

Misconduct

An individual will not be eligible for Short Sentence Parole if the person has been found guilty of a major disciplinary infraction while confined in a county correctional institution or State correctional institution.

The term "major disciplinary infraction" means the violation:

- (1) was sexual in nature;
- (2) involved assaultive behavior or included a credible threat to cause bodily injury to another;
- (3) involved possession or control of a weapon; or
- (4) involved escape or possessing implements of escape.

An individual will not be eligible for Short Sentence Parole if the person has a pending felony charge or outstanding felony arrest warrant or detainer, unless the person may be paroled to a detainer related to an underlying felony charge.

This is an overview and in no way represents a complete list of criteria. For specific information please refer to 61 Pa.C.S. § 6137.1 Short Sentence Parole

Justice Reinvestment Initiative 2 (JRI2)



Pennsylvania Department of Corrections

SHORT SENTENCE PAROLE (SSP)

61 Pa.C.S. § 6137.1 Short Sentence Parole

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Short Sentence Parole (SSP)

Short Sentence Parole applies to individuals committed to the department with an aggregate minimum sentence of confinement under 42 Pa.C.S. § 9756(b) (relating to sentence of total confinement) of two years or less or a recidivism risk reduction incentive minimum sentence under 42 Pa.C.S. § 9756(b.1) of two years or less, whichever is shorter.

Exclusions

Regardless of the sentence imposed, SSP does not apply to:

- (1) individuals committed for or with an aggregate sentence containing a personal injury crime, or any criminal attempt, criminal solicitation or criminal conspiracy to commit a personal injury crime as defined in section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act;
- (1.1) individuals committed for or with an aggregate sentence containing a crime of violence, or any criminal attempt, criminal solicitation or criminal conspiracy to commit a crime of violence as defined in 42 Pa.C.S. § 9714(g) (relating to sentences for second or subsequent offenses);
- (2) individuals committed for or with an aggregate sentence containing an offense under 18 Pa.C.S. Ch. 61 (relating to firearms and other dangerous articles) or a criminal attempt, criminal solicitation or criminal conspiracy to commit the offense;
- (3) individuals committed for or with an aggregate sentence containing an enhancement for the use of a deadly

weapon as defined under law or the sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing or where the attorney for the Commonwealth has demonstrated that the defendant has been found guilty of or was convicted of an offense involving a deadly weapon or a criminal attempt, criminal solicitation or criminal conspiracy to commit the offense or an equivalent offense under the laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation;

(4) individuals committed for or with an aggregate sentence containing a violation of any of the following provisions or an equivalent offense under the laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, including a criminal attempt, criminal solicitation or criminal conspiracy to commit the offense:

18 Pa.C.S. § 4302(a) (relating to incest).

18 Pa.C.S. § 5901 (relating to open lewdness).

18 Pa.C.S. Ch. 76 Subch. C (relating to Internet child pornography).

A criminal sentence pursuant to 42 Pa.C.S. § 9712.1 (relating to sentences for certain drug offenses committed with firearms).

An offense listed under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders).

An offense listed under 42 Pa.C.S. Ch. 97 Subch. I (relating to continued registration of sexual offenders).

(5) individuals committed for or with an aggregate sentence containing an offense of drug trafficking as defined in section 4103 (relating to definitions) or a criminal attempt, criminal solicitation or criminal conspiracy to commit drug trafficking as defined in section 4103;

(6) individuals awaiting trial or sentencing for additional criminal charges, if a conviction or sentence on the additional charges would cause the person to become ineligible under this subsection;

(7) individuals who are currently serving a sentence to State prison and have been denied parole on that sentence;

(8) individuals convicted of any criminal offense committed while incarcerated; or

(9) any person who the board, in its discretion, determines should be excluded from this section because:

(i) there exists an identifiable threat to public safety; or

(ii) inclusion substantially jeopardizes the rehabilitative needs of the person.

Approval of Parole

For those that are determined to be eligible for SSP, the board will, without requiring an interview, approve the individual for parole at the expiration of the person's minimum date.