Justice Reinvestment Initiative 2 (JRI2) • Judicial Bench Card

JRI2 Eligibility Reference • Boot Camp • State Drug Treatment Program • Short Sentence Parole • RRRI

Boot Camp & SDTP - Statutorily Ineligible Criteria

	Boot Camp	SDTP
Minimum	Aggregate Min ≤3 years; True or RRRI min	Aggregate Min ≤5 years; True min only
Maximum	No Max Restriction	No Max Restriction
Eligible to Begin	Within 2 years of min	Within 2 years of min
Program Length	6 months	24 months, including 7 months in SCI
Time until Min	≥7 months until min upon DOC reception	≥7 months until min upon DOC reception
Time until Max	No Max Requirement	≥24 months until max upon admission
Other	Must be under age 40	No active PFA's within the past 12 months

Applies to BC & SDTP; Current & Prior Convictions

- Current sentence subject to DWE for **USE** (not possession)

Within the past 10 years:

- 18 Pa.C.S. § 2502 (relating to murder)
- Crimes of violence (42 Pa.C.S. § 9714(g))
- Drug Trafficking Convictions (61 Pa.C.S. Ch. 41 § 4103)

Within their lifetime, including juvenile offenses:

- Offenses under 42 Pa.C.S. Ch. 97, §H or I (relating to registration and continued registration of sexual offenders)

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SSP – Statutorily Ineligible Criteria

Minimum	Aggregate Min ≤2 years; True or RRRI min	**Maximum**	No Max Restriction or Requirement

Applies to SSP; Current Incarceration Only

- Sentence subject to DWE for **USE** (not possession)
- Conviction for a criminal offense committed while incarcerated
- Personal injury crimes (as defined by § 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act)
- Crime of violence (as defined by 42 Pa.C.S. § 9714(g))
- Offense under 18 Pa.C.S. Ch. 61 (relating to firearms)
- 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)
- Offense under 42 Pa.C.S. Ch. 97, §H or I (relating to registration and continued registration of sexual offenders)
- Drug Trafficking Conviction (as defined by 61 Pa.C.S. Ch. 41 § 4103)
- Criminal sentence pursuant to 42 Pa.C.S. § 9712.1 (relating to sentences for certain drug offenses committed with firearms)

Cannot be awaiting trial/sentencing for additional SSP ineligible charges

Cannot be found guilty of a major disciplinary infraction while incarcerated

May be excluded if:

- Identifiable threat to public safety exists
- Inclusion jeopardizes rehabilitative needs

Drug Trafficking

A conviction under Title 35 § 780-113(a)(14), (30), or (37) of **at least***:

Marijuana	50lbs or 51 plants	MDMA/etc	1000 units or 300g
Schedule I or II Narcotic	100g	Heroin	50g
Cocaine	100g	Fentanyl	10g
Methamphetamine/PCP	100g	Carfentanil	1g

*Conviction amounts, after plea negotiations; Please note amount on order.

More information online at www.pa.gov/agencies/cor/inmates-and-reentrants/jri2-act-115

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Presumption of Eligibility

If no objection is noted on the order, the individual is ***presumed eligible*** and will be considered for Boot Camp & SDTP

Powers and Limitations of the Court & Commonwealth

Program Opposition

Boot Camp	• Court must state objection • Commonwealth alone cannot object/exclude • Objection should be noted on order
SDTP	• Court **or** Commonwealth can object • Court cannot overrule Commonwealth objection • Objection should be noted on order
SSP	• No Court or Commonwealth ability to object

Waiving Ineligibility

Applies to Boot Camp & SDTP • No ability to waive SSP

Allows a statutorily ineligible candidate to be reviewed by the DOC for possible **Boot Camp** or **SDTP** participation

- Victims must be notified and given a chance to be heard
- The Court, after hearing the victim, may refuse the waiver
- Eligible/Recommended language is not considered a waiver
- **Order should note the intent is to *waive ineligibility***
- *Waiving ineligibility does not guarantee program placement*

This document is not an official compilation or restatement of the information summarized, shall not be construed as a legal opinion, and should not be used in official court communication.

61 Pa.C.S.A. Ch. 39 (relating to motivational boot camp)
61 Pa.C.S.A. Ch. 41 (relating to state drug treatment program)
61 Pa.C.S.A. Ch. 41 § 4103 (relating to definitions)
61 Pa.C.S.A. § 6137.1 (relating to short sentence parole)
61 Pa.C.S.A. Ch. 45 (relating to RRRI)

Boot Camp & SDTP - DOC Criteria

The DOC is responsible for selecting appropriate candidates for BC & SDTP.

We consider all available information, including but not limited to:

- Assessment scores
- Medical needs
- Psychological needs
- Adjustment and misconducts
- Overall criminal history
- History of violence
- Supervision/violation history
- Pending issues/open charges

DOC Discretionary Crimes

Applies to Current Crimes Only

Crimes that are eligible, but are commonly excluded by the DOC*:

- Aggravated Assault & Homicide by Vehicle, including while DUI
- Terroristic Threats
- Aggravated Assault, all subsections
- Sex offenses not already excluded
- Stalking

**Complete list available on DOC Webpage; Subject to change without notice*

Recidivism Risk Reduction Incentive (RRRI)

Statutorily Ineligible Criteria

- DWE – Use (not possession)
- 18 Pa.C.S. Ch. 61 (firearms)
- Awaiting trial/sentencing for additional RRRI ineligible charges
- Current or prior conviction/adjudication for:
  - Murder (18 § 2502)
  - Crime of violence (42 § 9714(g))
  - Personal injury crime (CVA §103)
  - Drug Trafficking (61 § 4103)
  - Incest (18 § 4302(a))
  - Open lewdness (18 § 5901)
  - Internet child sex abuse (18, Ch 76)
  - Chapter 97, subch. H or I offense

RRRI Responsibilities

Commonwealth	• Consults victims, grants waivers
Court	• Determines eligibility, notes sentence order
DOC	• Calculates sentence, certifies completion

Minimum sentence of:	Calculates to:
3 years or less	3/4 of the minimum
Greater than 3 years	5/6 of the minimum

More information online at www.pa.gov/agencies/cor/inmates-and-reentrants/jri2-act-115 11.03.2026