HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

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Department of Corrections
Inmate Education

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House Judiciary Committee
Subcommittee on Crime and Corrections

Room 140
Main Capitol Building
Harrisburg, Pennsylvania

Wednesday, May 24, 2000 - 9:00 a.m.

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BEFORE:

Honorable Jerry Birmelin, Majority Chairperson
Honorable Brett Feese
Honorable Tim Hennessey
Honorable Stephen Maitland
Honorable Albert Masland
Honorable Harold James, Minority Chairperson
Honorable Babette Josephs
Honorable Kathy Manderino
Honorable Don Walko
Honorable LeAnna Washington

ALSO PRESENT:

Brian Preski
Majority Chief Counsel to Judiciary Committee

David Bloomer
Majority Research Analyst

Judy Sedesse
Majority Administrative Assistant

Mike Rish
Minority Executive Director

Leanne Bronstein
Minority Research Analyst

Beryl Kuhr
Minority Counsel to Judiciary Committee

C O N T E N T S

C O N T E N T S (cont'd.)

CHAIRPERSON BIRMELIN: Good morning. We want to welcome you this morning to the House Judiciary Subcommittee on Crime and Corrections hearing. The topics today are inmate education and also religious and faith opportunities in the prisons of Pennsylvania, particularly in the State Correctional Institutions.

The members of the panel will be coming and going as the day proceeds, and I will introduce them as I'm able to do so. But those who are here I'd like to introduce themselves starting to my right, far right.

REPRESENTATIVE FEESE: Representative Brett Feese, Lycoming County.

REPRESENTATIVE JOSEPHS: Representative Babette Josephs, Philadelphia County.

MR. RISH: Mike Rish, Representative Blaum's office.

MS. KUHR: Beryl Kuhr, legal counsel to Kevin Blaum, Minority Chair of the Committee.

MR. BLOOMER: I'm Dave Bloomer, Research Analyst for the Committee.

CHAIRPERSON BIRMELIN: We had a few people who have not -- or will not be able to be with us today. And one of them is one of the first who were to testify. And that's Grisel Ybarra, Esquire. But we do have with us Marcus Rediker from the Department of Philosophy,

University of Pittsburgh.

And he has submitted his remarks to the Committee. And Mr. Rediker, I'm going to share with you what I share with every other person who testifies before the hearings. So I'm not singling you out. By the way, I'm Representative Birmelin, Chairman of the Committee. I forgot to introduce myself.

Do not feel obligated to read your remarks to us. If you would prefer to summarize them or use them as a springboard for other topics or whatever, feel free to do so. And then when you've concluded your remarks, if you would, we'd like to have the opportunity to ask you questions if some of the members of the panel do have questions.

So that having been said, Mr. Rediker, welcome to our Committee meeting. And you may begin to give your testimony.

DR. REDIKER: Thank you. Thank you, Congressman. Yes, my name is Marcus Rediker.

CHAIRPERSON BIRMELIN: I'm not sure that's on because I'm not hearing you.

DR. REDIKER: My name is Marcus Rediker. I am a professor of history I'm afraid, not of philosophy, at the University of Pittsburgh. I should also say that I am a specialist in the history of early America. I have

recently completed a scholarly work in which a main theme is the role of prisons and imprisonment in the formation of the American colonies and the new nation United States after 1776.

I should also say I am not a scholarly specialist on the contemporary prison system in Pennsylvania; although, I have studied national trends. I do know several people who are currently incarcerated in our state, and I have talked to them about their educational opportunities.

So I do have some personal experience to offer to the Subcommittee. I'm extremely pleased to have the opportunity to speak with you and to recommend in the strongest possible terms that you do all you can to expand educational opportunities throughout the Pennsylvania prison system.

My reasons for making this recommendation are grounded in moral concern for humanity and equally in hard economics. I want to begin, not surprisingly, with a little history. And I would like to remind the members of the Subcommittee and indeed all of the people who are here today that the modern prison as we know it originated in the late 18th Century in Pennsylvania, no less, by the hand of Quakers as a progressive and humane institution.

