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THE PENNSYLVANIA HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
SUBCOMMITTEE ON CRIME AND CORRECTIONS HEARING
ON WOMEN'S PRISON ISSUES

Wednesday, August 20, 1997
Curie Hall Auditorium
State Correctional Institution - Cambridge Springs
451 Fullerton Avenue
Cambridge Springs, PA 16403
9:00 o'clock a.m.

ORIGINAL

X

1 REPRESENTATIVE BIRMELIN: Good morning.
2 We would like to invite you to come on in and have a
3 seat, we're ready to begin the hearing.

4 Today is August the 20th and this is the
5 meeting of the House Judiciary Committee,
6 Subcommittee on Crime and Corrections dealing with
7 the issue of women in prison and the problems they
8 face, not only while they're here but getting back
9 out in to the rest of the world when they've served
10 their full terms.

11 We have an agenda this morning that's
12 going to include various testifiers including two of
13 the current inmates here at the prison. And they
14 will be on in just a few minutes.

15 But first we would like to introduce the
16 members of the committee and guests who are seated
17 here at the table. And to my far right is Galina
18 Milohov. Next to her is seated Representative
19 Josephs, next to her is Don Walko from Allegheny
20 County. To my immediate right is Linda Bebko-Jones.
21 I am the chairman, Representative Birmelin. To my
22 left is Kathy Manderino, she is from Philadelphia
23 County. And we are in the district of the
24 representative to her left, and that is

1 Representative Teresa Brown because we are in
2 Crawford County; is that correct? I want to make
3 sure I get the right county. Crossing county lines
4 I'm not sure where I am sometimes.

5 But we will get the hearing started. I
6 would ask the panel members to keep in mind that we
7 have set a target time of noon today to try to
8 finish. And we will forge on as we can, I don't
9 want to cut your questions short when you have the
10 opportunity, neither do I want to belabor them and
11 spend an extraordinary amount of time on one
12 testifier. And if you would cooperate in that I
13 would appreciate that.

14 Our first testifier is Mr. Kaseem. If you
15 would come down, sir, and introduce yourself to the
16 panel and share with us your testimony, we'd
17 appreciate that.

18 Mr. Kaseem, we have you scheduled for
19 approximately 15 minutes and we'll try to do that as
20 much as we possibly can. If you would present your
21 testimony we would appreciate it. Thank you.

22 MR. KASEEM: Good morning. My name is
23 Wallie Abdul Kaseem and I would like to first of all
24 thank my State Representative Linda Bebko-Jones for

1 this opportunity to speak this morning. I'm very
2 grateful because I'm a recovering drug addict, also
3 I am an ex-offender.

4 And I'm here this morning because I truly
5 believe that as a recovering drug addict,
6 ex-offender, 52 years old, that I have been able to
7 clearly see that within the prison system there is
8 something awfully astray pertaining to the drug
9 addict and the simple idea that I myself 32 years
10 ago I was one of the first casualties of this war on
11 drugs.

12 And I say that in regards to the fact that
13 at the age of 21, high school graduate, honorable
14 discharge from the Air Force and working, my first
15 arrest in 1965 for two, two-ounce bags of heroin,
16 that's for my own use as an addict, I was sent to
17 Trenton State Prison for two to three years. And I
18 dare say that today in Pennsylvania this mentality
19 has not changed.

20 If we're using the word war on drugs I
21 pray in my heart that we be honest somewhere,
22 because in my own opinion what has been taking place
23 is a war on addicts. I have here statistics that
24 show that we have the highest number of people in

1 prison in the world, in the world. We are the
2 number one country in technology but we are low on
3 the totem pole when it comes to how we treat the
4 sick addicted addict in prison. And I dare say that
5 in my own opinion the war on drugs has been a war on
6 the drug addict.

7 I'm here in front of this board, the
8 Department of Corrections, it's very hard to correct
9 anyone in this institution when you have apples,
10 oranges, grapes, strawberries and rotten tomatoes in
11 the same pie.

12 One of the things has been taking place of
13 the states is the addict within the court system is
14 being given an option, an opportunity to make one of
15 two choices. Either he goes in to treatment or he
16 goes to prison. I myself never had the option of
17 treatment, I was always sent to prison and I was an
18 addict. I have learned a lot through the education
19 about drug addiction. Years ago we had an excuse.
20 In 1965 there was not the education and the American
21 Medical Association had not done extensive research
22 and had not implemented the policy that drug
23 addiction and alcoholism is a disease. Well, today
24 we don't have an excuse today. We do not have an

1 excuse today.

2 We have a young man a few weeks ago who
3 was given 30 to 60 years in prison, he's 23 years
4 old, a drug addict. I would dare say in 32 years of
5 going in these prisons various times I have cost
6 taxpayers close to a million dollars. Close to a
7 million dollars. And today the prison industry is
8 booming. And the product is sick people.

9 Next door to Pennsylvania they have
10 implemented drug courts. I dare say that somewhere
11 I believe that as taxpayers and concerned citizens
12 we're going to have to take a serious look at the
13 idea of lock 'em up, lock 'em up, lock 'em up, lock
14 'em up. And I dare say, let's be clear about who I
15 am talking about. I'm talking about the addict
16 who's in this prison for a non violent offense.
17 Over three-quarters of addicts in prisons are here
18 simply because they're addicts. Addicts kill.
19 Addicts kill to feed an addiction. Is being
20 addicted and having a disease that's been classified
21 as a disease by the American Medical Association
22 reason enough to take a person, lock 'em up, and
23 charge the taxpayers and feed the booming prison
24 industry?

1 After almost 30 years of this so called
2 war on drugs we have simply exploded the prison
3 population. And let me be very clear in my own
4 opinion. If you were serious about waging a war on
5 drugs, why would we wait until a crack addict on the
6 street corner with \$4.00 worth of crack cocaine,
7 wage the war on him? I have yet to hear in
8 Washington, D.C. from any legislator about
9 questioning those who supply the chemicals in order
10 to make cocaine.

11 Last year in Newsweek magazine they
12 accidentally took a picture of a jungle facility in
13 Columbia where they were producing cocaine. They
14 accidentally showed a chemical barrel, one of the
15 chemical barrels that they found. I would not call
16 out the name of the American company whose chemical
17 barrels is in those jungles, but I will say the name
18 of the company has three letters in it. Okay?

19 But I have yet to hear anyone say to the
20 industrialized countries who are supplying the
21 chemicals in order to make the cocaine, why aren't
22 we waging a war on those drug traffickers. You
23 cannot have cocaine without having the chemicals.

24 Once again, if I were waging a war on

1 drugs I would have a stringent program of at least
2 trying to contact those countries that include the
3 United States who are supplying the chemicals to
4 make cocaine. You cannot make cocaine to get on
5 your street corners without having the chemicals.
6 Why aren't we confronting, or at least being
7 inquisitive as to how are these chemical barrels
8 getting in to these jungles to produce cocaine. To
9 make two or three hundred kilos of cocaine you must
10 have a lot of chemicals. But what we have today in
11 these prisons, we have the casualties, the victims
12 of these this farce. This is a farce. Out of 25
13 years what have we proven?

14 I dare say other states now are beginning
15 to realize maybe we just might have to try something
16 different. Maybe we just might have to say let's
17 burden on the addict. If I was sitting there the
18 burden that was put on me almost six years ago I've
19 been clean six years, they made me get responsible.
20 If you want to put a burden on an addict make the
21 addict responsible for his recovery. And this is
22 one of the things that I pray this morning that we
23 can carry back to Harrisburg, that we can think
24 about in regards to where we are today and where we

1 might be next year if we don't realize that there
2 are other states who are doing this.

3 Florida, which I would consider the
4 cocaine capital of America, has started a drug
5 court. Florida is taking the drug addict who has
6 been arrested with a non violent, and I emphasize
7 non violent offense, most addicts are arrested for
8 being non violent as far as the crime is concerned,
9 stealing, possession, you have people in this prison
10 who are here for stealing four, five dollars, ten or
11 fifteen dollars worth of gum out of a store, they're
12 in this prison. The taxpayers are being totally
13 fleeced.

14 No one should even image that taking an
15 addict and continuously locking him up in prison
16 deals with the problems of addiction. I'm simply
17 saying that in 1997 it's not working. It didn't
18 work in 1965, I'm one of the casualties of it.

19 Today I recognize I'm responsible for my
20 behavior, I'm responsible for my conduct. But I
21 dare say if we're going to lock up the addict let's
22 at least give him or her the alternative in the
23 court system. And this is not nothing that
24 Pennsylvania can experiment with. Other states are

1 already doing this. They're already doing this.

2 Our sister state next door, New Jersey, is
3 doing this, Florida is doing this. And I'm simply
4 saying that to continuously pack these prisons to
5 the point of no return is not solving the problem.
6 It's not solving the problem.

7 By the Grace of God I have been able to go
8 under treatment to follow continuously a 12-step
9 program, and today I sit here as a taxpaying member
10 of society. These are my tax dollars now I'm
11 talking about. And that's something I can smile
12 about. At one time I was on the other side of the
13 fence. But now I'm talking about my tax dollars. I
14 don't want to have to take care of this fellow who's
15 23 years old is ridiculous. He's not dead yet, he
16 has a chance. He's an addict. He told the judge, I
17 am a crack addict. And there is things today going
18 on involving information those of us who have been
19 in the system, who have been blessed to now have
20 recovered back on the right side of society, able to
21 come back now and to contribute. There are vast
22 sources of information that we can share. And we
23 feel that, you know, we pray that we can be
24 realized.

1 Thank you.

2 REPRESENTATIVE BIRMELIN: Thank you
3 Mr. Kaseem.

4 Mary Beth Marsh, are you up there? Mary
5 Beth, could you come down here for a minute?

6 Members of the panel, I would ask you if
7 you have any questions to make them brief, if
8 possible, so we can keep the hearing moving. And
9 I'll start with Representative Babette Josephs.

10 REPRESENTATIVE JOSEPHS: I don't have any
11 questions. I just want to thank you for giving us
12 the benefit of your thoughts. And it's not easy to
13 reveal your personal history and I appreciate that
14 and I thank you for being here. And I agree with
15 you, by the way.

16 REPRESENTATIVE BIRMELIN: Thank you.

17 Representative Walko.

18 REPRESENTATIVE WALKO: Thank you,
19 Mr. Chairman.

20 Mr. Kaseem, I was just wondering, would
21 you go in to more detail of non violent, the
22 definition of non violent?

23 MR. KASEEM: Stealing. What's called
24 going to a store, an example, you have a fellow two

1 months ago who went in to a grocery store, he stoled
2 \$6.00 worth of steaks. He got 11 and a half to 23
3 months in prison. He's an addict. Addicts steal.
4 Addicts steal. Okay? There is a great difference
5 between a violent crime and a non violent crime.

6 I am specifically relating to non violent
7 offenses that do not involve violence. Most addicts
8 are in prison for non violent offenses, possession
9 of cocaine, selling cocaine to another addict to get
10 more cocaine. These are drug dealers, we're not
11 talking about a guy, people are riding in Rolls
12 Royces or Cadillacs. These are bums, \$4.00 crack
13 addicts. This fellow who got 30 to 60 years, here's
14 a burglary, he's a thief but he's an addict.

15 REPRESENTATIVE WALKO: I was wondering the
16 cost of the counsel, the job counsel and the other
17 counseling. And perhaps the probation staff which
18 would be required to monitor the treatment and
19 perhaps even restitution to the victim of the non
20 violent crime, pay back, what would be the cost per
21 year, if you have that, what would be the cost per
22 year of such a program?

23 MR. KASEEM: Let me say this. It cost us
24 a minimum of \$35,000 a year to keep me in prison.

1 So if you're talking about money wise, in my own
2 estimate, it would not cost \$35,000 a year to take a
3 person who's arrested for stealing two or three
4 steaks and direct him from the court system in to
5 treatment and in to a mandatory drug testing, direct
6 him to counseling outside the prison system, direct
7 him to job counseling, direct him in to a job. How
8 can you make restitution if you've got 30 years in
9 prison. By the time he gets out he's going to be 55
10 years old, he might be dead.

11 REPRESENTATIVE WALKO: And I'm just
12 playing devil's advocate. What would you say to a
13 constituent, a voter, a regular person or any person
14 who would say, well, we don't want this to happen in
15 our communities and we want to lock them up and
16 throw away the key, and we don't want them to be out
17 there stealing again, therefore, we want them locked
18 up, what do you say to them?

19 MR. KASEEM: It is far more reasonable for
20 a taxpayer to have some sort of education as to,
21 number one, you're paying for this. Now, if you're
22 saying that, the question, there is not any
23 community I can think of that this crack cocaine has
24 not infected. So if you're talking about a

1 community we're not talking about people who are not
2 able to function in society, okay? We're talking
3 about people who have a disease, addiction, and with
4 treatment would become functional taxpaying
5 contributors to society.

6 So if you're talking about our next door
7 neighbor, in fact, one of my friends who's a county
8 detective, his sister is a crack addict. See, we're
9 talking about a disease, an addiction that has
10 infected or affected across the board a lot of
11 people.

12 REPRESENTATIVE WALKO: Thank you very
13 much.

14 Thank you, Mr. Chairman.

15 REPRESENTATIVE BIRMELIN: Representative
16 Bebko-Jones.

17 Good morning, Wallie, how are you?

18 I want to thank you very much for being
19 here this morning. I was wondering if you could
20 share with us, you said that there are several other
21 states that have the drug courts, Pennsylvania is
22 not one of them. The particular one that you were
23 talking about, is that from Delaware, New Jersey,
24 Florida, and are the three states that I indicated

1 to you, are they the same operation, do they run the
2 drug courts all the same way? How was it being paid
3 for? What are the results since these states
4 established drug courts?

5 MR. KASEEM: By federal dollars the number
6 of drug courts in both has tripled in the past year.
7 The Clinton administration has approved \$75 million
8 for drug courts in the fiscal year 1998. A 150
9 percent increase over 1997. If it gets approved
10 it's expenditure more than one million of that money
11 is earmarked for New Jersey to build up or expand,
12 and Camden County. The superior court program in
13 Camden County is expected to receive \$85,000 to
14 expend for 50 to 500 offenders to provide for a full
15 array of -- so my research has shown me that the
16 federal government itself is slowly knowing, because
17 the input it's receiving from those states who have
18 implemented drug courts, the idea of helping.
19 Because the federal government has realized that
20 this lock 'em up and throw them away is not working.

21 REPRESENTATIVE BEBKO-JONES: So the
22 federal dollars are coming down from the states if
23 we apply for them; is that correct?

24 MR. KASEEM: This is what I understand.

1 REPRESENTATIVE BEBKO-JONES: Have you
2 spoken to anyone in our court systems in Erie and
3 Erie County regarding drug courts?

4 MR. KASEEM: I wrote Chief Judge Boza, I
5 haven't received a reply yet. I've been in contact
6 with Judge Conley and they are consulting each
7 other, but I'm waiting on a reply.

8 REPRESENTATIVE BEBKO-JONES: Are you aware
9 that Erie County has applied for funding, I believe
10 it's from the crime and delinquency in Pennsylvania,
11 for a grant to establish a drug court? They
12 submitted a proposal recently?

13 MR. KASEEM: I'm glad to hear that.

14 REPRESENTATIVE BEBKO-JONES: Yes. If you
15 would like you can contact, I believe her name is
16 Patty Lightner in adult probation who had submitted
17 the proposal. I do not know the specifics of it or
18 what state -- and if it's one that you are pursuing
19 here.

20 MR. KASEEM: Thank you.

21 REPRESENTATIVE BEBKO-JONES: Thank you
22 very much.

23 REPRESENTATIVE BIRMELIN: Representative
24 Manderino.

1 REPRESENTATIVE MANDERINO: Thank you.
2 Congratulations on your six years of being clean.

3 And my only question which you can answer
4 briefly is, when you finally got clean and got
5 effective treatment, I'm assuming in what setting
6 did you get that treatment, and was it in prison?
7 And if not, during the various times that you were
8 in prison what effective treatment did you or did
9 you not receive?

10 MR. KASEEM: Treatment years ago was
11 prison. That was treatment.

12 REPRESENTATIVE MANDERINO: I understand
13 that.

14 MR. KASEEM: And I'm saying that that
15 hasn't changed that much today.

16 REPRESENTATIVE MANDERINO: Let me just
17 refocus you because I, I understand all that. That
18 you've been clean since '90, I heard you say.

19 MR. KASEEM: '92.

20 REPRESENTATIVE MANDERINO: Were you
21 incarcerated just previous to that?

22 MR. KASEEM: Yes.

23 REPRESENTATIVE MANDERINO: Did you get
24 treatment when you were in prison?

1 MR. KASEEM: No.

2 REPRESENTATIVE MANDERINO: So you got the
3 treatment that got you clean once you got out?

4 MR. KASEEM: Right.

5 REPRESENTATIVE MANDERINO: Thank you.

6 REPRESENTATIVE BIRMELIN: Thank you very
7 much for your testimony.

8 Our next two testifiers are currently
9 inmates at Cambridge Springs, they are Ronsa Boyd
10 and Yvonne Wright, and if you ladies would come
11 down, please.

12 REPRESENTATIVE BIRMELIN: Ronsa.

13 MS. BOYD: My name is Ronsa Boyd.

14 REPRESENTATIVE BIRMELIN: I thought so.
15 And it's spelled R-o-n-s-a?

16 MS. BOYD: Yes, it is.

17 REPRESENTATIVE BIRMELIN: B-o-y-d?

18 MS. BOYD: Yes, it is.

19 REPRESENTATIVE BIRMELIN: For the
20 stenographer's benefit.

21 You ladies will be sharing the same
22 microphone so you may need to scoot it back and
23 forth between you as you speak. If you would please
24 remember to do that.

1 This is for the benefit of the PA system
2 so everybody can hear you, as well as Pennsylvania
3 Cable Network which is televising these, it's being
4 tape recorded and shown across the state.

5 Yvonne, your last name is Wright?

6 MS. WRIGHT: Yes, it is.

7 REPRESENTATIVE BIRMELIN: And Y-v-o-n-n-e,
8 last name W-r-i-g-h-t?

9 MS. WRIGHT: Yes, it is.

10 REPRESENTATIVE BIRMELIN: Just for the
11 benefit of those on the committee I had the
12 opportunity, as well as Representative Josephs and
13 Chief Counsel Preski to meet with these two ladies
14 on Monday to discuss their testimony. At that point
15 in time they didn't know they were going to testify
16 but they graciously consented to come and talk with
17 us this morning. I'm not sure how much they have
18 prepared in those two days to share with you, but I
19 did let them know that you would be asking them
20 questions. And we would like to allow them as much
21 time as possible within reason. And my estimation
22 that's about an hour. So I think we can do this
23 fairly well within an hour with these two witnesses.

24 I will tell you, we made some changes to

1 the agenda that you may have gotten two days ago.
2 Rather than having different people who are also
3 scheduled to testify come in at intervals, we are
4 asking all of the correction people to come in at
5 once as a panel at approximately 11:00 o'clock since
6 it is approximately 10:00 o'clock now. We thought
7 that would be a time saver, and in the way of
8 expediting the questioning so that we aren't asking
9 one witness to testify about something a previous
10 one had said and having to retrieve that memory in
11 their memory banks. So if you have any concerns
12 about the agenda and you want to do that in a side
13 bar with me I'll be glad to do that.

14 But as for now we have these two ladies,
15 Ronsa and Yvonne, if we may call you by your first
16 names, it would be easier for us.

17 Ronsa, why don't you go first with any
18 prepared statements you have to make and then we'll
19 let Yvonne do the same and then we'll open up for
20 questions. Don't be afraid.

21 MS. BOYD: I made some crib notes but I
22 did not prepare anything. I would prefer to answer
23 questions and hopefully I will be able to get
24 everything I would like to say in answering your

1 questions.

2 REPRESENTATIVE BIRMELIN: Let me just ask
3 you to answer a couple real quick questions so the
4 panel has a little understanding of your background.

5 Could you tell us the crime for which you
6 were committed to this institution? How long you
7 have been serving? When you are due to, scheduled
8 to be eligible for parole? And what have you been
9 doing since you've been in this institution?

10 MS. BOYD: Okay. I have been incarcerated
11 almost nine years. I have been incarcerated nine
12 years, five at, five and a half at Muncy. I've been
13 here about three and a half years. My crime was
14 violent. I was convicted of aggravated assault,
15 reckless endangerment, possession of an instrument
16 of crime. And my sentence, my total sentence is 12
17 years to 24 years. I have three more to go. My
18 expectations are to go to a prerelease center. I
19 think that's best for me and it certainly is best
20 for society for someone who has been incarcerated
21 this length of time who was told when to get up,
22 when to eat and when to go to bed, whose life has
23 been strictly monitored and regulated, that going to
24 a center where I will still be observed and have

1 rules and regulations but I am allowed more freedom
2 to use my own choice making process, and then if I
3 make something, do something wrong or inappropriate
4 then they will correct it there before I actually
5 come out in to society.

6 I haven't shopped in a store or taken
7 anything to the drycleaner or walked a street, and
8 quite frankly, the idea of going out in to society
9 after 12 years of incarceration without a helping
10 hand is quite frightening. So I'm a firm believer
11 in the prerelease process.

12 While I have been incarcerated my working,
13 I have a college background so I usually do clerk
14 jobs, cost accounting and sewing factory which is at
15 correctional industries at Muncy which was an
16 excellent job skill. I currently am a law clerk in
17 the library here. I have taken stress and anger
18 groups, an excellent program that has been initiated
19 in this institution as a victim awareness group.

20 And through private therapy I realize the
21 impact of my crime upon my victim and society. But
22 taking this course initiated by our inmate program
23 manager, Dave Roberts and several other people, it
24 really and truly opened my eyes as to the impact on

1 society and an individual, is something that my
2 crime -- and we started there and went all the way
3 through murder, and we heard testimony from victims
4 and family members. It was just an excellent,
5 excellent program. And I'm waiting to get in to
6 advanced stress and anger and codependency here. So
7 this is, these are sort of my goals and where I have
8 been.

9 REPRESENTATIVE BIRMELIN: Thank you.

10 Yvonne.

11 MS. WRIGHT: I'm really nervous.

12 I've been incarcerated here since 1993.

13 My crime was theft by unlawful taking. One
14 prostitution charge which these were probation
15 violations following state parole which I max'ed out
16 on my state parole during the time I was in Erie
17 County Prison. I went before both Judges
18 Domitrovich and Juliani. Took me off the state
19 supervision and Judge Domitrovich revoked my
20 probation and sentenced me to two to five years and
21 I'm on my fifth year and I will be max'ed out in
22 November.

23 The reason that I'm still here is because
24 in 1994 of October, October 16, I went on a furlough

1 and I returned with a dirty urine from cocaine. I
2 did 13 months here that was given to me by the
3 board, and in March of last year I was paroled
4 again. And given another urine testing and my urine
5 came up dirty for barbiturates was an untrue fact,
6 and I tried to fight it but it did me no good. I
7 hired attorneys and everything and I also wrote one
8 of the state representatives.

