

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY LAW

Act of Nov. 22, 1978, P.L. 1166, No. 274

CL. 44

AN ACT

Establishing the Pennsylvania Commission on Crime and Delinquency, providing for its powers and duties establishing several advisory committees within the commission and providing for their powers and duties.

The General Assembly finds and declares that:

(a) crime and delinquency are essentially State and local problems;

(b) crime and delinquency are complex social phenomena requiring the attention and efforts of the criminal justice system, State and local governments, and private citizens alike;

(c) the establishment of appropriate goals, objectives and standards for the reduction of crime and delinquency and for the administration of justice must be a priority concern;

(d) the functions of the criminal justice system must be coordinated more efficiently and effectively;

(e) the full and effective use of resources affecting State and local criminal justice systems requires the complete cooperation of State and local government agencies; and

(f) training, research, evaluation, technical assistance and public education activities must be encouraged and focused on the improvement of the criminal justice system and the generation of new methods for the prevention and reduction of crime and delinquency.

Compiler's Note: See section 12 of this act for special provisions relating to the termination of the commission.

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

Section 1. Definitions.

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

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"Fund." The Justice Reinvestment Fund established under section 8.1(a).

"Innovative policing." The term shall include all of the following:

(1) Activities to obtain accreditation of municipal police departments.

(2) Online training of law enforcement officers.

(3) County and regional law enforcement data-sharing initiatives.

(4) Strategies to combat crime and gang activity, including intervention, enforcement, technology, analytical capacity and community policing.

"Mid-minimum offender." An offender who at the time of sentencing has at least one but not more than two years remaining to be served to reach the offender's minimum sentence, including any applicable recidivism risk reduction incentive minimum sentence imposed.

"Offender diversion." Evidence-based strategies to reduce the number of short-minimum and mid-minimum offenders committed to the Department of Corrections.

"Private citizen." An individual who is not an elected or appointed official in a branch of government of the United States, the Commonwealth or a political subdivision.

"Short-minimum offender." An offender who at the time of sentencing has less than one year remaining to be served to reach the offender's minimum sentence, including any applicable recidivism risk reduction incentive minimum sentence imposed.

"Targeted community." A city, township or municipality currently receiving funding from the Pennsylvania Commission on Crime and Delinquency to provide support to law enforcement and community partnerships to develop comprehensive, targeted crime prevention efforts and a planning process for the revitalization of high-crime and distressed communities; a city, township or municipality designated by the commission to receive such funding; or a city, township or municipality eligible to seek such funding from the commission under criteria developed by the Targeted Community Revitalization and Crime Prevention Advisory Committee.

(1 amended Oct. 25, 2012, P.L.1607, No.196)

Section 2. Pennsylvania Commission on Crime and Delinquency.

(a) Establishment.--There is hereby established the Pennsylvania Commission on Crime and Delinquency as an administrative commission in the Governor's Office.

(b) Composition.--The commission shall consist of the following members:

(1) The Attorney General.

(2) A justice of the Supreme Court of Pennsylvania or a judge of the Superior Court of Pennsylvania.

(3) The Court Administrator of Pennsylvania.

(4) A judge of a court of common pleas.

