

A RESOLUTION

Providing for the manner of voting on paroling decisions in cases involving persons convicted of Board Designated Violent Offenses and Sexual Offenses and cases involving persons sentenced to life imprisonment, with parole eligibility, or who subsequently become eligible for parole after being sentenced to life imprisonment:

RESOLVED, that in cases involving Board Designated Violent Offenses and Sexual Offenses and cases involving persons sentenced to life imprisonment, with parole eligibility, or who subsequently become eligible for parole after being sentenced to life imprisonment:

1. In cases involving Board Designated Violent Offenses and Sexual Offenses, a panel may deny parole by agreement.

2. In cases involving Board Designated Violent Offenses and Sexual Offenses, parole may granted by a majority of the Board.

3. In cases involving Board Designated Violent Offenses and Sexual Offenses, where a panel disagrees, the decision to grant or deny parole shall be made by a majority of the Board. A hearing examiner vote in such cases shall be treated as a recommendation to the Board.

4. The decision to grant or deny parole in cases involving persons sentenced to life imprisonment, with parole eligibility, or who subsequently become eligible for parole after being sentenced to life imprisonment, shall be made by a majority of the Board.

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, pursuant to the Prisons and Parole Code, 61 Pa.C.S. § 6132, the Board has power to parole persons sentenced to imprisonment in a correctional facility;

WHEREAS, pursuant to the Prisons and Parole Code, 61 Pa.C.S § 6113, the Board is authorized to make decisions on parole by a majority of the entire membership of the Board, or by a panel consisting of one board member and one hearing examiner or two board members;

WHEREAS, the Board has determined that persons convicted of certain crimes involving violence and sexual offenses warrant review by the entire membership of the Board, prior to parole release;

WHEREAS, the Board has from time to time designated certain offenses as Board Designated Violent Offenses and Sexual Offenses, which require a majority vote of the entire membership of the Board to grant parole;

WHEREAS, the Board has determined that cases involving persons sentenced to life imprisonment, with parole eligibility, or who subsequently become eligible for parole after being sentenced to life imprisonment, warrant review by the entire membership of the Board; and

WHEREAS, the Board desires to establish and memorialize the voting process in cases involving persons convicted of Board Designated Violent Offenses and Sexual Offenses and in cases involving persons sentenced to life imprisonment, with parole eligibility, or who subsequently become eligible for parole after being sentenced to life imprisonment.

NOW THEREFORE, the Board resolves that the Board Secretary shall record decisions in accordance with the manner of voting set forth above.

Theodore W Johnson
Mark K. ...
David M. ...
Ray R. McKay
...

Quint A. ...
...
Ed ...
...

ATTESTED

Elizabeth ...
BOARD SECRETARY