The root word of penitentiary is, after all,

penitent. Prisoners were, from the beginning, supposed to think about what they had done wrong. And they were to improve themselves both morally and educationally so that they could rejoin society and indeed help to improve it.

This, I might add, was an extremely powerful and pervasive enlightenment ideal at the time of the founding of the United States. Now, of course, many things have changed over the centuries suddenly, even at the Walnut Street Prison in Philadelphia in the 1790s and certainly ever after and I would say particularly in the last three decades.

As the American prison population nationwide has swollen from just over 200,000 in 1970 to more than 2 million today, the per capita spending on education in prisons has actually been cut, especially after 1989. Prisons have become warehouses for the poor, warehouses for people of color, for people without money, jobs, education; in short, warehouses for the wretched of earth.

It is, of course, no secret that a huge percentage of people in prison are illiterate. The Educational Testing Service, which I'm sure is known to everyone in this room, which administers the SAT, the LSAT, the GRE and other tests nationwide, recently conducted a study that revealed that two of every three people in prison do not have the basic skills of literacy that would

allow them to function effectively in society once they are released from prison.

This in my mind is a shockingly high figure, two out of three. What are the implications of the cuts in educational resources in prisons? According to Dr. James Gilligan, author of Violence: Our Deadly Epidemic and Its Causes, a book written in 1996, according to Dr. Gilligan, these cuts will only increase crime and violence in Pennsylvania and indeed throughout America by -- and here I'm quoting Dr. Gilligan -- by depriving the poor of access to education, especially if they are in prison, for nothing decreases the rate of crime and violence as powerfully and effectively as education. We know that the single most effective factor which reduces the rate of recidivism in the prison population is education, and yet education in prisons is the first item to be cut when an administration gets tough on crime. Educational achievement provides prisoners in need of rehabilitation with a nonviolent course of self-esteem or pride. It protects them against the vulnerability of shame and the injuries of structural violence (poverty) that motivate criminal violence, end quote.

Let us listen to what Dr. Gilligan has said. Education is the most effective way to reduce violence, crime, and recidivism in America. And a final point, lest

you think that Dr. Gilligan is an absentminded professor ensconced in the ivory tower somewhere, let me tell you that he has worked in the Massachusetts prison system for a quarter of a century and knows the system from the inside out.

Dr. Gilligan is in very good scholarly company in making these points, for 20 years of research shows that prison education, especially at the postsecondary level, reduces recidivism. I'm sure there are more speakers today who will address this question quite directly.

I would refer all the members of the Subcommittee to a scholarly journal called the Journal of Correctional Studies. Here and elsewhere, there appear an abundance of case studies. And I'd like to give the example of one from Texas.

A recent comprehensive study has found that recidivism rates for those who had no involvement in a college education program was 60 percent. Sixty percent returned to prison, those who had no connection with a program in college education.

For those with a college degree, the rate was five times lower, 12 percent. And the breakdown of the latter figure proved the larger point: Those with an Associate Degree, 12 years -- excuse me -- 2 years of study, returned to prison at a rate of 13.7 percent; those

with a Bachelor's Degree, 4 years of study, at a rate of 5.6 percent; and those with a Master's Degree at a rate of zero percent.

Yes, that's right, zero percent. In Ohio, the figures are similar. Graduation from a college degree program reduced recidivism by 72 percent. Likewise, South Carolina, the general recidivism rate was 33 percent; but for those who had gotten degrees, the figure fell tenfold to 4 percent.

The essential point is this: Correctional education more than pays for itself by reducing the long-term costs of incarceration and by lowering the costs of crime to society as a whole. Some have calculated the national savings offered by prison education to be in the hundreds of millions of dollars. This is what I mean when I say I base my argument in hard economics.