- (5) Commissioner of State Police.
- (6) The majority chairmen of the House and Senate Appropriations Committees.
- (7) The chairman of the Juvenile Justice and Delinquency Prevention Committee.
- (8) Four members of the General Assembly, of whom one shall be designated by, and serve at the pleasure of the President pro tempore of the Senate, one by the Minority Leader of the Senate, one by the Speaker of the House of Representatives and one by the Minority Leader of the House of Representatives.
- (9) Seven members appointed by the Governor, one representative of local law enforcement agencies, one representative of local correctional facilities, one representative of local elected officials, one district attorney representative, one representative of county sheriffs, one representative of a local victims' service agency and one representative of county commissioners.
- (10) (Deleted by amendment).
- (11) Secretary of Corrections.
- (12) The Victim Advocate.
- (13) Secretary of Public Welfare.
- (14) Secretary of Education.
- (15) Secretary of Health.
- (16) Chairman of the Board of Probation and Parole.
- (17) Executive Director of the Juvenile Court Judges' Commission.
- (17.1) Executive Director of the Pennsylvania Commission on Sentencing.
- (17.2) Secretary of Drug and Alcohol Programs.
- (18) Such additional members appointed by the Governor as are necessary to implement programs authorized by State and Federal law.
- ((b) amended Oct. 25, 2012, P.L.1607, No.196)
- (c) Judicial appointments.--
 - (1) The judge of a court of common pleas shall be appointed by the Chief Justice.
 - (2) The Chief Justice shall appoint a justice of the Supreme Court of Pennsylvania or a judge of the Superior Court of Pennsylvania.
 - (3) If the Court Administrator cannot serve, the Chief Justice shall appoint another appropriate judicial administrative officer of the State.
- ((c) amended Oct. 25, 2012, P.L.1607, No.196)
- (c.1) Appropriations chairmen alternates.--((c.1) deleted by amendment Oct. 25, 2012, P.L.1607, No.196)
- (d) Term of office.--
 - (1) Members appointed under subsection (b)(9) and (18) shall serve for a four-year term, and may be appointed for no more than one additional consecutive term. The terms of those members who serve by virtue of the public office they hold shall be concurrent with their service in the office from which they derive their membership.
 - (2) The term of the chairman of the Juvenile Justice and Delinquency Prevention Committee shall be concurrent with his service as chairman of that committee.
- ((d) amended Oct. 25, 2012, P.L.1607, No.196)
- (e) Vacancies.--Should any member cease to be an officer or employee of the agency he is appointed to represent, his membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as his predecessor to fill the unexpired portion of a term. Other

vacancies occurring, except those by the expiration of a term, shall be filled for the balance of the unexpired term in the same manner as the original appointment. ((e) amended Oct. 25, 2012, P.L.1607, No.196)

(f) Chairman.--The chairman shall be chosen by the Governor and shall serve at the pleasure of the Governor. A vice chairman shall be designated by the chairman and shall preside at meetings in the absence of the chairman.

(g) Quorum.--A majority of the members shall constitute a quorum and a vote of the majority of the members present shall be sufficient for all actions.

(h) Termination of appointment.--Three consecutive unexcused absences from regular meetings, except for temporary illness, or failure to attend at least 50% of the regularly called meetings in any calendar year shall be considered cause for termination of appointment.

(i) Compensation and expenses.--Members who are not Commonwealth officers or State, county, or municipal employees shall be paid \$75 a day for attendance at any official meeting. Reasonable expenses incurred by members shall be allowed and paid upon the presentation of itemized vouchers therefor.

(j) Executive director.--An executive director shall be appointed by the Governor after consultation with the members of the commission. The executive director shall be paid such compensation as the Executive Board may determine.

(k) Employees.--The executive director may employ such personnel and contract for such consulting services as may be necessary and authorized to carry out the purposes of this act. Staff of the commission, other than the executive director, shall be employed in accordance with and subject to the provisions of the act of August 5, 1941 (P.L.752, No.286), known as the "Civil Service Act."

(l) Advisory committees.--((l) deleted by amendment Oct. 25, 2012, P.L.1607, No.196)

(m) Meetings.--All meetings of the commission and of its advisory committees, at which formal action is taken, shall conform to 65 Pa.C.S. Ch. 7 (relating to open meetings). ((m) amended Oct. 25, 2012, P.L.1607, No.196)

(n) Records.--The commission and any advisory committee established for the purposes of this act shall provide for public access to all records relating to its functions under this act, except such records as are required to be kept confidential by any provision of State or Federal law.

(o) State Criminal Justice Council.--The commission is hereby designated as the State Criminal Justice Council for the purposes of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351), as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415), as amended.

(2 amended Dec. 17, 1981, P.L.429, No.134)

Compiler's Note: The Secretary of Public Welfare, referred to in this section, was redesignated as the Secretary of Human Services by Act 132 of 2014.

Section 3. Powers and duties of the commission.

