

## Eligible Offenders

For the purpose of sentencing, an eligible offender shall be defined as:

1. An offender convicted of a Level 2, 3 or 4 offense who would have otherwise been sentenced to a period of partial or total confinement in a county correction facility.
2. An offender who does not demonstrate a present or past history, including Juvenile record, of violent or assaultive behavior. Simple assault cases may be taken on a case by case basis.

## Ineligible Offenders

Any individuals with a past pattern of violent behavior are excluded. An individual is also deemed ineligible if the current offense involves serious injury to another person and/or a minor was present in the vehicle at the time of the current offense.

Additionally, any individual who has been convicted or adjudicated delinquent of a crime requiring registration under 42 PA. C.S. Chapter 97, subchapter H (relating to the registration of sexual offenders) or an offender with a current or past convictions for the following offenses:

### INELIGIBLE OFFENSES

18 Pa. CSA sec. 901 Criminal Attempt(ineligible offense)	18 Pa. CSA sec. 3126 Indecent Assault
18 Pa. CSA sec. 902 Criminal Solicitation(ineligible offense)	18 Pa. CSA sec. 3301 Arson and Related Offenses
18 Pa. CSA sec. 903 Criminal Conspiracy(ineligible offense)	18 Pa. CSA sec. 3302 Causing or Risking a Catastrophe
18 Pa. CSA sec. 907 Possessing Instruments of Crime	18 Pa. CSA sec. 3502 Burglary (felony 1 only)
18 Pa. CSA sec. 908 Prohibited Offensive Weapons	18 Pa. CSA sec. 3701 Robbery
18 Pa. CSA sec. 911 Corrupt Organization	18 Pa. CSA sec. 3702 Robbery of a Motor Vehicle
18 Pa. CSA sec. 2502 Murder	Chapter 39 of Crimes Code - Theft and Related Offenses (except < \$25,000)
18 Pa. CSA sec. 2503 Voluntary Manslaughter	18 Pa. CSA sec. 3923 Theft by Extortion
18 Pa. CSA sec. 2504 Involuntary Manslaughter	18 Pa. CSA sec. 4302 Incest
18 Pa. CSA sec. 2702 Aggravated Assault	Chapter 49 of Crimes Code - Falsification and Intimidation
18 Pa. CSA sec. 2703 Assault by Prisoner	18 Pa. CSA sec. 5121 Escape
18 Pa. CSA sec. 2704 Assault by Life Prisoner	18 Pa. CSA sec. 5122 Weapons or Implements for Escape
18 Pa. CSA sec. 2709 Stalking	18 Pa. CSA sec. 5123 Contraband
18 Pa. CSA sec. 2901 Kidnapping	18 Pa. CSA sec. 5501 Riot
18 Pa. CSA sec. 2910 Luring a Child into a Motor Vehicle	Chapter 61 of Crimes Code - Firearms and other Dangerous Articles
18 Pa. CSA sec. 3121 Rape	18 Pa. CSA sec. 6301 Corruption of Minors
18 Pa. CSA sec. 3122 Statutory Rape	18 Pa. CSA sec. 6312 Sexual Abuse of Children
18 Pa. CSA sec. 3123 Involuntary Deviate Sexual Intercourse	18 Pa. CSA sec. 6314 Drug Trafficking to Minors
18 Pa. CSA sec. 3124 Voluntary Deviate Sexual Intercourse	18 Pa. CSA sec. 7508 Drug Trafficking
18 Pa. CSA sec 3124.1 Sexual Assault	Any offense committed while in possession of a "Deadly Weapon" as defined in 18 Pa. CSA sec. 2301
18 Pa. CSA sec. 3125 Aggravated Indecent Assault	

In addition to the statutory eligibility requirements, the following additional criteria shall be utilized to determine offender **ineligibility**:

1. An offender that has been revoked from a period of supervision on two or more occasions.
2. An offender who resides outside of the designated supervision areas targeted for this pilot as determined by the Probation Department
3. An offender who has a history of chronic mental health or psychotic behavior, which would interfere with their ability to complete the program.
4. The victim of the instant offense suffered serious psychological harm as a result of the offender's actions
5. An offender that does not desire to participate in the program.
6. An offender with a prior sentence of intermediate punishment in Bucks or any other Pennsylvania County