In concluding, I wish to draw on my personal experience and relate to you an incident concerning education in Pennsylvania prisons. It is a small incident but one that illuminates something much bigger than itself. It casts a harsh but revealing light on an entire institutional attitude, a mentality.

A prisoner I know recently completed an astonishing amount of schoolwork, all performed under extremely difficult conditions for a Master's Degree and

was indeed awarded the degree by California State University, Dominguez Hills. I have the diploma right here. And I do have copies, which I've included in the packet.

The diploma, dated December 31st, 1999, states that the degree, a Master's of Arts in the Humanities, is awarded by the trustees of the California State University. And California, I might just add, has the best state university system in the nation.

And the diploma is awarded upon the recommendation of the faculty. It is signed, as you can see, by Gray Davis, the Governor of California; Charles B. Reed, the Chancellor of the California State University; and other dignitaries. I think you will agree the diploma represents quite an accomplishment.

When the diploma was mailed to the prisoner at SCI-Greene, it was confiscated by the prison authorities as contraband. I have the contraband notice right here. I provided copies. It reads, the contraband notice, and I quote, An item of mail concerning contraband described below has been received by the mail room on the above receipt date, 4/1/2000. You have 10 days to decide if you want these items destroyed or mailed to an appropriate person, end quote.

It continues, just to be clear, just so you'll

see that this was not a matter of misunderstanding, quote, Contraband description: One, California State University Degree of Master of Arts, end quote. And finally, quote, Should you not respond by 4/14/2000, those items of contraband will be destroyed, end quote.

The signature of the mail room staff member is illegible, but it is clearly official. Now, I must say, when I learned of this contraband notice, I was shocked. And I might add, the prisoner in question was also shocked. And I did what I often do when I have a hard time understanding the use of language such as the word contraband.

I went immediately to the great scholarly work, the Oxford English Dictionary, to look up the word contraband and try to understand what authorities at SCI-Greene could possibly have meant. The first definition in the dictionary concerns illegal or prohibited traffic, smuggled goods.

Contraband is something, quote, against the law, end quote. But this can't be their meaning, for the diploma is legal in every sense. Another definition is that contraband is something, quote, forbidden, illegitimate, unauthorized, end quote.

But no, correspondence courses paid for by the prisoner are none of these. They're not forbidden.

They're not illegitimate. They're not unauthorized. So my question is what to make of this, what to make of a situation in which an accomplishment, an accomplishment of earning a Master's Degree while in prison, what to make of it when this is treated, the diploma of this, a symbol of this achievement, is treated as contraband.

I am forced to conclude that the Pennsylvania prison authorities consider a mind to be a dangerous thing, an educated mind a dangerous thing in this instance. And I would hope that the members of the Legislature would have a different attitude and would begin to set things right. Thank you very much.

CHAIRPERSON BIRMELIN: Mr. Rediker, I apologize for putting you in the wrong department.

DR. REDIKER: That's okay.

CHAIRPERSON BIRMELIN: Being a former history teacher, I too would have been a little upset about that.

DR. REDIKER: Some would consider it a promotion.

CHAIRPERSON BIRMELIN: Personally, I would not have. In any event, I'd like to introduce the members of the panel who have joined us since you began your testimony. To my far left is Representative Kathy Manderino from Philadelphia County.

Seated immediately to my left is my Democratic

counterpart Chairman of this Committee -- or Subcommittee. Excuse me. That's Harold James from Philadelphia. And second to my right is Representative Don Walko from Allegheny County.

And behind me to your left and to my right is Representative Tim Hennessey from Chester County. And in the middle is Representative Maitland, Stephen Maitland from Adams County. And to my far left and to your far right is Representative Al Masland, Cumberland County.

So at this point in time, I'll ask the members of our panel if they have any questions for you. Do any of the members have questions? Representative Josephs.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman. The diploma to Mr. Abu-Jamal -- Abu-Jamal, I'm kind of not surprised because there's so much controversy swirling around him. What I'm interested to know is have other people had similar kind of experiences that you know of in the state prison system?