The commission shall have the power and its duty shall be:

(1) To prepare and at least once every two years update a comprehensive juvenile justice plan on behalf of the Commonwealth based on an analysis of the Commonwealth's needs and problems, including juvenile delinquency prevention.

((1) amended Dec. 15, 1999, P.L.922, No.60)

(2) To apply for, contract for, receive, allocate, disburse and account for funds, grants-in-aid, grants of services and property, real and personal, particularly those funds made available pursuant to the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351), as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415), as amended.

(3) To receive applications for financial assistance from State agencies, units of general local government and combinations thereof, private nonprofit organizations and other proper applicants, and to disburse available Federal and State funds to such applicants in accordance with the provisions of applicable statutes and regulations and in conformity with the comprehensive plan.

(4) To establish such fund accounting, auditing, monitoring and evaluation procedures as may be necessary to assure fiscal control, proper management and disbursement of grant funds, including the requirements of supporting papers being submitted to the disbursing agency by persons requiring reimbursement, and to establish such procedures as may be necessary to assure compliance with nondiscrimination requirements.

(5) To audit the books and records of recipients of financial assistance and of their contractors and, for the purpose of such audits, to have access to all pertinent books and records required to be kept by recipients of financial assistance and by their contractors. The commission shall have the power to subpoena witnesses, books, records and papers in the execution of its auditing responsibilities and, upon certification to it of failure to obey any such subpoena, the Court is empowered after hearing to enter, when proper, an adjudication of contempt and such other order as the circumstances require. ((5) repealed in part Oct. 5, 1980, P.L.693, No.142)

(6) To monitor and evaluate program effectiveness, funded in whole or in part by the Commonwealth through the commission aimed at reducing or preventing crime and delinquency and improving the administration of justice as deemed appropriate.

(6.1) To define and collaborate with all State agencies on planning and programming related to juvenile delinquency prevention and the reduction and prevention of violence by and against children. ((6.1) added June 22, 2001, P.L.396, No.30)

(6.2) To design and promote comprehensive research-based initiatives to assist communities and community-based organizations in reducing risk to and promoting the positive development of children and in preventing juvenile delinquency and youth violence. ((6.2) added June 22, 2001, P.L.396, No.30)

(6.3) To provide support to law enforcement and community partnerships whose mission includes comprehensive, targeted crime prevention efforts and a planning process for the revitalization of high-crime and distressed communities. ((6.3) added June 22, 2001, P.L.396, No.30)

(7) To define, develop and coordinate programs and projects and establish priorities for crime prevention and for improvement in law enforcement, criminal justice and juvenile justice throughout this Commonwealth. ((7) amended June 22, 2001, P.L.396, No.30)

(8) Provide for a periodic forum in which leaders and recognized professionals of juvenile and criminal justice

programs for both the public and private sectors to discuss major issues and philosophical concerns confronting the Commonwealth's justice system. The forum shall serve to promote communications and coordination between the agencies, but shall not be involved in the direct disposition nor management of applications for State or Federal assistance. The chairman of the Pennsylvania Commission on Crime and Delinquency shall serve as the chairman of the forum and shall appoint no more than 30 members to serve on this forum. The forum shall meet at the call of the chairman but not less than four times a year.

(9) To cooperate with and render technical assistance to the General Assembly or a standing committee of the General Assembly, State agencies, units of general local government and public and private agencies relating to the improvement of the criminal and juvenile justice system, including the implementation of special conferences or workshops relating to special issues or professional improvement of criminal justice organizations.

(10) To establish, and the chairman of the commission appoint, such subcommittees as it deems proper.

(11) To submit an annual report to the Governor and the General Assembly concerning its work during the preceding fiscal year. Other studies, evaluations and reports may be submitted to the Governor or the General Assembly as deemed appropriate.

(12) To promulgate such rules and regulations as the commission deems necessary for the proper administration of this act.

(13) To review criminal justice plans developed by other State agencies so as to promote coordination in the development and implementation of programs to improve criminal justice and juvenile justice services throughout the Commonwealth.

(14) Upon request advise and assist the executive and legislative branches of State Government in developing policies, plans, programs and budgets for improving the coordination, administration and effectiveness of the criminal and juvenile justice systems.

