

THOMAS R. CALTAGIRONE, MEMBER  
HOUSE POST OFFICE BOX 209  
ROOM 106, SOUTH OFFICE BUILDING  
HARRISBURG, PENNSYLVANIA 17120-0028  
PHONE: (717) 787-3525

127 SOUTH 10TH STREET  
READING, PENNSYLVANIA 19602  
PHONE: (215) 376-1529



COMMITTEES

JUDICIARY, CHAIRMAN  
MAJORITY POLICY COMMITTEE

**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

AGENDA

HOUSE JUDICIARY COMMITTEE PUBLIC HEARING

September 8, 1992  
1:00 P.M. Room 140 M C Majority Caucus Room

**RESULTS OF ALTERNATIVE SENTENCING**

John Kramer, Executive Director  
Pennsylvania Commission on Sentencing

Pennsylvania State Association of County Commissioners  
James E. Huber, Commissioner  
Lancaster County

Russel L. Sheaffer, Commissioner  
Sally Klein, Commissioner  
Anthony Petrucci, Commissioner  
Dauphin County

Pennsylvania Chief Adult Probation Officers Association  
Terry Davis, Chief  
Dauphin County

James Thomas, Executive Director  
Pennsylvania Commission on Crime and Delinquency

John A. Fidler, Jr., Executive Director  
Berks County Prison Society

THOMAS R. CALTAGIRONE, MEMBER  
HOUSE POST OFFICE BOX 209  
ROOM 106, SOUTH OFFICE BUILDING  
HARRISBURG, PENNSYLVANIA 17120-0028  
PHONE: (717) 787-3525

127 SOUTH 10TH STREET  
READING, PENNSYLVANIA 19602  
PHONE: (215) 376-1529



COMMITTEES

JUDICIARY, CHAIRMAN  
MAJORITY POLICY COMMITTEE

**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

AGENDA

HOUSE JUDICIARY COMMITTEE PUBLIC HEARING

September 8, 1992  
1:00 P.M. Room 140 M C Majority Caucus Room

**RESULTS OF ALTERNATIVE SENTENCING**

John Kramer, Executive Director  
Pennsylvania Commission on Sentencing

Pennsylvania State Association of County Commissioners  
James E. Huber, Commissioner  
Lancaster County

Russel L. Sheaffer, Commissioner  
Sally Klein, Commissioner  
Anthony Petrucci, Commissioner  
Dauphin County

Pennsylvania Chief Adult Probation Officers Association  
Terry Davis, Chief  
Dauphin County

James Thomas, Executive Director  
Pennsylvania Commission on Crime and Delinquency

John A. Fidler, Jr., Executive Director  
Berks County Prison Society

JUST THINKING

# ELECTRONIC CUFFS, HOME ARREST HELP EASE PRISON CROWDING

BY JIM BENCIVENGA

Not every criminal offender talks about wearing an electronic monitoring device quite the way 16-year-old Ronnie does. "It started out as an uninvited guest at the dinner table but turned into a guardian angel," says the youth from Winston-Salem, N.C.

When he and his mother first left the courtroom and he saw the ankle bracelet "my whole leg was shaking," he says. "After two or three days I forgot about it. But I never forgot what I had to do to get it off."

Ronnie (not his real name) had to wear an electronic home-arrest bracelet for four weeks. When it came off he had proved his desire to change his ways. If it was time for him to go home early he would tell his friends (without losing face) by just pointing to his ankle. He could also tell them that vandalizing cars and breaking into houses wasn't smart. The juvenile court still keeps tabs on him and will do so for a probation period.

His story is not unique. Preliminary reports from the first wave of national studies done since state and county corrections departments introduced the home-arrest devices some six years ago give rise to modest optimism.

Plagued by prison overcrowding, budget cuts, and high recidivism, "It is a very good tool in the correction's box," says Joseph Vaughn, associate professor of criminal justice at Central Missouri State University and editor of the journal *Electronic Monitoring*.

"One of the things that really struck us" after looking at the data on electronic detention programs, says Terry Baumer, associate professor of public affairs at Indiana University, Indianapolis, "was the high number of positive comments we got from offenders after they finished the program."

Individuals who had lifestyle problems—from alcohol and drug abuse to carousing too much—made comments like, "I stopped drinking . . . My wife thinks it's great . . . Haven't missed a day of work in six months."

Electronic monitoring is an intermediate sanction between parole and prison. Most home-incarceration programs started out by emphasizing surveillance and security but neglected rehabilitation, Professor Baumer says.

ALL 50 STATES EMPLOY SOME VERSION OF ELECTRONIC MONITORING.

"This aspect must be looked at more closely" now, he says.

The concept of electronic monitoring appeals to both liberals and conservatives, says Tim App, director of community corrections in Massachusetts.

For those who want to get tough on crime it allows offenders to be restrained who might otherwise walk free because of overcrowded prisons and the fact that their crime isn't as serious as others who tie up scarce cell space.

For those who think the United States has already gone too far with its incarceration rate, electronic monitoring can be used for offenders who might otherwise be kept in jail or prison without needing so severe a sanction.

The first thing to note about electronically monitored home detention is the distinction between the sanction (home detention) and the method (electronic monitoring). Keeping the two aspects separate, says Professor Baumer, assists in appraising the appropriate use of home incarceration. Electronic monitoring programs rely on the threat of immediate detection and subsequent

sanctions for unauthorized absences.

