

NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellee	:	
	:	
v.	:	
	:	
MILTON RAY FRISBIE,	:	
	:	
Appellant	:	No. 1389 MDA 2015

Appeal from the Judgment of Sentence entered July 2, 2015
In the Court of Common Pleas of Bradford County
Criminal Division at No: CP-08-CR-0000864-2014

BEFORE: STABILE, PLATT,* and STRASSBURGER,* JJ.

CONCURRING STATEMENT BY STRASSBURGER, J.: **FILED JULY 25, 2016**

Section 9754 of the Sentencing Code requires that conditions of probation be reasonable. **See** 42 Pa.C.S. § 9754(b) (“The court shall attach such of the reasonable conditions authorized by subsection (c) of this section as it deems necessary to insure or assist the defendant in leading a law-abiding life.”); **id.** § 9754(c)(13) (“The court may as a condition of its order require the defendant[t]o satisfy any other conditions reasonably related to the rehabilitation of the defendant and not unduly restrictive of his liberty or incompatible with his freedom of conscience.”). Had this Court been writing on a clean slate herein, I would find that the lower court’s condition forbidding Appellant to have **any** contact, as opposed to unsupervised contact, with any person under the age of eighteen during the term of his probation to be unreasonable. Nevertheless, in light of **Commonwealth v.**

*Retired Senior Judge assigned to the Superior Court.

Reggie, 399 A.2d 1125, 1126 (Pa. Super. 1979), wherein this Court found a condition of probation requiring a defendant “to keep away from juveniles and young adults” to be reasonable, I respectfully concur.