(15) To prepare special reports and studies of criminal justice issues upon the request of the Governor or the General Assembly or a standing committee of the General Assembly.

(16) To design and to coordinate the development and oversee the implementation of an information system to record transactions and to analyze trends within the Commonwealth's criminal justice system. ((16) added Dec. 17, 1981, P.L.429, No.134)

(17) To prepare and present upon the request of the chairman of a committee to which the bill has been referred a prison population impact analysis of any bill introduced in the General Assembly that would have an impact on prison or correction systems as well as on State and local probation and parole populations and programs. The analysis shall be factual and, if possible, provide a reliable estimate of the prison population impact of the bill and shall be completed and presented to the committee whose chairman requests the analysis and to the Governor within 45 days of the initial request. The commission shall prepare the analysis in consultation with the Department of Corrections, the Pennsylvania Board of Probation and Parole and the Pennsylvania Commission on Sentencing, as appropriate. A

request for a prison population impact analysis shall have no effect whatsoever upon the method, manner or ability of the General Assembly to consider any bill. ((17 added June 22, 2001, P.L.396, No.46)

(18) To establish advisory committees, in addition to those provided for under this act, as it deems advisable, except that only the commission may set policy or take other official action. Members of advisory committees shall serve without compensation but may be reimbursed for necessary travel and other expenses in accordance with applicable law and regulations. ((18) added Oct. 25, 2012, P.L.1607, No.196)

Section 4. Duties of the commission relative to criminal statistics.

The commission shall have the power and its duty shall be:

(1) To obtain data necessary from all persons and agencies listed in section 5 and from any other appropriate source.

(2) To prepare and distribute to all such persons and agencies, cards or other forms used in reporting data to the commission. Such cards or forms may, in addition to other items, include items of information needed by Federal bureaus or departments engaged in the development of national and uniform criminal statistics.

(3) To request the form and content of records which must be kept by such persons and agencies in order to insure the correct reporting of data to the commission.

(4) To instruct such persons and agencies in the installation, maintenance and use of such records and in the reporting of data to the commission.

(5) To process, tabulate, analyze and interpret the data obtained from such persons and agencies.

(6) To supply, at their request, to Federal bureaus or departments engaged in the collection of national criminal statistics data they need from this Commonwealth.

(7) To present to the Governor and the members of the General Assembly each year a report containing the criminal statistics of the preceding calendar year and to present at such other times as the commission deems necessary reports on the special aspects of criminal and juvenile statistics. This report need not duplicate information contained in reports of other administrative agencies unless a specific purpose exists. ((7) amended Apr. 30, 1986, P.L.125, No.38)

(8) To assist or advise in a statistical and research capacity as requested by the Department of Corrections, the Pennsylvania Board of Probation and Parole, the Pennsylvania State Police, the Juvenile Court Judges' Commission and the Court Administrator. ((8) amended Oct. 25, 2012, P.L.1607, No.196)

(9) To give adequate interpretation of such statistics and so to present the information that it may be of value in guiding the policies of the commission and of those in charge of the apprehension, prosecution and treatment of the criminals and delinquents, or concerned with the present state of crime and delinquency. The report shall include also statistics which are comparable with national uniform criminal statistics published by Federal bureaus or departments heretofore mentioned. ((9) amended Oct. 25, 2012, P.L.1607, No.196)

(10) To seek and utilize all available Federal funds and establish new programs as well as undertake a continuous analysis of future data needs. ((10) amended Oct. 25, 2012, P.L.1607, No.196)

Section 5. Duties of public agencies and officers in reporting criminal statistics.

It shall be the duty of every Commonwealth agency and every person in charge of the apprehension, prosecution and treatment of the criminals and delinquents, when requested by the commission:

(1) To install and maintain records and recording systems needed for the correct reporting of statistical data required by the commission.

(2) To report statistical data to the commission at such times and in such manner as the commission prescribes.

(3) To give to the staff of the commission access to statistical data for the purpose of carrying out the duties of the commission relative to criminal statistics.

