Mercer County Intermediate Punishment Program (IPP)
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In 1991, The Commonwealth of Pennsylvania enacted Act 1990-193, the Intermediate Punishment Act. The Act was later replaced with Act 2000-41. This Act established rules and regulations for the counties in Pennsylvania to develop alternative sentencing for use by the common pleas' courts and district justices.

In November of 1991, under the authority of the Mercer County Prison Board, Mercer County's Intermediate Punishment Plan was submitted to and approved by the Pennsylvania Commission on Crime and Delinquency. Once approved, Mercer County was authorized to establish an Intermediate Punishment Program. Beginning in June 1992, the program was initiated with the appointment of the IPP Coordinator. **Programs were developed to provide alternatives to traditional sentences of incarceration and probation for non-violent offenders who do not pose a threat to society. Intermediate punishment allows offenders to remain in the community while serving their sentences and repaying their debt to society.**

In December 2019, Act 115 of 2019 replaced County Intermediate Punishment (CIP) as a sentencing option with an Order of Probation, for which restrictive conditions may be imposed.

Goals and Objectives:

The following goals and objectives have been targeted by Mercer County and are aimed at producing an effective utilization of existing and projected correctional resources:

- To provide less restrictive and expensive sentencing options to the Mercer County Courts while maintaining public safety.
- To provide an alternative to the Court for sentencing eligible offenders to community-based sanctions thereby reserving jail cells for the more serious offenders.
- To reduce the jail overcrowding in Mercer County through the use of alternative community-based programs in lieu of incarceration.
- To aid in the rehabilitative process of the defendants by creating a record of demonstrated performance in a structured environment.
- To reduce County expenditures for defendants housed in out-of-county facilities.
- To promote accountability of offenders to their local community.

Mercer County Intermediate Punishment Program (IPP)

IPP is home to the following programs that are utilized by the Common Pleas Courts and District Magistrates as alternatives to incarceration.

House Arrest

The **House Arrest Program** allows the offender to serve all or part of his/her sentence in a setting outside the county jail, usually accompanied with electronic monitoring. The Goal of the House Arrest Program is to provide an alternative to incarceration for appropriate non-violent offenders which is sufficiently punitive and restricts offender mobility. House Arrest allows access to community based rehabilitative programs while promoting community safety and holds the program participant accountable for their offenses.

Community Service

The **Community Service Program** provides an option that allows defendants to repay their debt to society by providing free labor to non-profit or governmental agencies. All defendants participating in the community service program are regularly drug tested to insure not only compliance with the courts order, but also to ensure safety while on a worksite. The Community Service Program seeks to provide an alternative sentencing mechanism to allow the Courts greater discretion in the sentencing of offenders. This program provides an effective means of ensuring offender compliance with court ordered sentences and provides for a means of "payment" for indigent offenders for fines, costs and in some cases restitution.

Pretrial Program

Mercer County's **Pretrial/Bail Review Program** was initiated in December of 1996 and continues to operate effectively. This program provides a mechanism for release of eligible pretrial detainees from the Mercer County Jail who were not released by the District Justices during preliminary proceedings. The goal of the Pretrial Services Program in Mercer County is to provide the Mercer County Criminal Courts with thorough and accurate information on all "eligible offenders."

TASC Program

TASC (Treatment Alternative to Street Crime) is a combined effort of the Mercer County IPP program and the Mercer County Behavioral Health Commission. The TASC Program provides for drug and alcohol assessments, referrals, and case management services for IPP eligible defendants. Defendants being considered for an Intermediate Punishment sentence may be referred to the TASC program for drug and alcohol assessments. Results of the assessments are forwarded to the Courts and may be included as part of the Court's sentences.

Accelerated Rehabilitative Disposition (ARD)

In September 1996, Mercer County accepted the role of supervising **ARD** offenders previously conducted by the Pennsylvania Board of Probation and Parole. The Mercer County Court of Common Pleas provides certain offenders, ordinarily first offenders charged with non-violent minor offenses, the opportunity to have their case disposed of through the ARD program. The primary purpose of this program is the rehabilitation of the offender; however, the program also allows for the prompt disposition of charges thereby eliminating the need for costly and time-

consuming trials or other Court proceedings. The defendant must agree that if accepted into the program that he/she waives the appropriate statute of limitations and right to a speedy trial during the period of enrollment in the program. The defendant also agrees to undergo a period of supervision and upon successful completion to have the Court dismiss the criminal charge.