9 I've taken all the programs here, relapse
10 prevention, DNA and everything, I've done
11 everything. Now I'm just waiting. I just recently
12 found out that I'm bipolar and I'm trying to get in
13 to a program which is called Stairways in Erie and
14 see if I can, you know, credit some of the problems
15 and flashbacks that I've been having here lately,
16 going out, being behind this fence for so long and
17 also as a child. And I don't have a violent crime
18 or anything like that.

19 REPRESENTATIVE BIRMELIN: Thank you,
20 ladies.

21 We'll start our questioning with
22 Representative Brown. Do you have any questions?

23 REPRESENTATIVE BROWN: I have no
24 questions.

1 REPRESENTATIVE BIRMELIN: Representative
2 Josephs.

3 REPRESENTATIVE JOSEPHS: Thank you. Thank
4 you, Mr. Chairman.

5 Thank you, ladies. We're all nervous too,
6 we just hide it better so don't worry about it.

7 I'm not sure, Ms. Wright, if I got all of
8 the progressions of your history because I'm not all
9 that familiar. If you would go over a little bit
10 more slowly for me I think I would --

11 MS. WRIGHT: I'm sorry, did I talk too
12 fast? What happened to me, I was accused of theft
13 by unlawful taking and prostitution. Okay? And
14 then I said I was, I found out recently that I am
15 bipolar which is manic depressive. I should have
16 told you, at this time I'm taking medication, all
17 right, which is Valium. And I'm taking three number
18 10 Valiums a day. And I was on Prozac but the
19 Prozac didn't work for me, it made me sick. So they
20 took me off the Prozac so now I'm on no medication,
21 this is the reason I'm up and I'm down, okay.

22 And I was, I had a dirty urine on furlough
23 which was in 1994. I was given a 13-month setback
24 which I served misconduct free and then I seen a

1 parole board again and was paroled. I received a
2 green sheet in February of '96. I took a urine on
3 March the 6th of '96, six days later the urine came
4 back dirty for barbiturates which I was on no
5 medication. And I tried to fight the situation but
6 I had no success. I asked the superintendent here
7 at the institution to let me pay for hair follicle
8 sampling because my urine was not dirty, I knew I
9 hadn't taken anything. And I was refused of the
10 things that I asked for.

11 A letter was also sent here by Foster
12 Stewart, and also the ACLU that I had written to, if
13 you'd like me to read it, it says, thank you for
14 contacting the ACLU with your complaint about drug
15 testing at state correctional institutions. We
16 apologize for the unavoidable delay in attending to
17 your request. I have reviewed your complaint and I
18 am sorry to hear of the difficulties that you are
19 having. I suggest that you write Stephon Prestor,
20 Esquire, who's monitoring general correction issues
21 at Cambridge Springs State Correctional Institute.
22 These issues include violence, access to the law
23 library, educational programs, vocational programs,
24 inmate safety and sex offender programs.

1 And that's the answer, you know, that I
2 got from them, plus, you know, some other answers
3 that I got that didn't really go anywhere because I
4 wasn't believed. And I didn't have a chance to
5 prove that I was not guilty of having a dirty urine.

6 I was told that the institution, I'm
7 trying to figure out how they said it, it wasn't
8 available, the hair follicle sampling here at the
9 institution. I said, well, I'll pay for it and
10 then, you know, maybe you can send it someplace, or
11 do a DNA because I didn't have a dirty urine. And I
12 don't think it's fair I sit here in the hole for 60
13 days and I didn't do anything wrong. And I was
14 denied. So I then received another green sheet
15 which said to complete my maximum sentence which is
16 November the 3rd of this year. Did I do that okay?

17 REPRESENTATIVE JOSEPHS: It's not your
18 fault, it's just because I'm not as familiar with
19 these things as I perhaps ought to be.

20 Did you ever write Mr. Preston --

21 MS. WRIGHT: Yes, I did.

22 Dear, Mrs. Wright, I sincerely regret the
23 delay in this response to your letter dated August
24 the 15th concerning the results of the urine test

1 and its impact on your standing before the parole
2 board. As you will see from the enclosed newspaper
3 clipping -- which I didn't bring, it wasn't
4 important -- this office recently settled a major
5 federal class action lawsuit entitled Austin versus
6 Pennsylvania Department of Corrections, which will
7 improve the conditions of confinement for all men
8 and women incarcerated by the DOC.

9 Because this litigation has been an
10 enormous undertaking for our small office we are not
11 at this time able to provide you individual counsel.
12 Given your circumstances, however, I recommend that
13 you file a grievance via your institutional internal
14 grievance system -- which would do me no good
15 because they didn't want to hear it. I had the
16 dirty urine, that's what they said it was and that
17 was it.

18 I also have one more thing. Okay? This
19 letter was addressed from the attorney that I hired
20 in Pittsburgh, his name was Foster Stewart. It
21 says, Dear Superintendent Wolfe, I am writing you to
22 request that I be sent medical records of an inmate
23 at your institution, Yvonne Wright. Ms. Wright has
24 asked that I look in to the questionable urinalysis

1 that was performed on her during the past calendar
2 year. As you will notice Ms. Wright has executed an
3 authorization form for my use.

4 That was power of attorney that I had
5 given to him.

6 At this time we anticipate no legal action
7 involving the institution and are simply interested
8 in preserving the records and possibly samples for
9 the review of testing procedures. The materials we
10 need are, copies of lab reports from 11/95 to 4/96,
11 copies of MARS from 11/95 to 4/96, Med-Path Lab
12 Report of March 15th, 1996, address of Med-Path
13 Laboratory to which specimens are sent for this
14 analysis. I enclose my check for \$20.00 to cover
15 the cost of duplication. Please let me know if the
16 cost exceeds this amount.

17 This was the response to that letter.

18 Dear Yvonne, I received a letter from
19 William A. Barr with return of my check of \$20.00.
20 Apparently the office of the chief counsel, Dan
21 Perlman, apparently decided they would not send the
22 department records concerning the lab reports of the
23 MARS form nor the address of Med-Path Laboratories.
24 At this point it looks as though they have ended

1 this as we can't do very much without the records.

2 REPRESENTATIVE JOSEPHS: All right. I
3 think I don't want to pursue this any more, I think
4 you've made it pretty clear what happened there.

5 If I could go to slightly a different
6 topic, as Mr. Chairman noted, Representative
7 Birmelin, the two of us and chief counsel had a
8 chance to talk with both of you on Monday in order
9 to ask you if you would appear. At that time I was
10 struck that, and I believe this is the case, that
11 both of you said separately to us, without any
12 prompting, that although this is a minimum security
13 facility that if you had the opportunity you would
14 go, you would ask, you would be transferred back to
15 Muncy which is a maximum security facility, and
16 which I have been in and which I know is a fallen
17 environment which is much harsher, drabber, bleak,
18 it's overcrowded. If you would one at a time in any
19 order you would like, please explain those feelings
20 to us. I think it would be helpful to this panel.

21 MS. WRIGHT: The reason I feel that I
22 would rather be in Muncy is because the institution
23 is more consistent. Here we have a change of rule
24 every other day, every other minute. Each officer

1 has their own rule, you know, they throw bricks at
2 DOC policy, they write you up for all types of petty
3 things. They look for things.

4 And at Muncy they didn't do that. You
5 know, we knew what we had to do, we knew what, where
6 we had to go, we knew when we had to do it and we
7 knew how we had to do it. Here you might be doing
8 one thing one way today, tomorrow it's a complete
9 change. And it doesn't do anything but stress you
10 out and keep you confused.

11 I would rather be locked down behind a
12 door and know what to expect and when I have to do
13 it, than to wake up every day wondering, oh, well,
14 what do I do today. You know, if I go over here am
15 I going to be wrong, am I going to get a misconduct.
16 There are too many misconducts in Cambridge Springs.

17 MS. BOYD: I have to add a little more. I
18 would too like to go back to Muncy because of the
19 consistency that the staff follow as far as rules
20 and regulations. I have written often, I have
21 spoken with the administration on tours and
22 complained about the inconsistency and officers
23 creating policy. And it's just gone on deaf ears.

24 And I would also like to go back to Muncy

1 and, not because I want to live in the run down
2 environment or eat the food that's not really
3 edible. I believe the opportunity for prerelease
4 would be far greater there. I believe they still
5 offer work release. There is a correctional
6 industry there that I worked in prior to coming here
7 and I was able to make anywhere from 125 to 150 a
8 month. With that money I bought my own food, my own
9 shampoo, my own laundry detergent, my personal
10 clothing that is as of November well, no longer be
11 able to have. But I still would be able to care for
12 myself. And save money.

13 I came in to this institution with a
14 little bit of money saved. That money is important
15 upon my release. Somewhere I have to rent, come up
16 with transportation, be able to pay for utilities,
17 this sort of thing when I get out of here. To walk
18 out of here with no money is a disaster and it's a
19 disaster for me and it's a disaster for society.
20 And that is not offered here.

21 Prerelease is very minimal here. And
22 there is no correctional industries, and very little
23 vocational training. And I would live in an
24 asbestos ridden, lead paint on the wall environment

1 and risk my chances at dietary to go back to be
2 treated as a human being, to have possibility of
3 work release, education release and prerelease. And
4 for that I would give up the spacious room I live in
5 with a private bathroom and, and very good
6 institutional food. But I would give that all up to
7 go back because that isn't going to prepare me to go
8 out in to the world and contribute to it.

9 REPRESENTATIVE JOSEPHS: I have one more.

10 I recently read a series of newspaper
11 articles about trials and convictions here of
12 various guards and supervisors, instructors and so
13 on, who were convicted of various aspects having to
14 do with sexual abuse and sexual exploitation of
15 prisoners, of the women inmates. This may be a
16 question that's difficult for you to even answer and
17 I would understand that.

18 But if either one of you have been a
19 victim of any of this, perhaps you would like to
20 tell us about it. And if not I would be happy for
21 any of your observations of that situation,
22 including whether the same thing happens, to your
23 knowledge, at the other institution that you were
24 at.

1 MS. WRIGHT: In my eyesight those things
2 that have happened here, you know, as far as the sex
3 offending thing, I never noticed it, okay. There
4 was one particular officer which was probably the
5 first, second officer, am I supposed to call names
6 here?

7 REPRESENTATIVE MANDERINO: If you don't,
8 go ahead, I have the names here.

9 MS. WRIGHT: I will say Officer Eichert,
10 for instance, I knew him very well. During the time
11 that Lisa Lambert was in this institution she worked
12 with me in the laundry. I'm quite sure she was, she
13 was a beautiful girl and he liked her, you know. He
14 had a little crush on her and I knew that. But I
15 never saw that man touch her, because I'm very nosy,
16 I'm very very nosy. And when he would come up there
17 to the laundry where we worked, they would go, maybe
18 in the back room and talk, you know, or something
19 like that. But I have never even seen him touch her
20 hand, because I peak, you know, and I listen. And I
21 don't believe that he did what she said he had did.
22 You know, what people said he did. Then maybe again
23 he did. But as far as I'm concerned I don't believe
24 it. You know, and I could be wrong.

1 Mr. Martin, Marty Miller, I don't know
2 anything about him because he was on maintenance, I
3 worked with him for a short time during the time my
4 boss, Mr. Wiqueen, was gone on vacation. He was
5 very friendly, he was not fresh, you know. And if
6 he was coerced, you know, it was an inmate's fault.
7 This is my feeling about it.

8 Because these women can be kind of
9 seductive, you know, act seductive. And then once
10 something happens they blame it all on the employee.
11 I don't think it's fair, but, well, look at me,
12 nothing like that has ever happened to me, maybe
13 nobody liked me either. You know.

14 MS. BOYD: I can also say that no one has
15 approached me. When I got here June of '94 there
16 were about 20, 25 women here. I did not witness
17 anything, but it was certainly common gossip that
18 there was a relationship going on between
19 Ms. Lambert and Mr. Eichert. Many people talked to
20 me openly about a relationship and propositions with
21 maintenance people and their female employees. But
22 again, I didn't witness any of this.

23 When I later got my job in the library a
24 number of women would come to me and say, this

1 person said this to me, my boss said this to me, my,
2 you know, he touched me, what do I do about this.
3 And I would tell them, you know, what to do as far
4 as writing and complaining. I think that perhaps
5 this should have been investigated a little sooner
6 than what it was.

7 There were many many rumors about some of
8 the problems in maintenance and with the other
9 situation. And perhaps better training. I do know
10 that many of the women come from the street and
11 perhaps are not taught proper morals and such, but
12 the responsibility lies with the staff. And if they
13 are approached by a female then they are to deal
14 with it in an appropriate manner, not to take
15 advantage of that inmate who perhaps does not know
16 it's improper behavior. I know that there are many
17 women here like that, but I still believe the
18 responsibility lies with the staff to not allow this
19 to go on.

20 REPRESENTATIVE JOSEPHS: Thank you.

21 Thank you, Mr. Chairman.

22 REPRESENTATIVE BIRMELIN: Thank you.

23 Representative Manderino.

24 REPRESENTATIVE MANDERINO: Thank you,

1 Mr. Chairman. Thank you, women, for coming here.

2 Let me make sure I have a time frame
3 right. Miss Boyd, you've been here since June of
4 '94, and the institution opened about a year
5 earlier?

6 MS. BOYD: Yes, year and a half earlier.

7 REPRESENTATIVE MANDERINO: And,
8 Ms. Wright, you have been here I realized that you
9 were released and then brought back. But from what
10 beginning point were you here.

11 MS. WRIGHT: I was never released from
12 here. I went on a furlough from here, but I came
13 here February of 1993.

14 REPRESENTATIVE MANDERINO: So that you
15 were one of the first who were here?

16 MS. WRIGHT: Yes.

17 REPRESENTATIVE MANDERINO: And when you
18 say you will be max'ed out in November, that means
19 after November there is no way they can bring you
20 back whether it's for a petty misconduct, another
21 dirty urine or alleged dirty urine, or anything like
22 that?

23 MS. WRIGHT: That's correct.

24 REPRESENTATIVE MANDERINO: Following up on

1 where Representative Josephs left off, I guess the
2 incidents in '94 with Mr. Eichert was the first
3 incident that got reported, and which there was a
4 court case about coming from this institution, am I
5 correct with my time frame?

6 MS. WRIGHT: I don't think so. There was
7 the kitchen worker first.

8 REPRESENTATIVE MANDERINO: So Walton was
9 first?

10 MS. WRIGHT: That's correct.

11 REPRESENTATIVE MANDERINO: Walton then
12 Eichert then Barr than Miller, is that your
13 understanding of the order?

14 MS. WRIGHT: Um-hum.

15 REPRESENTATIVE MANDERINO: With the first
16 instance I guess with Mr. Walton who was a food
17 service supervisor, were both of you here at the
18 time?

19 MS. WRIGHT: I was here.

20 MS. BOYD: So was I. Working in the
21 kitchen.

22 REPRESENTATIVE MANDERINO: Prior to that
23 incident coming to the light of day, were there
24 rumors around the institution that you as inmates

1 knew about with regard to anything inappropriate
2 going on in that food service area?

3 MS. WRIGHT: I never heard a think about
4 it.

5 MS. BOYD: I don't remember. I don't
6 believe so.

7 REPRESENTATIVE MANDERINO: After the
8 incident came to light with Mr. Walton did you
9 notice any -- the prisoner that was involved with
10 Walton I assume was somebody who worked under him,
11 that was their work detail was to work in the food
12 area. Were there any changes that you, were either
13 of you working in that area?

14 MS. BOYD: I worked in the kitchen at that
15 time, yes.

16 REPRESENTATIVE MANDERINO: Were there any
17 changes in procedures or policies or supervision or
18 anything that happened after that incident and as a
19 result of that incident to improve either
20 supervision, monitoring, or something where someone
21 above the food service supervisor would know what
22 was going on with the direct supervisor of inmates?

23 MS. BOYD: There could have been. Not to
24 my knowledge.

1 REPRESENTATIVE MANDERINO: You were not
2 aware?

3 MS. BOYD: No.

4 REPRESENTATIVE MANDERINO: You didn't
5 notice any changes in the day-to-day way that that
6 area operated?

7 MS. BOYD: No, the area I worked in
8 operated the exact same way.

9 REPRESENTATIVE MANDERINO: With regard to
10 Mr. Eichert, the details that I had didn't say
11 exactly where the alleged, or where the incidents
12 took place, only that they were numerous and they
13 dated from March through October of '94. But I got
14 the impression, Ms. Boyd, from what you said that
15 they happened during, when somebody was in a
16 program?

17 MS. WRIGHT: No, it was during a time that
18 I worked in the laundry. I worked in what they call
19 the central laundry. And he would come up, like,
20 you know, they have OP, IP, and they make rounds and
21 they stop in, like in the winter, and he would come
22 in, you know, to get warm, drink a cup of coffee.
23 And they would go in the rear and talk, you know.
24 No touching, like I said, that I seen.

1 And it was, I was surprised because I was
2 in the RHX with Lisa Lambert. We were next door to
3 each other. And he came to the RHU and she just
4 said, Yvonne, tell him don't say anything. And that
5 was it. And I did as she asked. I said she said,
6 don't say anything.

7 REPRESENTATIVE MANDERINO: In that case
8 both of you I think suggested or said that there
9 were in that case rumors, or at least, Ms. Boyd, you
10 heard rumors around the institution of a liaison or
11 something going on there.

12 After that issue came to light and became
13 public did you notice any change, any new directives
14 from the institution from top management on down
15 with regard to how prison guards were to circulate
16 throughout the prison, any changes in policy or
17 supervision, any shifting of personnel, any doubling
18 up of personnel or changes in terms of who can be
19 where or how people can circulate or interact
20 throughout the prison? Did either of you notice any
21 changes of that kind?

22 MS. WRIGHT: I didn't notice any. I don't
23 know whether Ronsa did or not.

24 MS. BOYD: I don't know if it was exactly

1 at the same time, but some of the movement times
2 were enforced. There has always been a five-minute
3 movement time from one place to another, and I
4 believe this, perhaps about that time, was more
5 strictly enforced. We used to have an open
6 breakfast period of about 45 minutes and that was
7 changed. I'm not sure if it was exactly at that
8 time. But a little, a little tighter security I
9 believe was brought about.

10 And I would say approximately in that time
11 frame as to where we went and who knew we were going
12 there and that sort of thing. In this time frame,
13 '94, '95 there were a lot of open areas. When I
14 came here in '94, June of '94 the top of this
15 housing unit, the level 3 and level 4 were empty.
16 And we were just moving in to that. There was a lot
17 of empty areas available to liaisons if one wanted
18 to do that. This building over here, we called it,
19 nicknamed Freddy's, is still vacant. New women's
20 dorm which is new, but at the time was empty, so if
21 you were escorted by an officer someplace no one
22 questioned that.

23 I mean, again, I'm back to believe it's
24 the officer's responsibility here, not necessarily

1 the inmate. You're going to find willing female
2 inmates here all the time. But it's back to the
3 officer to watch that sort of behavior.

4 REPRESENTATIVE MANDERINO: As best I could
5 determine from reading news accounts, the next
6 incident that happened here at SCI-Cambridge Springs
7 involved a staff person by the name of William Barr,
8 but I have no other information, I don't know if
9 that's a staff person, William Barr fired a few
10 months before prison officials accused him of -- are
11 either of you familiar with that name or that
12 incident?

13 MS. WRIGHT: The only William Barr I know
14 is the superintendent assistant and he's here right
15 now.

16 REPRESENTATIVE MANDERINO: I'm only
17 telling you what I read in the paper. I'll ask that
18 of someone else.

19 The next incident I read about was Martin
20 Miller's, ex plumbing trades instructor. And I
21 assume because that was a 1996 -- 1996 incident that
22 both of you were here. And I guess I would ask you
23 the same question I asked you with regard to the
24 prior instances. Did you prior to that incident

1 becoming public did you hear any rumors or rumblings
2 around the prison among inmates or staff that that
3 incident was going on?

4 MS. BOYD: When I got here in '94 the
5 stories about Marty Miller were all over campus.
6 That's -- I --

7 REPRESENTATIVE MANDERINO: So '94 the
8 rumors were all over campus, did I hear you right?

9 MS. BOYD: Yes. He was a toucher and a
10 feeler and -- there is another incident, I don't
11 recall his title, he was, his last name was
12 Zimmerman, head of maintenance, or assistants.

13 REPRESENTATIVE MANDERINO: What was the
14 name?

15 MS. BOYD: His last name was Zimmerman and
16 he was involved, this was in '94, also not too long
17 after I got here. The lady he was involved with
18 lived out in the area I was housed in. She was at a
19 center and called back and went right back to her
20 immediate job which was apparently his secretary, or
21 clerk or something. And once again was gone for odd
22 hours in the evening. And then she was sent back,
23 she was sent to Muncy and he has left the
24 institution.

1 REPRESENTATIVE MANDERINO: After the
2 incident with Mr. Miller came to public light?

3 MS. BOYD: No, Mr. Zimmerman is the very
4 first one I'm aware of. That happened while I was
5 here. This was in, I believe, maybe late '94.

6 REPRESENTATIVE MANDERINO: Was there an
7 actual court trial and conviction?

8 MS. BOYD: No.

9 MS. WRIGHT: He resigned.

10 REPRESENTATIVE MANDERINO: What was that
11 time frame?

12 MS. WRIGHT: That had to be, it had to be
13 the latter part of '94.

14 REPRESENTATIVE MANDERINO: So after
15 Eichert and Lambert but before Walton?

16 MS. WRIGHT: Yes.

17 MS. BOYD: Yeah, I think Mr. Zimmerman
18 was, yes.

19 REPRESENTATIVE MANDERINO: And then
20 finally, I guess, am I correct to the best of your
21 knowledge the last incident of sexual misconduct
22 that at least has become a public incident is the
23 one involving Mr. Miller?

24 MS. BOYD: I believe so.

1 MS. WRIGHT: Yes.

2 MS. BOYD: Yeah.

3 REPRESENTATIVE MANDERINO: After the
4 Miller incident which was the fourth or fifth
5 incident, depending on whether I have correct
6 information here, did you notice any changes in
7 policy or procedure, the way that interaction
8 between staff and inmates or supervising of staff
9 and inmates was handled?

10 MS. BOYD: I'm not on the maintenance area
11 or was no longer in dietary. To my knowledge in
12 witnessing the crews that would come in to a unit to
13 work there was no change.

14 REPRESENTATIVE MANDERINO: Thank you.

15 First of all, I owe a deep apology to
16 Mr. Barr. And I am truly sorry. Let me read so
17 that it's very clear, that was my mistake in reading
18 my handwritten notes. I truly apologize for what I
19 said. Let me read what the newspaper article said
20 to set the record straight.

21 It said, William Barr, a prison spokesman,
22 and I apologize again Mr. Barr, said that Martin
23 Miller was fired from the institution a few months
24 before prison officials accused him -- and I had my

1 notes incorrect and I truly apologize. Please
2 forgive me.