(5 amended Oct. 25, 2012, P.L.1607, No.196)

Section 6. Juvenile Justice and Delinquency Prevention Committee.

(a) Establishment.--There is hereby established the Juvenile Justice and Delinquency Prevention Committee within the commission. ((a) amended Oct. 25, 2012, P.L.1607, No.196)

(a.1) Composition.--The members of the committee shall be appointed by the Governor and shall include:

(1) The Executive Director of the Juvenile Court Judges' Commission.

(2) Representatives of units of local government, law enforcement and juvenile justice agency probation personnel, juvenile court judges, public and private agencies and organizations concerned with delinquency prevention or treatment and services to delinquency prevention or treatment and services to dependent children, community-based prevention in-treatment programs, organizations concerned with the quality of juvenile justice or that utilize volunteers to work with delinquent or dependent children, businesses employing youth, youth workers involved with alternative youth programs, persons with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities and representatives of public agencies concerned with special education.

((a.1) added Oct. 25, 2012, P.L.1607, No.196)

(a.2) Term.--Members shall serve for a four-year term, and may be appointed for no more than one additional consecutive term. ((a.2) added Oct. 25, 2012, P.L.1607, No.196)

(b) Number and qualifications.--The committee shall consist of no less than 15 members or more than 33 members, all of whom shall have had training or experience in juvenile justice. A majority of the members shall not be full-time employees of the Federal, State or local governments. At least one-fifth of the membership shall be under the age of 24 at the time of appointment. At least three of those members of the committee under 24 years of age at the time of appointment shall have been or are currently under the jurisdiction of the juvenile justice system.

(c) Conditions of appointment.--The committee and its members are subject to the same limitations and conditions imposed upon the commission as prescribed in section 2(d), (e), (h), (i), (m) and (n).

(d) Quorum.--A majority of the members shall constitute a quorum and a vote of the majority of the members present shall be sufficient for all actions.

(e) Chairman.--The Governor shall appoint a chairman from among the members of the committee who shall serve at the

pleasure of the Governor. A vice chairman shall be designated by the chairman and preside at meetings in the absence of the chairman. The committee shall meet at the call of the chairman, but not less than four times a year.

(f) Powers and duties.--The Juvenile Justice and Delinquency Prevention Committee shall have the power, and its duty shall be:

(1) To serve in an advisory capacity to the commission through the committee's participation in the development of that part of the commission's comprehensive plan relating to juvenile justice and delinquency prevention.

(2) To perform those functions related to the direct approval and disbursement of financial assistance in an advisory capacity only, but the advisory committee shall have the opportunity to review and comment on such applications within 30 days after receipt of the application from the commission.

(3) To advise the commission on the definition, development and correlation of programs and projects and the establishment of priorities for juvenile justice and delinquency prevention.

(4) To develop standards, methods and procedures for evaluating and monitoring services for delinquent and dependent children.

(5) Upon request, to provide assistance and advice to the commission on any other matters relating to juvenile justice and delinquency prevention.

(6) To submit to the Governor and the General Assembly such reports as may be required by Federal law.

(7) To advise the commission in defining and collaborating with all State agencies on planning and programming related to juvenile delinquency prevention and the reduction and prevention of violence by and against children.

(8) To advise and assist the commission in designing and promoting comprehensive research-based initiatives to assist communities and community-based organizations in reducing risk to and promoting the positive development of children and in preventing juvenile delinquency and youth violence.

((f) added Oct. 25, 2012, P.L.1607, No.196)

(g) Staff support.--Staff support shall be made available to the committee by the executive director in order to adequately perform the duties provided for under this section.

((g) added Oct. 25, 2012, P.L.1607, No.196)

(6 amended Dec. 17, 1981, P.L.429, No.134)

Section 6.1. County Adult Probation and Parole Advisory Committee.

(a) Establishment.--The County Adult Probation and Parole Advisory Committee is established within the commission.

(b) Composition.--The committee shall consist of the following members:

(1) The Chair of the Pennsylvania Board of Probation and Parole or a designee, who shall serve as an ex officio and nonvoting member.

(2) The Chair of the Juvenile Court Judges' Commission or a designee, who shall serve as an ex officio and nonvoting member.

