

No. 279

AN ACT

To amend section ten of the act, approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand fifty-five), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole, their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended, by regulating the sentencing of and serving of sentences by persons while on parole.

Courts.
Convict
probation
and parole.

Section 10,
act of June 19,
1911 (P. L. 1055),
as amended by
act of June 3,
1915 (P. L. 788),
further
amended.

Section 1. Be it enacted, &c., That section ten of the act, approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand fifty-five), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole, their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended by the act, approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred eighty-eight), entitled "An act to amend the tenth and fourteenth sections of an act, entitled 'An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole, their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries,' approved the nineteenth day of June, Anno Domini one thousand nine hundred eleven; so that a convict, sentenced to a penitentiary for a crime committed during his period of parole, shall begin to serve the said sentence after having first served the remainder of the term which such convict would have been compelled to serve but for the commutation authorizing said parole; and so that a convict, violating his or her parole, may be arrested and confined by authority of the Board of Inspectors of the penitentiary from which such convict shall have been released on parole; and investigation and report upon said case made by said board, before the Governor shall issue his mandate for the recommitment of such con-

vict," be, and the same is hereby further, amended to read as follows:

Section 10. If any convict released on parole, as provided for in this act, shall, during the period of his or her parole, or while delinquent on said parole, [be convicted of] commit any crime punishable by imprisonment [under the laws of this Commonwealth,] for which he or she is at any time thereafter convicted in any court of record and sentenced to any place of confinement other than [a] the penitentiary from which he or she was released on parole, such convict shall, in addition to the penalty imposed for such crime committed during the said period, and after the expiration of the same, be compelled, by detainer and remand as for an escape, to serve in the penitentiary [to] from which said convict had been [originally committed] released on parole, or in any other institution to which he or she may be legally transferred, the remainder of the term (without commutation) which said convict would have been compelled to serve but for the commutation authorizing said parole, and if not in conflict with the terms and conditions of the same as granted by the Governor; but, if sentenced to [a] the penitentiary from which said convict was released on parole, then the service of the remainder of the said term originally imposed shall precede the commencement of the term imposed for said crime. If no new sentence is imposed for such crime or crimes, punishable by imprisonment, committed during period of parole, or while delinquent on parole, for which he or she has been convicted in any court of record, either by plea or trial, said convict shall be compelled, by detainer and remand as for an escape, to serve in the penitentiary from which said convict had been released on parole, or any other institution to which he or she may be legally transferred, the remainder of the term (without commutation) which said convict would have been compelled to serve but for the commutation authorizing the parole, and if not in conflict with the terms and conditions of the same as granted by the Governor.

Conviction of crime during parole.

Convict to serve unexpired term.

Detainer and remand.

When sentenced to penitentiary.

If new sentence is not imposed.

Convict to serve unexpired term.

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT