

House Judiciary Committee
Public Hearing on Prison Overcrowding

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418 Main Capitol Building
Harrisburg, Pennsylvania

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I appreciate the opportunity to appear before the House Judiciary Committee today as you receive comments about prison and jail overcrowding. This public hearing on prison overcrowding could not be more timely.

Earlier this year I remarked to the members of the House Subcommittee on Crime and Corrections that the Commonwealth must regard cell space as a "scarce resource." This opinion still holds today. As of July 1, 1989, the department was confining 19,369 inmates, though our cell capacity remains at 13,468, which places us at 44 percent over our rated capacity. The Commonwealth's county prisons are in a similar if not more difficult position.

The inmate population has grown by 1,440 in the first six months of 1989. Of particular concern is the fact that the growth rate has averaged 285 per month for the past four months.

The Commonwealth's population projections estimated a growth rate of 148 inmates per month. This would have placed our population at 19,800 as of December 31, 1989. It is now apparent that we will be well above 20,000 inmates by that date. This compares with a population of 7,806 at the beginning of 1980.

With the support of Gov. Casey and the General Assembly, the Department of Corrections is making progress in our housing capacity.

In June, Gov. Casey announced plans for the consolidation and conversion of part of the Farview State Hospital to include up to 1,000 new beds. Farview's current population of criminally insane patients will be consolidated in one section of the facility. The remaining portion of Farview will be converted to house inmates. September 15th is the scheduled date of transfer.

Legislative approval has been granted to allow us to search outside of Philadelphia for sites for a new 650-cell prison. This facility will be for inmates needing treatment for drug and alcohol problems.

The department is currently undertaking several projects which will increase our capacity by 586 cells by expanding existing institutions.

However, we must look at some alternatives which do not require prison construction.

In 1988, officials in 33 states reported using electronic monitoring devices to supervise nearly 2,300 ex-offenders.

House Bill 1708, introduced by Rep. Hagarty, would permit the department to place inmates currently in our community service centers on electronic surveillance for the final 30 days of their minimum sentences. These individuals would have demonstrated that they are no longer risks to the community.

I applaud this proposal, but respectfully request that it be expanded to an inmate's final 60 days. Inmates would be monitored by community service center staff and be required to report to the center.

Currently correctional officials are required to provide inmates two hours of exercise per day. House Bill 1106, introduced by my good friend Rep. Kevin Blaum, would specify that inmates housed in disciplinary status only be required to receive a minimum of at least one hour per day, five days per week. This change would be consistent with current standards established by the American Correctional Association. I applaud and support this change.

Drunk driving continues to be a major concern to county prisons. Our latest figures indicate that in 1986, 7,089 individuals were committed to our county prisons, and served an average sentence of just over 26 days. The arrest rate is also increasing, according to the Pennsylvania State Police 1988 Uniform Crime Report.

federal authorities are exchanged on a one-for-one basis, or on a non-reimbursable basis. Passage of the bill will not result in an increase in inmate population or transfers whatsoever; it will only make this infrequent necessity more practical to administer.

Finally, I am pleased that there is still interest in introducing earned time legislation. Forty-six states use earned time as a response to prison overcrowding and as a management tool. The concept of earned time is supported by this department.

I have commented upon several issues which the Department of Corrections has a special interest. I would be happy to respond to any questions this committee might have for me.

While drunk driving is a major threat to the safety of our families, perhaps these convicted offenders should not take up scarce cell space. The Department of Corrections currently incarcerates 99 individuals for drunk driving. While they have broken our laws, they do not require the level of supervision they typically receive. I propose that the Commonwealth assist counties to establish regional facilities for offenders convicted of driving under the influence. These facilities would be operated by a regional authority, which would provide the day-to-day supervision. This removes the inmate incarcerated for driving under the influence from the custodial setting into a more treatment-oriented facility. It would keep the offender closer to home, free-up valuable cell space, and cost significantly less than traditional incarceration.

This, I believe, is a more realistic approach to dealing with the drunk driver. House Bill 1094, introduced by Rep. Saurman, recognizes the need for regional facilities.

This General Assembly just recently approved plans for the Department of Corrections to expand its drug and alcohol programming by providing for a 52-bed therapeutic unit at the State Correctional Institution at Cresson. Ours is a pro active and progressive plan to address the drug problem in the inmate population. Therefore, I solicit your support.

I would urge your consideration of SB 648. This bill would enable the department to transfer inmates to the Federal Bureau of Prisons without going through the "Governor's Emergency Powers Act." Passage of this bill would permit me to transfer inmates for many reasons, among them, those who are being placed under the Federal Witness Protection Program. Inmates transferred to