DR. REDIKER: Yeah. I should say I didn't in fact wish to make an issue of the particular person involved. I should mention for everyone here that the prisoner that I spoke of is Mumia Abu-Jamal, who is kind of a well-known member of death row in the State of Pennsylvania.

Let me just say a word about what happened in

his case and how this thing actually worked out. As soon as he received a contraband notice, he filed a grievance. And the very next day, the -- a representative of the administration, of the superintendent came to his cell with a very strange explanation about what had happened.

What this person said was, Mr. Jamal, it turns out the diploma that you got is not contraband but the leather casing in which it came is. And I must say I find that even stranger than before. So I guess I would -- I would pose the question, Why would even this controversial case, why would a diploma or its leather case be considered contraband? I truly don't know.

As for other incidents, I don't know of anything quite like it. But I think there may be people here who can speak to that issue better than I.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Thank you, Mr. Rediker. We appreciate your testimony here this morning. Representative Hennessey.

REPRESENTATIVE HENNESSEY: Thank you, Mr. Chairman. Mr. Rediker, through the course of the turning of this diploma, I'm assuming that there was mail that was transferred from Mr. Jamal to the state system in California and from the state system back to Mr. Jamal?

DR. REDIKER: Yes, that would -- that would have had to have taken place.

REPRESENTATIVE HENNESSEY: Do you have any indication that the authorities interfered in any way with the transmittal of that mail either to or from Mr. Jamal?

DR. REDIKER: Yes, I do have indications that that mail was interfered with.

REPRESENTATIVE HENNESSEY: Can you tell us about that?

DR. REDIKER: And you may know, Congressman, that there was another very important instance in which the prison authorities in 1995 were illegally opening and reading his private and privileged correspondence with his attorney. That case went to court, and Mr. Jamal won that particular case in US Federal District Court.

And so as far as I know, that particular mail has not been tampered with; but other mail has, yes.

REPRESENTATIVE HENNESSEY: Well, let me ask you specifically about the educational mail from the California State System.

DR. REDIKER: Yes, I have heard from him in the past that his papers to and from the University in correspondence have been opened by the prison authorities. Yes.

REPRESENTATIVE HENNESSEY: Well, oftentimes,

mail is opened, whether or not just to check the contents of envelopes; isn't that right?

DR. REDIKER: Yes.

REPRESENTATIVE HENNESSEY: All right. So the fact that the mail might have been opened as it came into the prison is not indicative that they were interfering with the mail, with the transmittal of that mail to him; is that right?

DR. REDIKER: That's correct. But I do have from his authority that in fact his correspondence course mail, there were some things that went on with it that he considered to be improper.

REPRESENTATIVE HENNESSEY: You have that from him. Did you have it from anyone else?

DR. REDIKER: No, I don't have it from anyone else.

REPRESENTATIVE HENNESSEY: I guess what I'm struck with is the idea that obviously there were transmittals of mail both to and from the state prison in that situation. And you've highlighted for us the problem with the diploma.

But it would seem to me that there was -- there was no interference or there was no substantial interference with the mail that led -- and not just the single piece of mail here but, you know, probably

various and rather substantial amounts of mail both to and from that were not interfered with in the sense of even interrupting his ability to get that diploma.

DR. REDIKER: No. I think you're absolutely right that whatever interference there was in the mail, it was not enough to keep him from getting a degree. But I still find it very strange that this diploma should be considered contraband. Maybe there's some representatives of the Department of Corrections who can help us understand this matter.

REPRESENTATIVE HENNESSEY: Well, perhaps we'll hear from them later. I don't know what the agenda is today. But is it possible that simply the diploma is an article that might not have been listed upon his schedule of acceptable types of mail --

DR. REDIKER: I don't know. I don't know the answer to that.

REPRESENTATIVE HENNESSEY: -- and somebody made the decision to stop it on that basis?

DR. REDIKER: I don't know.

REPRESENTATIVE HENNESSEY: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Feese.

