

Pennsylvania Sentencing Commission

42 § 2153. Powers and duties.

(a) **General rule.**--The commission, pursuant to rules and regulations, shall have the power to:

(1) Establish general policies and promulgate such rules and regulations for the commission as are necessary to carry out the purposes of this subchapter and Chapter 97 (relating to sentencing).

(2) Utilize, with their consent, the services, equipment, personnel, information and facilities of Federal, State, local and private agencies and instrumentalities with or without reimbursement therefor.

(3) Enter into and perform such contracts, leases, cooperative agreements and other transactions as may be necessary in the conduct of the functions of the commission, with any public agency or with any person, firm, association, corporation, educational institution or nonprofit organization.

(4) Request such information, data and reports from any officer or agency of the Commonwealth government as the commission may from time to time require and as may be produced consistent with other law.

(5) Arrange with the head of any government unit for the performance by the government unit of any function of the commission, with or without reimbursement.

(6) Issue invitations requesting the attendance and testimony of witnesses and the production of any evidence that relates directly to a matter with respect to which the commission or any member thereof is empowered to make a determination under this subchapter.

(7) Establish a research and development program within the commission for the purpose of:

(i) Serving as a clearinghouse and information center for the collection, preparation and dissemination of information on Commonwealth sentencing, resentencing and parole practices.

(ii) Assisting and serving in a consulting capacity to the board, State courts, departments and agencies in the development, maintenance and coordination of sound sentencing, resentencing and parole practices.

(8) Collect systematically the data obtained from studies, research and the empirical experience of public and private agencies concerning the sentencing processes.

(9) Publish data concerning the sentencing and parole processes.

(10) Collect systematically and disseminate information concerning parole dispositions and sentences actually imposed, including initial sentences and any subsequent modification of sentences or resentences following revocation or remand, and parole and reparole decisions by the board and any other paroling authority.

(11) Collect systematically and disseminate information regarding effectiveness of parole dispositions and sentences imposed.

(12) Make recommendations to the General Assembly

concerning modification or enactment of sentencing, parole and correctional statutes which the commission finds to be necessary and advisable to carry out an effective, humane and rational sentencing, resentencing and parole policy.

(13) Establish a plan and timetable to collect and disseminate information relating to incapacitation, recidivism, deterrence and overall effectiveness of sentences and parole dispositions imposed.

(14) Establish a program to systematically monitor compliance with the guidelines, with recommitment ranges and with mandatory sentencing laws to document eligibility for and releases pursuant to a county reentry plan, to document eligibility for and imposition of recidivism risk reduction incentive minimum sentences and to document all parole and reparole decisions by the board and any other paroling authority by:

(i) Promulgating forms which document the application of sentencing, resentencing and parole guidelines, mandatory sentencing laws, releases pursuant to a county reentry plan, recommitment ranges and recidivism risk reduction incentive minimum sentences and collecting information on all parole and reparole decisions by the board and any other paroling authority.

(ii) Requiring the timely completion and electronic submission of such forms to the commission.

(15) Prior to adoption of changes to guidelines for sentencing, resentencing and parole and recommitment ranges following revocation, use a correctional population simulation model to determine:

(i) Resources that are required under current guidelines and ranges.

(ii) Resources that would be required to carry out any proposed changes to the guidelines and ranges.

(b) Annual reports.--The commission shall report annually to the General Assembly, the Administrative Office of Pennsylvania Courts and the Governor on the activities of the commission.

(c) Additional powers and duties.--The commission shall have such other powers and duties and shall perform such other functions as may be necessary to carry out the purposes of this subchapter or as may be provided under any other provision of law and may delegate to any commissioner or designated person such powers as may be appropriate other than the power to establish general policies, guidelines, rules and factors under subsection (a) (1).

(Apr. 30, 1986, P.L.135, No.41, eff. May 1, 1986; Sept. 25, 2008, P.L.1026, No.81, eff. 60 days)

2008 Amendment. Act 81 amended subsec. (a) (7), (9), (10), (11), (12), (13) and (14) and added subsec. (a) (15).

Cross References. Section 2153 is referred to in sections 2154.6, 9721 of this title; sections 6131, 6134.1, 6137 of Title 61 (Prisons and Parole).