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**TESTIMONY OF THE AMERICAN CIVIL LIBERTIES UNION
OF PENNSYLVANIA
PRESENTED BY LARRY FRANKEL, EXECUTIVE DIRECTOR
TO THE PENNSYLVANIA HOUSE JUDICIARY COMMITTEE,
SUBCOMMITTEE ON CRIMES AND CORRECTIONS**

**APRIL 5, 2000
AT THE STATE CORRECTIONAL INSTITUTION AT CHESTER**

Good afternoon Chairman Birmelin and other members of the Committee. My name is Larry Frankel and I am the Executive Director of the American Civil Liberties Union of Pennsylvania. I want to thank you for providing me with this opportunity to testify on the issue of drug and alcohol treatment programs in state prisons.

While the ACLU has many areas where we disagree with the policies and practices of the Pennsylvania Department of Corrections, we recognize and commend Commissioner Horn for the steps he has taken to establish effective substance abuse treatment programs in Pennsylvania's prisons. I echo the comments of my colleagues Deb Beck and Gary Tennis in applauding the efforts that are being made to address substance abuse problems while prisoners are in the system rather than just ignoring them.

I also join in my colleagues' observations regarding the need for the state to make a much bigger commitment to treatment both within the prison system and outside of it. It is estimated

that 60 to 80% of those arrested for criminal activity in Pennsylvania have substance abuse problems. Research has shown a dramatic drop in recidivism among offenders who have received quality drug and alcohol treatment. Thus, it is quite reasonable to expect that the number of prisoners in need of treatment programs will be fewer if more substance abusers receive treatment before they end up in prison or if they can receive treatment in lieu of serving sentences. Fewer defendants will become recidivists if their substance abuse problems are addressed sooner rather than later. An investment of more state funds in drug and alcohol treatment programs will lessen the demand for more prisons and more health services in the prisons.

We encourage you to share your knowledge of the benefits of treatment programs with those who are making the budget decisions to help us convince them about wisely investing public funds in expanding the quality substance abuse treatment programs available to Pennsylvania's citizens.

I also want to put a plug in for more programs and better quality programs in the prisons. While we recognize that important steps have been taken in this area, there is still a tremendous need for additional resources. At the ACLU we get lots of letters from prisoners and one of the frequent complaints is the inability to participate in a substance abuse program because there aren't enough programs. We also occasionally hear that some of the programs are not of good quality and do not provide meaningful help in curing addiction. We hope that resources will be dedicated to increasing the number and quality of programs.

Most troubling, however, are the anecdotes that we hear related to parole. I have heard that representations are made to prisoners that participation in substance abuse programs will be

viewed favorably by the Parole Board. But, prisoners have found that these representations are hollow and that the Parole Board does not give any favorable consideration to a prisoner's involvement in substance abuse programs. While this may be anecdotal, we sense that many prisoners are hearing about the Parole Board's indifference. This has an adverse impact on morale and the long term benefits that the treatment programs offer the prisoners as well as society.

The ACLU thinks that you should ask the Parole Board some hard questions about their policies and also ask for some statistics about who is being paroled, who is being denied parole and of those who are being denied, how many have gone through treatment programs. We believe that the attention you can bring to this issue can help alleviate this problem.

Thank you again for allowing me to testify today. I look forward to working with you on the matters I have mentioned and I will be happy to try to answer any questions you may have.