REPRESENTATIVE FEESE: Thank you, Mr. Chairman. Mr. Rediker, you said that the Department

determined the diploma was contraband; but your testimony is to the contrary. Your testimony was, as I understand it, the Department -- someone from the Department talked to the inmate, a man who committed a crime, and said the leather cover is contraband and corrected the situation. Was that your testimony?

DR. REDIKER: My testimony is that when the diploma was sent to him, it was confiscated as contraband but that later, the -- upon filing of a grievance, the prison authorities reversed themselves and insisted that the leather casing was contraband.

REPRESENTATIVE FEESE: Wait a second. I understand a mail room clerk said this is contraband. Mister -- the prisoner, who committed a crime, filed a grievance, which is the process; is that correct?

DR. REDIKER: That's correct.

REPRESENTATIVE FEESE: That's correct. And within a day I think your testimony was; is that correct?

DR. REDIKER: I'm not sure about precisely the amount of time. I do believe there was a contact that was made by Mr. Jamal's attorney, Jerry Praycoff (Phonetic), who did call the superintendent. And I think this may have facilitated his decision.

REPRESENTATIVE FEESE: Someone in an upper level reviews the -- what the mail clerk did and said it's

the casing that's contraband. And you have a problem with that, evidently, that the prison can declare certain items like casings and things like that contraband?

DR. REDIKER: I find it a rather strange judgment, don't you?

REPRESENTATIVE FEESE: Not at all. I don't run the prison system nor do you. So your real complaint is not the diploma, is that correct, it's the casing, the prison decision that the casing is contraband? Is that correct?

DR. REDIKER: My -- my complaint is that a prison system that treats a diploma as contraband at any level and at any moment, that this is a problem. This is something that bears looking into, yes. That's my point. An institutional attitude, I think, is revealed by this.

REPRESENTATIVE FEESE: Did you talk to the mail room clerk and ask that mail room clerk why he or she made the decision?

DR. REDIKER: I do not have access to that mail room clerk.

REPRESENTATIVE FEESE: So you don't know, is that correct, that you do not know whether the mail room clerk made the decision based on the cover or the diploma? Is that correct?

DR. REDIKER: I have had no contact with the

mail room clerk.

REPRESENTATIVE FEESE: Thank you for your direct answer.

CHAIRPERSON BIRMELIN: Thank you, Mr. Rediker. Thank you for coming in this morning.

DR. REDIKER: Thank you.

CHAIRPERSON BIRMELIN: Our next testifiers come from the Bureau of Corrections. They are Bill Mader, the Director of Correctional Education; Catherine Manners, Institution Librarian; Principal Mr. Geoff Lucas; and Mary Jane Landis, Special Education Assistant. Be seated.

MR. MADER: Mr. Lucas is not here. I expected him. He may show up. He will join me if he does.

CHAIRPERSON BIRMELIN: Would you introduce the two ladies who are with you, please?

MR. MADER: Certainly. Sitting beside me is Jane Landis. Jane is currently my Special Education Advisor and also Principal of the School of Coal Township for a number of years. And on my extreme left is Catherine Manners. Catherine is the librarian at SCI-Pittsburgh.

CHAIRPERSON BIRMELIN: Mr. Manners -- or Mr. Mader -- I'm sorry. There's a few M's there -- would you re-pronounce for me the lady to your immediate left?

MR. MADER: Landis.

CHAIRPERSON BIRMELIN: Landis. Okay. I

pronounced it Landis. I apologize, Mrs. Landis. Mr. Mader, you may begin.

MR. MADER: Thank you, sir. Good morning, Chairman Birmelin, members and staff. My name is William Mader. And I am the Director of the Bureau of Correction Education for the Department of Corrections. I have worked with the Bureau of Correction Education since its creation in 1974 and have been its Director since 1979.

Act 15 of 1999 transferred the Bureau and its programs from the Department of Education to the Department of Corrections effective July 1st, 1999. Secretary Horn's three key competencies for inmates are sobriety, education, and work. Education is so essential that Secretary Horn has mandated that all inmates who do not read at the fifth grade level must attend school.

