

If an inmate is eligible for Short Sentence Parole (SSP), the inmate may be paroled without an interview with the Parole Board.

Eligibility for Short Sentence Parole (SSP)

- The inmate needs to have less than seven months to his/her minimum date to be eligible for SSP.
- The inmate may also be eligible if he/she has 7 months to 2 years to his/her minimum and is considered ineligible for Boot Camp (BC) or the State Drug Treatment Program (SDTP)
- The inmate must have a score between 0 and 9 on his/her Texas Christian university Drug Screen (TCU score)
- Inmates who have RRRRI sentences must complete ALL recommended programming in order to be eligible for release at their RRRRI minimum
- The inmate cannot have a current offense that includes Drug Trafficking offenses, Sexual offenses, Crimes of Violence, and Personal Injury Crime. For specific offenses, please see the offense definitions below.

OFFENSE DEFINITION

Drug trafficking as defined in 61 Pa.C.S 4103 for Title 35 §780-113 offenses

- (1) Marijuana, if the amount of marijuana involved is at least 50 pounds or at least 51 live plants.
- (2) A narcotic drug classified in Schedule I or Schedule II under section 3 or 4 of The Controlled Substance, Drug, Device and Cosmetic Act, if the aggregate weight of the compound or mixture containing the substance involved is at least 100 grams.
- (3) Any of the following, if the aggregate weight of the compound or mixture of the substance involved is at least 100 grams:
 - (i)Coca leaves.
 - (ii) A salt, compound, derivative or preparation of coca leaves.
 - (iii) A salt, compound, derivative or preparation which is chemically equivalent or identical with any of the substances under subparagraphs (i) and (ii).
 - (iv) A mixture containing any of the substances under subparagraphs (i) and (ii), except decocainized coca leaves or extracts of coca leaves which do not contain cocaine or ecgonine.
- (4) Any of the following, if the aggregate weight of the compound or mixture of the substance involved is at least 100 grams:
 - (i) Methamphetamine.
 - (ii) Phencyclidine.
 - (iii) A salt, isomer or salt of an isomer of methamphetamine or phencyclidine.
 - (iv) A mixture containing:
 - (A) Methamphetamine or phencyclidine.
 - (B) A salt of methamphetamine or phencyclidine.
 - (C) An isomer of methamphetamine or phencyclidine.
 - (D) A salt of an isomer of methamphetamine or phencyclidine.

(5) Heroin or a mixture containing heroin, if the aggregate weight of the compound or mixture containing the heroin is 50 grams or greater.

(6) A mixture containing 3, 4-methylenedioxyamphetamine (MDA); 3, 4-methylenedioxymethamphetamine (MDMA); 5-methoxy-3, 4-methylenedioxyamphetamine (MMDA); 3, 4-methylenedioxy-N-ethylamphetamine; or N-hydroxy-3, 4-methylenedioxyamphetamine when the aggregate weight of the compound or mixture containing the substance involved is at least 1,000 tablets, capsules, caplets or other dosage units, or 300 grams.

(7) Fentanyl or a mixture containing Fentanyl, if the aggregate weight of the compound or mixture containing the Fentanyl is 10 grams or more.

(8) Carfentanil or a mixture containing carfentanil, if the aggregate weight of the compound or mixture containing the carfentanil is one gram or more

42 Pa.C.S Chapter 97 offenses - Sexual Offenses

b) Tier I sexual offenses.--The following offenses shall be classified as Tier I sexual offenses:

