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**TESTIMONY OF  
ANGUS R. LOVE, ESQUIRE**

**on behalf of**

**THE PENNSYLVANIA PRISON SOCIETY**

**Before the**

**PENNSYLVANIA HOUSE JUDICIARY COMMITTEE  
Chairman, Thomas Gannon**

**SUBCOMMITTEE ON CRIME AND CORRECTIONS  
Chairman, Jerry Bernelin**

**September 22, 1998**

**RE: HB 1168, 1169, 1170 & 2698**

I am testifying today on behalf of the Pennsylvania Prison Society (P.P.S.) in opposition to HB 1168, 1169, 1170 and 2698. The P.P.S. was founded in 1887 by Dr. Benjamin Rush and several other prominent members of our community including Benjamin Franklin. P.P.S. is the oldest prison reform organization in the United States. We are empowered by our Commonwealth with official visitor status in our prisons and jails.


We oppose the bills before the Committee despite their good intentions because, in our opinion, they will create more problems than they will solve. We are very aware of the public's legitimate concerns regarding the eradication of



crime and share this important goal. We are also aware of the strategy to make prison life a "no frills" experience so that its deterrent effect will be maximized. There is considerable debate within the corrections community about the current state of affairs in prisons and jails and whether there is any need for additional steps to make the prison experience less palatable. The Pennsylvania Prison Society, originally named the Society to Alleviate the Misery of Prisoners, believes that current conditions are sufficiently harsh to achieve the desired deterrent effect. We are of the belief that the current climate could be enhanced by a rededication to rehabilitation through educational and vocational opportunities together with treatment for problems such as drugs and alcohol that led to an individual's incarceration. We further believe that legislative efforts such as these attempt to capitalize on the legitimate public fears of crime and their well-meaning attempts to reduce the impact of crime on our society. If it were a football game and we were the referees, a flag would be thrown and a penalty assessed for unnecessary roughness or piling on. These bills are part of the so-called creature comfort movement that is based on the false premise that our prisons are more akin to a country club than an institution suitable for those who have violated the public's trust. I do not believe that it is mere coincidence that these type of bills often come before the public as election day nears.

With respect to HB1168 and HB2698, the benefits, as well as the costs, should be considered. I assume the perceived benefit from removal of exercise equipment is to reduce an inmate's strength and ability to overpower citizens and law enforcement personnel. My common sense tells me that physical fitness is

not dependent on access to such equipment. Sit-ups, push-ups, pull-ups and isometric exercise can all achieve the same purpose if an individual is dedicated enough. On the other side, we deprive prison administrators of a program that keeps inmates occupied. I have discussed this topic with many wardens and superintendents and have found little support for the elimination of free weights and related equipment. Many believe that it is wise to keep inmates busy and to allow them to engage in draining aggressive physical exercise as opposed to more unproductive pursuits. As jobs have failed to keep pace with the rapidly expanding prison population, administrators are anxious to keep inmates busy.

The elimination of free weights runs contrary to two other important public policy considerations. The medical community has recognized the importance of exercise in reducing health care costs. Health insurers offer rebates for those actively enrolled in health clubs. Such activities tend to lower the costs of health care. Thus this bill may save a few dollars but may ultimately cost our taxpayers more money due to increased health care costs. The bill also runs contrary to the current trend of allowing greater local autonomy. The bills impose a mandate on our county jails and provide penalties for those who refuse to comply. The recent revision of Title 37 of the Pennsylvania Code regarding county jail standards has a consistent theme of reducing state-imposed mandates and giving county prison administrators greater autonomy in running their own jails. Is this measure worth going against this trend? 

Bills aimed at the elimination of coffee and/or caffeine serve little purpose. The potential problems far outweigh any possible gain. Caffeine is contained in

many products, such as soda. Is it worth regulating to such a miniscule degree? The bill eliminating coffee fails to address the increasingly popular decaffeinated coffee. We fear that the elimination will overburden the already burdened correctional officers with one more item of contraband. It will no doubt create a black market for the banned items, giving grounds to another issue that must be dealt with.

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I thank the Chairman and Committee members for this opportunity to discuss the state of affairs in our prisons and jails. These are serious topics and any discussions of such are most welcome.

Although we oppose these bills, we would like to conclude our remarks on a positive note. Accordingly, we urge the Committee to examine the need for rehabilitation in prisons. Such efforts would serve many of the same goals these bills mistakenly seek to address. These include keeping inmates busy in productive activities, lessening the burden on taxpayers by teaching them skills necessary to break the cycle of recidivism, and helping the offender become a responsible member of society. Programs that enhance vocational education opportunities as well as treatment for substance abuse would further these goals. HB1933, which we support, and which enhances literacy, would yield far greater results for all concerned.

Thank you for your time and consideration.

Respectfully submitted,

Angus R. Love, Esquire  
Pennsylvania Prison Society