

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT : **PA SUPREME COURT NO. 30 MM 2020**
:
Early Parole Review and Possible : **DELAWARE COUNTY NO. 5120-17**
Release :

**EMERGENCY ORDER ALLOWING FOR EARLY PAROLE REVIEW AND SUCH
POSSIBLE RELEASE**

AND NOW, this 19th day of March, 2020, this court having declared in the 32nd judicial district (Delaware County) a judicial emergency pursuant to such an order of the Pennsylvania Supreme Court authorizing the same,¹ as well as Pa.R.J.A. No. 1952(B)(1)(2), and this court thus having those authorities detailed under Pa.R.J.A. No. 1952(B)(2)(a-s), it is hereby **ORDERED** and **DECREED** with the agreement of the Delaware County District Attorney's Office that **EFFECTIVE IMMEDIATELY** through and including **APRIL 14, 2020**, salient personnel of the Delaware County Adult Probation and Parole Office **SHALL** review those cases of defendants currently serving at the George W. Hill Correctional Facility Delaware County Court of Common Pleas *originally* imposed sentences of total confinement and make a recommendation to the court consistent with assuring adequate community protection, victim interests recognition, offender accountability, and an individual defendant's rehabilitative needs whether an early parole release under the following schedules would be appropriate.²

For those defendants serving a four (4) month or less minimum total confinement term, the early release date would be one (1) week prior to the otherwise applicable minimum.

As to those sentences of total confinement with minimum terms greater than four (4) months, but less than eight (8) months, the early release date would be two (2) weeks before the otherwise applicable minimum.

Regarding those sentences of total confinement where the minimum terms are greater than eight (8) months, but less than twelve (12) months, the early release date would be three (3) weeks prior to the otherwise applicable minimum.

Salient staff of the George W. Hill Correctional Facility **SHALL** as may be necessary **TIMELY** and **FULLY COOPERATE** with involved Delaware County Adult Probation and Parole Office personnel in providing any information relevant to that court agency's early parole release determinations and resultant recommendations.


Should the Office of Delaware County Adult Probation and Parole find on its review that a given defendant appears appropriate for the above-described early parole release, then such a written recommendation is to be **PROMPTLY** provided to this court, along with a proposed early parole order in accord with the above-detailed schedule and substantially formatted as that attached.

That directed above as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court and modified to meet the evolving concerns presented by the ongoing COVID-19 public health crisis.

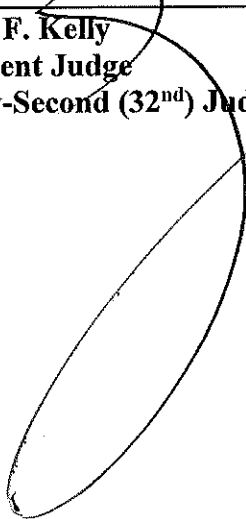
To the extent possible and practical under the material circumstances, notice of this order has been and/or will promptly be posted about the Delaware County courthouse, including but not limited to the complex's entry doors, the Delaware County Office of Judicial Support, the Court Administrator's Office of Delaware County, the Criminal Court Administrator's Office, the court's website, all magisterial district court facilities within Delaware County, the Delaware

County Bar Association's website, and submitted to the Administrative Office of Pennsylvania Courts ("AOPC") for posting on the Commonwealth's Unified Judicial System's website per Pa.R.J.A. No. 1952(C)(5).³

BY THE COURT:



**Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District**



¹ See Order dated March 16, 2020, and March 18, 2020 – Pennsylvania Supreme Court, Nos. 531 and 532 Judicial Administration Docket. See also Emergency Declaration dated March 17, 2020.

² See Pa.R.J.A. No. 1952(B)(2)(h)(k)(q).

³ See Order dated March 16, 2020, and March 18, 2020 – Supreme Court Nos. 531 and 532 Judicial Administration District.