

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 91

Session of
1989

INTRODUCED BY BORTNER AND McVERRY, APRIL 24, 1989

REFERRED TO COMMITTEE ON RULES, APRIL 24, 1989

A CONCURRENT RESOLUTION

1 Recognizing the 10th anniversary of the first meeting of the
2 Pennsylvania Commission on Sentencing.

3 WHEREAS, The Pennsylvania Commission on Sentencing was
4 created by the General Assembly in 1978 to address the perceived
5 problems of unwarranted disparity and undue leniency in judicial
6 sentencing; and

7 WHEREAS, The Commission was charged with the responsibility
8 of developing sentencing guidelines which must be considered by
9 all judges when imposing sentences; and

10 WHEREAS, The guidelines are intended to provide every judge
11 with a common reference point for sentencing similar offenders
12 convicted of similar crimes; and

13 WHEREAS, In addition to developing sentencing guidelines, the
14 Commission is empowered to establish a research and development
15 program; to systematically monitor compliance with guidelines
16 and mandatory sentencing laws; to require the completion and
17 submission of forms which document the application of the

1 guidelines and mandatory sentencing laws; to serve as a
2 clearinghouse of information regarding Commonwealth sentencing
3 practices; to serve in a consulting capacity to State courts
4 regarding sentencing matters; to collect and publish information
5 concerning the effectiveness of sentences; and to make
6 recommendations to the General Assembly concerning modification
7 or enactment of sentencing and correctional statutes; and

8 WHEREAS, The first meeting of the Commission was held in
9 April 1979; and

10 WHEREAS, The Commission's initial sentencing guidelines,
11 which went into effect on July 22, 1982, were applicable to
12 crimes committed on or after that date, and were further amended
13 in 1983 and 1986; and

14 WHEREAS, In October 1988, the Pennsylvania Supreme Court
15 temporarily invalidated the sentencing guidelines on procedural
16 grounds. Subsequently, new sentencing guidelines were enacted in
17 accordance with Act 26 of 1988, and these new guidelines went
18 into effect April 25, 1988; and

19 WHEREAS, Judges are required to consider the guidelines, but
20 they retain the right to impose a sentence outside of guideline
21 recommendations. However, if they sentence outside of the
22 guidelines, they must provide a contemporaneous statement of
23 their reasons; and

24 WHEREAS, The Commission has, throughout the years since its
25 inception, labored diligently and has developed guidelines that
26 have been successful in promoting more uniform and appropriate
27 sentences for crimes committed in this Commonwealth; therefore
28 be it

29 RESOLVED (the Senate concurring), That the General Assembly
30 recognize the 10th anniversary of the first meeting of the

1 Pennsylvania Commission on Sentencing and express its gratitude
2 to the past and present members of the Commission for their
3 outstanding services to this Commonwealth.