Given that there are no physical restraints when an individual is sentenced to his or her home, the burden of responsibility falls heavily on the corrections agency to target individuals who are unlikely to pose a serious threat to others, Mr. App says. Only inmates with three or fewer months of time remaining on their sentence can be in the Massachusetts program. Of the first 100 individuals in the program, five were

returned to prison to complete their sentence, he says.

According to the National Institute of Justice, it costs anywhere from \$60,000 to \$75,000 per bed to build a prison and \$60 per day per

inmate to operate it. Home-arrest equipment costs between \$4,500 and \$5,000 per inmate and anywhere from \$8 to \$18 per inmate per day to provide the monitoring, depending on the level of oversight a jurisdiction wants to provide.

The savings are even greater, App says. Since the inmate is out in the community and working, he or she is required to pay for rental and use of the monitoring equipment. And this is in addition to whatever taxes the offender is paying, he says.

All 50 states employ some version of electronic monitoring. There are 435 adult programs in the U.S., with the greatest number in Florida and Michigan. Texas and California are coming up the fastest. No one knows what the high end for use of electronic monitoring will be. "We're still at its infancy," Professor Vaughn says.

"Electronic monitoring is a tool. It is not a program in and of itself.

It cannot be a substitute for sound correctional policy making," App says.

© 1991 The Christian Science Publishing Society: All rights reserved.

## KENTUCKY PASSES COMMUNITY CORRECTIONS ACT

CONTINUED FROM PAGE 1

Greg Richardson and Richard Hart drafted a CCA bill for Kentucky, which the JF Task Force eagerly presented to the sentencing commission. With minor modifications, the bill was introduced in the legislature by Representative Lear. With little debate both houses approved it unanimously, and Gov. Brereton Jones signed the CCA into law in April 1992.

What does the CCA mean for Kentucky? According to Representative Lear the CCA will help the state identify "the people who should be put in prison and the people who can be dealt with better by some alternative to prison." The

legislature has appropriated \$300,000 for CCA programs over the next two years—enough money to begin model programs in two or perhaps three jurisdictions. Once the pilot sites are operating and successful, Lear expects the state to increase its commitment to community corrections.

Now that the CCA has been passed and signed into law, the JF Task Force is ready to assist in its implementation. Involving the community will be one of the JF Task Force's highest priorities. "I see us getting into public relations," says Dempsey. "If we, as a task force,

can go out there and sell churches, civic groups, and other centers of influence on the concept of community corrections, we would certainly be making it easier for judges to sentence offenders to alternative sentences."

Representative Lear agrees that *community* is the key word in the Community Corrections Act. "I think the only way for [alternatives to prison] to really make a difference is for there to be community support. You have to convince communities that we ought to be putting people to work, rehabilitating them, requiring community service, requiring restitution. That helps make the community and the victim whole and helps make the person who is convicted more likely to be whole at the end of the process."

For Rodney Dempsey, the CCA's potential for establishing a restorative response to crime was just as important as its potential for holding down Kentucky's soaring prison population and corrections costs. Dempsey, who has visited prisons as a Prison Fellowship volunteer, relates why he has supported the CCA all along. "I saw how much money we were spending on incarceration—an average of \$12,600 per year per inmate. I saw that the system was growing by leaps and bounds, and yet it was not working at all.

"But I also saw a lot of worthwhile human beings in prison that I felt shouldn't be treated like McDonald's throw-away wrappers. Whether we like it or not, almost all of them are going to come back out of prison. Under our prison system, they are going to come out worse. I just felt there should be alternatives for a lot of the people who are being incarcerated."

With the state's CCA passed and funded, the possibilities are just beginning.

### DO COMMUNITY CORRECTIONS WORK?

"One way to change criminal behavior," says JF Kentucky Task Force member David Norat, "is to address the circumstances—such as drug and alcohol abuse, lack of education, or unemployment—that were present at the time the defendant committed the crime."

Norat, also the director of the Defense Services division for the Kentucky Department of Public Advocacy, says that community punishment programs, such as those to be established under Kentucky's new Community Corrections Act, allow criminal justice officials to tap existing community resources to "put together a punishment that reduces the likelihood of those circumstances recurring."

Norat explains that the CCA permits local community corrections boards to use state funds to establish programs—such as drug abuse treatment or transitional housing—that will address the greatest needs

among offenders. Requiring offenders to pay restitution and perform community service will also help ensure that victim and community needs are met.

Norat stresses that criminal justice officials and the community must be educated to see incarceration as a "last resort, [reserved] for the most incorrigible and violent offender, because [prisons] are a finite resource." By sentencing nonviolent offenders to something other than prison, "we may be punishing them more, and definitely holding them more accountable."

With Kentucky's new CCA, Norat sees "a great opportunity for a government and community effort, for organizations such as Justice Fellowship to use grassroots laymen to get involved and to educate the community, using the technical assistance of the Kentucky Corrections Department—to get out there and say, 'Yes, neighbor, this can work.'"



David Norat

## DESCRIPTION

This program is the final phase of a three part process designed to treat addicts, reduce crime and recidivism, and relieve jail overcrowding in Berks County. Residential settings have been established for chemically dependent individuals involved in the criminal justice system. In providing a protective, non-prison environment, these individuals can engage in counseling and support services to aid in reducing the pressures experienced as they re-enter society. Additionally, the expansion of the Community Service Program will serve as an alternative sentence for first time offenders and probation/parole violators who meet eligibility guidelines.