3 REPRESENTATIVE BIRMELIN: They're
4 supplying the --

5 REPRESENTATIVE MANDERINO: I regret that.

6 The only other questions I have at this
7 time, and I realize I'm monopolizing, but if we have
8 time you can come back to me. But I do want to know
9 one other thing.

10 Today the way people move through the
11 institution, can you give me like the typical inmate
12 what is their, what time is breakfast, where are
13 they from 9:00 to 11:00? I'm trying to piece
14 together what I've learned over the past couple of
15 days. There is breakfast and then some morning
16 stuff and then in the 9:00 to 11:00 time it seemed
17 like people were in education and programming and
18 then at 11:00 o'clock everyone went, I don't know
19 where they went. Did they go back to their rooms
20 for the count before lunch? Where are they between
21 that 11:00 and 12:00, or 11:00 and 1:00 stage? What
22 does that progression look like vis-a-vis the
23 inmates, where are they and the staff, where are
24 they?

1 MS. BOYD: I'll take the morning and you
2 can have the afternoon.

3 MS. WRIGHT: Okay.

4 MS. BOYD: Usually breakfast starts
5 anywhere from 6:10 to about 25 minutes to 7:00. And
6 then we're in our unit until 8:00 o'clock. And
7 movement then is called at 9:00 o'clock. There is a
8 five-minute detail maintenance movement, then after
9 that movement is completed then they do a
10 five-minute education movement and people go to
11 their classes, library, that sort of thing.
12 Cosmetology.

13 Then there is a five-minute movement to
14 the yard. So by 8:15 usually all movement has been
15 completed.

16 You move on the half hour here, and again,
17 you have five minutes to get to and from where you
18 need to go. And the new policy is if you are signed
19 up for someplace and you are not there the
20 instructor or the detail officer is to call your
21 housing unit and find out where you are.

22 At 11:00 o'clock most of the people do
23 return to their housing unit, maintenance people
24 usually stay with their bosses and then they are

1 called to meal first. Meal is anywhere from 11:00
2 until about 12:15 or so like that.

3 And Yvonne can tell you kind of the
4 afternoon.

5 REPRESENTATIVE MANDERINO: Just a few more
6 questions. The meals are where, in what building?

7 MS. BOYD: Well, in our dietary unit which
8 is this gorgeous building up here with the glass.

9 REPRESENTATIVE MANDERINO: And the housing
10 units are over across the campus where we walked
11 there yesterday?

12 MS. BOYD: We have three housing units,
13 two below the dietary and one actually across from
14 the dietary unit.

15 REPRESENTATIVE MANDERINO: When you are
16 over in food service and in the housing units, some
17 of the correctional officers are with you, those who
18 are responsible for supervising those areas,
19 correct?

20 MS. BOYD: Yes.

21 REPRESENTATIVE MANDERINO: The rest of the
22 staff, the program staff or other staff you are not
23 directly involved in those functions, are they all
24 throughout the institution, or are they in a

1 particular place, where are they?

2 MS. BOYD: Many of like the educational
3 staff and administrative staff usually go to eat
4 which is in the same building, so they're also in
5 the same traffic area that we are. There is usually
6 correctional officers stationed at various points to
7 and from our housing units.

8 REPRESENTATIVE MANDERINO: So sometime in
9 that 11:00 to 12:15 range everybody is either over
10 there in housing or over there in the dining area?

11 MS. BOYD: Right.

12 REPRESENTATIVE MANDERINO: Thank you.
13 Afternoon.

14 MS. WRIGHT: I think Ronsa forgot to tell
15 you. They post officers now out in the grounds and
16 they watch the movement. You know, our goings and
17 comings. We're not allowed to stop or congregate,
18 or I might want to say, hi, how are you doing, and
19 then ask a question. Well, that's not allowed.
20 Well, maybe by some but most of them enforce it.

21 In the afternoon people usually leave the
22 unit at 12:30, that's move for school, back to
23 maintenance, then every half an hour after that it
24 is a movement. There are no passes given unless

1 it's after 6:00 p.m. Okay? Like if you want to go
2 to the library at 6:00 p.m. you have to have a blue
3 pass and you must stay an hour.

4 No pass?

5 MS. BOYD: No pass.

6 MS. WRIGHT: Oh.

7 MS. BOYD: I work there.

8 MS. WRIGHT: I know, but they told me --
9 so it's on a movement thing every hour on a
10 movement.

11 REPRESENTATIVE MANDERINO: Thank you very
12 much. Thank you.

13 REPRESENTATIVE BIRMELIN: Ladies, let me
14 ask you to give a brief answer to this, if you
15 could.

16 If you were in a position where you had
17 had a confrontation with a corrections officer, and
18 that correction officer wanted to get some
19 retribution against you, such a way that he or she
20 would not in turn be disciplined by his or her
21 management staff, what would they do to you? How
22 would they find a way to do that?

23 MS. WRIGHT: On a buddy plan they would
24 either write you up --

1 REPRESENTATIVE BIRMELIN: What does that
2 mean?

3 MS. WRIGHT: It's called a misconduct.
4 That's another thing I wanted to mention too since
5 I'm here. When they write you up for whatever, you
6 know, they like give these high five signs like, you
7 know, cool, it's like they really, you know, get off
8 on doing this.

9 Say, for instance, I do something to you,
10 this is your co-worker in your unit, you're angry
11 with me but you don't really know how to write me
12 up. You would go to her and she would tell you how
13 to write me up and what to say in the misconduct in
14 order for it to stick. Whether it be true or
15 whether it be not true.

16 REPRESENTATIVE BIRMELIN: Is a misconduct
17 the --

18 MS. WRIGHT: It's a disciplinary --

19 REPRESENTATIVE BIRMELIN: Measure that the
20 correction officer can impose on you?

21 MS. WRIGHT: Right.

22 REPRESENTATIVE BIRMELIN: Can they do that
23 on their own accord?

24 MS. WRIGHT: They can do it on their own.

1 REPRESENTATIVE BIRMELIN: So that if that
2 corrections officer wanted to make life difficult
3 for you they would find ways to write you up?

4 MS. WRIGHT: Oh, yeah.

5 REPRESENTATIVE BIRMELIN: In code of
6 conduct violations?

7 MS. WRIGHT: Oh, yeah, and be very happy
8 with it.

9 REPRESENTATIVE BIRMELIN: And I'm assuming
10 after you receive X number of these then they will
11 change your classification and restrict you in other
12 ways?

13 MS. WRIGHT: Right, you go to a level 3.

14 REPRESENTATIVE BIRMELIN: There is no way
15 for you to combat an officer who has it out for you
16 to do that?

17 MS. WRIGHT: No. Because once you have
18 been written a misconduct you cannot grieve the
19 officer. There is no grievance policy now. Once
20 you've been written up you just go to a hearing.

21 REPRESENTATIVE BIRMELIN: What is the
22 hearing before?

23 MS. WRIGHT: The hearing is before
24 Mr. Burnett, Avery Burnett, and he comes here maybe

1 three times a week. Basically he goes, he believes
2 the officer. His officers do not lie. Okay? So if
3 he wants to give you like so many days on this
4 misconduct, maybe you disobeyed, they say you
5 disobeyed an order or you were in an unauthorized
6 area, you know, he gives you the days according to
7 the DOC policy from like 15 to 30 days, he can't
8 give you anything in between. Or the 15 or the 30.

9 REPRESENTATIVE BIRMELIN: Essentially he's
10 listening to you and the officer and deciding
11 whichever one of you is telling the truth?

12 MS. WRIGHT: Right. We're the liar
13 basically most of the time.

14 REPRESENTATIVE BIRMELIN: Ronsa, do you
15 have anything to add to that?

16 MS. BOYD: That is the weapon that is used
17 here is the misconduct. And if you are a servant,
18 or opinionated or don't follow the company line that
19 is what is used here. I have heard repeatedly all
20 inmates lie. It's just over and over and over, all
21 inmates lie, all inmates lie. The only time we are
22 ever believed is if I testify against another
23 inmate. But if I go in as a witness against an
24 officer, then I'm a liar. I'm not credible.

1 If, however, I go and say, well, look, I
2 saw Yvonne do something and she's written up for it,
3 my word is the foundation of truth. And it's very
4 frustrating. It really is.

5 I'm not saying that inmates don't lie.
6 But I'm also not saying, not all staff tells the
7 truth. And this is the community of personalities
8 here. And there are some staff that feel that
9 somehow it justifies their position or their ego to
10 accomplish so much, so many misconducts. And I
11 think in looking at the misconducts here you will
12 see a pattern of who writes misconducts and who
13 doesn't, and what they're for.

14 REPRESENTATIVE BIRMELIN: That was my next
15 question for you. Can't you point that out at the
16 hearing that here's officer so and so, don't you
17 find it strange that this is the officer that keeps
18 writing me up and the other officers who have
19 oversight of the other portions of the week don't?

20 MS. BOYD: That doesn't matter. Actually
21 someone did come to me and said they kind of used
22 that as an explanation and it was deemed not
23 relevant.

24 REPRESENTATIVE BIRMELIN: Well, I can

1 empathize with you somewhat because they say that
2 all politicians lie too.

3 MS. BOYD: I've heard that.

4 REPRESENTATIVE BIRMELIN: However, thank
5 you for your answer.

6 Representative Walko.

7 REPRESENTATIVE WALKO: Thank you,
8 Mr. Chairman.

9 There is, on a different contact but it
10 was in response or stimulated what you said Ms. Boyd
11 about the victim awareness program has been very
12 good here. And I just want to, first of all, I hear
13 from many constituents because we have a major
14 correctional institution in my district, many
15 constituents say, one, inmates upon release should
16 pay the costs of their incarceration; and two, they
17 certainly should pay victim restitution. And given
18 the fact that your -- I'd just like your thoughts on
19 it, given that you have some amount of education;
20 two, you've had job experience at Muncy; and three,
21 you were speaking in favor of vocational training
22 for inmates. What are your thoughts on victim
23 restitution either in the event of a violent crime
24 as the one you were convicted for, or stealing and

1 other kinds of non violent crimes?

2 MS. BOYD: This isn't going over popular
3 here, but I actually think it's an excellent idea.
4 Our inmate program manager who will be back shortly,
5 Mr. Roberts, has instituted a program where you can
6 each month have so much money deducted from your
7 account, at the end of the month our inmate accounts
8 manager will send a check to the victims
9 compensation fund. It's not talked about much, but
10 we are trying to get the word out, there is a number
11 of women that do do that. And we are trying to make
12 those of us that have been in to this program are
13 trying to make more women aware that this is an
14 excellent idea, of the impact of their crime upon
15 the individual or society as a whole. And I think
16 it's an excellent idea.

17 Just recently parole board has started
18 with a \$30.00 amount of money that has to be paid
19 back to their county which uses it for some of the
20 actual restitution for victims and other court costs
21 and things likes that. It's not very popular, but I
22 do believe eventually people will come to understand
23 that this \$30.00 is really a very small amount of
24 money in relationship to what society pays for the

1 cost of crime.

2 Just recently, I'd say I believe within
3 the last year, we have had to start paying for our
4 over the counter medications like Tylenol and Advil
5 and foot cream and that sort of thing. Whereas
6 before we used to get it free from the medical
7 department. And again, I personally like the idea,
8 it's about responsibility.

9 REPRESENTATIVE WALKO: Now, you indicated
10 that here at Cambridge Springs there were not enough
11 work opportunities; is that correct?

12 MS. BOYD: I believe our unemployment is
13 somewhere around, I'm not sure, we used to have a
14 commissary that would come out with peoples' names
15 on it and underneath, underneath unemployment the
16 last time that was available there were over 80
17 people signed up to buy commissary and not everyone
18 that's unemployed shops every single week. So I
19 have no access to the figures truthfully.

20 But the last time I counted, which was
21 several weeks ago there were 84 people unemployed.
22 I'm assuming there is probably another 20 or 40 that
23 are not shopping that week, to that a hundred and
24 some women. And that's horrible.

1 REPRESENTATIVE WALKO: When you said
2 restitution would not be, popular do you mean among
3 the inmates?

4 MS. BOYD: Among the inmates, right.

5 REPRESENTATIVE WALKO: Now, the
6 restitution, do you believe the courts should order
7 it more often?

8 MS. BOYD: Yes.

9 REPRESENTATIVE WALKO: But you're not
10 under any court ordered restitution?

11 MS. BOYD: No, but I voluntarily pay to
12 the victims compensation fund.

13 REPRESENTATIVE WALKO: I'm just curious.
14 Inmates who are not employed here, are they getting
15 paid for time?

16 MS. BOYD: I believe it's \$.72 a day now,
17 I believe its \$.72 a day.

18 REPRESENTATIVE WALKO: And Ms. Wright, did
19 you have any thoughts on the restitution issue?

20 MS. WRIGHT: Well, yes. I think that
21 restitution should be paid also. I don't pay
22 restitution because my, you know, fines and costs
23 and everything, you know, are taken care of. I
24 can't say that I didn't have a victim because the

1 community was my victim. You know what I mean?

2 REPRESENTATIVE WALKO: Yes.

3 MS. WRIGHT: So I don't have just a
4 victim, I have a lot of victims because I did a lot
5 of things to different people, like using credit
6 cards, you know, that didn't belong to me, you know,
7 stuff like that. But I do not participate in the
8 victims program.

9 REPRESENTATIVE WALKO: Thank you very
10 much.

11 Thank you, Mr. Chairman.

12 REPRESENTATIVE BIRMELIN: Representative
13 Bebko-Jones.

14 REPRESENTATIVE BEBKO-JONES: Thank you,
15 Mr. Chairman.

16 Good morning, ladies.

17 MS. WRIGHT: Good morning.

18 REPRESENTATIVE BEBKO-JONES: I want to
19 thank both of you very much for coming here this
20 morning. I know it's difficult, but both of you are
21 doing a very good job.

22 For the record, what does RHU stand for,
23 just for the record? I hear both of you referring
24 to those initials.

1 MS. WRIGHT: Restricted housing unit.

2 REPRESENTATIVE BEBKO-JONES: And what does
3 one have to do here to be placed in a restrictive
4 housing unit?

5 MS. WRIGHT: Not much.

6 REPRESENTATIVE BEBKO-JONES: What do you
7 mean not much? Can you be a little specific?
8 Earlier I don't know which one of you said that both
9 you and Lisa Lambert were in RHU.

10 MS. WRIGHT: I did.

11 REPRESENTATIVE BEBKO-JONES: Okay. You
12 were both there together?

13 MS. WRIGHT: Yes.

14 REPRESENTATIVE BEBKO-JONES: For the same
15 thing, wrote up?

16 MS. WRIGHT: No. She was under AC status,
17 I was disciplinary status. AC status is just
18 administrative custody. You know, you can have what
19 you want, you know, she had her makeup, her TV, you
20 know. But under disciplinary you cannot have
21 anything but what they give you, three showers a
22 week and so on.

23 REPRESENTATIVE BEBKO-JONES: Why are there
24 two different status for RHU? She could have her

1 makeup, you could not?

2 MS. WRIGHT: Right, because she was AC
3 status, she was administrative custody. She was not
4 held for disciplinary, she was held because of a
5 situation with Mr. Eichert. And, you know, the
6 rumors that were going around. So that's why she
7 was held in RHU and she was there for a long time.
8 Longer than I thought she should have been. But,
9 who am I to say?

10 It's not really a doll pen, some officers
11 treat you good there, some officers treat you bad
12 there. Some throw coffee on your feet, you know,
13 when they feel like it. But I was there 60 days.
14 Usually they have a PRC thing which you can write to
15 and they will cut your days. But mine being a drug
16 related incident no days were cut for me.

17 REPRESENTATIVE BEBKO-JONES: And who makes
18 that decision, does the superintendent here, the
19 department, the correctional officer, what is the
20 chain of command when a decision is made that you
21 will be placed in RHU? Can you like take me through
22 a process?

23 MS. WRIGHT: Say, for instance, I work in
24 dietary, this is an incident that happened anyway.

1 A lady worked in dietary and the supervisor asked
2 her to mop the floor. She refused to mop the floor.
3 They put her in RHU. Her supervisor had her locked
4 out.

5 REPRESENTATIVE BEBKO-JONES: One of the
6 things I think that was very upsetting to me to hear
7 both of you say earlier this morning that you would
8 rather be in Muncy than here.

9 I have never toured Muncy, I have heard
10 about Muncy and more this morning with the testimony
11 that was provided. I have always considered this
12 institution a very good institution. All of you
13 know that before it became a womens institution it
14 was the Polish National Alliance College. The
15 grounds here are beautiful. I feel that the
16 programs that at least this week that we have been
17 able to view are excellent programs. And yet I hear
18 the opposite from the two of you earlier this
19 morning. Talking about no vocational programs,
20 educational programs, and so forth. And also making
21 statements several times all you would like to do is
22 be treated like a human being. That is a large
23 statement, ladies. And I think everyone in the
24 whole United States of America wants to be treated

1 like human beings.

2 Could you be more specific of why you
3 claim that you're not being treated like a human
4 being and you would rather go to Muncy?

5 MS. WRIGHT: Well, I'll give you a, for
6 instance, something that happened to me.

7 One day I was in my unit and I was talking
8 to this lady, so we stepped like around the door
9 instead of in the common room. And it was just an
10 open space, you know, nothing could happen, there
11 was no homosexual activity or anything like that.
12 Really I was checking on her on something that she
13 was going through. I said, don't do that, that's
14 not good, you know, don't treat your roommate like
15 that, try to get along, be considerate, don't make
16 the roommate -- so an officer came in, he said,
17 ladies, you get out of the stairwell. Well, it
18 wasn't really the stairwell, it was leading to the
19 stairwell. And she went up, I came out in to the
20 common room. He followed behind me on my heels, he
21 said, do you understand, do you understand what I'm
22 saying to you. I turned around and I looked at him,
23 I said, I heard you. He said, I said, do you
24 understand. And he was like in my face, you know.

1 And it's bad. It's really bad. You know, they talk
2 to you any kind of way, but as soon as, if I was to
3 say, well, you whatever, you know, I can't say it,
4 but, you know, whatever, then I'm wrote up. He's
5 happy because I failed and I'm locked up.

6 REPRESENTATIVE BEBKO-JONES: And you're
7 also saying that each officer more or less has their
8 own set of rules?

9 MS. WRIGHT: Right.

10 REPRESENTATIVE BEBKO-JONES: If one month
11 an officer might tell you this is your deal for
12 today, Ms. Wright, and you're following it, obeying
13 it, on Tuesday another officer dealing with the same
14 particular issue will give you a different set of
15 instructions?

16 MS. WRIGHT: Not all of them. But a
17 percent of them. And a large percentage of them.
18 The officers that have been here longer, the older
19 officers, like when I first came here, you find a
20 few of them that are like that. Okay? Like I say,
21 if you have a search team, okay, and together you
22 could have this, they'll come in and search your
23 room. Today I could have this scarf, it was this
24 long. But here you come to my room next month, the

1 same scarf you let me keep last month you're taking
2 it away from me this month. Why? Because you're
3 not consistent. It's just, it's stressful.
4 Cambridge Springs is stressful.

5 REPRESENTATIVE BEBKO-JONES: Both of you
6 were asked if any changes were made at this
7 institution since allegations of sexual misconduct
8 occurred. And it seems like both of you have
9 indicated no, not really. They haven't seen much or
10 whatever.

11 The two of you know that I have been here
12 several times. Has my visit today with this panel
13 changed from any other visits when I have come
14 separately with my staff member, as far as any
15 procedures that have occurred on this facility since
16 Monday?

17 MS. WRIGHT: No.

18 REPRESENTATIVE BEBKO-JONES: No. I guess
19 one of the things that I'm asking when I would be
20 here in the past, some of the inmates, it seems to
21 me since we have been here this week there has been
22 more, I don't know, security, protection of inmates,
23 employees and us, or am I just seeing that wrong?

24 MS. WRIGHT: No, you're seeing that right.

1 You're seeing that right. That's something that
2 happens frequently when people come to this
3 institution. You know, to me it's like a cover up.
4 You know, to me it's like a cover up. I mean, it's
5 like, you know, a big show or something. You know?
6 You don't do this any other time, you know, why do
7 you wait until, you know, people are coming and, you
8 know, then you put on the airs. You know what I
9 mean? Do you understand what I'm saying?

10 REPRESENTATIVE BEBKO-JONES: That's why
11 I'm asking the question.

12 REPRESENTATIVE MANDERINO: But what are
13 the airs, what are the airs? I mean, they may be,
14 staff might be the airs in a different way than the
15 inmates see it, but how do you see it?

16 MS. WRIGHT: When I came over this morning
17 I was told that I cannot talk to another inmate. I
18 mean, why couldn't I talk to another inmate? You
19 know, they know what is going on. You know? The
20 word has gotten around in some kind of way, this is
21 a very small place. So why would you tell me that I
22 cannot talk to an inmate on my pass, that is what is
23 written at the top of my blue trip pass. Do not
24 talk to another inmate.

1 REPRESENTATIVE BEBKO-JONES: Were you told
2 yesterday not to talk to another inmate, or only
3 this morning?

4 MS. WRIGHT: Only this morning.

5 REPRESENTATIVE BEBKO-JONES: Um-hum. And
6 who told you that?

7 MS. WRIGHT: By Officer Jones, and I don't
8 know who told her that. She had to be given the
9 order for her to tell me that, I guess, I don't
10 know. I didn't even question it. I just said okay.

11 REPRESENTATIVE BEBKO-JONES: But again,
12 you said each officer makes up their own rules. So
13 did this officer just make up this rule for you
14 today or did she get, he or she get instructions
15 from higher up saying, Yvonne, don't talk to any
16 inmates today?

17 MS. WRIGHT: Evidently she had
18 instructions because she received a phone call, I
19 was sitting right there, and she said, well, I can
20 do the time okay but I don't know about the escort,
21 you're going to have to do that. So I knew that
22 phone call for her was for me. So when I got up, I
23 went to my room, I changed my clothes, okay, I was
24 sitting in my chair, she came to my room, I said, I

1 knew that call was for me, so she handed me the blue
2 pass and she said, do not talk to any inmate on your
3 way there. So it had to be instruction from
4 somewhere else, you know, someone else that she
5 spoke to on the phone, I guess.

6 REPRESENTATIVE BEBKO-JONES: Do either one
7 of you ladies this morning fear that you will be
8 placed in RHU because you came in front of this
9 committee this morning?

10 MS. WRIGHT: I asked that question before
11 I even came in here. I said, am I going to have any
12 repercussion behind this meeting, you know? Are
13 people going to pick at me? You know, am I going to
14 be harassed behind this, you know? They told me
15 no.

16 REPRESENTATIVE BEBKO-JONES: Who is they?

17 MS. WRIGHT: Mr. Barr, he said no. I
18 said, well, if I say something bad about you would
19 you get angry or would you feel differently toward
20 me? He said, no.

21 REPRESENTATIVE BEBKO-JONES: When you talk
22 about, you were asking the questions would you be
23 harassed or anything else if you do this, was there
24 anyone in particular that you were afraid would

1 harass you because you came in front of this
2 committee? Are you just talking about guards here?
3 Inmates? Who are you referring to?

4 MS. WRIGHT: I'm not referring to inmates.
5 I'm not referring to inmates.

6 REPRESENTATIVE BEBKO-JONES: Okay. Do you
7 have anything else to offer, Ms. Boyd?

8 MS. BOYD: Well, I know our time is short
9 so I'll try to be brief.

10 I spoke before a little bit about the
11 repercussions and that could happen, I'm willing to
12 take the risk. But part of not being treated, part
13 of what I see as the abuse, in fact, this is an
14 interesting typical example. There are tours in
15 this institution fairly often. No one ever comes in
16 to the units and says, gee, there is going to be a
17 tour, would anyone mind. We're often in front of
18 the people asked, well, couldn't they come in your
19 room. That to me is very rude and not considerate
20 of my feelings. I'm not a zoo animal. I would
21 prefer that the administration say to the residents,
22 there is a tour coming, we would like to educate the
23 people as to what prison is like and would anyone
24 mind if we brought this group in so you could talk

1 to them. We are never never never considered, our
2 feelings are never considered. It's almost like
3 we're an exhibit.

4 MS. WRIGHT: Like we're warehoused animals
5 or something.

6 MS. BOYD: That's maybe minor to you and
7 perhaps you have many tours through the legislative
8 office, but for us this is where I live, this is for
9 the moment my home. And to have staff come in and
10 bring a group of people through that look in my
11 closets and at my cards and things, I think that is,
12 not to be consulted, or even asked, maybe I don't
13 want people in my room or in the building I live in.
14 And it would be nice if we would be asked.

15 REPRESENTATIVE BEBKO-JONES: So none of
16 the inmates as far as your knowledge knew that this
17 was going on this week until we arrived here?

18 MS. BOYD: There is always rumors. But
19 big shots were humming.

20 REPRESENTATIVE BEBKO-JONES: The House of
21 Representatives.

22 MS. WRIGHT: I didn't know until I was
23 called here yesterday, I didn't know you were
24 coming. You know, because usually I always know

1 when you're coming anyway, you know. But except for
2 once. But I didn't know. I was very surprised.
3 And I was very surprised that I was called because,
4 you know, by me being a person that's max'ing out I
5 would think they wouldn't even want me here, if you
6 understand, if you get my drift.

7 REPRESENTATIVE BEBKO-JONES: Thank you
8 very much. I appreciate both of your testimony
9 today.

10 MS. BOYD: Thank you.

11 REPRESENTATIVE BIRMELIN: Representative
12 Brown has a brief question.

13 REPRESENTATIVE BROWN: Thank you for being
14 here and for your testimony. I just want to change
15 the tone a little bit.

16 This, of course, is my home town and I
17 wanted to talk a minute about the community and the
18 institution.

19 Are either of you aware of some of the
20 groups that go down into the community and help
21 with, for example, setting up the stage for the
22 Community Days and that sort of thing, things you do
23 within the community? Could you explain just a
24 moment for my fellow colleagues of some of the

1 positive and the good things that you do?

2 MS. WRIGHT: Myself I've never had the
3 level to do that so I can't explain any of that to
4 you.

5 MS. BOYD: I don't have the level either
6 but I know a number of people that do go in to the
7 community and set up, and particularly the stage for
8 community functions, and assemble it. I believe we
9 have work crews out doing playgrounds and helping.
10 I think often it's the elderly, they're going to be
11 painting houses, doing sidewalks for wheelchair
12 accessibility and things like that. It's an
13 excellent program which is another reason why work
14 release would work here. But also would get us in
15 to the community so that we can help. It's for the
16 good for us but --

17 REPRESENTATIVE BROWN: That's right. And
18 you probably don't hear it very often but in '90,
19 '91, the road was really tough in the community to
20 support this institution. And now they are clearly
21 seeing that you are receiving a lot of respect in
22 the community. And people appreciate what you do
23 and, you know, your fellow inmates. So I just want
24 to relay that message to you that there really are a

1 lot of positive things happening also with the
2 institution.

3 MS. BOYD: The work crew is an excellent
4 idea along with the victims education programs.

5 REPRESENTATIVE BROWN: One last quick
6 curiosity. There is an employability class here.
7 Have either of you taken that class or enrolled in
8 that?

9 MS. BOYD: No, I haven't. No.

10 MS. WRIGHT: And I haven't either because,
11 well, there is a situation here that exists. I'm a
12 licensed cosmetologist. And I was a teacher's aide
13 in the cosmetology department here until I was
14 ousted. So they don't let me participate in so many
15 different things. You know, if you have a license
16 in this or a license in that or you already have a
17 college education, you know, they don't allow you to
18 do many other things. You know, they think you have
19 enough.

20 REPRESENTATIVE BROWN: Thank you very
21 much.

22 REPRESENTATIVE BIRMELIN: We want to thank
23 both you ladies for being here.

24 REPRESENTATIVE BIRMELIN: Ms. Manderino

1 has asked for a couple additional minutes and I will
2 grant her that at this time.

3 REPRESENTATIVE MANDERINO: Thank you. I
4 bullied the Chairman here.

5 Think about this question for one second
6 while I make a statement.

7 I'm coming away with the impression, I
8 want you to think of, if you could tell us two
9 things that you would change or improve at this
10 institution, what would they be?

11 I'm walking away with an impression about
12 inconsistency of enforcement of rules and
13 discipline, as well as lack of enough programming
14 and employment opportunities. And so think about
15 that for a minute and if I have them wrong or you
16 have something additional to add I just wanted to
17 give you a brief second to do that.

18 But I also wanted again to take the
19 opportunity, and I appreciate the Chairman's
20 indulgence.

21 Again, now that Mr. Barr is here now, I
22 don't know if he was in the room earlier when I made
23 my misstatement or when I made my apology, but I am
24 truly sorry for my misstatement. I misread my

1 notes. For the record, it was Mr. Barr, as a prison
2 spokesman who was talking about another inmate. And
3 again, I will read it from the news article because
4 I feel very bad about my misstatement.

5 And it was, Mr. William Barr, a prison
6 spokesman, said that Marvin Miller was fired from
7 the prison last spring, a few months before prison
8 officials accused him of -- my deepest apologies.
9 And I mean that.

10 So that he doesn't yell at me, do I have
11 it right, do you have anything to add on that issue?

12 MS. BOYD: I think you have it right on
13 the nose. We would like better training for the
14 staff, maybe some sensitivity, most of these women
15 here come from an abused background. You're not
16 going to rehabilitate the women by abusing them.
17 When I came here there was 200, 225 women. We had
18 three psychologists and I don't know the complement
19 of educational people here, but we basically now
20 with 600 women, have three psychologists and the
21 same amount of educational instructors.

22 And we need jobs and we need staff that
23 are better trained to deal with women and women
24 issues. And the fact that this is a minimum

1 security institution.

2 And last, in fact, a year ago, a group of
3 12 of us did meet with the commissioner and the
4 administration and better training, more
5 opportunities, vocational correctional industries to
6 come in here and prerelease. And another year has
7 gone by and we're still hoping to see some more
8 improvement here.

9 MS. WRIGHT: I have one thing to say.

10 There is a lady in this institution that
11 suffers with Munchausen syndrome by proxy, if any of
12 you are aware of that. She has a counselor that has
13 just recently told her that she would not give her a
14 good evaluation. She has a 5 to 20 sentence and I
15 think that is very unfair, you know, even if you
16 weren't going to give her a good evaluation for
17 prerelease, don't tell her that because of her
18 mental, you know, capacity and condition. Because
19 who knows what she might do to herself or, you know,
20 whatever.

21 So we do need better, you know, more
22 programs, you know, for people that really don't
23 understand stuff like that. And since she is
24 supposedly the only person in Pennsylvania that

1 suffers from Munchausen syndrome by proxy, not just
2 Munchausen, it's syndrome by proxy, they should help
3 her more.

4 REPRESENTATIVE MANDERINO: Thank you.

5 Thank you, Mr. Chairman.

6 REPRESENTATIVE BIRMELIN: Thank you very
7 much. We appreciate you spending the time with us
8 this morning.

9 MS. BOYD: Thank you.

10 MS. WRIGHT: Thank you.

11 REPRESENTATIVE BIRMELIN: Before we call
12 the administration, management and staff and the
13 commissioner, I'm going to call on Corrections
14 Officer Terry Pelletier who is going to give us some
15 testimony. And Mr. Pelletier, if you would come
16 down.

17 MR. PELLETIER: Good morning.

18 REPRESENTATIVE BIRMELIN: Thank you for
19 coming here this morning.

20 MR. PELLETIER: I'm also nervous.

21 REPRESENTATIVE BIRMELIN: You'll get over
22 it after about the fourth or fifth question. It's
23 my understanding you're a correction officer II, but
24 you also recently acted as president of the local

1 that represents corrections officer; is that
2 correct?

3 MR. PELLETIER: Actually I've been the
4 president of Local 3744 four years.

5 REPRESENTATIVE BIRMELIN: Just so
6 everybody on the committee knows that.

7 Would you share with us what you have
8 today?

9 MR. PELLETIER: I just wanted to thank
10 everyone for giving me the opportunity to come here
11 and speak. And I've been here at Cambridge Springs
12 since it opened. So I wanted to answer any
13 questions you might have.

14 REPRESENTATIVE BIRMELIN: Fair enough.
15 Representative Josephs.

16 REPRESENTATIVE JOSEPHS: If I could pass
17 and think about this a little bit I'd appreciate it.

18 REPRESENTATIVE BIRMELIN: We'll give you
19 one free pass.

20 Representative Walko.

21 REPRESENTATIVE WALKO: Could I have a free
22 pass as well, Mr. Chairman?

23 REPRESENTATIVE BIRMELIN: Representative
24 Manderino is ready, she will ask you questions.

1 REPRESENTATIVE MANDERINO: Thank you very
2 much for coming.

3 One of the issues that I've been thinking
4 about a lot over the past two days is the issue of
5 staff training. Could you explain to me from your
6 knowledge when a corrections officer first comes to
7 Cambridge Springs, and if it's different for
8 somebody transferred from another facility with
9 correctional experience versus a new officer, make
10 those, they took the test, they passed the test,
11 they got hired, I don't think you go to an academy,
12 do you?

13 MR. PELLETIER: Yes, four weeks.

14 REPRESENTATIVE MANDERINO: Do you want to
15 tell me what you learn at the academy and then
16 additional training, if any, you get here when you
17 first arrive to Cambridge Springs and throughout
18 your tenure or employment?

19 MR. PELLETIER: Okay. You're employed,
20 you have a week of paperwork. You get your
21 uniforms, you have a week of observations, sometimes
22 two weeks of observations. You just follow like a
23 shadow, you follow the other officers around. Then
24 you go to the academy for four weeks and you come

1 back for an additional three weeks of observations
2 on all three different shifts.

3 You're taught at the academy interpersonal
4 skills, stress management, defensive tactics. You
5 have to qualify with the shotgun and the handgun in
6 order to get through the academy. You're basically
7 taught how to handle manipulative inmates because
8 they will manipulate you, they will lie, they
9 will -- it's a little different than your run of the
10 mill job.

11 Inmates are very creative. They can make
12 a toaster out of a shoe box. So you're taught
13 things like that whereas to search for sharp
14 weapons. How to do searches, pat searches, strip
15 searches. Suicide prevention, there is a lot of, a
16 lot of training done at the academy to be able to
17 tell the moods of the inmates. How to prevent
18 suicide. HIV aids training. CPR, first aid. You
19 have to be certified in that every year.

20 So there is, it's very good training.
21 They could maybe use a little more training as far
22 as female issues because it's geared more, since
23 there are more male institutions there are different
24 issues that women have other than men.

1 REPRESENTATIVE MANDERINO: Where do you
2 learn the rules of the particular -- is it your
3 understanding based on going through the academy and
4 then you came here right out of the academy so this
5 has been your only placement?

6 MR. PELLETIER: Yes.

7 REPRESENTATIVE MANDERINO: Is it your
8 understanding based on what you learned in the
9 academy and here that the rules that apply to the
10 inmates and how staff handles discipline, enforces
11 discipline, I don't mean discipline always
12 punitively, but just enforces the proper function of
13 the prison, et cetera, is that something learned at
14 the academy, because system wide it's done the same
15 way, or is that something you learn once you come to
16 Cambridge Springs because --

17 MR. PELLETIER: There are state rules, the
18 Department of Corrections policies. But there are
19 also institutional policies. You can't run by just
20 Department of Corrections policies. Some things you
21 have to, but, you know, there is a big gray area.
22 Each institution is different. Female issues are
23 different than the male issues so we have local
24 policies.

1 REPRESENTATIVE MANDERINO: When you got
2 out of the academy, I assume in your first week of
3 observation before you went to the academy you
4 weren't really involved in learning the rules as
5 they are applied to Cambridge Springs, that was more
6 just, do you want to do this, and what does it all
7 entail?

8 MR. PELLETIER: First week at the
9 academy --

10 REPRESENTATIVE MANDERINO: I'm sorry, I
11 thought there was a week of observation.

12 MR. PELLETIER: It would be here.

13 REPRESENTATIVE MANDERINO: Four weeks at
14 the academy and then three weeks here in observation
15 before?

16 MR. PELLETIER: Right.

17 REPRESENTATIVE MANDERINO: That first week
18 you're into the learning the institutional rules per
19 se?

20 MR. PELLETIER: You're just basically
21 seeing how the institutions -- some do run at that
22 point, they leave their job. They find it's not for
23 everyone. But it's basically just to let you see
24 what goes on inside the institution, if you're

1 comfortable working with inmates.

2 REPRESENTATIVE MANDERINO: Once you get
3 out of the academy and now you come to the
4 institution at which you're going to be placed for
5 employment, and you have a three-week observation
6 period, it is within that three weeks do you go to
7 any, through any other kind of formal training like
8 when you went through at the academy that's specific
9 to Cambridge Springs?

10 MR. PELLETIER: Well, we have training
11 sergeants that train, the training period is a year
12 long. And we have training sergeants that go to
13 these trainees, cadets, every single day training
14 them on different things. And they have a little
15 training book they write in and that they can go
16 back and refer to. So for a full year they go
17 through different phases.

18 You start out in phase one, this would be
19 the academy, and then phase two would be the
20 institution. When you're in phase two there is very
21 little that you can do, it's mostly learning. Then
22 phase three there are different posts that you can
23 work. Phase four they want them to be well trained
24 before they're put in to a situation that could get

1 out of hand.

2 REPRESENTATIVE MANDERINO: The people who
3 are being trained are line staff and people who
4 would be members of your union?

5 MR. PELLETIER: Correct.

6 REPRESENTATIVE MANDERINO: The people who
7 are doing the training, are they also considered
8 line staff, or rank and file members, or are they
9 management folks?

10 MR. PELLETIER: We have a training
11 lieutenant which is management, but the training
12 sergeants are union.

13 REPRESENTATIVE MANDERINO: When you went
14 through your list of things that you're trained on
15 you did talk about how to handle manipulative
16 inmates and suicide prevention. Was there any
17 additional training, or within one of those two
18 components perhaps, did you get any training with
19 regard to inmates that may have mental illness?

20 MR. PELLETIER: Yeah. We have special
21 needs units, I believe they, the officers that work
22 the special units do have some training. But I
23 think they're trying to get training together for a
24 more extensive training program for the officer that

1 will be working in the special needs unit.

2 REPRESENTATIVE MANDERINO: You mentioned
3 about one the things you learned is how to search
4 for shank weapons. It was my understanding from
5 conversations I had yesterday during our informal
6 tour with management personnel that there haven't
7 been any weapons incidents here at Cambridge Springs
8 since it opened. Has that remark also been your
9 concern, or do you have a different experience?

10 MR. PELLETIER: No, we found drugs. We
11 found no weapons.

12 REPRESENTATIVE MANDERINO: Drugs but no
13 weapons?

14 MR. PELLETIER: Drugs but no weapons.

15 REPRESENTATIVE MANDERINO: One of the
16 things that we heard from the two prior testifiers
17 was, from their perspective, either inconsistencies,
18 and I can't think figure out if it's an
19 inconsistency in the policy coming from the top or
20 just an inconsistency in the implementation of the
21 policy at the rank and file, the individual officer
22 level. If you have any insight into that issue that
23 you could share with us, I would appreciate it.

24 MR. PELLETIER: Well, there is

1 inconsistencies here, small ones, because there is
2 always changes, there is always changes in the
3 department of corrections. Policies change from the
4 department way that they had, they come down.
5 Inmates are, especially ones that have been in here
6 as like as long as Yvonne, she's very
7 institutionalized, they're not up for change, it's
8 hard for them to change. It's not the officers,
9 they're saying the officer make up their own rules,
10 that's not it. We're also a relatively new
11 institution so there has to be change. And we're
12 just trying to get on line.

13 REPRESENTATIVE MANDERINO: Earlier also
14 with the inmates we talked about, and I went item by
15 item with them which I won't with you, but four
16 instances of sexual misconduct involving inmates
17 that did go to trial and where there were
18 convictions. And it's my understanding, although I
19 haven't asked about it yet, but there might be a
20 fifth somewhere in the process that hasn't been
21 brought to a conclusion yet in terms of the
22 conviction or any kind of end result.

23 But my question to you is, from the
24 perspective of an officer, either before or after

1 any one of these instances, or with the progression
2 of additional instances after the first, what
3 changes, if any, did you see in facility management
4 or directives that may have been aimed at addressing
5 some of these issues?

6 MR. PELLETIER: There were several
7 changes. They've placed cameras in various
8 buildings and they're still, there is more coming on
9 line. The way the movements, maintenance staff are
10 not allowed to be, no less than two inmates at a
11 time. The training, ethical training we've had
12 people from OPR come up, that's office of
13 professional responsibilities, come up to train us
14 on being able to handle, like she said, these
15 inmates are, they're very manipulative, they'll lie
16 and they have nothing to lose.

17 REPRESENTATIVE MANDERINO: The training,
18 could you describe when that happened, does it
19 happen after each incident, did it just happen
20 recently, what did it involve in terms of the
21 training from OPR with regard to this issue?

22 MR. PELLETIER: I believe it was a year or
23 two ago they brought in Mon Davis who was the head
24 of OPR. It was a Code of Ethics, we go ahead by a

1 code of ethics, the governor's code of ethics. And
2 he explained what can happen to you if you're caught
3 fraternizing, it's called official oppression,
4 having sex with inmates. What exactly can happen to
5 you. You can be sued. Put in prison, which I've
6 seen. It's just not worth it, you know. Don't let
7 them play you, don't let the inmates play you.
8 Training like that.

9 REPRESENTATIVE MANDERINO: If I was a
10 corrections officer and I wasn't personally myself
11 involved in an unethical act but I observed an
12 unethical act, or something that I thought violated
13 that code of ethics, where do I take it? How do I
14 work that concern through the institution?

15 MR. PELLETIER: Well, let me just tell you
16 first, we have zero tolerance for it, we will not
17 tolerate it. If you witness this it would go
18 straight to the shift commander, which is the
19 lieutenant that runs the shift.

20 REPRESENTATIVE MANDERINO: As the union
21 local president do you know, I don't know what you
22 know and don't know, do you know when somebody has
23 reported an ethical violation?

24 MR. PELLETIER: They usually come to me,

1 if it's one of my people they usually come to me to
2 let me know that.

3 REPRESENTATIVE MANDERINO: That they
4 reported it?

5 MR. PELLETIER: That they reported.

6 REPRESENTATIVE MANDERINO: Do you know how
7 many times since this institution opened there have
8 been reports of ethical violations?

9 MR. PELLETIER: I couldn't tell you how
10 many. It's been five and a half years. There have
11 been reports, I can't tell you how many. But there
12 have been reports, you know, whether it was
13 unfounded or not. They have been turned in and the
14 institution has investigated. We investigate
15 everything, sometimes a little too far.

16 REPRESENTATIVE MANDERINO: Has it been
17 your experience that after the investigation the
18 officers are satisfied or dissatisfied with the
19 results of the investigation?

20 MR. PELLETIER: Depends on how it came
21 out.

22 REPRESENTATIVE MANDERINO: Not the officer
23 against whom the ethical violation which obviously
24 if it was against them they would be mad, I'm

1 talking more about the incidents where -- and again
2 I was asking about reports of ethical violations,
3 I'm talking about that officer one reported a real
4 concern about an ethical violation by someone other
5 than myself in authority. How did the person who
6 made that report about somebody else, how often does
7 that happen and how do they feel at the end of it
8 once it's gone its way through the institutional
9 process?

10 MR. PELLETIER: We actually just went
11 through something like that and a lieutenant was
12 fired because he had done some unethical things to a
13 sergeant, and she was very pleased with the outcome
14 on that. And I think the institution handled it
15 appropriately.

16 REPRESENTATIVE MANDERINO: And that was a
17 report of a violation of one officer against another
18 officer?

19 MR. PELLETIER: Exactly.

20 REPRESENTATIVE MANDERINO: What about an
21 officer against an inmate, or have there been none?

22 MR. PELLETIER: Like an officer, or an
23 inmate turning an officer in.

24 REPRESENTATIVE MANDERINO: No, an officer

1 turning in another officer, vis-a-vis an inmate
2 incident.

3 MR. PELLETIER: They've turned out all
4 right. Sometimes you might think you see something
5 that you didn't actually see, but they've turned out
6 all right.

7 REPRESENTATIVE MANDERINO: When we were
8 down at SCI-Pittsburgh I became aware of a process
9 that happens within, I believe, every institution
10 that the union president is involved in, something
11 called meet and discuss.

12 MR. PELLETIER: Exactly.

13 REPRESENTATIVE MANDERINO: Do you have
14 meet and discuss here at SCI-Cambridge, and how
15 often?

16 MR. PELLETIER: Yes, we do, and we try to
17 have it once a month. Sometimes things will come up
18 and it has to be postponed, but once a month.

19 REPRESENTATIVE MANDERINO: In the three
20 and a half, I guess we're three and a half, four
21 years, that you've been here and been involved in
22 meet and discuss, did ever at the meet and discuss
23 meetings did concerns about inappropriate behavior,
24 sexual or otherwise, between staff and inmates, was

1 that brought to the table?

2 MR. PELLETIER: Several times. The
3 superintendent at the time actually called a meet
4 and discuss for all the unions after, I believe it
5 was after the first incident trying to come to a
6 solution, we can't let this happen again. Let's all
7 put our heads together and see if we can't come up
8 with something.

9 REPRESENTATIVE MANDERINO: What about
10 before that first instance, was it ever raised at
11 meet and discuss?

12 MR. PELLETIER: I wasn't there before
13 that. I wasn't the union president.

14 REPRESENTATIVE MANDERINO: So you don't
15 know?

16 MR. PELLETIER: I wouldn't know.

17 REPRESENTATIVE MANDERINO: After that
18 first incident was it ever an issue brought up again
19 with --

20 MR. PELLETIER: With management?

21 REPRESENTATIVE MANDERINO: With
22 management.

23 MR. PELLETIER: It's always on our mind.
24 It's something you can't just forget about. You

1 always have to be aware of it.

