



**Memorandum of Public Interest  
RE: Pennsylvania 2024 HB 1678**

February 9, 2024

Esteemed Members of the PA House Judiciary Committee,

Thank you for considering the bipartisan Pennsylvania's Public Safety and Rehabilitation Act, HB 1678. This measure seeks to reduce recidivism and increase public safety by giving incarcerated Pennsylvanians who are preparing to return to the community opportunities to complete educational and vocational programs. Completion of programs would result in sentence reductions and earlier consideration of parole.

We write today on behalf of the Pennsylvania Association for Rational Sexual Offense Laws (PARNSOL) and the tens of thousands of persons with sexual offenses who work every day to be healthy, safe, and productive members of society.

While we strongly support the spirit of HB 1678, we believe that people can and do change and, therefore, object to the list of exclusions under §1182(c) for the following reasons:

- Engagement with risk-reduction programs by people with more severe crimes ought to be *ensured* by this legislation, not precluded by it. By excluding people from incentives solely based on the nature of their crime, we not only make it less likely that they will seek educational and vocational training but further stigmatize them. This creates a demoralizing and dehumanizing effect that can lead to the opposite effect that HB 1678 promotes.
- The House Judiciary Committee recently heard expert testimony in a public hearing for 2023 HB 77. Treatment providers approved by PA's Sex Offender Assessment Board (SOAB) agreed that blanket exclusions based on a person's crime classification disallow the unique circumstances of each case to be considered. In HB77, this applied to residency restrictions for re-entrants designated sexually violent predators. It also applies to the blanket classification of persons excluded from anti-recidivism programming under this bill as currently written.
- Sexual offenses have the lowest rates of recidivism according to the *Recidivism 2022* report, published by the Pennsylvania Department of Corrections Bureau of Data and Statistics. An expedited return to the community, under appropriate supervision, for these individuals would save resources.
- A significant percentage of sexual convictions are for non-violent offenses. Screening done for behavioral issues during the DOC's classification process will identify the rare candidate who is identified as a threat to others, just as it will identify those with other crime categories who would not be a good fit for the program.
- The bill provides that a person serving a sentence shall not receive credits for an excess of ¼ of their minimum sentence. This ensures that a prison term's punishment and deterrent aims are left intact. Carve-outs for particular crimes are not helpful, as our objective is for the eventual return to society of *all* people serving (non-lifetime) sentences.

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The vast majority of individuals with crimes of a sexual nature, which this bill excludes, are precisely the individuals who would benefit from this program. Plenty of research by both psychologists and state researchers and data analysts alike show that reentrants with crimes of a sexual nature are law-abiding citizens.

The barriers to successful reentry include the inability to find stable housing and employment. This population, in particular, faces significant challenges. An HB 1678 free of exclusions could improve their chances of success and their ability to provide for themselves and their families.

The benefits of expanding these types of incentives and programs for people serving a sentence are clear. What is the justification for excluding broad classes of people who have demonstrated change and remorse for their past actions? Why would this Committee want to *decrease* the likelihood that former offenders engage with proven risk-reduction strategies?

**Please amend this bill to remove class-based exemptions.**

Thank you for your consideration and public service.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Hayes". The signature is written in a cursive, flowing style.

Randall A. Hayes  
Legislative Director  
(717) 820-2237 ext. 1