Domestic Violence Intervention Program (DVIP)

The Mercer County **DVIP** was brought into the Intermediate Punishment Program in 2014. As indicated above, the DVIP predecessor Alternatives to Violence (ATV) Program was previously conducted through the District Attorney's Office. DVIP is an education intervention program designed to curb abusive and controlling behaviors by assisting the participants in identifying alternatives to violent behavior. The DVIP helps men and women who have anger issues take responsibility for their abusive behavior and to end that behavior. The curriculum is taught throughout a 16–24-week course, in 90-minute group meetings once a week. Most participants are court ordered to enroll by the Court of Common Pleas or a District Magistrate. However, self-referrals are welcome and encouraged to attend.

Restrictive Conditions of Probation

In February 2020, in accordance with Act 115 of 2019, the Mercer County Courts began placing eligible offenders on Direct IP as a Condition of Probation. Mercer County Intermediate Punishment is a department name only, not an IP sentence. The Direct IP Supervisor (DIS) is responsible for the supervision and management of eligible offenders sentenced into IP as a Condition of Probation. The District Attorney is tasked with deciding which eligible offenders are brought before the court and deemed appropriate for a sentence to IP with Conditions of Probation. Eligible offenders are required to comply with the court's Conditions of Probation under section 9763 (c) or (d) (relating to the guidelines for restrictive conditions) and with the rules and conditions of the Intermediate Punishment Program.

Specialty Courts (Drug Treatment Court, Veteran's Treatment Court & Mental Health Court)

Drug Treatment Court

The Mercer County Drug Treatment Court Program is designed to provide participants the opportunity to resolve their addiction problems, move beyond criminal behavior, and become a productive member of the community. It is a voluntary intensive program that requires mandatory treatment for substance use disorders and co-occurring disorders, random drug and alcohol testing, frequent appearances before a judge, face-to-face meetings with a supervising coordinator, case management meetings with providers, attendance of support groups/natural supports, addressing identified physical health needs, and completion of required community service. Participants are also required to obtain employment and/or pursue educational opportunities, participate in appropriate social activities, and pay restitution, court costs, and program fees.

Veteran's Treatment Court

The Mercer County Veterans Treatment Court is a treatment court based on proven national research and program models of drug courts, as well as successfully implemented Veterans Treatment Courts in jurisdictions nationwide. Veterans Treatment Courts provide veterans the opportunity to pursue appropriate treatment, while productively addressing associated legal problems.

The Mercer County Veterans Treatment Court is open to any current or former member of any branch of the United States Armed Forces, including the Reserves and National Guard. Referrals are accepted after criminal charges have been filed and the case has been forwarded to the Mercer County Court of Common Pleas for further disposition. Referrals are also accepted for alleged violations of existing probation sentences or as a condition of an Accelerated Rehabilitative Disposition program. All offenses are eligible with the exception of homicide and many sex-related offenses.

Mental Health Court

Mental Health Court is a Specialty Treatment Court or Problem-Solving Court for individuals involved in the criminal justice system who have been diagnosed with a Serious Mental Illness, and who would benefit from long-term, highly structured mental health treatment and supervision. Participation in Mental Health Court is voluntary. A participant can decide to withdraw from Mental Health Court at any time. However, if a participant decides to withdraw from the program, or is terminated from the program, the Participant's original criminal sentence will resume.
During the first four (4) phases of Mental Health Court, each Participant is required to attend every Mental Health Court session unless excused beforehand. During the Aftercare Phase, a Participant must attend every other court hearing during the first six (6) months, and every third court session during the second (6) months.

Drug Testing

All eligible offender's entering into any of the Intermediate Punishment Programs are subject to drug testing per the courts and rules and instructions of the Intermediate Punishment Program. The purpose of drug testing can be rehabilitative in nature or for protecting the community. The frequency of drug testing depends on the offender and at the discretion of the program supervisors. Drug testing is done by collection of urine by IPP Staff utilizing county approved On-Site Testing equipment.