quantity drug felonies and sentenced under the first tier of the drug trafficking mandatory sentences. Mandatory CIP for drug dependent offenders must include participation in clinically-prescribed treatment.

### **State Intermediate Punishment (SIP) Eligibility Changes**

Under existing statute, offenders convicted of drug felonies and sentenced under the drug trafficking mandatory are eligible for SIP. The bill would remove eligibility for offenders sentenced under the third tier of the drug trafficking mandatory (100 grams or greater) sentencing requirements.

### **State Motivational Boot Camp (BC) Eligibility Changes**

Among the statutory criteria for eligibility is a requirement that the inmate be less than 35 years of age and committed to a state correctional facility in order to be considered for boot camp participation. About 45% of offenders who would otherwise be eligible for the program are ineligible because they are 35 years of age or older. This legislation proposes a change in the age criteria for BC eligibility, permitting inmates less than 40 years of age to be considered for participation.

### **Recidivism Risk Reduction Incentive (RRRI) Eligibility Changes**

Under RRRI a judge must sentence an eligible offender to a shorter minimum sentence and if the offender completes programming and meets other requirements, the offender will be paroled to that minimum. The bill allows an eligible defendant to receive a RRRI minimum sentence even if a mandatory sentence would otherwise be provided by law.

### **Sanctions for Probation Violators**

This legislation authorizes each county Court of Common Pleas to establish an intensive probation program that will impose swift, predictable and immediate sanctions on violators. Violent offenders and sex offenders are not eligible for this program.

### **Prerelease Program Eligibility Changes**

This legislation adds a section that provides for eligibility for a prerelease program operated by the Pennsylvania Department of Corrections (DOC).

- An individual with less than 12 months to serve until completion of minimum sentence must serve at least three months in State prison before being eligible for the prerelease program.
- An individual with at least 12 months, but less than 18 months to serve until completion of minimum sentence must serve at least six months in State prison before being eligible for the prerelease program.
- An individual with at least 18 months to serve until completion of minimum sentence must serve at least nine months in State prison before being eligible for the prerelease program.

### **Safe Community Reentry Program**

This legislation establishes a comprehensive program to reduce recidivism and ensure the successful reentry and reintegration of offenders into the community. The Safe Community Reentry Program provides offenders with access to a full continuum of services during incarceration and upon release during their transition and reintegration into the community. The Department of Corrections shall conduct research to determine whether the Safe Community Reentry Program reduces recidivism rates. A report evaluating the program would

be due by February 1st of each even-numbered year and must be presented to the House and Senate Judiciary Committees.

I ask you to join me in co-sponsoring this important legislation. Please contact Daisy Latham-Williams at 783-8752 or via e-mail at [dlatham@pahouse.net](mailto:dlatham@pahouse.net).