## PROGRAM SERVICES

### *SUPPORTIVE HOUSING*

SAFE houses provide an intermediary step for eligible chemically dependent individuals who are leaving the prison to re-enter the community; and provide an alternative for individuals who have violated their conditions of probation/parole as a result of chemical abuse. SAFE house programming addresses the process of relapse and focuses on co-dependency issues that may interfere with a resident's ability to remain sober. This supportive and stable housing environment provides a means whereby recovery can be strengthened or regained.

## SAFE HOUSE PROGRAM SERVICES:

- \* Continuant of treatment care
- \* Drug education
- \* Urinalysis
- \* Participation in 12 step program
- \* Community Service
- \* Education Assistance
- \* Job Assistance
- \* Housing Assistance

### *COMMUNITY SERVICE*

Individuals meeting guidelines agreed upon by both the Court of Common Pleas and Berks County Prison officials have the opportunity to perform community service work as part of their sentence. Eligible individuals include probation/parole violators and SAFE house residents. The community service program:

- \* Provides the courts with an alternative in sentencing for first time offenders.
- \* Prepares SAFE house residents to re-enter the community as part of the work force.
- \* Provides intensive supervision of clients by a community service officer to ensure the meeting of strict guidelines.



## **PROGRAM GOALS**

- \* To provide residential drug treatment to chemically dependent individuals upon their release from prison or an alternative to probation or parole revocation.
- \* To establish a means to develop or strengthen an employment ethic, through community service work, among criminal justice clients.
- \* To provide the courts with an alternative in sentencing, other than prison, to first time offenders.

## **FOR FURTHER INFORMATION CONTACT:**

Luci Segal  
Berks County Prison Society, Inc.  
(215) 372-8933

Mark Sawyer  
Council on Chemical Abuse (COCA)  
(215) 376-8669

Ron Curtis  
County Community Service Department  
(215) 378-3035

Nancy Xavios  
County Community Service Department  
(215) 378-3035

# **INTENSIFIED APPROACH TO INTERVENTION AND TREATMENT OF DRUG OFFENDERS IN THE CRIMINAL JUSTICE SYSTEM — PHASE III — COMMUNITY SERVICE**

\* \* \*

## **PROGRAM SPONSORED BY**

PENNSYLVANIA COMMISSION ON  
CRIME & DELINQUENCY

**BERKS COUNTY COMMISSIONERS**  
Glenn B. Reber, *Chairman*  
Michael F. Feeney  
Anthony J. Carabello

**BERKS COUNTY PRISON SOCIETY, INC.**  
John A. Fidler, Jr.  
*Executive Director*

**COUNCIL ON CHEMICAL ABUSE**  
George J. Vogel, Jr.  
*Executive Director*



## **PURPOSE**

The program provides help for incarcerated drug offenders/abusers and focuses on the overcrowding situation at the Berks County Prison. Grant funding facilitates the coordination of a continuum of efforts from the time of incarceration; to the movement of individuals involved with drugs into educational, counseling, and/or treatment settings within Berks County Prison; to continued drug education, counseling, and/or treatment at the parole level. The entire population of the prison is monitored and action is taken to ensure the provision of drug abuse services and the expedient movement of cases through the prison and Criminal Justice System.

## **PROGRAM SERVICES**

### Prison Liaison

This service directly impacts on the serious overcrowding condition at Berks County Prison. Through the close monitoring of inmate commitment and sentencing, the liaison service is designed to eliminate the number of days inmates remain incarcerated beyond their date of release and/or transference to another facility/institution.

- Prison population movement
- Review of Criminal Justice System issues affecting prison commitment and average length of resident stay.
- Assistance in placing residents, who are eligible for early release, into community treatment programs.

### Drug Intervention & Treatment

This service allows all residents of Berks County Prison to be screened to determine if drug education and/or treatment is needed. The program has several levels where help can be received:

- Drug Assessment
- Drug Evaluation
- Drug Awareness Education
- Drug Counseling & Treatment Center
- Pre-Release Center & Weekend Treatment
- Onsite Continuing Support Group Services

### Intensive Parole Supervision

This service provides close supervision to the parolee who has completed the prescribed course of educational/counseling/treatment at Berks County Prison and has returned to the community. Parole services maintain close monitoring with regard to the following:

- Continued outpatient counseling and treatment.
- Participation in 12 step programs.
- Urinalysis.



**INTENSIFIED APPROACH  
TO  
INTERVENTION AND TREATMENT  
OF DRUG OFFENDERS/ABUSERS  
IN THE  
CRIMINAL JUSTICE SYSTEM  
— PHASE II —  
PRISON POPULATION MOVEMENT**

**FOR FURTHER INFORMATION CONTACT:**

**Berks County Prison Society, Inc.  
(215) 372-8933**

**Prison Drug Treatment Program  
(215) 478-7388**

**Adult Probation & Parole  
(215) 378-8739**

**\*\*\***

**\* \* \***

**PROGRAM SPONSORED BY**

**PENNSYLVANIA COMMISSION ON  
CRIME & DELINQUENCY**

**BERKS COUNTY COMMISSIONERS**

**Ernie Miller, Chairman  
Glenn B. Reber  
Anthony J. Carabello**

**BERKS COUNTY PRISON SOCIETY, INC.**

**John A. Fidler, Jr.  
*Executive Director***

**COUNCIL ON CHEMICAL ABUSE**

**George J. Vogel, Jr.  
*Executive Director***



## **RATIONALE**

The program provides help for addicted persons in the Criminal Justice System. Many of the persons in the Criminal Justice System are there as a result of crimes committed under the influence of drugs or in order to get drugs. For these persons, incarceration alone does not resolve the criminal behavior. Identification of addicted persons at pre-trial or post-adjudication levels can result in effective intervention for individual dependence on drugs. Using the Criminal Justice System as leverage, these individuals can be placed into effective educational and/or treatment settings to address the issues of drug dependency and accordingly provide a reduction in criminal activities.

