

RVO (REPEAT VIOLENT OFFENDER) LEGISLATION BRIEF SUMMARY

Increase criminal penalties for RVO's, ensure longer terms of confinement, and eliminate parole for repeat violent offenders.

- Increase 2nd strike sentences to a flat sentence of total confinement, with a minimum of 15 years to maximum of 30 years, with no possibility of parole (Currently, the average sentence for a repeat violent offender in Pennsylvania is approximately 8 years, at which point the offender becomes eligible for parole). [§9714(a)(1)].
- Increase 3rd strike sentences to a flat sentence of total confinement, with a minimum of 30 years to maximum of 50 years, or life imprisonment, with no possibility of parole. [§9714(a)(2)].
- Provisions included to ensure mandatory minimum sentences for RVOs are applied by the courts, and are not circumvented or plea bargained away. [§9714(d), (e), & (f)].
- Commission on Sentencing shall promulgate new guidelines to reflect these substantial changes to the sentencing laws. [§9714(a)(3)].

Provide close supervision of RVOs for significant periods of time and permit return to prison for misconducts committed both in prison and after release

- RVOs must receive post prison intensive restriction (PPIR) of 15 years for a 2nd strike offense, and from 15-20 years for a 3rd strike. This will commence upon expiration of the sentence of confinement. The sentencing court may impose conditions for PPIR. [§9714(a)(1) & (2); §9714(a.1)(1)]
- If RVO violates PPIR, Parole Board may revoke it and send offender back to prison. Parole Board may impose other intermediate sanctions as well. [§9714(a.1)(3) & (4)].
- PBPP, the Department of Corrections, the Attorney General or a District Attorney may petition the sentencing court to have all or part of PPIR revoked if the offender is charged with a crime or major misconduct committed while in prison, and RVO may not be released if a charge for a crime or a major misconduct committed while in prison is pending. The sentencing court may re-sentence the RVO to serve additional time in prison and on PPIR. [§9714(a.1)(5)].

Ensure law enforcement knows where RVOs are

- Parole shall notify appropriate local and state police upon release of any offender who is released on parole or PPIR who had been convicted of a 2nd or 3rd strike offense. Changes in the residence of any such offenders or their parole/PPIR conditions shall be updated. [§9714(a.2)].

Ensure appropriate consideration of critical public safety and other factors during sentencing and parole decisions:

- Provides that sentencing guidelines for RVO's shall prioritize the protection of individuals and the public from serious, violent crime. [§9714(a)(3)].
- Provides standards for Parole to follow for RVO's until the Guidelines are finalized. The primary consideration shall be for the protection of the public and victim safety. [§2154.5(c)].

Provides that the Sentencing Commission's Guidelines for all offenders shall address a number of factors and account for protection of public, gravity of offense, and rehabilitative needs of offender. [§2154].

Definition of RVO is comprehensive and reflects research showing that violent offenses committed by youths are a primary indicator of future dangerousness and violent criminal behavior.

- Adds juvenile adjudications to the offenses which trigger RVO sentencing. [§9714(g)].
- Adds possession of a firearm by a convicted felon to the offenses which trigger RVO sentencing. [§9714(g)].