2 REPRESENTATIVE MANDERINO: With regard to
3 other issues brought up in meet and discuss, have
4 there been issues brought up in meet and discuss or
5 otherwise -- if you don't feel comfortable answering
6 this question just tell me -- but just like inmates
7 may complain about what they feel is inconsistent
8 treatment or inconsistent enforcement of policies
9 which may or may not be accurate depending on whose
10 perspective you're looking at, I know based on my
11 experience in other places that that is not an
12 unusual complaint I would guess vis-a-vis lying,
13 line rank and file, staff and management, with
14 regard to the policies that involve how staff is to
15 conduct themselves and what is expected of them, and
16 whether those policies are consistent and that staff
17 know what is expected of them. In your meet and
18 discuss have issues in that regard been brought to
19 the table?

20 MR. PELLETIER: Yes, it has.

21 REPRESENTATIVE MANDERINO: Can you be more
22 specific about in what way?

23 MR. PELLETIER: Let me see.

24 I can't think of a specific --

1 REPRESENTATIVE MANDERINO: I guess my last
2 question would be, if I was able to get a consensus,
3 and it's hard here trying to be the representative
4 for all of the people who are correction officers,
5 but if I was able to get a consensus from your
6 fellow officers with regard to their feelings of
7 whether they are adequately trained and prepared to
8 handle the job that they are doing, what do you
9 think the consensus would be?

10 MR. PELLETIER: I think that they feel
11 they're adequately trained. And you're trained for
12 a whole year. It takes time -- you start out very
13 strict, and we are a strict institution, we don't
14 want to lose control of our institution. So we are
15 strict. Not strict to you know, cruelty, but
16 strict. We have our rules and we expect them to
17 follow them. They have to follow rules on the
18 outside. And I think that's preparing them for it.
19 But later on you do intend to --

20 REPRESENTATIVE MANDERINO: As you gain
21 more experience, have a little more flexibility in
22 judgment in how to tell them?

23 MR. PELLETIER: Right.

24 REPRESENTATIVE MANDERINO: Thank you.

1 Thank you, Mr. Chairman.

2 REPRESENTATIVE BIRMELIN: I would remind
3 the committee we do have several more testifiers and
4 I would appreciate brief questions.

5 Representative Brown.

6 REPRESENTATIVE BROWN: One of the
7 questions I want to ask you is the meet and discuss,
8 also -- and I think the representative took care of
9 that.

10 Thank you for testifying this morning.

11 And one thing I was curious to know, do
12 you have continuing education every so often?

13 MR. PELLETIER: Oh, yes, we have all
14 kinds.

15 REPRESENTATIVE BROWN: How often?

16 MR. PELLETIER: I'm the trainer for
17 suicide prevention, there is, oh, several different
18 trainings. Like personality, I can't remember
19 what -- but just like personality, somebody that
20 comes in to -- I can't even remember, it slipped my
21 mind -- crisis.

22 REPRESENTATIVE BROWN: But you do have
23 ongoing continuing education and you also work with
24 like the local community with fire and, you know,

1 with the state police on different programs, right,
2 to keep up with what is going on, the new things,
3 the new techniques?

4 MR. PELLETIER: We have negotiations,
5 crisis negotiations. We have to be trained every
6 year. The training is ongoing.

7 REPRESENTATIVE BROWN: Okay. Thank you.

8 REPRESENTATIVE BIRMELIN: Representative
9 Bebko-Jones.

10 REPRESENTATIVE BEBKO-JONES: Thank you
11 very much. Good morning.

12 When was your last meet and discuss, do
13 you remember?

14 MR. PELLETIER: Last month.

15 REPRESENTATIVE BEBKO-JONES: Do you
16 remember what you discussed there, or is that
17 private?

18 MR. PELLETIER: It's not private. But I
19 never can remember from the minute I get out of
20 there.

21 We discuss things like locks on, extra
22 keys from the RHU door, when they take them out to
23 the yard and they have to hand the keys back and
24 forth, so management said not a problem, we'll get

1 you another key.

2 We discussed handcuffs being on the
3 officers in the housing units. Before they were
4 locked up in the cabinet, so now they're allowed to
5 wear them. An incident happened where the inmates
6 were fighting and the officers didn't have the
7 handcuffs on them. They were locked up.

8 We discussed problems.

9 REPRESENTATIVE BEBKO-JONES: Like staff
10 meetings that we have.

11 MR. PELLETIER: Right.

12 REPRESENTATIVE BEBKO-JONES: Who
13 determines when you're going to have these meetings?
14 You said that we try to have meet and discuss every
15 month but sometimes that is not possible. So who
16 makes that decision? Do you?

17 MR. PELLETIER: We sit down with
18 management, we try to work it out what is the best
19 day for both union and management. Because, you
20 know, management is busy, they have meetings and
21 such stuff, other meetings.

22 REPRESENTATIVE BEBKO-JONES: What does the
23 correctional officer pay who would first, the entry
24 level, if I was to apply for your position today

1 what would be the pay of that position, do you know?

2 MR. PELLETIER: I believe it's 10.31.

3 REPRESENTATIVE BEBKO-JONES: It's what?

4 MR. PELLETIER: I believe it's 10.31.

5 REPRESENTATIVE BEBKO-JONES: 10.31 an

6 hour?

7 MR. PELLETIER: Yeah.

8 REPRESENTATIVE BEBKO-JONES: Okay. I may
9 be wrong, I don't look at what they make. I just
10 look at my paycheck.

11 And what is you're paycheck, how long have
12 you been here?

13 MR. PELLETIER: Five and a half years.

14 REPRESENTATIVE BEBKO-JONES: What is your
15 paycheck?

16 MR. PELLETIER: With or without taxes?

17 REPRESENTATIVE BEBKO-JONES: Do you feel
18 you get paid enough for what you do?

19 MR. PELLETIER: Oh, no.

20 REPRESENTATIVE MANDERINO: Who does,
21 right?

22 REPRESENTATIVE BEBKO-JONES: I just have
23 one more question.

24 We've heard from the administration and

1 from you today here which confirm that, in the
2 history of this prison no weapons have been found
3 but drugs certainly have been. Could you just give
4 us one situation, I guess for me it's always mind
5 boggling when I find out that we could never get rid
6 of the alcohol and drug problem, because inmates are
7 doing alcohol and drugs in the institution. So how
8 can we rehabilitate? Give me a situation of who and
9 how drugs would enter this institution. Could you?

10 MR. PELLETIER: It would be a visitor with
11 balloons, either swallowed them or placed them
12 strategically.

13 REPRESENTATIVE BEBKO-JONES: What?
14 Balloons?

15 MR. PELLETIER: They fill the drugs,
16 condoms are balloons, and they either have them in
17 their mouth or other areas of their body. Go in to
18 the bathroom, you pull it out, whatever.

19 REPRESENTATIVE BEBKO-JONES: Now --

20 MR. PELLETIER: I'd like to think it was
21 in the mouth when they pass it from mouth to mouth.
22 They're allowed a quick kiss.

23 REPRESENTATIVE BEBKO-JONES: So are you
24 just saying that drugs are brought in to this

1 institution by visitors only, has anybody in this
2 institution, a correctional officer, another inmate,
3 ever been charged with drug possession here?

4 MR. PELLETIER: Absolutely not.
5 Absolutely not.

6 REPRESENTATIVE BEBKO-JONES: So it's only
7 visitors?

8 MR. PELLETIER: I would say visitors. We
9 have, as a matter of fact I did, out at the south
10 ward, a delivery man had marijuana on him when I
11 searched him. Another one was a pizza man. I
12 thought it was oregano, it was marijuana he brought
13 in. So deliveries. Also you could have people
14 driving by, the visitors dropping stuff off, we have
15 inmates who work outside the fence.

16 REPRESENTATIVE BEBKO-JONES: Well, what
17 kind of security and check out point do we have? A
18 pizza man and salad man are bringing in drugs.

19 MR. PELLETIER: At the check out point.

20 REPRESENTATIVE BEBKO-JONES:
21 Immediately --

22 MR. PELLETIER: Before it even entered the
23 institution --

24 REPRESENTATIVE BEBKO-JONES: So we're not

1 charging --

2 MR. PELLETIER: Yes, they are, the state
3 police are notified.

4 REPRESENTATIVE BEBKO-JONES: So it's
5 mainly service providers and visitors, never anyone
6 that you're aware of within this institution
7 providing drugs?

8 MR. PELLETIER: We have never had anyone.
9 And they take precautions, we have the eye on scan
10 now that the office, well, all staff, the drug
11 machine, I think you may have seen that yesterday.
12 We have no tolerance for that either.

13 REPRESENTATIVE BEBKO-JONES: Thank you.

14 REPRESENTATIVE BIRMELIN: Representative
15 Josephs.

16 REPRESENTATIVE JOSEPHS: Thank you,
17 Mr. Chairman.

18 Thank you for being here.

19 You talked about the training for
20 correctional officers. I'm not real clear whether
21 that includes training for the people who do your
22 instructing, the heads of some of the programs, do
23 you know how they're trained or if they are trained?

24 MR. PELLETIER: What? Like the trainings

1 here?

2 REPRESENTATIVE JOSEPHS: Well, in general.

3 MR. PELLETIER: We have trainers trained.

4 REPRESENTATIVE JOSEPHS: We met a
5 gentleman who was running, and I was very impressed
6 by the wood workshop he was running. A person in
7 that position, does he or she go through, if you
8 know, comparable kinds of things that you've gone
9 through?

10 MR. PELLETIER: Everyone that works here
11 goes through the, even the priests, the nuns. You
12 have to go to the academy, but how long you have to
13 go, if you're a contact person you go longer. If
14 you're not a contact person you learn like the bear
15 minimum because you won't have contact with inmates
16 anyhow.

17 REPRESENTATIVE JOSEPHS: But when you say
18 a contact person you mean a person --

19 MR. PELLETIER: Who will be having contact
20 with the inmates.

21 REPRESENTATIVE JOSEPHS: The in-service
22 training that you spoke about that you give, is that
23 offered to everybody, all of the correctional
24 officers?

1 MR. PELLETIER: It's mandatory.

2 REPRESENTATIVE JOSEPHS: It's mandatory.

3 Do you get any raise in pay for having completed
4 those?

5 MR. PELLETIER: I wish we did, but, no, we
6 don't.

7 REPRESENTATIVE JOSEPHS: Would you like to
8 have?

9 MR. PELLETIER: We could arrange it.

10 REPRESENTATIVE JOSEPHS: Would you like to
11 have more of that kind of training than you have?

12 I'm not, when I ask that question I'm not
13 insinuating that what you have isn't adequate, even
14 if it's adequate and given, would you like to have
15 more, do you think that would be more useful for you
16 and your fellow correctional officers?

17 MR. PELLETIER: I think -- I think we
18 could do with a little more training on womens'
19 issues.

20 REPRESENTATIVE JOSEPHS: And mental health
21 issues?

22 MR. PELLETIER: It's not so much, we do
23 have males working here and they automatically think
24 PMS, but there are other issues as far as parenting,

1 inmates children run away, the mother is bound to be
2 more concerned than a father, than the male inmates.
3 So you have to look at their needs as far as that
4 goes. It's got to be very frustrating being locked
5 up not being able to get out there and find your
6 daughter or your child.

7 REPRESENTATIVE JOSEPHS: Last question.
8 The meet and discuss procedures that we heard about
9 here and at other places, is that a part of your
10 union contract, or how does that come about?

11 MR. PELLETIER: Yes, that's right, part of
12 the union contract.

13 REPRESENTATIVE BIRMELIN: Representative
14 Walko.

15 REPRESENTATIVE WALKO: Thank you,
16 Chairman.

17 I can't help but ask this. Can inmates
18 order pizzas here at Cambridge Springs?

19 MR. PELLETIER: It's certain occasions
20 that we have pizza night.

21 REPRESENTATIVE WALKO: They all just order
22 out?

23 MR. PELLETIER: Well, the activities
24 person takes their orders and goes and gets the

1 pizzas or hoagies.

2 REPRESENTATIVE WALKO: How many guards or
3 how many corrections officers do you have on board
4 here?

5 MR. PELLETIER: 150 maybe.

6 REPRESENTATIVE WALKO: And are they all in
7 your bargaining unit?

8 MR. PELLETIER: Yes.

9 REPRESENTATIVE WALKO: Does that include
10 maintenance supervisors?

11 MR. PELLETIER: Maintenance is mine,
12 dietary, corrections officers, and we take on the
13 secretaries and stuff too. They're just not H-1,
14 but we represent them.

15 REPRESENTATIVE WALKO: Oh, you do
16 represent them?

17 MR. PELLETIER: Um-hum.

18 REPRESENTATIVE WALKO: Do you feel you
19 have adequate staff level here?

20 MR. PELLETIER: Oh, no, none of the
21 prisons have adequate staff. We have a lot of
22 overtime, you get mandated.

23 REPRESENTATIVE WALKO: How much overtime
24 in general does your typical correction officer

1 have?

2 MR. PELLETIER: Well, some of them have 80
3 hours a week overtime, they like the overtime. You
4 mean, how much do we have a day?

5 REPRESENTATIVE WALKO: 80 hours a week.
6 And that overtime is paid at time and a half?

7 MR. PELLETIER: Some of it is double time,
8 too.

9 REPRESENTATIVE WALKO: I noticed in an
10 audit released by Auditor General Casey and started
11 by Auditor General Hafer, that overtime was
12 generally large in our state correctional
13 institutions. And have you seen any progress, has
14 that ever been the subject of your meet and
15 discusses?

16 MR. PELLETIER: Every time.

17 REPRESENTATIVE WALKO: Every time?

18 MR. PELLETIER: Um-hum.

19 REPRESENTATIVE WALKO: And what has been
20 done with it?

21 MR. PELLETIER: Well, they're trying to
22 hire more people. It's cheaper to hire somebody
23 than it is to pay the overtime, actually, so I don't
24 understand why we're understaffed. But I guess it's

1 hard getting people to -- like I said, corrections
2 isn't for everyone.

3 REPRESENTATIVE WALKO: And you said that
4 typical corrections officer in your estimate started
5 at about \$21,000?

6 MR. PELLETIER: I think they start at
7 10.31. When we started it was 8.75.

8 REPRESENTATIVE WALKO: And what is the top
9 corrections officer paying, 30,000?

10 MR. PELLETIER: Top, like a CO-1, it
11 depends how long they've been in the system.

12 REPRESENTATIVE WALKO: Hard to answer?

13 MR. PELLETIER: Yeah.

14 REPRESENTATIVE WALKO: Thank you very
15 much.

16 Thank you, Mr. Chairman.

17 REPRESENTATIVE BIRMELIN: Thank you very
18 much. We appreciate you getting over your
19 nervousness, it's not so bad after all.

20 Thank you for sharing your time with us.
21 Appreciate that.

22 We are going to ask our last five
23 testifiers to sit as a group so as you folks come
24 down you'll need some more chairs or have someone

1 from your staff bring more down. Maybe we can take
2 some that are right here.

3 For the benefit of the panel and for our
4 viewing public, let me introduce them. You're
5 Dr. Mowie?

6 DR. MOWIE: Yes, I am.

7 REPRESENTATIVE BIRMELIN: I know we met
8 briefly in the Waymar Prison.

9 DR. MOWIE: My name is Frederick R. Mowie,
10 and I'm chief of the psychiatric facilities.

11 REPRESENTATIVE BIRMELIN: Commissioner
12 Horne, in you'll introduce those seated to your
13 left.

14 COMMISSIONER HORNE: To my immediate left
15 is Mary Leftridge Byrd, superintendent of the
16 SCI-Muncy. And to her left is Dr. Lester Lewis,
17 chief of medicine. To my right, you've already met
18 Dr. Fred Mowie.

19 REPRESENTATIVE BIRMELIN: I'll also
20 indicate that the superintendent of SCI-Cambridge
21 Springs, Mr. Bill Wolfe is with us as well. You may
22 have to sit near a microphone before too much longer
23 so I don't know if you want to come down now or
24 later.

1 But for the benefits of those who are on
2 the panel here today we have asked them to sit as a
3 group, primarily for the saving of time which we
4 haven't been real good at saving. We're
5 approximately 50 minutes later than we thought that
6 we would be, but we do want to thank you for taking
7 time from a very busy schedule to be here. We
8 appreciate that.

9 And as you've already had explained to you
10 the general tenure of this meeting and the purpose
11 is to find out more about women in prison, what we
12 can do to improve how we handle them, and in the
13 sense that we keep them from becoming repeat
14 offenders, give them skills that they might not come
15 back and visit us quite so soon. And to deal with
16 any situations we feel investigatively we may be
17 able to address at some time.

18 As I've indicated to some of the members
19 here, I've been in many of the prisons in the state
20 with Commissioner Horne, I've been in the Muncy
21 Prison which Leftridge Byrd is the superintendent
22 of. And I know that we have a very good quality
23 professional staff that run the prisons in
24 Pennsylvania. That doesn't mean that we don't have

1 some problems we need to address. But at least our
2 people who are professional, these are people who
3 are working hard at their jobs and are I think
4 having a good attitude about trying to improve where
5 they see the need. They are unfortunately saddled
6 with many things, many responsibilities that they
7 are not the originators of, but they have had
8 hoisted upon them and they must deal with those
9 situations.

10 So with all that having been said I think,
11 Commissioner Horne, what we'll do is we'll ask you
12 to make an opening statement and if you have any of
13 your colleagues with you who you would like to do
14 the same they can do that. We have given you an
15 extra microphone because of the number of you.

16 And after any of the statements that any
17 of you wish to make, Commissioner Horne --

18 COMMISSIONER HORNE: Thank you very much.
19 I deeply appreciate your presence here today and
20 that of the members of the committee and the
21 continuing interests now over two consecutive
22 summers of this subcommittee of the House Judiciary
23 Committee in the operation of the Department of
24 Corrections.

1 We genuinely appreciate the interest and
2 appreciate the support from your committee and the
3 deliberative attitude towards being what are a host
4 of very complex and thorny issues. I will not say
5 too much now, I'm sure you have lots of questions.

6 I'd like to say just a few brief things
7 and then I know that each of my colleagues has
8 something to say. I'll ask them to sort of
9 summarize or abbreviate it in the interest of the
10 committee's time.

11 At the risk of being politically
12 incorrect, women are different and we recognize
13 that. And I think that there was a period of time
14 in this country and in the administration of the
15 justice where there was an attitude that we were
16 going to treat inmates as inmates as inmates. And
17 on some level we must and we always will.

18 But I think that the staff of Pennsylvania
19 Department of Corrections recognizes that there are
20 differences that need to be taken notice of and
21 adjusted to.

22 We, as you correctly noted, have to play
23 the hand that we are dealt. I've listened to some
24 testimony this morning, I've listened to discussions

1 about inmates preferring to be at Muncy, and given
2 how nice this place is I guess that must mean that
3 Muncy is really nice. We inherit the location,
4 inherit the physical plant. We inherit the rules.
5 And our challenge is to try and take that which we
6 have and make it even better. And that is a daily
7 task.

8 There was a lot of discussion earlier
9 about the incidents of sexual impropriety between
10 staff and inmates. And I feel obligated to say at
11 the outset several things.

12 One, certainly it happens. Let me suggest
13 to you that it not only happens at women's prisons,
14 but it happens at men's prisons as well. People
15 lose their ethics and people violate the rules. And
16 above all else this is a business that is about
17 people. This is a business that every day is about,
18 about 40, 49,000 people in the Department of
19 Corrections.

20 The vast majority of corrections staff are
21 honest, sincere, hard working, highly ethical people
22 who for \$10.31 an hour do this job because I think
23 they genuinely do enjoy it, I think they're the last
24 idealists. I think they do believe that the

1 operative word in the title of this department is
2 corrections. I think also that they do believe that
3 there is a higher calling to protecting the public
4 safety. And in order of priority our first priority
5 is to the public safety, it is also as well to the
6 safety of our staff, and the health and safety of
7 our staff and inmates.

8 There have been a few bad apples, and they
9 give us all a black eye. And as Sgt. Pelletier
10 said, and what she failed to tell you, and I wish
11 she had, is that this union local has voted and
12 taken a position that while they have an obligation
13 to represent their members if they are charged, that
14 they would not tolerate, she used the word zero
15 tolerance, they would not tolerate sexual misconduct
16 by their staff.

17 But I think that it would be terribly
18 unfair to tarnish the good name of so many fine
19 people of her obvious earnestness and obvious
20 character by virtue of the misconduct of a few.

21 I think that in the two days that we've
22 been here you have undoubtedly heard from the
23 superintendent about the rush with which this
24 facility was opened. And you heard a lot of

1 testimony about inconsistency. I think it is worth
2 noting that the median experience level of this
3 staff is two years. And to the extent that there is
4 less inconsistency than at Muncy than it is here it
5 is perhaps a function of the fact that Muncy has
6 been there for a hundred years.

7 If the average -- if the median tenure of
8 your line staff is two years and you have here in
9 Sgt. Pelletier a sergeant who herself has barely
10 five years of experience with this department, and a
11 facility that is in the middle of ongoing
12 construction which from day-to-day disrupts traffic
13 patterns, and a system that is growing and a new
14 staff, you are going to have change. And as I think
15 Sgt. Pelletier correctly observed, inmates,
16 particularly inmates who are institutionalized,
17 don't like change.

18 The final point I want to make is that all
19 of the cases that Representative Manderino mentioned
20 were, in fact, initially investigated and were -- in
21 fact, every single one referred to outside law
22 enforcement and became public because of
23 investigations initiated here at the facility. And
24 because the facility here when they did their

1 initial investigation believed there was sufficient
2 evidence to call in our office, office of
3 professional responsibility which worked very
4 closely with the local district attorney to secure
5 the convictions.

6 We are not perfect. We operate within
7 rules and those rules are designed to protect all
8 parties concerned. We are a law enforcement agency.
9 We are a bureaucracy. We operate in a collective
10 bargaining environment and we take the rules very
11 seriously. Sometimes those rules frustrate us, our
12 ability to prove what we deem in our heart
13 intuitively believe to be true.

14 But we have to operate based upon what we
15 can prove. And we have to be very very careful not
16 to allow inmates to tarnish the good name and to
17 allow us to get caught up in a sandwich trial
18 environment. We have tried to do that. Not only
19 have we referred cases to prosecution, but we have
20 terminated and brought internal disciplinary charges
21 against more employees than you have even mentioned
22 for sexual misconduct.

23 Several employees have been allowed to
24 resign in lieu of discipline. Where we believe

1 there was sufficient evidence to prevail in a
2 criminal trial we have referred to that. We have
3 undertaken several changes, not least of all the
4 installation of electronic surveillance cameras
5 which is continuing, you heard one of the inmates
6 complain about having been told to leave a vestibule
7 inside a stairwell.