## **SERVICES**

The program provides the following services:

### **Bail Arrangements**

Such arrangements may be made through the Berks County Prison Society. Bail limitations and conditions are all subject to approval by the Prison Society.

### **Monitoring**

Individuals accepted into the program will be intensively supervised by the Berks County Prison Society or Berks County Adult Probation and Parole Office. This supervision is required so as to assure the individual complies with bail/parole conditions.

### **Evaluation**

When indicated, individuals showing evidence of drug use/dependency will be referred to the Treatment Alternatives to Street Crime (TASC) Program for evaluation. TASC staff members are both trained and qualified to evaluate such individuals.

### **Referral**

If education and/or treatment is recommended as a result of the TASC evaluation, individuals will be referred accordingly. The use of urinalysis will also be used to insure abstinence from mood altering drugs.

### **Treatment**

This service can occur at various levels of intensity. Family members are encouraged to also participate in the treatment experience. Upon completion of treatment, individuals will establish an after care plan for the continuance of chemically free life.

## **REFERRAL**

Family, friends, attorneys, district justices, and/or judges may initiate referrals. Such referrals may be made at the pre-trial level or when the individual is placed on probation/parole. Intensive supervision and close monitoring insure compliance with the program. Only those individuals able and willing to comply with the terms and conditions of the program will be accepted.

### **FOR FURTHER INFORMATION CONTACT:**

Dickenson Smith  
Berks County Prison Society, Inc.  
(215) 372-8933

Sharon K. Merkel  
Treatment Alternatives to  
Street Crime (TASC) Program  
(215) 375-4426

Nancy S. Xavios  
Adult Probation and Parole Office  
(215) 378-8739

# **INTENSIFIED APPROACH TO INTERVENTION AND TREATMENT OF DRUG OFFENDERS AND ABUSERS IN THE CRIMINAL JUSTICE SYSTEM**

\*\*\*

### **PROGRAM SPONSORED BY**

**PENNSYLVANIA COMMISSION ON  
CRIME AND DELINQUENCY**

**BERKS COUNTY COMMISSIONERS**

Michael F. Feeney, *Chairman*  
Anthony J. Carabello  
Glenn B. Reber

**BERKS COUNTY PRISON SOCIETY**

John A. Fidler, Jr.  
*Executive Director*

**COUNCIL ON CHEMICAL ABUSE**

George J. Vogel, Jr.  
*Executive Director*



**BERKS COUNTY  
COMMUNITY RELEASE PROGRAM**

**RULES AND  
REGULATIONS**

1. Report to the Berks County Prison Society once a week until disposition of your case.
2. Report any change of address or phone number within 48 hours of such change.
3. Compliance with any specific conditions placed on your bail.
4. Report the receipt of any Hearing or Court notifications to our office.
5. Report to the Community Release Program staff any circumstance which would prevent your appearance in court.
6. Report any continuation or termination of your case to our office.
7. Failure to comply may result in a warrant and arrest.

\*\*\*\*\*

**SERVICES PROVIDED**

1. Bail recommendations.
2. Recommendations for bail reductions.
3. Notice of Court dates and times.
4. Employment Assistance.
5. Housing Assistance.
6. Education Assistance.
7. Liaison with Courts and related offices in the Criminal Justice System.
8. Referrals to other human services agencies.
9. Enforcement of our rules and regulations, and notice to the court if you are not meeting your conditions of bail.

**BERKS COUNTY  
COMMUNITY RELEASE PROGRAM**

**BERKS COUNTY PRISON SOCIETY, INC.**

424 Walnut Street  
Reading, PA 19601

(215) 372-8933

In July of 1985, the Berks County Court of Common Pleas established a County Bail Program. The Berks County Prison Society, Inc. was designated by the Berks County Court of Common Pleas to administer the program. The program is called: **THE BERKS COUNTY COMMUNITY RELEASE PROGRAM.**

**Berks County Commissioners**

Anthony J. Carabello, *Chairman*  
Michael F. Feeney  
Glenn B. Reber

**Berks County Court of Common Pleas**

Honorable Forrest G. Schaeffer, *President Judge*

**Berks County Prison Society, Inc.**

John A. Fidler, Jr., *Executive Director*  
Dickenson Smith, *Community Release Director*

**OFFICE HOURS:** 8:30 a.m. to 4:00 p.m.

Monday through Friday

*A representative from our office is on call after hours and on weekends.*



## BAIL IS SET BY A DISTRICT JUSTICE OR JUDGE TO INSURE YOUR APPEARANCE IN COURT.

If you are arrested and charged with a criminal offense in Berks County, you may be eligible for:

- (1) Supervised 5% cash deposit bail in a money amount.
- (2) Supervised Nominal or ROR bail.

## HOW 5% CASH DEPOSIT WORKS

If you are arrested and your bail is set in a money amount, you may qualify for the 5% program. Most defendants do.