It is the Secretary's goal to move mandatory school from the fifth to the eighth grade level. To accomplish this will require 25 additional basic skills teachers and additional classrooms. I understand that many of you have visited our prisons and are aware of the learning that takes place, our full classes, and our modern equipment.

All inmates enter the State Correctional System via the Camp Hill and Muncy Diagnostic and Classification Centers. They are given the Wide Range

Achievement Test, WRAT, to determine their functioning level in reading and math.

WRAT test results in reading indicate that 48 percent of inmates function below the seventh grade level; in math, 73 percent function below the seventh grade level. Self-reported data indicates that 59 percent of inmates have a high school diploma or a GED.

As you can see, this is in direct contrast with our test score results. This data, self-reported, also indicates that 81 percent of inmates were unemployed at the time of arrest and 73 percent have no significant work history. In addition to the basic intake process, inmates who are 21 years of age or less are screened for possible special education placement in the following ways:

One, the test of adult basic education, TABE, is given to determine basic competency level; two, additional tests are given to identify specific weaknesses; three, the inmate's name and number are forwarded to the Correction Education Records Center to determine previous special education identification; four, when necessary, the last school district of record is contacted to obtain education records.

This data is forwarded to the education program at the institution where the inmate is placed. Inmates under 22 years of age who do not have a high school

diploma or GED are referred directly to the institution's school. Other inmates are informed of education programs during their institution orientation.

All students who request or are referred to school meet with the school counselor. Education records are reviewed and additional standardized tests are given, as appropriate. This combination of information obtained from tests, school records, and interviews are used to make the initial school placement.

Inmates of mandatory school age and special education inmates are placed in school. Inmates functioning below the fifth grade level in reading are given priority placement and required to achieve fifth grade competency before receiving any assignment.

An education team is empowered to waive the fifth grade reading requirement for inmates who are not capable of achieving it. Inmates above fifth grade level are placed in class, as available. Last year, for the first time this decade, Governor Ridge requested and you approved 30 educational positions, including 25 teachers.

This year's budget includes 16 additional teachers. On any given day, up to 10,000 inmates participate in some phase of the educational program. Programs are provided for inmates who function from the first grade reading level through postsecondary one-year

certificate programs.

Secretary Horn has mandated school participation for inmates functioning below the fifth grade level in reading. It is the Department's goal to advance the mandatory school participation requirement from the fifth to the eighth grade level.

In addition to our main focus of literacy through eighth grade basic skills instruction, we provide programs that prepare inmates to take and pass the General Equivalency, GED test. In each of the past five years, approximately 2,000 inmates were tested with an average success rate of 66 percent.

We award about 1,400 GEDs a year. As part of our basic skills program, we deliver a Department of Education-approved alternative education program for school-age inmates. Classes in the basic core areas of reading/English, math, social studies, and science are provided daily.

Some of our inmates have obtained high school diplomas from their home school district based on work they completed in a state correctional institution. Additionally, English as a second language, ESL classes, are provided for those students whose primary language is not English.

Currently, programs are operating at 18

institutions. Seven additional ESL teachers are needed to provide an ESL teacher at each state correctional institution. This will not be an easy task because recruitment is a problem. With many rural prisons, it is difficult to attract ESL teachers to those areas.

While we continue to aggressively recruit, we will use other means such as the distance learning capability of our new system-wide cable television contract to provide services. The Department also provides programs that comply with state and federal law for those inmates who have been identified as special education.

Last year, approximately 20 percent of inmates 21 years of age or younger who were processed through the Camp Hill Diagnostic and Classification Centers were identified as special education. Active student Individual Education Programs, IEPs, are reviewed and implemented or modified as required.

An IEP is a program designed by a team that includes a teacher, a counselor, an administrator, a parent, and other professionals as necessary. The IEP is designed to meet the student's individual educational needs. This allows students to receive required services quickly.