- (1) 18 Pa.C.S. § 2902(b) (relating to unlawful restraint).
- (2) 18 Pa.C.S. § 2903(b) (relating to false imprisonment).
- (3) 18 Pa.C.S. § 2904 (relating to interference with custody of children), except in cases where the defendant is the child's parent, guardian or other lawful custodian.
- (4) 18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure).
- (5) 18 Pa.C.S. § 3124.2(a) (relating to institutional sexual assault).
- (6) 18 Pa.C.S. § 3126(a)(1) (relating to indecent assault).
- (7) (Reserved).
- (8) 18 Pa.C.S. § 6301(a)(1)(ii) (relating to corruption of minors).
- (9) 18 Pa.C.S. § 6312(d) (relating to sexual abuse of children).
- (10) 18 Pa.C.S. § 7507.1. (relating to invasion of privacy).
- (11) 18 U.S.C. § 1801 (relating to video voyeurism).
- (12) 18 U.S.C. § 2252(a)(4) (relating to certain activities relating to material involving the sexual exploitation of minors).
- (13) 18 U.S.C. § 2252A (relating to certain activities relating to material constituting or containing child pornography).
- (14) 18 U.S.C. § 2252B (relating to misleading domain names on the Internet).
- (15) 18 U.S.C. § 2252C (relating to misleading words or digital images on the Internet).
- (16) 18 U.S.C. § 2422(a) (relating to coercion and enticement).
- (17) 18 U.S.C. § 2423(b) (relating to transportation of minors).
- (18) 18 U.S.C. § 2423(c).
- (19) 18 U.S.C. § 2424 (relating to filing factual statement about alien individual).
- (20) 18 U.S.C. § 2425 (relating to use of interstate facilities to transmit information about a minor).
- (21) A comparable military offense or similar offense under the laws of another jurisdiction or foreign country or under a former law of this Commonwealth.
- (22) An attempt, conspiracy or solicitation to commit an offense listed in paragraph (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20) or (21).

(23) A conviction for a sexual offense in another jurisdiction or foreign country that is not set forth in this section, but nevertheless requires registration under a sexual offender statute in the jurisdiction or foreign country.

(c) Tier II sexual offenses.--The following offenses shall be classified as Tier II sexual offenses:

- (1) 18 Pa.C.S. § 3011(b) (relating to trafficking in individuals).
- (1.1) 18 Pa.C.S. § 3122.1(a)(2) (relating to statutory sexual assault).
- (1.2) 18 Pa.C.S. § 3124.2(a.2) and (a.3).
- (1.3) 18 Pa.C.S. § 3126(a)(2), (3), (4), (5), (6) or (8).
- (2) 18 Pa.C.S. § 5902(b.1) (relating to prostitution and related offenses).
- (3) 18 Pa.C.S. § 5903(a)(3)(ii), (4)(ii), (5)(ii) or (6) (relating to obscene and other sexual materials and performances).
- (4) 18 Pa.C.S. § 6312(b) and (c).
- (5) 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).
- (6) 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).
- (7) 18 U.S.C. § 1591 (relating to sex trafficking of children by force, fraud, or coercion).
- (8) 18 U.S.C. § 2243 (relating to sexual abuse of a minor or ward).
- (9) 18 U.S.C. § 2244 (relating to abusive sexual contact) where the victim is 13 years of age or older but under 18 years of age.
- (10) 18 U.S.C. § 2251 (relating to sexual exploitation of children).
- (11) 18 U.S.C. § 2251A (relating to selling or buying of children).
- (12) 18 U.S.C. § 2252(a)(1), (2) or (3).
- (13) 18 U.S.C. § 2260 (relating to production of sexually explicit depictions of a minor for importation into the United States).
- (14) 18 U.S.C. § 2421 (relating to transportation generally).
- (15) 18 U.S.C. § 2422(b).
- (16) 18 U.S.C. § 2423(a).
- (17) A comparable military offense or similar offense under the laws of another jurisdiction or foreign country or under a former law of this Commonwealth.
- (18) An attempt, conspiracy or solicitation to commit an offense listed in paragraph (1), (1.1), (1.2), (1.3), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16) or (17).

(d) Tier III sexual offenses.--The following offenses shall be classified as Tier III sexual offenses:

- (1) 18 Pa.C.S. § 2901(a.1) (relating to kidnapping).
- (2) 18 Pa.C.S. § 3121 (relating to rape).
- (3) 18 Pa.C.S. § 3122.1(b) (relating to statutory sexual assault).
- (4) 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
- (5) 18 Pa.C.S. § 3124.1 (relating to sexual assault).
- (6) 18 Pa.C.S. § 3124.2(a.1).
- (7) 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).
- (8) 18 Pa.C.S. § 3126(a)(7).
- (9) 18 Pa.C.S. § 4302(b) (relating to incest).
- (10) 18 U.S.C. § 2241 (relating to aggravated sexual abuse).
- (11) 18 U.S.C. § 2242 (relating to sexual abuse).
- (12) 18 U.S.C. § 2244 where the victim is under 13 years of age.