1. You will be interviewed by a Community Release Program caseworker, who will verify the information given, to determine your appropriateness for the program.
2. A deposit is required in the amount of 5% of the bail set, or \$25, whichever is larger. *(Must be cash, certified check, or money order.)*
3. You will be asked to provide a third party surety—someone to guarantee that you will appear for all court proceedings. A third party surety will guarantee full payment of the remainder of your bail if you do not appear. **(NOTE: No professional bail bondsman may act as a third party surety.)**
4. The bail is posted with the District Justice or the Clerk of Courts (Criminal) in the Courthouse.
5. You will be under our supervision until your case is settled, and subject to our rules and

6. If you are found not guilty on **all** charges, or if **all** charges are dismissed, the entire 5% you posted will be returned. *(Dismissals by virtue of ARD are excluded from this policy.)*
7. If you are found guilty on **any** charge(s) or placed on ARD, the 5% you posted will be retained by the County.
8. If you fail to appear at any time during the criminal proceedings, your 5% deposit will be forfeited and the remainder of the bail money will have to be paid to the County.

## HOW SUPERVISED NOMINAL & ROR BAIL WORKS

A District Justice or Judge may decide that they do not need to set bail in a money amount, but they may want your progress through the Court system monitored. If this is the case, you will have a condition attached to your bail to report to our office weekly.

## TO GET YOUR DEPOSIT BACK

- (1) SAVE YOUR RECEIPT!
- (2) If found not guilty on **all** charges or if **all** charges are dismissed, go to your lawyer with your receipt. Your lawyer will arrange for the return of your deposit.

**OR**

If your bail was paid at a District Justice office and **all** charges are dismissed at the Preliminary Hearing, present your receipt to the District Justice.

The deposit will only be returned in the name of  
the THIRD PARTY SURETY.

## JUST THINKING

ELECTRONIC CUFFS, HOME ARREST  
HELP EASE PRISON CROWDING

BY JIM BENCIVENGA

Not every criminal offender talks about wearing an electronic monitoring device quite the way 16-year-old Ronnie does. "It started out as an uninvited guest at the dinner table but turned into a guardian angel," says the youth from Winston-Salem, N.C.

When he and his mother first left the courtroom and he saw the ankle bracelet "my whole leg was shaking," he says. "After two or three days I forgot about it. But I never forgot what I had to do to get it off."

Ronnie (not his real name) had to wear an electronic home-arrest bracelet for four weeks. When it came off he had proved his desire to change his ways. If it was time for him to go home early he would tell his friends (without losing face) by just pointing to his ankle. He could also tell them that vandalizing cars and breaking into houses wasn't smart. The juvenile court still keeps tabs on him and will do so for a probation period.

His story is not unique. Preliminary reports from the first wave of national studies done since state and county corrections departments introduced the home-arrest devices some six years ago give rise to modest optimism.

Plagued by prison overcrowding, budget cuts, and high recidivism, "It is a very good tool in the correction's box," says Joseph Vaughn, associate professor of criminal justice at Central Missouri State University and editor of the journal *Electronic Monitoring*.

"One of the things that really struck us" after looking at the data on electronic detention programs, says Terry Baumer, associate professor of public affairs at Indiana University, Indianapolis, "was the high number of positive comments we got from offenders after they finished the program."

Individuals who had lifestyle problems—from alcohol and drug abuse to carousing too much—made comments like, "I stopped drinking . . . My wife thinks it's great . . . Haven't missed a day of work in six months."

Electronic monitoring is an intermediate sanction between parole and prison. Most home-incarceration programs started out by emphasizing surveillance and security but neglected rehabilitation, Professor Baumer says.

ALL 50 STATES EMPLOY SOME VERSION  
OF ELECTRONIC MONITORING.

"This aspect must be looked at more closely" now, he says.

The concept of electronic monitoring appeals to both liberals and conservatives, says Tim App, director of community corrections in Massachusetts.

For those who want to get tough on crime it allows offenders to be restrained who might otherwise walk free because of overcrowded prisons and the fact that their crime isn't as serious as others who tie up scarce cell space.

For those who think the United States has already gone too far with its incarceration rate, electronic monitoring can be used for offenders who might otherwise be kept in jail or prison without needing so severe a sanction.

The first thing to note about electronically monitored home detention is the distinction between the sanction (home detention) and the method (electronic monitoring). Keeping the two aspects separate, says Professor Baumer, assists in appraising the appropriate use of home incarceration. Electronic monitoring programs rely on the threat of immediate detection and subsequent

sanctions for unauthorized absences.

Given that there are no physical restraints when an individual is sentenced to his or her home, the burden of responsibility falls heavily on the corrections agency to target individuals who are unlikely to pose a serious threat to others, Mr. App says. Only inmates with three or fewer months of time remaining on their sentence can be in the Massachusetts program. Of the first 100 individuals in the program, five were

returned to prison to complete their sentence, he says.

According to the National Institute of Justice, it costs anywhere from \$60,000 to \$75,000 per bed to build a prison and \$60 per day per

inmate to operate it. Home-arrest equipment costs between \$4,500 and \$5,000 per inmate and anywhere from \$8 to \$18 per inmate per day to provide the monitoring, depending on the level of oversight a jurisdiction wants to provide.

The savings are even greater, App says. Since the inmate is out in the community and working, he or she is required to pay for rental and use of the monitoring equipment. And this is in addition to whatever taxes the offender is paying, he says.

All 50 states employ some version of electronic monitoring. There are 435 adult programs in the U.S., with the greatest number in Florida and Michigan. Texas and California are coming up the fastest. No one knows what the high end for use of electronic monitoring will be. "We're still at its infancy," Professor Vaughn says.

"Electronic monitoring is a tool. It is not a program in and of itself.

It cannot be a substitute for sound correctional policy making," App says.

© 1991 The Christian Science Publishing Society: All rights reserved.