8 There are reasons for these rules. This
9 is, in the final analysis, a prison. And it may not
10 look as severe as Western Penitentiary, but we never
11 lose sight of the fact that it is a prison. And one
12 of the things that I have learned in 28 years in
13 this business is that the less physical security you
14 have the more procedural security you must have.

15 In fact, people who run minimum security
16 facilities by and large have better accountability
17 over their inmates than staff in facilities with
18 walls and gun towers because they cannot rely on
19 that. They have to rely on knowing where everybody
20 is at every moment. So that may be perceived by the
21 inmates as petty, as troubling, indeed perhaps as
22 inhumane.

23 I would suggest to you that there are two
24 sides to the story.

1 So with those brief comments I would first
2 ask Superintendent Byrd and then Dr. Lewis and
3 Dr. Mowie to make some brief comments. And we would
4 be happy to answer any questions from the committee.

5 SUPERINTENDENT BYRD: Thank you. Good
6 morning. I'm Mary Leftridge Byrd, I'm the
7 superintendent at Muncy which is the Commonwealth's
8 oldest facility for women. In fact, the physical
9 plant for the most part is 77 years old, and indeed,
10 there is some crumbling at that facility as well as
11 capital projects that are occurring in the facility.

12 You may be interested to know that
13 SCI-Muncy was opened by the Department of Public
14 Welfare in 1920. It brings a particular history
15 that has to do with dealing with errant girls as
16 opposed to grown women who are also criminal.

17 I have had now 26 years of experience in
18 corrections, probation and parole, which is really a
19 frightening thought. I will tell you this is the
20 second major women's prison I have had the
21 opportunity to and privilege to manage. Had I not
22 managed a women's prison prior to coming to SCI, I
23 would have been in for a definite shock.

24 The officer, and indeed the Commissioner,

1 just spoke to, for example, interpersonal dynamics
2 that may be a part of staff deciding not to do the
3 right thing. I think that in terms of what happens
4 with the training I would listen very closely to the
5 sergeant, and I note that there is an increasing
6 identification of need to train staff differently
7 perhaps to expand on what already is in place.

8 One of the things we've done to talk about
9 a lot at Muncy in terms of training is the whole
10 issue of interpersonal, and regarding inmates first
11 as a result of their legal status on balance with
12 the gender things do need to be different with
13 women. I've made a number of notes and I'm going to
14 go right through those very very quickly.

15 There are issues why the number of women
16 coming to a state institution is increasing. There
17 are issues that have to do with mothering and
18 parenting from inside out. One of the things that's
19 been interesting to me in my experience with women
20 which is now 12 years is that women regard,
21 sometimes, incarceration as a continuation rather
22 than the interruption of their lifestyle. And there
23 certainly is a focus on trying to manage the
24 personal affairs from inside out which in and of

1 itself is fascinating.

2 As to mothering or parenting, as to those
3 kinds of responsibilities there is a number, and
4 indeed there are waiting lists for programs and you
5 probably heard that the other two days this week
6 that you've been here.

7 Project Impact I think which is one of our
8 parenting programs, our therapeutic community which
9 deals with drug and alcohol abuse and the second
10 parenting program that we have in place specifically
11 for domestic violence, are probably the three
12 programs that make the greatest difference to women
13 in terms of learning, learning skills that are going
14 to help them in the community. I don't overlook our
15 academic training and our vocational training,
16 industries as an example, educational classes that
17 are really about skills and those that are about
18 academic skills are also a part of helping a person
19 prepare.

20 I think it is also important to echo, the
21 Commissioner has talked about in terms of
22 inappropriate conduct on the part of the staff. I
23 have had the occasion a number of times to encourage
24 individuals to separate service from the Department

1 of Corrections. When a person decides to do the
2 wrong thing he or she has offended that department,
3 in fact, I think the Commonwealth. So we have been
4 very very serious and very aggressive about weeding
5 out those persons who offend this profession and
6 that uniform. And I intend to continue to do that.

7 The number may be high, perhaps it's low
8 compared to other jurisdictions, I'm uncertain. My
9 hands are full keeping up with SCI-Muncy and doing a
10 good job at that. But I think it's very very
11 important to be aggressive what the parameters are,
12 what the expectations are, what professional
13 standards are.

14 When I began to work there in 1991 I went
15 to roll calls, I went to meet and discuss, I did
16 payroll stuffers and got the message out very very
17 soon in my tenure there, that there were some things
18 that happened historically that were not going to
19 happen to the extent we were able to weed that out
20 under the current administration.

21 I will stop at this point because I
22 believe the Commission about those so I'll leave it
23 alone for the moment and respond to any questions at
24 a later time.

1 DR. LEWIS: I'll sort of hold on to this.
2 I would like to go on record stating that if my
3 child were missing my wife and I would be equally
4 concerned.

5 As the medical director I have a real
6 responsibility for the overall health and welfare of
7 our population. And it is out of vogue to separate,
8 but equal is no longer the doctrine of the world.
9 But I have a system that I have to be concerned
10 about is separate and I have to know an equivalent
11 level of care provided. And it's a little
12 different.

13 I worked at SCI-Muncy for about 18 months
14 prior to coming to the department. But before that
15 I've been in several other correctional settings and
16 I've always had the care of women as one of my key
17 responsibilities.

18 We know that the rape increase of women is
19 greater than that of men. Maybe that it's a
20 different perception now that there was a system
21 where we dealt with girls before, now we're looking
22 at people as women and maybe the approach is
23 different. But your numbers are increasing.

24 There is a greater incidents in use of

1 addictive substances and the associated high risk
2 lifestyles, which it's a two-way street. Lifestyle
3 leads to lifestyle, lifestyle leads to addiction,
4 and there is a lot of diseases associated with that.
5 So there is a higher instance among our women of our
6 population of significant diseases and multiple
7 diseases.

8 Women have certain immunological disorders
9 that men tend not to have. Again, I was very
10 surprised by the number of thyroid conditions, and
11 you rarely see that in men. You have a lot of
12 immunologically related disease such as rheumatoid
13 arthritis and lupus that you tend not to see in the
14 male population. So there are some real clinical
15 differences as well as the obvious ob/gyn needs that
16 are very different and need to be addressed on a
17 continuing basis.

18 Just as an overview of our system, we have
19 a combination of state and private contracts in
20 terms of provision of services. The private
21 contractors, we have three at the present time
22 decided according to the regions in which we
23 separate the system. The contract is to provide
24 physician and physician's assistants as well as

1 staff, state employees are nursing, medical records,
2 dentistry, again, as well as some administrative
3 staff.

4 We have a corrections health care
5 administrator who really serves as the eyes and ears
6 of the department on site and really monitors the
7 contract and looks, checks for compliance, and
8 really looks at standards of care.

9 We have access to care 24 hours a day with
10 nursing staff on site around the clock. We have
11 routine sick call five days a week and access
12 available within 24 hours of request. On weekends
13 we also have medical staff, physicians routinely
14 come in seven days a week and, again, will see those
15 who have urgent needs within 24 hours.

16 Medical rounds are done on infirmery cases
17 every day. As well as through our restricted
18 housing unit there is medical people who go through
19 the area, address sick call needs and just look at
20 the general stating of the housing there. And we do
21 that every day.

22 We have a chronic care clinic program
23 where when chronic conditions are identified we see
24 individuals for that condition at a minimum of every

1 90 days. That would be say hypertension, diabetes,
2 asthma, any of those conditions which require
3 chronic medication or significant follow up. We
4 have that on a very regular basis to make sure that
5 people are seen on a regular basis. We don't miss
6 their problems.

7 We have an intake process where anyone
8 coming in to our institutions, the state
9 correctional institution at Muncy is the intake
10 institution for women, we have an evaluation that
11 occurs, there is a history is taken and we attempt
12 to identify any acute medical conditions. Within
13 seven days a complete physical is done. And I
14 remember at Muncy which when I was there we usually
15 did that within 24 hours. So they would be seen by
16 a physician or physician assistant within 24 hours,
17 any urgent need is addressed and they are
18 subsequently assigned to any chronic care clinic as
19 needed. So that we have an ongoing system there to
20 make sure their needs are addressed.

21 Particularly psychological, they're also
22 done at that time. So we have a system and that's a
23 hundred percent every one goes through that.

24 There is also, just wanted to touch on the

1 role of Bureau of Healthcare Services to which I and
2 I think Dr. Mowie belongs. We serve as the
3 consultant let's say to the Commissioner, we serve
4 as the expert consultants to each institution.

5 The institutions are run independently but
6 the Bureau of Healthcare Services is responsible for
7 the development of policy and procedures that relate
8 to healthcare. And these are done and reviewed on
9 an annual basis. We try to minimize the changes we
10 have to make because, again, it's difficult when you
11 introduce change to a system this large. But there
12 are certain conditions which require constant
13 revamping such as our HIV management.

14 I did an algorithm to manage that in
15 January. I will be putting out a new one within the
16 next several weeks. Again, we have to stay current
17 and we really do a good job of that.

18 I am a jail doctor. That has certain
19 connotations and still does. And when we talk about
20 difficulties in staffing, people see walls, they see
21 wire and professionals say, well, why would I
22 subject myself to that. But once you get inside
23 it's a really fascinating place to be. And it
24 offers challenges you just won't find anywhere else.

1 On that note I'll defer to Dr. Mowie and
2 I'll be available for any questions.

3 Thank you.

4 DR. MOWIE: I'll be very brief.

5 I manage all the psychiatric treatment and
6 the training on mental health issues for the
7 department in our 24 prisons. I have a particular
8 interest in Muncy because I have worked there for
9 seven years as the staff psychiatrist. Lived there
10 in the institution. I enjoy that very much. I feel
11 it's a very beautiful institution. It's the
12 cottages, just the grounds are well kept and I
13 always just enjoy going there and walking around the
14 facility.

15 I think the thing that you need to know
16 about women in prison is that they have a high
17 degree of multiple disorders. They have a higher
18 incidents of mental health problems. Many of them
19 have, over half have past history of both physical
20 and sexual abuse. A very high number have history
21 of drug and alcohol problems.

22 And the unique stressor for women that
23 makes prison particularly hard for them is that
24 they're separated from their children, and from

1 their families, which adds an additional stress that
2 often causes them to have increased anxiety and
3 depression and also psycho complaints.

4 As a result of the psychiatric demands for
5 care of women and also medical demands of care are
6 about twice what they are for men. I learned to
7 appreciate this after going and working at Camp Hill
8 Prison for mental and being able to see the
9 difference between the problems in the women's
10 population versus the men.

11 Over the years from 1984 until now when
12 I've noticed this we have a larger group of younger
13 females in prison who have histories of violent
14 behavior and impulsive, we also have a larger degree
15 of elderly with chronic medical problems. So those
16 two groups seem to be getting much larger, and I
17 think this has had a big impact on the growth.

18 I think the growth of the number of women
19 in prisons is directly attributable to drug
20 offenses. They've dropped off dramatically in the
21 last 15 years, and also the more serious incidents
22 of violent crime.

23 So those are my impressions. And I'd be
24 glad to answer any questions based upon my

1 experience.

2 REPRESENTATIVE BIRMELIN: Thank you all
3 for your opening statement.

4 At this time I'm going to call on
5 Representative Josephs to temporarily chair this
6 meeting, not to ask questions. Although once you
7 have the microphone you can do what you like.

8 REPRESENTATIVE JOSEPHS: Representative
9 Brown, any questions?

10 REPRESENTATIVE BROWN: Thank you,
11 Ms. Chairman, Commissioner, and panel, thank you
12 very much.

13 I briefly have a statement I want to make
14 and then maybe we can work together on what else
15 could be done.

16 You're probably aware that this is my home
17 town and this institution certainly has had some
18 history to it. I have noticed a big change in the
19 community and they really do appreciate the
20 opportunities when the inmates can go in to the
21 local communities and help say, for instance, we
22 have a Community Days where they help build
23 different platforms and so on. I think that the
24 inmates really like that opportunity and, of course,

1 they have to be a certain classification. But the
2 community likes that also.

3 And I don't know if that could be tied to
4 a possibility of a little more work release, or if
5 more projects could be worked out with the
6 communities, and maybe not necessarily Cambridge
7 Springs, maybe it could be open to more local
8 communities in the area. But I know it's been a
9 real plus because at first with all the problems
10 we've had in the community in accepting the
11 institution, I think it's a two way, a good two-way
12 street. It's going to help the inmates and they
13 really like it, but I haven't seen an awful lot of
14 that. So if that could be integrated down the road
15 I would love to be able to work with you on that.

16 COMMISSIONER HORNE: Thank you very much.
17 We look forward to working with you on that. We
18 have authorized Cambridge Springs to maintain two,
19 what we call community works project crews. They've
20 been authorized to hire additional labor foremen to
21 supervise those crews, and I believe those personnel
22 on are staff.

23 And I believe just this week we obtained
24 the first of the two vehicles to help us transport

1 that crew around. So that will make 20 inmates
2 available on an ongoing basis to work with the
3 community on a variety of projects. There are many
4 demands that we're well aware of, just community
5 groups. We've worked with PennDOT, we've worked
6 with DCNR. Governor Ridge, one of his first
7 directions to me was to put inmates to work for the
8 benefit of the Commonwealth and we believe that the
9 experience of working and the experience of paying
10 back to the community is a redemptive experience and
11 good for the inmates as well as good for the
12 community. So we will work with you.

13 Obviously, there are some outside limits
14 on what we can do, for several reasons. As you
15 correctly surmised, we have to be very careful about
16 who we -- and everybody needs to understand that as
17 careful as we will be, two things will happen. One
18 is some inmates will let us down. And two, we will
19 make mistakes. Because when you're dealing with
20 this day in and day out you can look at a file and
21 look at a file and just not see that critical fact
22 sometimes. And we do the best we can and we just
23 hope that when, God forbid, the untoward, the one
24 inmate who walks away from the crew, the one inmate

1 who walks away and shoplifts or -- everybody will
2 understand that we said every time you undertake
3 something like this there is risk. If you don't
4 want risks then all we can do is lock you in cells
5 24 hours a day. The first time you open the door
6 you take a certain amount of risk. All of us assume
7 a certain amount of risk. We think that the overall
8 benefit is worth the risk. We think that we can
9 manage the risk. We can never eliminate the risk.

10 Given the nature of our inmate population,
11 given the growing effectiveness of the sentencing
12 guidelines and intermediate punishment programs it
13 is more and more difficult for to us find more
14 inmates who are, have halos and wings. There are
15 very few who have halos and wings. But we will work
16 with the community and I know Superintendent Wolfe
17 and his staff and Mr. Barr are very anxious.

18 REPRESENTATIVE BROWN: Thank you.

19 And I also, I think it's very appropriate
20 right now that Superintendent Wolfe really deserves
21 an awful lot of credit for this institution because
22 with all the problems we started out with he
23 volunteered to come to this area and he has made a
24 complete turnaround. The community really

1 appreciates it.

2 I'm sure you realize the asset he has
3 given to the Department of Corrections. But often
4 times you don't hear that because Harrisburg and the
5 connections with the communication, but we're very
6 pleased with him. And he participates in the
7 community. He lives with everyone. So he really
8 truly has done an excellent job and I think it's
9 appropriate.

10 COMMISSIONER HORNE: Thank you very much.
11 I appreciate that and I share that assessment. And
12 I also, I believe that over time institutions, total
13 institutions like this prison assume the personality
14 of their leadership. And Superintendent Leftridge
15 Byrd who were at Muncy before she came, will attest
16 to the change that she has affected there. It is a
17 healthier place to do time if you have to do time
18 than it was six years ago.

19 And I think that Superintendent Wolfe and
20 his staff, he has some terrific staff up and down
21 the line, it's not just management staff, it's not
22 just corrections officer, it is maintenance personal
23 and it is secretaries and teachers, and counselors.
24 They start you off, insufferable odds, how many of

1 you here the first praise, only the bad, there were
2 20 personnel and then within a month you had how
3 many inmates?

4 SUPERINTENDENT WOLFE: We had about 50.

5 COMMISSIONER HORNE: So they just opened
6 overnight, very short notice. As you can see this
7 is a facility we're running on the fly. We're
8 building it as we run it. There has been a lot
9 of -- since the incidents at Western Penitentiary
10 about the propriety of putting inmates to work. But
11 as you well know a lot of work that's been done here
12 in-house was done by inmates. You saw the infirmary
13 yesterday, that infirmary area was totally built by
14 inmate labor. And I think that is an appropriate
15 thing to do. They added value for the Commonwealth,
16 the saved money. The value of this facility is in
17 the hundreds of million of dollars and yet the
18 amount of taxpayer money we've actually spent to
19 acquire it and rent it is probably under \$10
20 million. And they're doing quality work. The
21 inmates are learning skills that I think, A, teach
22 them the value of work, teach them how to work, some
23 them skills that will serve them well on the
24 outside.

1 So I appreciate your comments.

2 REPRESENTATIVE BROWN: Thank you.

3 REPRESENTATIVE JOSEPHS: Representative
4 Bebko-Jones.

5 REPRESENTATIVE BEBKO-JONES: Thank you,
6 Madame Chairman.

7 Good afternoon everyone.

8 First of all, I just want to say it's an
9 honor for me to be in the room with all of you.
10 This is an opportunity for me to listen to the
11 experts.

12 For your information I do not serve on
13 this committee. But the issue of women in prisons
14 have always been a top priority for me. And I'm
15 frightful that the chair of this committee has
16 allowed me the opportunity to participate along with
17 my colleagues that serve on this committee.

18 And I know that the whole world is
19 changing here, but it really frustrated me when I
20 see the rise of incarceration and I'm trying to
21 figure out in my mind, how, why, what causes it.
22 They're incarcerated and we have to deal with the
23 issues while they're incarcerated. And I guess
24 probably, and I'm not telling any of you anything

1 because you are the experts, but of everything that
2 I read almost 86 percent of our folks in state
3 institutions have an alcohol and drug problem. Are
4 we taking care of that?

5 I hear so many different programs within
6 this prison, this prison, after care, drug court,
7 are we experiencing all of these programs? Is there
8 one piece to the whole puzzle? Of course, there
9 isn't, you know. There is all kinds of issues,
10 especially for women. And I think the real victims
11 here are the children of the women that are
12 incarcerated, and the families of those women.

13 We watch the struggles that women have to
14 try and get their children back once they've been
15 incarcerated. And sometimes there isn't a family
16 member that has their child. I'm not going to go
17 through all of that. All I would ask, because I'm
18 not a member of this committee, I would hope that
19 when I send correspondence to you, Commissioner
20 Horne, and anyone else, that I would be responded to
21 like other members in the General Assembly that do
22 serve on the committee. And I'm not, I'm going to
23 save any of my questions for another day.

24 Thank you.

1 COMMISSIONER HORNE: Thank you. I hope
2 your experience has been that we've responded to
3 you, and if not I'd be very disappointed to hear
4 that.

5 Also, I think your points are well taken.
6 There is no silver bullet where drug use is
7 concerned. On any given day there are there 10,000
8 inmates in the Department of Corrections that are
9 enrolled in drug and alcohol treatment programs. We
10 spent about \$10 million a year on drug and alcohol
11 programs. Is it enough? No, it's not enough. We,
12 and you in the legislature, are always faced with
13 the quandry of given a single dollar do you choose
14 to spend that dollar on drug treatment in the
15 community or drug treatment in prison.

16 REPRESENTATIVE JOSEPHS: What is the
17 entire correction budget? You don't have to give
18 me, for the current year that we voted on.

19 COMMISSIONER HORNE: 930 million. Not
20 quite a billion.

21 REPRESENTATIVE JOSEPHS: I'm sorry.

22 COMMISSIONER HORNE: \$930 million.

23 REPRESENTATIVE JOSEPHS: \$930 million.

24 How much of that, if there is a breakdown that you

1 tell me, because we only have two female
2 institutions in this state, that's a lot of money,
3 how much do the females in this state receive for
4 service out of the that?

5 COMMISSIONER HORNE: Well, actually on a
6 per capita basis they receive more. The budget for
7 SCI-Muncy is almost \$32 million a year. And that is
8 for the 800 inmates there. And the budget for
9 Cambridge Springs is \$16,600,000, roughly half as
10 much. And that is for the approximately 600 inmates
11 here.

12 I will tell you that second only to
13 Western Penitentiary SCI-Muncy is the most expensive
14 facility in the state to operate. The average cost
15 per inmate per year in the new prototypical prisons
16 like Albion and Somerset is about \$17,000 a year.
17 The cost at Western Penitentiary is \$33,000 per
18 year. And the cost at Muncy is \$26,000 per year.
19 So on a per capita basis we're actually spending
20 more for the women.

21 REPRESENTATIVE JOSEPHS: Why is that?

22 COMMISSIONER HORNE: Well, in some measure
23 for some of the same reasons as Western, it's age
24 and the physical layout of the facility. Part of it

1 is some of the differences, some of the demands for
2 healthcare. Also because, keep in mind that because
3 the small system Muncy performs several of the
4 specialized services that are, that are amortized,
5 if you will, over a larger base. In other words,
6 they are the central receiving and diagnostic
7 facility.

8 You almost have to think of Cambridge
9 Springs and Muncy as a system by itself that Muncy
10 doing that Muncy has our only mental health units
11 for women. Where among the men we have that
12 distributed. So you've got certain basic
13 administrative court costs and you have a much
14 smaller base to spread it over. And you don't have
15 the economic means of scale.

16 REPRESENTATIVE JOSEPHS: Thank you very
17 much.

18 REPRESENTATIVE BEBKO-JONES:
19 Representative Walko.

20 REPRESENTATIVE WALKO: Thank you.

21 I don't want to dwell on this issue at
22 length because it's not the primary subject of
23 today's hearing. But with regard to the inmate
24 labor, would you describe exactly, or some of the

1 jobs that they actually are performing, is it cement
2 work, is it electrician work, is it plumbing?

3 COMMISSIONER HORNE: Yes.

4 REPRESENTATIVE WALKO: So it's all?

5 COMMISSIONER HORNE: First of all, part of
6 it is a trades program. We have vocational training
7 programs in all those skills and I don't know if we
8 have it here --

9 SUPERINTENDENT WOLFE: Yes, we do.

10 COMMISSIONER HORNE: So part of it is we
11 have, we're trying to teach inmates those skills.
12 And we're very proud of a non traditional
13 participation of years ago women who taught sewing
14 and housekeeping skills. And to be cooks and maids.
15 And we don't do that. So I'm proud of that.

16 But the reality is that for as long as
17 this corrections department has operated the
18 day-to-day maintenance of the facilities, under the
19 supervision of state employee unionized staff has
20 been assisted by inmates. Now, that means that if
21 we're going to put down some concrete, some sidewalk
22 under the supervision of a maintenance tradesman,
23 the inmates would do the excavation, the inmates
24 would build the forms, the inmates would mix the

1 cement, and the inmates would lay the cement. The
2 inmates will not do complex plumbing projects and,
3 in fact, if there is a project over \$25,000 in value
4 it must be contracted out and designed by the
5 department of general services. But if it's a
6 matter of fixing a leaky toilet or a faucet, if it's
7 a matter of renovating a small building or an area
8 of a building, installing a wash stand, if it's a
9 matter of putting a light fixture someplace, the
10 inmates will do that kind of work.