(13) A comparable military offense or similar offense under the laws of another jurisdiction or country or under a former law of this Commonwealth.

(14) An attempt, conspiracy or solicitation to commit an offense listed in paragraph (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) or (13).

(15) (Reserved).

(16) Two or more convictions of offenses listed as Tier I or Tier II sexual offenses.

(17) One conviction of a sexually violent offense and one conviction of a sexually violent offense as defined in section 9799.55 (relating to registration).

Crimes of violence

§ 9714. Sentences for second and subsequent offenses.

(g) Definition.--As used in this section, the term "crime of violence" means

1. murder of the third degree
2. voluntary manslaughter
3. manslaughter of a law enforcement officer as defined in 18 Pa.C.S. § 2507(c) or (d) (relating to criminal homicide of law enforcement officer)
4. murder of the third degree involving an unborn child as defined in 18 Pa.C.S. § 2604(c) (relating to murder of unborn child)
5. aggravated assault of an unborn child as defined in 18 Pa.C.S. § 2606 (relating to aggravated assault of unborn child)
6. aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault)
7. assault of law enforcement officer as defined in 18 Pa.C.S. § 2702.1 (relating to assault of law enforcement officer)
8. use of weapons of mass destruction as defined in 18 Pa.C.S. § 2716(b) (relating to weapons of mass destruction)
9. terrorism as defined in 18 Pa.C.S. § 2717(b)(2) (relating to terrorism)
10. trafficking of persons when the offense is graded as a felony of the first degree as provided in 18 Pa.C.S. § 3002 (relating to trafficking of persons)
11. rape
12. involuntary deviate sexual intercourse
13. aggravated indecent assault
14. incest,
15. sexual assault,
16. arson endangering persons or aggravated arson as defined in 18 Pa.C.S. § 3301(a) or (a.1) (relating to arson and related offenses),
17. ecoterrorism as classified in 18 Pa.C.S. § 3311(b)(3) (relating to ecoterrorism),
18. kidnapping,
19. burglary as defined in 18 Pa.C.S. § 3502(a)(1) (relating to burglary),
20. robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery), or robbery of a motor vehicle,
21. drug delivery resulting in death as defined in 18 Pa.C.S. § 2506(a) (relating to drug delivery resulting in death),

or criminal attempt, criminal conspiracy or criminal solicitation to commit murder or any of the offenses listed above, or an equivalent crime under the laws of this Commonwealth in effect at the time of the commission of that offense or an equivalent crime in another jurisdiction.

Personal Injury Crimes

An act, attempt or threat to commit an act which would constitute a misdemeanor or felony under the following:

18 Pa.C.S. Ch. 25 (relating to criminal homicide).

18 Pa.C.S. Ch. 27 (relating to assault).

18 Pa.C.S. Ch. 29 (relating to kidnapping).

18 Pa.C.S. Ch. 31 (relating to sexual offenses).

18 Pa.C.S. § 3301 (relating to arson and related offenses).

18 Pa.C.S. Ch. 37 (relating to robbery).

18 Pa.C.S. Ch. 49 Subch. B (relating to victim and witness intimidation).

30 Pa.C.S. § 5502.1 (relating to homicide by watercraft while operating under influence).

The former 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance) in cases involving bodily injury.

75 Pa.C.S. § 3732 (relating to homicide by vehicle).

75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under influence).

75 Pa.C.S. § 3735.1 (relating to aggravated assault by vehicle while driving under the influence).

75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury).

75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol or utilizing drugs) in cases involving bodily injury.

The term includes violations of any protective order issued as a result of an act related to domestic violence.

(Def. amended Nov. 19, 2004, P.L.838, No.103)