(3) The Executive Director of the Pennsylvania Commission on Sentencing or a designee, who shall serve as an ex officio and nonvoting member.

(4) The President of the County Commissioners Association of Pennsylvania or a designee.

(5) The Executive Director of the County Chief Adult Probation and Parole Officers Association of Pennsylvania or a designee.

(6) The Victim Advocate.

(7) The Court Administrator of Pennsylvania or a designee.

(8) The President of the Pennsylvania District Attorneys Association or a designee.

(8.1) The President of the Pennsylvania Association of Criminal Defense Lawyers or a designee.

(9) A county chief probation and parole officer appointed by the Chief Justice of Pennsylvania.

(9.1) A county chief public defender appointed by the Chief Justice of Pennsylvania.

(10) A county commissioner or a home rule equivalent appointed by the Governor.

(11) Seven judges of the courts of common pleas who serve in the criminal court area and are representative of the geographic and demographic diversity of this Commonwealth, appointed by the Chief Justice of Pennsylvania.

(c) Initial appointments to committee.--

(1) As designated by the Chief Justice of Pennsylvania at the time of appointment and until successors are appointed, the following shall apply to appointees initially appointed under subsection (b)(9), (9.1) and (11):

(i) Three appointees shall serve an initial term of two years.

(ii) Three appointees shall serve an initial term of three years.

(iii) Three appointees shall serve an initial term of four years.

(2) An appointment to fill a vacancy created by a member appointed in accordance with paragraph (1) shall be for the remainder of the unexpired term.

(3) Members appointed under subsection (b)(1), (2), (3), (4), (5), (6), (7), (8), (8.1) and (10) shall serve by virtue of the member's office, and the member's term shall be concurrent with the member's service in the office.

(d) Terms of office.--Except as provided in subsection (c)(1), the term of office of a member appointed under subsection (b)(9) or (11) shall be four years. No member shall be appointed for more than two consecutive terms.

(e) Conditions of appointment.--The committee and the committee's members are subject to the same limitations and conditions imposed upon the commission under section 2(e), (h), (i), (m) and (n).

(f) Quorum.--A majority of the voting members shall constitute a quorum and a vote of the majority of the voting members present shall be sufficient for all actions.

(g) Committee chair.--The chair of the commission shall appoint a committee chair from among the judges on the committee, who shall serve at the pleasure of the chair. A vice committee chair shall be designated by the committee chair and shall preside at meetings in the chair's absence. The committee shall meet at the call of the committee chair, but not less than four times per year.

(h) Powers and duties.--The County Adult Probation and Parole Advisory Committee, with the review and approval of the commission, shall:

(1) Review and comment on grant applications for county intermediate punishment programs or discretionary grants.

(2) Develop a funding plan for county adult probation and parole departments that includes county intermediate punishment programs, discretionary grants and a funding formula. Counties supervising larger numbers of individuals with significant risk and need scores shall receive greater consideration in grant awards. The committee shall consider the following in developing the funding formula:

(i) The number of people in the county that were sentenced to probation supervision in the prior year.

(ii) The number of people in the county that were under judicial supervision in pretrial status in the community in the prior year.

(iii) The number of people in the county that were placed under county probation supervision following State or county incarceration in the prior year.

(iv) The number of people in the county that were discharged from probation supervision in the prior year.

(v) The offense gravity score and prior record score of persons in the county under the supervision of county probation in the prior year.

(vi) The risk and need score of persons in the county under the supervision of county probation, as determined through the use of a validated and commission-approved instrument.

(vii) The county's full submission of data to the Pennsylvania Commission on Sentencing.

(viii) Certification by the Pennsylvania Commission on Sentencing of the county's compliance with guidelines and the county's current intermediate punishment plan for imposing restrictive conditions.

(3) Advise on all matters pertaining to the administration of the county adult probation and parole system.

(4) Analyze data to identify trends and to determine the effectiveness of programs and practices to ensure the reasonable and efficient administration of the county adult probation and parole system.

