

Pennsylvania Prison Warden's Association

Public Hearing

House Bills 1168 PIN 1324

1169 PIN 1325

1170 PIN 1326

2698 PIN 3725

September 22, 1998

Good Morning, my name is Edward Sweeney and I am the Warden of Lehigh County Prison. I am here this morning not as a representative of Lehigh County but rather as spokesman for the Pennsylvania Prison Warden's Association. Our organization is composed of wardens and chief administrators of Pennsylvania Corrections at the federal, state, and county level. On behalf of the Warden's Association, I thank you for the invitation to this public hearing.

My comments this morning will be brief. First of all I would like to recognize there are two very different points of view regarding the four of the bills in question today. Not only is there a great deal of discussion and debate among citizens, legislators, and local politicians, but also there is disagreement and debate among many corrections professionals. Our association does, however, have a clear position regarding legislative mandates, which dictate blanket regulations restricting the operation of prison facilities. We oppose such legislative initiatives. The operational philosophy for the running of individual prison facilities across the state is better left to elected county and state politicians and prison wardens.

Existing law clearly empowers County government officials as the exclusive authority to promulgate rules and regulations for the proper operation of County prison facilities. It does not serve anyone's best interest to limit the discretion of individual prison boards, who are faced with many unique geographic, budgetary and physical plant contingencies.

Additionally the State Department of Corrections is vested with the authority to manage and control State Prison facilities across the state. The Secretary of Corrections, as a member of the Governor's cabinet is responsible for the establishment of operational policy in accordance with the tempo established by the elected governor. The imposition of reactionary laws, which unilaterally limit the discretion of current and future state officials, is shortsighted and ill advised.

Lastly, I would like to bring to everyone's attention Governor Ridge's Executive Order 1996-1. This executive order calls for a "review of the existing regulations in an effort to reduce the regulatory burden they impose." It is the position of the PPWA that this type of legislation, which restricts operational discretion of both County ~~and State prison~~ facilities, is in conflict with the 1996 executive order, and furthermore it erodes the premise of local rule.

Thank you very much for this opportunity to provide testimony today.