## KENTUCKY PASSES COMMUNITY CORRECTIONS ACT

CONTINUED FROM PAGE 1

Greg Richardson and Richard Hart drafted a CCA bill for Kentucky, which the JF Task Force eagerly presented to the sentencing commission. With minor modifications, the bill was introduced in the legislature by Representative Lear. With little debate both houses approved it unanimously, and Gov. Brereton Jones signed the CCA into law in April 1992.

What does the CCA mean for Kentucky? According to Representative Lear the CCA will help the state identify "the people who should be put in prison and the people who can be dealt with better by some alternative to prison." The

legislature has appropriated \$300,000 for CCA programs over the next two years—enough money to begin model programs in two or perhaps three jurisdictions. Once the pilot sites are operating and successful, Lear expects the state to increase its commitment to community corrections.

Now that the CCA has been passed and signed into law, the JF Task Force is ready to assist in its implementation. Involving the community will be one of the JF Task Force's highest priorities. "I see us getting into public relations," says Dempsey. "If we, as a task force,

can go out there and sell churches, civic groups, and other centers of influence on the concept of community corrections, we would certainly be making it easier for judges to sentence offenders to alternative sentences."

Representative Lear agrees that *community* is the key word in the Community Corrections Act. "I think the only way for [alternatives to prison] to really make a difference is for there to be community support. You have to convince communities that we ought to be putting people to work, rehabilitating them, requiring community service, requiring restitution. That helps make the community and the victim whole and helps make the person who is convicted more likely to be whole at the end of the process."

For Rodney Dempsey, the CCA's potential for establishing a restorative response to crime was just as important as its potential for holding down Kentucky's soaring prison population and corrections costs. Dempsey, who has visited prisons as a Prison Fellowship volunteer, relates why he has supported the CCA all along. "I saw how much money we were spending on incarceration—an average of \$12,600 per year per inmate. I saw that the system was growing by leaps and bounds, and yet it was not working at all.

"But I also saw a lot of worthwhile human beings in prison that I felt shouldn't be treated like McDonald's throw-away wrappers. Whether we like it or not, almost all of them are going to come back out of prison. Under our prison system, they are going to come out worse. I just felt there should be alternatives for a lot of the people who are being incarcerated."

With the state's CCA passed and funded, the possibilities are just beginning.

### DO COMMUNITY CORRECTIONS WORK?

"One way to change criminal behavior," says JF Kentucky Task Force member David Norat, "is to address the circumstances—such as drug and alcohol abuse, lack of education, or unemployment—that were present at the time the defendant committed the crime."

Norat, also the director of the Defense Services division for the Kentucky Department of Public Advocacy, says that community punishment programs, such as those to be established under Kentucky's new Community Corrections Act, allow criminal justice officials to tap existing community resources to "put together a punishment that reduces the likelihood of those circumstances recurring."

Norat explains that the CCA permits local community corrections boards to use state funds to establish programs—such as drug abuse treatment or transitional housing—that will address the greatest needs

among offenders. Requiring offenders to pay restitution and perform community service will also help ensure that victim and community needs are met.

Norat stresses that criminal justice officials and the community must be educated to see incarceration as a "last resort, [reserved] for the most incorrigible and violent offender, because [prisons] are a finite resource." By sentencing nonviolent offenders to something other than prison, "we may be punishing them more, and definitely holding them more accountable."

With Kentucky's new CCA, Norat sees "a great opportunity for a government and community effort, for organizations such as Justice Fellowship to use grassroots laymen to get involved and to educate the community, using the technical assistance of the Kentucky Corrections Department—to get out there and say, 'Yes, neighbor, this can work.'"



David Norat



## DESCRIPTION

This program is the final phase of a three part process designed to treat addicts, reduce crime and recidivism, and relieve jail overcrowding in Berks County. Residential settings have been established for chemically dependent individuals involved in the criminal justice system. In providing a protective, non-prison environment, these individuals can engage in counseling and support services to aid in reducing the pressures experienced as they re-enter society. Additionally, the expansion of the Community Service Program will serve as an alternative sentence for first time offenders and probation/parole violators who meet eligibility guidelines.

## PROGRAM SERVICES

### *SUPPORTIVE HOUSING*

SAFE houses provide an intermediary step for eligible chemically dependent individuals who are leaving the prison to re-enter the community; and provide an alternative for individuals who have violated their conditions of probation/parole as a result of chemical abuse. SAFE house programming addresses the process of relapse and focuses on co-dependency issues that may interfere with a resident's ability to remain sober. This supportive and stable housing environment provides a means whereby recovery can be strengthened or regained.

## SAFE HOUSE PROGRAM SERVICES:

- \* Continuant of treatment care
- \* Drug education
- \* Urinalysis
- \* Participation in 12 step program
- \* Community Service
- \* Education Assistance
- \* Job Assistance
- \* Housing Assistance

### *COMMUNITY SERVICE*

Individuals meeting guidelines agreed upon by both the Court of Common Pleas and Berks County Prison officials have the opportunity to perform community service work as part of their sentence. Eligible individuals include probation/parole violators and SAFE house residents. The community service program:

- \* Provides the courts with an alternative in sentencing for first time offenders.
- \* Prepares SAFE house residents to re-enter the community as part of the work force.
- \* Provides intensive supervision of clients by a community service officer to ensure the meeting of strict guidelines.

## **PROGRAM GOALS**

- \* To provide residential drug treatment to chemically dependent individuals upon their release from prison or an alternative to probation or parole revocation.
- \* To establish a means to develop or strengthen an employment ethic, through community service work, among criminal justice clients.
- \* To provide the courts with an alternative in sentencing, other than prison, to first time offenders.