(5) Make recommendations and adopt standards for probation and parole personnel, including standards for services, caseload standards, risk assessment, responses to violations, collection of restitution and other evidence-based programs and practices. The recommendations and standards shall include the circumstances under which an offender's schedule, including consideration of the offender's work schedule and any scheduled essential medical care, should be weighed when making scheduling decisions.

((5) amended July 7, 2022, P.L.493, No.47)

(6) Assist the commission in the implementation of 42 Pa.C.S. Ch. 98 (relating to county intermediate punishment).

(7) Report annually to the Governor and General Assembly on the distribution and use of funding under paragraphs (1) and (2).

(i) Staff.--Staff support shall be made available to the committee by the executive director of the commission in order to adequately perform the duties provided for under this section.

(j) Authority not diminished.--This section may not be interpreted to diminish the authority of a president judge in a supervising county's probation and parole department.

(6.1 added Dec. 18, 2019, P.L.771, No.114)

Section 6.2. County probation officers' firearm education and training.

(a) Commission composition.--The committee shall serve as the county probation officers' firearm education and training commission under 61 Pa.C.S. Ch. 63 (relating to county probation officers' firearm education and training), including assuming all of its funding, powers, duties and responsibilities.

(b) Advisory subcommittee.--The committee shall appoint a subcommittee with expertise comparable to that of the former membership of the county probation officers' firearm education and training commission.

(6.2 added Dec. 18, 2019, P.L.771, No.114)

Section 7. Powers and duties of the Juvenile Justice and Delinquency Prevention Committee. (7 repealed Oct. 25, 2012, P.L.1607, No.196)

Section 7.1. Targeted Community Revitalization and Crime Prevention Advisory Committee. (7.1 repealed Oct. 25, 2012, P.L.1607, No.196)

Section 7.2. Powers and duties of Targeted Community Revitalization and Crime Prevention Advisory Committee. (7.2 repealed Oct. 25, 2012, P.L.1607, No.196)

Section 8. Local Criminal Justice Planning Agencies.

(a) Local planning agency staff.--No unit of general local government or combination of such units shall be eligible to receive funds for the establishment and operation of a criminal justice planning agency unless the staff of such agency is hired and retained on merit principles.

(b) Cities of the first class.--Whenever any city of the first class shall establish a local criminal justice planning agency which complies with Federal requirements, such agency shall be the advisory committee to the commission for that city and, in such instance, the chief executive of the city shall appoint the members of the agency.

(8 amended Dec. 17, 1981, P.L.429, No.134)

Section 8.1. Justice reinvestment grants (8.1 expired July 15, 2018. See Act 196 of 2012.)

Section 9. Cooperation by other departments.

It shall be the duty of the various administrative departments, boards and commissions to cooperate so far as practicable with the commission in the performance of its duties under this act, except as provided in sections 4 and 5.

Section 9.1. Justice reinvestment grants, phase 2.

(a) Justice Reinvestment Fund.--The Justice Reinvestment Fund will be utilized to support programs and activities to improve the delivery of criminal justice services within this Commonwealth.

(b) Savings assessment.--For fiscal years 2021-2022, 2022-2023, 2023-2024 and 2024-2025, the Office of the Budget shall calculate the amount of savings to the Department of Corrections in the prior fiscal year. The calculation shall consist of savings from the following:

(1) implementation of short sentence parole under 61 Pa.C.S. § 6137.5 (relating to short sentence parole);

(2) increased use of the State drug treatment program under 61 Pa.C.S. Ch. 41 (relating to State intermediate punishment); or

(3) use of sanctions for technical parole violations under 61 Pa.C.S. § 6138(c)(1.2) (relating to violation of terms of parole).

(c) Deposit.--The following amounts shall be deposited into the Justice Reinvestment Fund:

(1) In fiscal year 2021-2022, an amount not to exceed 100% of the amount calculated to be savings in the prior fiscal year.

(2) In fiscal years 2022-2023, 2023-2024 and 2024-2025, an amount in each year not to exceed 50% of the amount calculated to be savings in the prior fiscal year.

(3) In fiscal year 2025-2026, an amount not to exceed 90% of the amount calculated to be savings in the prior fiscal year.