11 And in the infirmary area that you toured
12 yesterday they did the sheetrocking, they did the
13 painting, they did everything under the supervision
14 of our staff.

15 REPRESENTATIVE WALKO: And also, are you
16 working cooperatively with the building trades
17 unions, for example, in some of these endeavors with
18 regard to plumbing, you know? You have the
19 vocational training, are they working cooperatively
20 with the department?

21 COMMISSIONER HORNE: We have
22 apprenticeship programs in some facilities, yes.

23 REPRESENTATIVE WALKO: That you work with?

24 SUPERINTENDENT HORNE: Well, yes, to the

1 extent we can.

2 REPRESENTATIVE WALKO: Just real briefly,
3 the department through general services then are
4 subject to prevailing wage laws?

5 COMMISSIONER HORNE: If it is it is
6 subject to prevailing wage.

7 REPRESENTATIVE WALKO: Thank you.

8 Then regarding the medical issues, what
9 roughly is the cost of medical care on an average
10 inmate in Pennsylvania?

11 COMMISSIONER HORNE: It's about \$3,000 per
12 inmate per year.

13 REPRESENTATIVE WALKO: What does that do
14 when an inmate becomes 55 or older, where does that
15 number go?

16 COMMISSIONER HORNE: I think it's, we pay
17 a capitated rate. We basically buy a health
18 insurance plan, we buy a health maintenance company,
19 we pay them a fixed rate. And it's competitively
20 bid. In fact, each of the last rounds of bidding
21 the cost has come down from the previous year, so
22 each year the last two years that I've been here,
23 we're actually paying less in healthcare costs. But
24 they bid and they save. We have three regions there

1 might be 10,000 inmates and they say, well, all
2 right, for \$3,000 per inmate times 10,000, whatever
3 to comes to, we will take responsibility for a set
4 range of services. We specify the services, just
5 like an insurance plan. We'll pay for the following
6 procedures, we won't pay for these procedures.
7 You're responsible for doing this, and they're then
8 responsible for managing everything including the
9 hospitalization and pharmaceuticals.

10 If it costs them \$20,000 to treat that
11 inmate that year they've lost \$17,000. But for
12 every inmate that costs them 20,000 there are
13 several inmates that don't cost them 3,000. And
14 that's how it works. So a 55 year old inmate
15 doesn't really cost us more, it does over time
16 because obviously, and they look at their actual
17 costs and it will affect the bids over time. But we
18 pay a fixed rate.

19 I can predict the next five years what the
20 cost of inmate healthcare will be subject only to
21 growth in my inmate population as doctors change in
22 medical practice which we would impose, for example,
23 from the protocol for treating AIDS, and we would
24 mandate that the cost would have to be adjusted. We

1 spend in fiscal 1996, \$9.41 per inmate per day for
2 healthcare.

3 DR. LEWIS: Let me just say something else
4 too.

5 We are aware, we are a healthcare service,
6 we do the determination as to who receives contracts
7 so we're aware of the cost of the contract, but our
8 focus is not on that. Our focus is to make sure
9 that our population has what they need. And that's
10 really what we do on a day-to-day basis.

11 In terms of the costs, sometimes we will
12 make decisions as to since we have multiple
13 offenders what should be on the costs. But in terms
14 of worrying about the costs to them, that's not our
15 concern. We worry about negotiating a good contract
16 for the Commonwealth, but it's a total care
17 contract. And we feel we do that job at the onset.
18 Again, there may be significant changes in
19 healthcare like the care is going to be dramatically
20 increased over the --

21 REPRESENTATIVE WALKO: For what?

22 DR. LEWIS: Viral illness, like AIDS and
23 hepatitis, those issues are now being looked at and
24 the costs are significant. As those change we will

1 look at the costs, but our concern is to make sure
2 our population has what they need.

3 REPRESENTATIVE WALKO: So all of the
4 medical services are contracted out; is that
5 correct?

6 DR. LEWIS: Well, yes. We have state
7 staff, we have nursing staff, dentistry, those are
8 still employees. The actual cost of physician care
9 and external care by specialists, consultants, that
10 is, in fact, under contract, that is contracted out.

11 REPRESENTATIVE WALKO: I believe the
12 department is getting me a copy of a recent contract
13 which was entered into for 150 million.

14 DR. LEWIS: The western region.

15 COMMISSIONER HORNE: Couldn't have been a
16 125 million?

17 REPRESENTATIVE WALKO: Well, whatever it
18 was.

19 Finally then the nurses are not --

20 COMMISSIONER HORNE: Nurses are state
21 employees.

22 REPRESENTATIVE WALKO: They are state
23 employees. And is there any conflict there? I
24 mean, are the nurses also accountable to the

1 contractors, or are they accountable to --

2 COMMISSIONER HORNE: They are accountable
3 to us and they're accountable to their licensing
4 authority. So they're professional, they're
5 licensed professionals, and we have to rely upon
6 their obligation to retain their license. They do
7 not work for the contractor. Depending on who you
8 talk to there are people who will tell that you
9 there is an inherent conflict. And there are
10 locations where we have had tensions between what
11 the physician believes to be the appropriate course
12 of conduct and what our nurse believes to be the
13 appropriate course of conduct.

14 I am from the school of physician driven
15 medicine, the physician is the lead professional.
16 And we are working very hard to address that through
17 training and through interpersonal growth on the
18 part of the above. When it works it comes together,
19 more often when it doesn't work it's a personality
20 conflict and inflexibility, and the people are going
21 to be jerks.

22 REPRESENTATIVE WALKO: Is there some
23 conflict between the fact, for example, nurses are
24 paid a set salary but this company rendering the

1 direct medical services set a rate and stands to
2 lose or gain money based on the amount of work they
3 do? I mean, is there, they're a profit mode and is
4 a set contract --

5 COMMISSIONER HORNE: I don't think so. It
6 is no different, it is no different than managed
7 healthcare for the general population.

8 I will tell you that over the history of
9 this Commonwealth before we contracted out for
10 medical care there was a terrible record in this
11 Commonwealth of providing -- and I'm not talking
12 about gold plated treatment, I am talking about
13 minimally acceptable care. The standards that we
14 cannot show deliberate indifference to the care of
15 inmates, and that it has to meet the quality of care
16 standard in the community of reference. And this
17 Commonwealth was sued in the Tillary case, it was
18 sued in ICU versus Schaap in the early days, and the
19 quality in the Austin litigation which was settled
20 in 1994. And the quality of healthcare was a major
21 part of that.

22 The Commonwealth at least in the
23 corrections department had not done a good job of
24 managing inmate healthcare. Managing healthcare,

1 recruiting quality physicians, ensuring quality
2 service, overseeing clinical judgments for a
3 population this large in a fast changing medical
4 environment requires special expertise. It requires
5 the ability to respond quickly to changing trends.

6 And I know for a fact having worked in a
7 department where, where medical care was not
8 contracted out, that large numbers of administrative
9 staff up to and including the commissioner spent
10 long hours which should have been spent worrying
11 about securities and operations and budget, worrying
12 about recruiting individual physicians. And that is
13 something the private sector quite frankly does far
14 better than we. And if we make it an issue it is a
15 premium that is well spent. It is a place where
16 privatization makes sense.

17 DR. LEWIS: I agree. I mean, the truth.
18 One of the things that the bureau does is bridge
19 that gap. I was in the private sector prior to
20 coming here. We have, we have a quality improvement
21 program which, in fact, we presented at a national
22 corrections conference in the spring and it's an
23 excellent program. And it provides the ability to
24 have the contract staff feed directly in to the

1 bureau on an ongoing basis. We have regular
2 meetings with our nurses staff, our clinical
3 healthcare administrators. Joint meetings. The
4 staff from the bottom up is always in the field.

5 We're very active, interacting at the
6 site. So we tend to bridge the gap. If there is a
7 conflict it's not uncommon for myself and Dr. Mowie,
8 for any of the staff to actually go to the site and
9 mediate, and universally an agreement is reached and
10 then we move on.

11 COMMISSIONER HORNE: That is really the
12 reason I have these two gentlemen who are state
13 employees who are my consultants because if a
14 facility, the nurse, calls and says, look, we think
15 that we should be doing X and doing Y, these are the
16 arbitrators and these are my policemen. And as Les
17 indicated, we have a quality monitoring program. We
18 have reports, we have treatment protocols, and we
19 specify in the contracts if the inmate has diabetes
20 and these are the symptoms this is the course of
21 treatment that will be followed. And then we can go
22 in and audit that.

23 REPRESENTATIVE WALKO: Thank you very
24 much, Madame Chairperson.

1 REPRESENTATIVE BEBKO-JONES:

2 Representative Manderino.

3 REPRESENTATIVE MANDERINO: Thank you.

4 And thank you for being here today.

5 Commissioner, you mentioned, I hope I have
6 the initials right, OPR, office of professional
7 responsibility?

8 COMMISSIONER HORNE: Yes.

9 REPRESENTATIVE MANDERINO: Could you
10 explain to us how that works? That's actually
11 outside of any particular intrusive function?

12 COMMISSIONER HORNE: Yes.

13 REPRESENTATIVE MANDERINO: So could you
14 just explain to us how that works, how an incident
15 would be brought to them and then the whole process
16 that they go through?

17 COMMISSIONER HORNE: That is a variety of
18 avenues through which the office of professional
19 responsibility -- the office of professional
20 responsibility was previously referred to as the
21 special investigations office. It is simply an
22 internal affairs unit.

23 And the director of the unit is a person
24 that previously worked as the chief of investigators

1 for the office of attorney general, and prior to
2 that was a detective and lieutenant in the Allegheny
3 County Police Department. Long experience in
4 conducting investigations and no prior history or
5 allegiance within the Department of Corrections. He
6 reports directly to myself.

7 We receive cases in a variety of ways.
8 Any superintendent who believes that there is
9 serious misconduct that requires a level of
10 investigation we have a code of ethics. If an
11 employee is caught sleeping on the job, that's a
12 violation of the code of ethics. If the employee
13 leaves their keys lying around, but that is not the
14 kind of thing that would require the office of
15 professional responsibilities. Office of
16 professional responsibilities is available on
17 request to superintendents to investigate those
18 cases that they feel are beyond their capacity to
19 investigate, either because of the complexity,
20 because of the resources required, or because of the
21 sensitivity or a potential conflict with their own
22 facility office.

23 Secondly, inmates write directly to them
24 with complaints. Under the terms of the Austin

1 agreement they must monitor and investigate every
2 inmate complaint of abuse. And reports
3 periodically, maybe quarterly, to me, and those
4 reports are made available to the plaintiffs'
5 counsel.

6 Additionally, I receive letters, I receive
7 letters from members of general assembly who forward
8 letters that they've received from inmates or family
9 members alleging one thing or another. And I read
10 every one of those letters personally. And I make a
11 judgment about whether it is something that should
12 be investigated at the facility level, looks like,
13 or if it's an, if it is an allegation of sexual
14 impropriety, physical abuse, bribery or drug
15 smuggling I will refer to the office of professional
16 responsibility.

17 And finally, referrals are made to the
18 office of professional responsibility unanimously
19 and confidentially, some referred by the state
20 inspector general's office. Cases have been
21 referred to them by the state police and by local
22 police agencies.

23 REPRESENTATIVE MANDERINO: If I'm an
24 inmate and I make a report to OPR you did say that

1 gets investigated. I'm not told first, go back and
2 go through an internal reporting process within the
3 institution?

4 COMMISSIONER HORNE: An initial assessment
5 is made as with any police agency, the first thing
6 you want to do is determine whether or not there is
7 any foundation for the crime or the allegation.

8 Very often, very often an assessment is
9 made that this is sour grapes on the part of someone
10 who didn't get their way. It is very easy for
11 everyone who gets caught with a hot urine, or who
12 gets caught off of -- when they get written up to
13 make all sorts of allegations. And if we tripped
14 over ourselves to fully investigate every one of
15 those, first of all, we'd need an Army of
16 investigators. And second of all, I think we would
17 disrupt the order of the prisons.

18 So we make an initial assessment. But if
19 it is an allegation of physical abuse, if it is an
20 allegation of sexual impropriety, if it is an
21 allegation of anything involved in drug smuggling,
22 or anything else that compromises the integrity of
23 the institution or the good name of the department
24 in that respect, then the OPR investigator would

1 interview the inmate and based upon the interview of
2 the inmate, any other inmates, any other witnesses,
3 a full report would be made.

4 REPRESENTATIVE MANDERINO: If I were an
5 employee anywhere from the lowest level of line up
6 to the level underneath the superintendent, because
7 when you explained it to me you said the
8 superintendent comes under OPR?

9 COMMISSIONER HORNE: I have, by the way, I
10 have referred, I have OPR investigate
11 superintendents.

12 REPRESENTATIVE MANDERINO: Coming from an
13 institution, if I'm somewhere in between inmate and
14 superintendent, do I have a direct connection to
15 OPR, and/or what is my internal process I go through
16 first, or in lieu of?

17 COMMISSIONER HORNE: Ideally we would like
18 employees to follow the chain of command. Any
19 employee who feels that the chain of command is the
20 problem is free to contact OPR, and they're also
21 free to contact the state inspector general.

22 REPRESENTATIVE MANDERINO: And those are
23 handled the same way in terms of an initial
24 determination.

1 COMMISSIONER HORNE: I can't speak for the
2 inspector general, they have an --

3 REPRESENTATIVE MANDERINO: But through
4 OPR?

5 COMMISSIONER HORNE: Absolutely.

6 REPRESENTATIVE MANDERINO: Thank you.

7 Would you be willing to provide to myself,
8 and I assume other members of the committee would
9 find it helpful, an organizational flow chart in
10 terms of lines of responsibility for SCI-Cambridge,
11 both from the superintendent down and then from the
12 superintendent up?

13 COMMISSIONER HORNE: Sure, no problem.

14 REPRESENTATIVE MANDERINO: Thank you.

15 Dr. Mowie, I hope I'm saying that right.
16 You refer to the female population as having a
17 higher incidents of mental illness than the male
18 population. But while you gave us a percentage on
19 abuse I wasn't sure, what is the percent of mentally
20 ill people within our state corrections system in
21 general? And then within the women's population in
22 particular?

23 DR. MOWIE: We have the mental health
24 tracking roster, it's a computerized roster we keep

1 track of the patients that are mentally ill. About
2 15 percent of our male inmates are on that and about
3 30 percent of women.

4 REPRESENTATIVE MANDERINO: And I don't
5 know if that follow-up question is more appropriate
6 for you or Superintendent Byrd. But folks that are
7 on that tracking system, that's different, in a
8 broader classification than folks that might be in
9 the MH unit at Muncy and what is the MH unit at
10 Muncy -- like if I assumed they were the same then
11 I'd say there is nobody at Cambridge Springs, there
12 is no woman with a mental illness or being treated
13 for mental illness, and I don't think that's
14 accurate so can you help?

15 DR. MOWIE: If I can just explain our
16 levels of care. Both prisons have outpatient care,
17 they're seen by psychiatrists and psychologists.
18 Some women who have special needs are in special
19 needs units which are housing units for mentally ill
20 and physically disabled inmates. And they get
21 special attention from staff and programming.

22 The mental health unit at Muncy is a short
23 term licensed mental health unit. It's like a unit.
24 It has 12 beds so inmates who are acutely mentally

1 ill from either Muncy or Cambridge can go to the
2 mental health unit at Muncy.

3 Then we have one other level and that is
4 long term psychiatric care. We have two spaces at
5 the Norristown State Hospital Forensic Unit who
6 require long term mental healthcare. I just visited
7 there on Tuesday.

8 REPRESENTATIVE MANDERINO: Thank you very
9 much.

10 Superintendent Byrd, over the course of
11 the couple of days we heard praise from all
12 different sectors, people outside the system, people
13 inside the system, about parenting and visitation
14 programs that are operating at Muncy. And so I
15 wanted to let you know that everyone is saying good
16 things about that.

17 My question is, how many folks, I mean,
18 can you just explain a little bit more how that
19 works, how many peoples needs that meets and how
20 much bigger, if at all, the need is than your
21 abilities to accommodate?

22 SUPERINTENDENT BYRD: There are two
23 parenting initiatives at SCI-Muncy. One of those is
24 Project Impact which has been in place since 1986.

1 The staff and program of Project Impact focus on the
2 mother/child relationship, which really has to do
3 with visitation and contact, facilitation and
4 contact between mother and child. That happens
5 typically through our visiting room. And there are
6 activities that occur in Project Impact program
7 space and it works continuously with the visiting
8 room. The primary effort is to maintain the bond.

9 The other parenting program we have
10 focuses on women who are mothers and some who are
11 not, who have been subject to abuse, physical,
12 sexual or emotional abuse. How that may tie in with
13 cycles of generational dysfunction. That's the
14 other parenting program that exists.

15 I cannot tell you the number of people who
16 participate in Project Impact, I don't have that
17 number with me. I will tell you, however, there is
18 an inmate steering committee that is really part and
19 parcel of moving that program along, identifying
20 what inmates are interested in in terms of getting
21 their kids there, what kind of visitation, what kind
22 of programs they would like to have once they do
23 become involved with impact. I have a document that
24 will give me that number and I can search for it and

1 give you that number.

2 The other which is called the House of
3 Hope, it focuses on domestic violence. It began in
4 January of 1996, I don't yet have any numbers on it.
5 One of the things we're talking about now is an
6 evaluation piece so we can understand and track what
7 happens with women who have gone through that
8 program, once they leave the institution either by
9 parole or by max'ing out.

10 REPRESENTATIVE MANDERINO: Am I correct,
11 that's more a kind of intensive thing with reentry
12 and as Representative Bebko-Jones said earlier, the
13 folks that suffer the most throughout this whole
14 thing are the kids. And does that, that has
15 something to do with the reuniting of the family or
16 am I getting the programs confused, or is that a
17 transition to community?

18 SUPERINTENDENT BYRD: I'm sorry, is which
19 more a transition?

20 REPRESENTATIVE MANDERINO: House of Hope?

21 SUPERINTENDENT BYRD: It is in an
22 intensive service because one of the things we make
23 sure we do is bridge with the community so that the
24 skills that are taught, the experiences a woman has

1 had in that program can then naturally fit with what
2 is available in the community.

3 So one of the things we're careful to do
4 is to make sure that we're in touch with communities
5 where these women are going to be released. Not
6 simply the immediate communities where most of our
7 volunteer resources come from, but the communities
8 around the Commonwealth that these women will be
9 released to.

10 REPRESENTATIVE MANDERINO: And if I
11 calculated correctly based on, you've been at Muncy
12 for about 11 or 12 years?

13 SUPERINTENDENT BYRD: Six and a half.

14 REPRESENTATIVE MANDERINO: I thought it
15 was six years.

16 SUPERINTENDENT BYRD: I've worked with
17 women offenders specifically for 12 years. I should
18 say exclusively.

19 REPRESENTATIVE MANDERINO: In the six and
20 a half years that you've been at Muncy, how many
21 incidents of inappropriate sexual contacts that rose
22 to the level of either a criminal action or a
23 disciplinary action against an employee have you
24 had?

1 SUPERINTENDENT BYRD: I took a look at
2 that before I came up here yesterday. 17 prior, or
3 formerly employed persons separated service from
4 SCI-Muncy, and that inappropriate behavior ranges
5 from exchange of photographs, telephone numbers,
6 amorous notes, amorous correspondence, in addition
7 to at least two cases of physical contact which may
8 not have been sexual in terms of a complete sexual
9 experience, whatever that means. Inappropriate
10 touching of individuals.

11 REPRESENTATIVE MANDERINO: And any of
12 those 17, or the two that actually that were brought
13 in terms of investigation and criminal prosecution?

14 SUPERINTENDENT BYRD: Yes.

15 REPRESENTATIVE MANDERINO: How many?

16 SUPERINTENDENT BYRD: I'm sorry, I didn't
17 understand the question then.

18 REPRESENTATIVE MANDERINO: I'm sorry, how
19 many of those 17 instances rose to the level --

20 SUPERINTENDENT BYRD: I believe there were
21 three. I should say one of the things I did when I
22 came to the calling at Muncy is go and meet with the
23 district attorney, the former and current district
24 attorney. And I learned to do that from some other

1 folks who had worked in facilities that may have had
2 troubled histories.

3 And I wanted them to understand the former
4 and current, what my intentions were in terms of
5 staff misconduct. Inmates on staff assaults, zero
6 tolerance for drug use in institutions, there was
7 some drug use in institutions, and concluded the
8 discussion with them in saying inappropriate conduct
9 that would violate our code of ethics. So he
10 understands very clearly as do his colleagues and
11 folks that work in his office what our intentions
12 are.

13 And I nurture that relationship because I
14 think that's very significant for a person in his
15 position to understand what the priorities are, what
16 the expectations are.

17 REPRESENTATIVE MANDERINO: Thank you.

18 Commissioner Wolfe, I think I was the
19 person that Representative Birmelin said someone
20 wanted to ask you questions, so you may want to come
21 to one of the mikes.

22 - - - -

23 (Whereupon, there was a brief pause in the
24 proceedings.)

1 as an institution made or didn't make, or what
2 policies you changed or reinforced as a result of
3 those instances happening at Cambridge Springs.

4 SUPERINTENDENT WOLFE: I think as the
5 Commissioner touched upon, there have been a number
6 of changes that were made as a result of this.
7 After our very first case which did not involve
8 sexual intercourse, it was an inappropriate
9 relationship that had formed between a staff member
10 and an inmate. And I had consulted quite a bit with
11 Superintendent Byrd, we communicate regularly, on
12 common issues and concerns.

13 Very early on, and we've been working with
14 the Commissioner's office, there has been a number
15 of meetings that we have had, a number of occasions
16 when I've talked to the Commissioner, also to
17 Superintendent Byrd and the director of our training
18 academy, about the need for specialized training for
19 employees that work specifically with female
20 offenders. And perhaps the Commissioner may wish to
21 talk about some of the programs that are in, that
22 are being developed to address some of those needs
23 at the academy.

24 We also brought in outside trainers, the

1 former director of OPR came in and gave a hair
2 raising lecture to staff as to the consequences of
3 being involved in this type of unprofessional
4 behavior, ranging from civil liabilities, criminal
5 liabilities and possibilities of being incarcerated,
6 which as a result of our zero tolerance towards this
7 type of behavior between inmates and staff we have
8 aggressively investigated each and every complaint
9 and rumor. And in every case we investigate a rumor
10 we don't always come to a finding of guilt. But as
11 rumors would persist we would go back and
12 reinvestigate and call in OPR and, yes, rumors do go
13 around institutions. Rumors are part of institution
14 life. And it's very difficult chasing rumors. It's
15 like chasing ghosts many times.