## **FOR FURTHER INFORMATION CONTACT:**

Luci Segal  
Berks County Prison Society, Inc.  
(215) 372-8933

Mark Sawyer  
Council on Chemical Abuse (COCA)  
(215) 376-8669

Ron Curtis  
County Community Service Department  
(215) 378-3035

Nancy Xavios  
County Community Service Department  
(215) 378-3035

# **INTENSIFIED APPROACH TO INTERVENTION AND TREATMENT OF DRUG OFFENDERS IN THE CRIMINAL JUSTICE SYSTEM — PHASE III — COMMUNITY SERVICE**

\* \* \*

## **PROGRAM SPONSORED BY**

PENNSYLVANIA COMMISSION ON  
CRIME & DELINQUENCY

**BERKS COUNTY COMMISSIONERS**  
Glenn B. Reber, *Chairman*  
Michael F. Feeney  
Anthony J. Carabello

**BERKS COUNTY PRISON SOCIETY, INC.**  
John A. Fidler, Jr.  
*Executive Director*

**COUNCIL ON CHEMICAL ABUSE**  
George J. Vogel, Jr.  
*Executive Director*



## **PURPOSE**

The program provides help for incarcerated drug offenders/abusers and focuses on the overcrowding situation at the Berks County Prison. Grant funding facilitates the coordination of a continuum of efforts from the time of incarceration; to the movement of individuals involved with drugs into educational, counseling, and/or treatment settings within Berks County Prison; to continued drug education, counseling, and/or treatment at the parole level. The entire population of the prison is monitored and action is taken to ensure the provision of drug abuse services and the expedient movement of cases through the prison and Criminal Justice System.

## **PROGRAM SERVICES**

### Prison Liaison

This service directly impacts on the serious overcrowding condition at Berks County Prison. Through the close monitoring of inmate commitment and sentencing, the liaison service is designed to eliminate the number of days inmates remain incarcerated beyond their date of release and/or transference to another facility/institution.

- Prison population movement
- Review of Criminal Justice System issues affecting prison commitment and average length of resident stay.
- Assistance in placing residents, who are eligible for early release, into community treatment programs.

### Drug Intervention & Treatment

This service allows all residents of Berks County Prison to be screened to determine if drug education and/or treatment is needed. The program has several levels where help can be received:

- Drug Assessment
- Drug Evaluation
- Drug Awareness Education
- Drug Counseling & Treatment Center
- Pre-Release Center & Weekend Treatment
- Onsite Continuing Support Group Services

### Intensive Parole Supervision

This service provides close supervision to the parolee who has completed the prescribed course of educational/counseling/treatment at Berks County Prison and has returned to the community. Parole services maintain close monitoring with regard to the following:

- Continued outpatient counseling and treatment.
- Participation in 12 step programs.
- Urinalysis.



**INTENSIFIED APPROACH  
TO  
INTERVENTION AND TREATMENT  
OF DRUG OFFENDERS/ABUSERS  
IN THE  
CRIMINAL JUSTICE SYSTEM  
— PHASE II —  
PRISON POPULATION MOVEMENT**

**FOR FURTHER INFORMATION CONTACT:**

Berks County Prison Society, Inc.  
(215) 372-8933

Prison Drug Treatment Program  
(215) 478-7388

Adult Probation & Parole  
(215) 378-8739

\*\*\*

\* \* \*

PROGRAM SPONSORED BY

PENNSYLVANIA COMMISSION ON  
CRIME & DELINQUENCY

**BERKS COUNTY COMMISSIONERS**

Ernie Miller, Chairman  
Glenn B. Reber  
Anthony J. Carabello

**BERKS COUNTY PRISON SOCIETY, INC.**

John A. Fidler, Jr.  
*Executive Director*

**COUNCIL ON CHEMICAL ABUSE**

George J. Vogel, Jr.  
*Executive Director*



## **RATIONALE**

The program provides help for addicted persons in the Criminal Justice System. Many of the persons in the Criminal Justice System are there as a result of crimes committed under the influence of drugs or in order to get drugs. For these persons, incarceration alone does not resolve the criminal behavior. Identification of addicted persons at pre-trial or post-adjudication levels can result in effective intervention for individual dependence on drugs. Using the Criminal Justice System as leverage, these individuals can be placed into effective educational and/or treatment settings to address the issues of drug dependency and accordingly provide a reduction in criminal activities.

## **SERVICES**

The program provides the following services:

### **Bail Arrangements**

Such arrangements may be made through the Berks County Prison Society. Bail limitations and conditions are all subject to approval by the Prison Society.

### **Monitoring**

Individuals accepted into the program will be intensively supervised by the Berks County Prison Society or Berks County Adult Probation and Parole Office. This supervision is required so as to assure the individual complies with bail/parole conditions.

### **Evaluation**

When indicated, individuals showing evidence of drug use/dependency will be referred to the Treatment Alternatives to Street Crime (TASC) Program for evaluation. TASC staff members are both trained and qualified to evaluate such individuals.

### **Referral**

If education and/or treatment is recommended as a result of the TASC evaluation, individuals will be referred accordingly. The use of urinalysis will also be used to insure abstinence from mood altering drugs.

### **Treatment**

This service can occur at various levels of intensity. Family members are encouraged to also participate in the treatment experience. Upon completion of treatment, individuals will establish an after care plan for the continuance of chemically free life.