(d) Distributions.--For fiscal years 2021-2022, 2022-2023, 2023-2024 and 2024-2025, the sum of \$250,000 shall be distributed to the commission for the purpose of crime victim compensation and the sum of \$400,000 shall be distributed to the Pennsylvania Commission on Sentencing to implement risk assessment and justice reinvestment sentencing features. The remaining deposits in subsection (c) shall be distributed under section 10.1.

(e) Restriction.--Grants awarded under this section shall be annual grants and shall be used to supplement and not supplant existing funding, including funding provided by county governments.

(f) Expiration.--This section shall expire July 15, 2026.
(9.1 added Dec. 18, 2019, P.L.771, No.114)

Compiler's Note: 61 Pa.C.S. § 6137.5, referred to in subsec.

(b)(1), does not exist.

Section 10. Transfer of personnel, assets and appropriations.

All personnel, allocations, appropriations, equipment, files, records, contracts, agreements, obligations, and other materials which are used, employed or expended by the Governor's Justice Commission in connection with the powers, duties or functions exercised under this act by the commission are hereby transferred to the commission with the same force and effect as if the appropriations had been made to and said items had been the property of the commission in the first instance and as if said contracts, agreements and obligations had been incurred or entered into by said commission.

Section 10.1. Continuing county probation and parole grants.

(a) General rule.--A county that provides adult probation staff shall receive grant funding from the Commonwealth through the commission for costs incurred by the county but only to the extent that the staff and program meet the qualifications and standards established by the commission.

(b) Appropriation.--

(1) For fiscal years 2021-2022, 2022-2023, 2023-2024, 2024-2025 and 2025-2026, the sum of \$16,222,000 plus the amount deposited under section 9.1(c) as savings in the prior fiscal year shall be appropriated to the commission for the purpose of formula funding to county probation and parole departments, as advised by the County Adult Probation and Parole Advisory Committee under section 6.1.

(2) Beginning in fiscal year 2026-2027 and annually thereafter, the Commonwealth shall adjust the prior year's appropriation to reflect the annual percentage change in the Consumer Price Index for All Urban Consumers, published by the United States Department of Labor, Bureau of Labor

Statistics, occurring in the one-year period ending on January 1 immediately preceding July 1.

(3) If insufficient funds are appropriated, each county shall receive a prorated reduction in funding.

(10.1 added Dec. 18, 2019, P.L.771, No.114)

Section 10.2. County intermediate punishment funding.

The State appropriation for county intermediate punishment shall continue to be utilized to support programs under 42 Pa.C.S. Ch. 98 (relating to county intermediate punishment).

(10.2 added Dec. 18, 2019, P.L.771, No.114)

Section 11. Abolition of Justice Commission.

The Governor's Justice Commission is hereby abolished.

Section 12. Termination of commission. (12 repealed Dec. 16, 1982, P.L.1355, No.310)

Section 13. Repealer.

Sections 924 and 925, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," are repealed.

(13 amended Dec. 17, 1981, P.L.429, No.134)

Section 14. Effective date.

This act shall take effect December 31, 1978.

APPENDIX

----- Supplementary Provisions of Amendatory Statutes -----

1986, APRIL 30, P.L.125, NO.38

Section 5. This act, with respect to the Pennsylvania Commission on Crime and Delinquency, constitutes the legislation required to reestablish an agency under the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act.

Compiler's Note: Act 38 amended sections 1, 2, 3 and 4 of Act 274.

Section 6. The members of the Pennsylvania Commission on Crime and Delinquency, as of the effective date of this act, shall continue to serve as commission members until their present terms of office expire, provided that any present commission member whose term has expired on or before the effective date of this act shall serve until a successor has been appointed and qualified, but no longer than six months after the effective date of this act.

Section 7. Each rule and regulation of the Pennsylvania Commission on Crime and Delinquency in effect on the effective date of this act and not inconsistent with this act shall remain in effect after such date until repealed or amended by the commission, provided that the commission shall immediately initiate the repeal or amendment of any rule or regulation which is inconsistent with the provisions of this act.