16 And you follow the investigative trail as
17 far as you can. If rumors persist we reopen
18 investigations, and we've done that in a number of
19 cases.

20 So beyond that we have also installed
21 electronic surveillance equipment to monitor staff
22 and inmate movements.

23 Procedurally -- well, it has always been,
24 our staff have always been trained that never to

1 place themselves in a compromising situation.
2 Somebody earlier testified that staff have more
3 recently been told not to be seen or about
4 one-on-one with inmates. That has been our practice
5 from very early on. Not to put themselves in a
6 compromising situation, and you can could do that by
7 surrounding yourself and not going in to --

8 REPRESENTATIVE MANDERINO: With regard to
9 the case involving Walton who I understand was, from
10 my reading was a prison guard?

11 SUPERINTENDENT WOLFE: No, he was a food
12 service instructor.

13 REPRESENTATIVE MANDERINO: Former food,
14 I'm sorry. See, it's those bad notes I took.
15 Eichert was the prison guard?

16 SUPERINTENDENT WOLFE: Yes.

17 REPRESENTATIVE MANDERINO: Walton was the
18 former food supervisor. Miller was the trades
19 instructor?

20 SUPERINTENDENT WOLFE: Yes, ma'am.

21 REPRESENTATIVE MANDERINO: Who's
22 Zimmerman.

23 SUPERINTENDENT WOLFE: He was our former
24 maintenance manager, facility maintenance manager,

1 in charge of our maintenance department.

2 COMMISSIONER HORNE: And we fired him.

3 SUPERINTENDENT WOLFE: Yes, he was fired.

4 REPRESENTATIVE MANDERINO: Now, that one
5 was fired but there were no criminal charges
6 brought?

7 SUPERINTENDENT WOLFE: Right, because as a
8 result of our investigation there was unethical
9 behavior but fraternization, but it never rose to
10 criminal sexual behavior, sexual acts.

11 REPRESENTATIVE MANDERINO: All four of
12 those classifications of positions, prison guard,
13 teacher, instructor and maintenance manager or food
14 supervisor, those are all what I heard referred to
15 as contact employees versus --

16 SUPERINTENDENT WOLFE: Non contact.

17 REPRESENTATIVE MANDERINO: Versus non
18 contact employees.

19 In each of those cases of investigation am
20 I correct in assuming that each of those cases of
21 investigation were done by OPR, or was Zimmerman
22 done just internally?

23 SUPERINTENDENT WOLFE: No. I'm not even
24 sure I gave this to the Commissioner -- may I have a

1 moment to review it?

2 Since the institution started receiving
3 inmates back in March of '92 we've had 12 employees
4 that were either, either we discharged or they were
5 permitted to resign. And we have made two criminal
6 prosecutions and one pending criminal prosecution.

7 Out of those 12 cases I requested from
8 central office in 11 cases I requested the outside
9 assistance of OPR. I take this very seriously. I
10 also understand that since the '70s people are very
11 skeptical of government, government officials, their
12 motives, their credibility, their morality.

13 REPRESENTATIVE MANDERINO: Join the
14 growing club.

15 SUPERINTENDENT WOLFE: And for somebody to
16 investigate themselves I feel is inappropriate. And
17 I've had a number of discussions with the
18 Commissioner as to how many occasions we have gone
19 outside of the institution, beyond our local
20 investigation and asked for somebody to come in who
21 was not associated with our staff or our facility to
22 come in and assist us to independently investigate
23 these cases. And I'm very proud that 11 of those 12
24 cases that was done.

1 REPRESENTATIVE MANDERINO: Of the 12
2 employees involving discipline, were all 12 of those
3 folks who were directly the one who committed the
4 ethical violation, whatever kind it was?

5 SUPERINTENDENT WOLFE: Yes, ma'am.

6 REPRESENTATIVE MANDERINO: In any of those
7 12 instances, and in particularly any of the
8 instances that rose to the level of criminal
9 prosecution, was in any disciplinary action,
10 investigation or termination of any of the staff
11 directly above or responsible for those employees'
12 supervision or any senior management staff?

13 SUPERINTENDENT WOLFE: Well, that would be
14 me, ma'am, and I'm still here.

15 REPRESENTATIVE MANDERINO: So in between
16 you and that particular person there was no --
17 obviously you're still here, there was no --

18 SUPERINTENDENT WOLFE: None.

19 REPRESENTATIVE MANDERINO: -- disciplinary
20 action taken?

21 When there is an investigation done is the
22 investigation done beyond the person themselves?
23 Does the investigator ask what happened below,
24 obviously they ask what happened below with the

1 inmate, do they ask what happened above with the
2 supervisors?

3 SUPERINTENDENT WOLFE: Oh, absolutely.
4 And in each one of these cases these were done by
5 independent employees, it was not done out in the
6 open, it was done secretively. And perhaps I
7 understand your question as to who, who's to blame
8 for this.

9 REPRESENTATIVE MANDERINO: No, I'm not
10 really asking who's to blame because obviously the
11 actor is ultimately responsible for their actions.
12 I'm really asking who took, how responsibility was
13 taken for the incident and what happened as a
14 result. Because not only does what happened affect
15 the person who either was discharged and the person
16 who was the subject of that, but it also effects
17 everyone else who was working or it still remains in
18 that functioning unit, whether it's the prison or
19 the legislature. So I was really asking what
20 resonating consequences, if any, were going
21 throughout the institution after the discharge?

22 SUPERINTENDENT WOLFE: Oh, each time we
23 have an instance, such as this, it has a devastating
24 effect upon an institution. It affects morale, it

1 creates a degree of labor and management issues.
2 The effect of these are devastating. And seriously
3 impact upon the institution. And our management of
4 this is critical.

5 COMMISSIONER HORNE: May I add something?
6 I think Superintendent Wolfe's points about the
7 impact is an important one. And I think he, let's
8 say in several of these cases the fact, the
9 supervisor or supervising personnel who had a
10 responsibility in these areas attested in the
11 investigation, or may well have either brought or
12 when a rumor was brought to their attention added in
13 the investigation, number one.

14 Number two, one of the problems that
15 occurs here is that when -- and you asked earlier
16 when a staff person makes an allegation against
17 another staff person, or even corroborates an
18 allegation made elsewhere, hard feelings have been
19 known to result. The union does take a very hard
20 line on their own members who are accused of this
21 and while they represent the individuals an element
22 of shunning kind of behavior does result.

23 And finally, I want to point out that in
24 the last month we demoted the senior security

1 supervisor here. One of the reasons -- and
2 transferred -- one of the reasons that we took that
3 action was because we had lost confidence in the
4 overall tone that was being set. Because I believe
5 that the way the staff responds to this set at the
6 top, and I was not satisfied nor was the
7 superintendent with the tone that was being set.
8 And while it's very difficult to pin, as the
9 superintendent said, the individual actor is
10 responsible, you know, on the night shift we have
11 600 inmates and 25 uniformed staff. They are spread
12 thin. It's very difficult to hold an individual
13 sergeant or lieutenant responsible for what an
14 individual maintenance worker or clerical worker or
15 teacher or CO or dietary worker does.

16 But it is possible, I think, ultimately to
17 hold the chief security supervisor responsible for
18 an attitude about sex and sexuality and
19 fraternization. And after having previously been
20 warned and counseled, another instance of behavior
21 that suggested to me bad judgment and immaturity
22 about this issue arose, based upon which the
23 superintendent and I consulted and that person was
24 removed.

1 REPRESENTATIVE MANDERINO: That was the
2 senior --

3 COMMISSIONER HORNE: The senior
4 superintendent of -- or because of it's side -- the
5 senior security adviser here is a captain and shift
6 commanders are lieutenants, so it's a notch down
7 from the other facilities. But the captain of the
8 guard who was the senior security supervisor here.

9 REPRESENTATIVE MANDERINO: And who was the
10 captain of the guard?

11 COMMISSIONER HORNE: He wasn't criminally
12 charged so I --

13 REPRESENTATIVE MANDERINO: But he's not
14 here now?

15 COMMISSIONER HORNE: Yes, that's right.
16 He was demoted back to lieutenant and transferred to
17 another facility.

18 REPRESENTATIVE MANDERINO: In security?

19 COMMISSIONER HORNE: As a lieutenant.
20 Certain amount of civil service protection, those
21 are several service jobs.

22 My point is that we do try to assess the
23 accountability of the line. In cases like this it's
24 very very difficult to fix precisely, but I think

1 that over a period of time, and I've been here two
2 and a half years, and I had come to believe that
3 when I saw this kind of behavior by this individual
4 in this role, when I saw it a second time I said,
5 that explains a lot of the attitudes that
6 subordinate employees have.

7 REPRESENTATIVE MANDERINO: And when was
8 that transfer effective, when did that move happen?

9 SUPERINTENDENT WOLFE: That was about
10 three and a half weeks ago.

11 REPRESENTATIVE MANDERINO: So it was July
12 of this year?

13 COMMISSIONER HORNE: Beginning of August.
14 It was within the last 30 days.

15 REPRESENTATIVE MANDERINO: Thank you very
16 much. Thank you for your answers and attention.

17 REPRESENTATIVE BIRMELIN: Representative
18 Josephs.

19 REPRESENTATIVE JOSEPHS: Thank you,
20 Mr. Chairman.

21 And thank you for appearing here. I first
22 want to apologize, I think Superintendent Byrd, I
23 did not mean by any of my remarks to intimate that
24 you were not doing a splendid job at your facility

1 because your reputation I think precedes you.

2 I have a question for the Commissioner
3 which has to do with the procedure by which you
4 acquire properties through the department of general
5 service. You said something about inheriting the
6 plant, I may have heard you wrong.

7 What happens exactly? What kind of input
8 do you or somebody in your department have with the
9 department of general services when they find a
10 site, whether it's a site that needs to be
11 constructed or converted, or any indication of that?

12 COMMISSIONER HORNE: The department of
13 general services handles all land acquisitions for
14 the Commonwealth. And through the bureau of real
15 estate services for and negotiates land
16 acquisitions. We provide them with our
17 requirements, we will participate with their staff
18 in site surveys, and we have final approval there
19 acting on our behalf as our agent. When I said we
20 inherited, Cambridge Springs was acquired during the
21 prior administration. So I had no involvement. I
22 assume that the previous Commissioner did.

23 REPRESENTATIVE BEBKO-JONES: We could
24 assume that some credible expert had input.

1 COMMISSIONER HORNE: Yes. But from that
2 you should not assume that that correctional expert
3 said that this was their ideal choice. Much as we
4 like this community and we like what we're doing
5 here now, sometimes those decisions, as you well
6 know, are made for other reasons.

7 REPRESENTATIVE JOSEPHS: Do you have any
8 knowledge of the parole departments interaction with
9 the department of general services, whether they
10 have input when leases are taken?

11 COMMISSIONER HORNE: I wouldn't want to
12 speak for them, they're a cabinet level entity.

13 REPRESENTATIVE JOSEPHS: I did expect that
14 answer. I just wanted to hear it.

15 I think that, I have a couple of
16 observations that I'd like to make rather than ask
17 questions and we can end this.

18 Dr. Lewis and some other people had kind
19 of said, I'm a parent, I'm as concerned about my
20 children as the women are. I think that there are
21 many single heads of households in the male
22 population that we just don't know about, and that
23 we don't deal with at all. And I would be very
24 interested in some kind of legislative or regulatory

1 change, I would help support that, that would help
2 parents of either sex offenders who are in that role
3 of responsibility to maintain contacts more because
4 I would like to prevent the very increased incidents
5 of children of these parents who get in to trouble
6 from going that route. As a human and physical and
7 societal kind of preventive measure. I think that
8 we ought to be looking in the General Assembly.

9 And I would hope that you would be
10 supportive of any kind of move that would be made in
11 that direction.

12 I do have one short question. I think you
13 said that the average employee at this institution's
14 tenure was about two years. I wonder if
15 Superintendent Byrd can tell us what the average
16 tenure is at her institution just for comparison?

17 SUPERINTENDENT BYRD: I can tell you the
18 administrative staff equals 32 years of experience
19 and from my immediate staff the average length of
20 state service I would say is 18 years. And I do
21 have with me in this stack of paper the average
22 length of service for the other employees, the
23 people who run the institution, the daily officer,
24 staff, et cetera, et cetera. We have, I'm sure, a

1 very large percentage, high percentage of staff who
2 have worked in that institution for their entire
3 careers.

4 REPRESENTATIVE JOSEPHS: So obviously
5 there is much more institutional experience in an
6 older facility. I would, however, encourage you
7 from wherever you operate, to do some of the things
8 that need to be done here. I think particularly
9 with the population that at least to me seems to be,
10 seems to be more likely to reenter society with more
11 success because it is a minimum system, it is a
12 minimum facility here, we have heard, not only from
13 inmates but from outside people that there are real
14 problems with prerelease planning and release
15 planning in general.

16 I can image, like Representative
17 Manderino, I also live in the real world, I can
18 image the kind of problems that you have. I maybe
19 should cast that into the mode of saying I'd like to
20 help with that. I think it needs to happen. And
21 I'd like to see it happen as fast as it can.

22 I'm also very concerned about these
23 incidents of sexual abuse and close it. And I will
24 follow investigations as much as I can from where I

1 sit, and I would appreciate whatever information
2 that I can have from all of you, at the male
3 institutions as well. I am not so naive to think
4 that it does not happen there, I'm sure it does.

5 COMMISSIONER HORNE: And let me also point
6 out that not all of the employees that
7 Superintendent Wolfe mentioned among the 12 were
8 men.

9 REPRESENTATIVE JOSEPHS: Yes, I was going
10 to say the same thing. I am quite clear in my mind
11 that abuse happens with perpetrators of either sex
12 and victims of either sex. I'm quite well aware of
13 that.

14 COMMISSIONER HORNE: Let me point out to
15 you that the United States Department of Justice has
16 actually filed lawsuits against the State of Arizona
17 and the State of Michigan because of ongoing and
18 systematic sexual molestation and abuse of female
19 inmates in their female prisons. And it says, the
20 government named the lead defendant, no one is more
21 determined than I than that Pennsylvania does not be
22 in the same situation. And I am really appreciative
23 of the willingness of, as me and labor unions work
24 with us and we're going to finish to work.

1 We've retained I think one of the
2 country's leading authorities on women and
3 codependence and behavior and institutionalized
4 women as a consultant to work with the staff here
5 specifically at Cambridge Springs, to assist us in
6 deciding how best to fix the problem. I don't know
7 that we'll ever fully solve it, but to reduce it.

8 REPRESENTATIVE JOSEPHS: I understand
9 that. But the incidents of five rising, I believe
10 that's at least what the newspapers are reporting,
11 to the point of criminal prosecution tells me that
12 there are many multiple other incidents going on and
13 impossible to, certainly as Representative Manderino
14 said, we have the same thing going on in the
15 legislature, we know it, we're trying to reduce.

16 But it needs to happen, obviously.

17 And finally, I'm interested in legislation
18 which would change the situation in which a person
19 who violates parole for a relatively trivial reason,
20 like forgetting to report his or her address, or not
21 being able to find a place to live because he or she
22 is poor, or any of those, I'm very upset about the,
23 perhaps it's statute that sends that person back to
24 a prison for a technical violation.

1 I would like to work with you on
2 legislation and appropriations that would set up
3 appropriate facilities for people almost like
4 amounting to sentencing at the end of the
5 incarceration rather than previous to it. And I
6 don't think that that requires a response except I
7 would like to have your help and I hope you will say
8 yes.

9 COMMISSIONER HORNE: Well, it does require
10 a response for two reasons. One is because,
11 frankly, notwithstanding the public perception and
12 allowing that there might be an exception, I would
13 say it's rare that the parole board returns a person
14 to state prison for something as trivial as that.

15 Often there is other, I think the board
16 responds very appropriately and their first concern
17 is public safety.

18 And then just as I said earlier, that in a
19 minimum security prison you have to focus on
20 procedures more than you do in maximum security.
21 And in a community where you have no procedures
22 other than your procedures and accountability you
23 have to hold parolees to a higher standard.

24 And I think the parole board in

1 Pennsylvania in the last two and a half years has
2 done a major turn around. And let me tell you if I
3 find an inmate who's taking up a bed that I
4 desperately need because he failed to tell us where
5 he's living, you can bet I get on the phone and
6 complain to the parole board chairman. And I think
7 he shares my view.

8 So I think you've got to take that with a
9 grain of salt. I will also tell you that we do
10 fund, our department supports through its community
11 correction program halfway back houses, which
12 provide an opportunity for parole officers to take
13 an individual and keep them in their home community
14 in a halfway house, a non secure halfway house.
15 Most often a contract facility run by a private
16 group such as Gateway, if it's drug abuse, or adapt
17 in reading --

18 REPRESENTATIVE JOSEPHS: I'm aware, you
19 know, of so many of those programs.

20 COMMISSIONER HORNE: We house on any
21 different day hundreds of parolees there for two,
22 three, six months as an alternative for them going
23 back to prison. We recently hopped on board with
24 Eagleville Hospital so they can participate, who are

1 actively using drugs who are medically intoxication
2 and hospitalized them in Eagleville for 90 days,
3 following which they are returned to the community
4 and we pay, the Department of Corrections pays for
5 drug and alcohol after care and relapse prevention
6 post release.

7 And those programs have had a dramatic
8 impact. In fact, the number of parole violators
9 returned to state correctional institutions has
10 dropped in the last year, I think in large measure
11 as a result of those efforts. So I think your idea
12 is a good one, but I think that we're already
13 spending money on that.

14 REPRESENTATIVE JOSEPHS: I would be very
15 interested if you would forward to the Chairman of
16 the Committee the figure that backs up that
17 statement.

18 Thank you.

19 Thank you, Mr. Chairman.

20 REPRESENTATIVE BIRMELIN: Representative
21 Manderino has again asked for a one question follow
22 up which I assume is going to be brief.

23 REPRESENTATIVE MANDERINO: Hold me to it.

24 Thank you.

1 Commissioner Wolfe, the regular meet and
2 discuss meetings, I asked the union president about
3 it and her attendance. Can you tell me who
4 specifically attends those meetings regularly on
5 behalf of management? And if you're not one of
6 them, which I don't necessarily expect that you are,
7 do you get copies of those minutes? And also, does
8 your boss get copies of those minutes?

9 SUPERINTENDENT WOLFE: First of all, we
10 definitely, the superintendent, facility management
11 is the chairperson for that, for that meeting. I
12 frequently go in at some point during the meeting,
13 generally the beginning, if there is specific issues
14 I would like to address to the membership. I
15 occasionally spend a whole meeting there. Many
16 times I don't, depending upon the issues to be
17 discussed. I also have my deputy superintendent for
18 centralized services sit in on the management side,
19 as well as the captain of the guard, and our
20 personnel officer.

21 REPRESENTATIVE MANDERINO: And then just
22 the other half about the minutes, do you receive
23 copies of minutes and does your boss, who I
24 understood from yesterday is the western regional

1 deputy commissioner for the western region.

2 SUPERINTENDENT WOLFE: Minutes are taken
3 by a secretary, I do receive a copy of the minutes.
4 The local minutes are distributed to central office,
5 as well as other SCI who are familiar with issues
6 that go along with their system.

7 REPRESENTATIVE MANDERINO: Today to the
8 deputy commissioner of the western district?

9 SUPERINTENDENT WOLFE: Yes.

10 REPRESENTATIVE MANDERINO: Thank you.

11 REPRESENTATIVE BIRMELIN: Just in closing
12 let me thank those of you who participated, not only
13 you who are here right now, but for those who were
14 here in the Monday session, as well as those who
15 took us on the tour yesterday. Having been in many
16 of our state prisons at this point in time I feel
17 like I'm right at home. But I'm allowed to go home.
18 And I appreciate that.

19 But I guess I am addressing these comments
20 to you, that is sort of echoing what I said earlier.
21 I think by and large the Department of Corrections
22 is attempting to and does do a very good job given
23 the resources that it has, and that's the job you've
24 been asked to do.

1 I do in my experience see that there are
2 some problems, and I know you do. And I know your
3 professional colleagues do as well. And I would
4 extend to you the offer that I personally as a
5 legislator of the subcommittee and the whole
6 committee, and I know some of my colleagues would,
7 we'd be interested in working with you if
8 legislative changes would make the system better. I
9 didn't say easier but better.

10 And of all the things that we heard here
11 today and saw on the tour and Monday, I guess the
12 one thing that probably impresses me the most is
13 that in women inmates lives the best thing that we
14 can do is keep them connected with their family.
15 You may have drug programs here, that's fine, you
16 may have cosmetology too, that's fine, they may be
17 out cutting grass and keeping busy and building
18 shacks in the wood working shop. That's all fine.

19 But overwhelmingly, what I'm see is if we
20 can keep these women prisoners connected to their
21 families, they'll have hope. They'll have a sense
22 of still belonging and being an active parent. The
23 love connection will be there, and they can endure
24 what they have to go through here.

1 I mean, several of the prisoners, I didn't
2 have any of them tell me they were innocent, I
3 killed a guy, you know, wrote bad checks, I mean
4 that is pretty honest and up front. Oh, I'm
5 innocent, whatever, they know they're here for a
6 reason of their own doing.

7 But I also know that the family connection
8 is so strong with these women, or at least with most
9 of them that this is the one thing that I think we
10 really have to work at maintaining if we can at all.
11 And because of the prison situation that's not icy.
12 I think one of the best situations was the idea of
13 teleconferencing somehow or other with families so
14 that through the technology that is existing today
15 we can maintain that connection.

16 COMMISSIONER HORNE: We're actually
17 investigating that.

18 REPRESENTATIVE BIRMELIN: I knew you would
19 tell me you were on top of that. And I'm glad to
20 hear that. But I am not a lock 'em up and throw
21 away the key, I know most of these people are not,
22 and I know that if we can give the public an
23 alternative to that and show them that it works, the
24 public will come along and they will support that.

1 But we have to show them. And it's my sense if this
2 is the overwhelming solution, mostly with women but
3 I think that's an avenue we ought to pursue. With
4 that I'll conclude these meeting and extend that
5 offer to you.

6 COMMISSIONER HORNE: Thank you very much.

7 REPRESENTATIVE BIRMELIN: And whatever
8 offices these other representatives are able to
9 avail to you we'll be glad to do that.

10 We want to thank you who are here and all
11 who attended and. If any of you are really looking
12 for a cure for insomnia we will provide a transcript
13 for the testimony that I assume that will be
14 available probably in another month or two.

15 But we thank you for coming and this
16 hearing is now concluded.

17 - - - -

18 (Whereupon, the proceedings were concluded
19 at 1:30 o'clock p.m.)

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R E P O R T E R ' S C E R T I F I C A T E

I hereby certify that the transcript of the proceedings contained herein are a true and accurate transcription of my stenographic notes taken by me at the time and place of the within cause; that the transcription was reduced to printing under my direction; and that this is a true and correct transcript of the same.

1-13-98

Date

Darlene S. Traficante

Darlene S. Traficante, RPR

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