

TO: File

FROM: John J. Talaber, Esq. 
Board Secretary

DATE: October 2, 2018

RE: Rescission of Board Resolution Number 2016-03

The Board, at its September 19, 2018 meeting, voted to rescind Resolution Number 2016-03, providing for the designation of Regional Institutional Parole Directors (RIPDs) as decision makers in certain cases involving Recidivism Risk Reduction (RRRI) sentences. Accordingly, RIPDs are no longer designated as board decision makers in cases involving RRRI sentences.

JJT

A RESOLUTION

Providing for the designation of Regional Institutional Parole Directors as decision makers in certain cases involving Recidivism Risk Reduction Incentive sentences:

RESOLVED, that Regional Institutional Parole Directors may act as a designee of the Pennsylvania Board of Probation and Parole in cases involving inmates sentenced to a Recidivism Risk Reduction Incentive where:

1. the Pennsylvania Department of Corrections certifies, pursuant to 61 Pa.C.S. § 4506(a)(9), that the inmate continues to be an eligible offender;
2. the inmate has never been convicted of a Board Designated Violent or Sexual Offense;
3. the Recidivism Risk Reduction Incentive offense does not involve a state identified victim;
4. the inmate has not incurred any misconducts while serving the Recidivism Risk Reduction Incentive sentence;
5. the inmate did not receive a Recidivism Risk Reduction Incentive sentence pursuant to a waiver authorized by 61 Pa.C.S. § 4505(b); and
6. no objection to parole has been received from the trial judge or prosecuting attorney.

REASONS FOR ADOPTION

WHEREAS, the Pennsylvania Board of Probation and Parole is an independent administrative board of the Commonwealth of Pennsylvania that is responsible for the administration of the probation and parole laws of this Commonwealth;

WHEREAS, the Recidivism Risk Reduction Incentive seeks to create a program that ensures appropriate punishment for persons who commit crimes, encourages inmate participation in evidence-based programs that reduce the risks of future crime and ensures the openness and accountability of the criminal justice process while ensuring fairness to crime victims, 61 Pa.C.S. § 4502;

WHEREAS, the Board or its designee is permitted to issue paroling decisions at the expiration of a Recidivism Risk Reduction Incentive sentence in cases where statutory conditions have been satisfied, 61 Pa.C.S. §§ 4506, 6137(d);

WHEREAS, the Board has determined that the purposes of the Recidivism Risk Reduction Incentive will be more fully implemented, and the interests of justice served, by designating Regional Institutional Parole Directors as decision makers in certain cases involving Recidivism Risk Reduction Incentive sentences.

NOW THEREFORE, the Board resolves that Regional Institutional Parole Directors are designated as decision makers in cases involving Recidivism Risk Reduction Incentive sentences in accordance with the conditions set forth above.

Thomas Johnson
Mark Koch
James M. King
Craig R. McKay
Leah

Scott A. Green
Ed Sumell
Paul

ATTESTED

Angela M. [Signature]
BOARD SECRETARY