## **REFERRAL**

Family, friends, attorneys, district justices, and/or judges may initiate referrals. Such referrals may be made at the pre-trial level or when the individual is placed on probation/parole. Intensive supervision and close monitoring insure compliance with the program. Only those individuals able and willing to comply with the terms and conditions of the program will be accepted.

### **FOR FURTHER INFORMATION CONTACT:**

Dickenson Smith  
Berks County Prison Society, Inc.  
(215) 372-8933

Sharon K. Merkel  
Treatment Alternatives to  
Street Crime (TASC) Program  
(215) 375-4426

Nancy S. Xavios  
Adult Probation and Parole Office  
(215) 378-8739

# **INTENSIFIED APPROACH TO INTERVENTION AND TREATMENT OF DRUG OFFENDERS AND ABUSERS IN THE CRIMINAL JUSTICE SYSTEM**

\*\*\*

### **PROGRAM SPONSORED BY**

**PENNSYLVANIA COMMISSION ON  
CRIME AND DELINQUENCY**

**BERKS COUNTY COMMISSIONERS**

Michael F. Feeney, *Chairman*  
Anthony J. Carabello  
Glenn B. Reber

**BERKS COUNTY PRISON SOCIETY**

John A. Fidler, Jr.  
*Executive Director*

**COUNCIL ON CHEMICAL ABUSE**

George J. Vogel, Jr.  
*Executive Director*

**BERKS COUNTY  
COMMUNITY RELEASE PROGRAM**

**RULES AND  
REGULATIONS**

1. Report to the Berks County Prison Society once a week until disposition of your case.
2. Report any change of address or phone number within 48 hours of such change.
3. Compliance with any specific conditions placed on your bail.
4. Report the receipt of any Hearing or Court notifications to our office.
5. Report to the Community Release Program staff any circumstance which would prevent your appearance in court.
6. Report any continuation or termination of your case to our office.
7. Failure to comply may result in a warrant and arrest.

\*\*\*\*\*

**SERVICES PROVIDED**

1. Bail recommendations.
2. Recommendations for bail reductions.
3. Notice of Court dates and times.
4. Employment Assistance.
5. Housing Assistance.
6. Education Assistance.
7. Liaison with Courts and related offices in the Criminal Justice System.
8. Referrals to other human services agencies.
9. Enforcement of our rules and regulations, and notice to the court if you are not meeting your conditions of bail.

**BERKS COUNTY  
COMMUNITY RELEASE PROGRAM**

**BERKS COUNTY PRISON SOCIETY, INC.**

424 Walnut Street  
Reading, PA 19601

(215) 372-8933

In July of 1985, the Berks County Court of Common Pleas established a County Bail Program. The Berks County Prison Society, Inc. was designated by the Berks County Court of Common Pleas to administer the program. The program is called: **THE BERKS COUNTY COMMUNITY RELEASE PROGRAM.**

**Berks County Commissioners**

Anthony J. Carabello, *Chairman*  
Michael F. Feeney  
Glenn B. Reber

**Berks County Court of Common Pleas**

Honorable Forrest G. Schaeffer, *President Judge*

**Berks County Prison Society, Inc.**

John A. Fidler, Jr., *Executive Director*  
Dickenson Smith, *Community Release Director*

**OFFICE HOURS:** 8:30 a.m. to 4:00 p.m.

Monday through Friday

*A representative from our office is on call after hours and on weekends.*



## BAIL IS SET BY A DISTRICT JUSTICE OR JUDGE TO INSURE YOUR APPEARANCE IN COURT.

If you are arrested and charged with a criminal offense in Berks County, you may be eligible for:

- (1) Supervised 5% cash deposit bail in a money amount.
- (2) Supervised Nominal or ROR bail.

## HOW 5% CASH DEPOSIT WORKS

If you are arrested and your bail is set in a money amount, you may qualify for the 5% program. Most defendants do.

1. You will be interviewed by a Community Release Program caseworker, who will verify the information given, to determine your appropriateness for the program.
2. A deposit is required in the amount of 5% of the bail set, or \$25, whichever is larger. *(Must be cash, certified check, or money order.)*
3. You will be asked to provide a third party surety—someone to guarantee that you will appear for all court proceedings. A third party surety will guarantee full payment of the remainder of your bail if you do not appear. **(NOTE: No professional bail bondsman may act as a third party surety.)**
4. The bail is posted with the District Justice or the Clerk of Courts (Criminal) in the Courthouse.
5. You will be under our supervision until your case is settled, and subject to our rules and

6. If you are found not guilty on **all** charges, or if **all** charges are dismissed, the entire 5% you posted will be returned. *(Dismissals by virtue of ARD are excluded from this policy.)*
7. If you are found guilty on **any** charge(s) or placed on ARD, the 5% you posted will be retained by the County.
8. If you fail to appear at any time during the criminal proceedings, your 5% deposit will be forfeited and the remainder of the bail money will have to be paid to the County.

## HOW SUPERVISED NOMINAL & ROR BAIL WORKS

A District Justice or Judge may decide that they do not need to set bail in a money amount, but they may want your progress through the Court system monitored. If this is the case, you will have a condition attached to your bail to report to our office weekly.

## TO GET YOUR DEPOSIT BACK

- (1) SAVE YOUR RECEIPT!
- (2) If found not guilty on **all** charges or if **all** charges are dismissed, go to your lawyer with your receipt. Your lawyer will arrange for the return of your deposit.

**OR**

If your bail was paid at a District Justice office and **all** charges are dismissed at the Preliminary Hearing, present your receipt to the District Justice.

The deposit will only be returned in the name of  
THIRD PARTY SURETY