Another difficulty the Department faces is the recruitment of special education teachers. We are in

direct competition with many instate and out-of-state school districts to meet the demands of our expanding special education population.

Additionally, students whose behavior necessitates placement in restrictive housing are provided special services through an approved Cell Study Program. The Cell Study Program allows special education students to work in the restricted housing unit on their assignments and receive direct teacher contact twice a week.

Twenty-eight different vocational training programs are available to inmates. Nontraditional training opportunities, such as computer-aided drafting, building trades, upholstery, and business education are provided. Recall that prior to incarceration, up to 73 percent of our inmates had no significant work history.

Our vocational programs are sequentially competency based. This allows for continuous enrollment in some programs and the ability for an inmate to acquire an increasing number of competencies based on personal ability and time in class.

Students are awarded a completion certificate that lists acquired competencies. Many programs offer trade-based certificates and apprenticeship certificates, such as a Pennsylvania State Inspection License or an air-conditioning/refrigeration license.

The Department of Corrections is committed to expanding vocational training programs in the state correctional institutions. This year, we've added ten programs. They are high tech and include computer-aided drafting, computer repair, and electronics. Eight programs will be added in 2001 and seven in 2001/2002.

This 3-year expansion will better equip inmates with the necessary skills to secure employment upon their release from incarceration. According to a soon-to-be-released United States Department of Education study, vocational training in combination with improved basic reading and math skills assist an inmate with post-release job placement.

Since July 1st, 1995, the Department has provided one-year-certificate postsecondary business or vocational programs. These programs replaced the traditional 2- and 4-year college programs that were eliminated when inmates lost eligibility for Pell Grants.

Currently, the Department spends 250,000 state dollars, $260,000 of Federal Youth Offender Grants each year to provide such programs as business practice, business management, auto technology, and fiber optics. Inmates contribute $15 per credit or up to $50 for three credits to help defray state costs and show their commitment to the program.

As a result of the recent legislative transfer, the Bureau of Correction Education has been assigned program responsibility for the institution libraries. All state correctional institutions have professionally staffed institutional and law libraries.

In 1997 and '98, approximately 26,000 inmates or more than 70 percent of our population used a library. Recreational reading material is purchased with inmate general welfare funds. The Department of Corrections is currently in the process of changing its law libraries from a book-based system to a CD ROM-based system.

This will result in significant space saving and save money to replace worn books. SCI-Pittsburgh has been selected to pilot a CD ROM-based system. SCI-Pine Grove will also have a CD ROM law library. In addition to the more traditional library services, a computer-based workplace program is available to assist the inmate in career planning.

The program helps the inmate prepare a resume' for use upon release, locates postsecondary training sites and programs, and provides a career interest survey. With the passage of Act 33 in 1995, the Department of Corrections began to prepare for an increase in the number of youthful offenders sentenced as adults.

The Department designated SCI-Houtzdale as the

temporary location for this population until the opening of SCI-Pine Grove slated for the fall of this year. The program at Houtzdale is approved by the Department of Education as an alternative education program.

This program meets the same requirements as a public school alternative education program in the following ways: One, all teachers and counselors are certified; two, all programs are delivered four hours per day, five days a week; three, inmates are instructed in the four core areas of reading, math, social studies, science; four, inmates must show progress toward graduation.

SCI-Pine Grove will meet the same requirements. In addition, SCI-Houtzdale offers six different vocational training programs. Pine Grove will offer seven vocational training programs. In addition to providing traditional school programs, we worked with the Office of Victim Services to develop a 10- to 12-hour Victim Awareness Education Curriculum in response to the mandate of Act 143.

Act 143 requires all inmates convicted of a crime of violence to receive educational instruction on the impact of crime on the victim and the community. We have also developed a semester-length course on citizenship. The focus of this course is to help inmates understand their responsibilities in a democratic society.

Real life situation examples are used to initiate discussion on relevant topics such as the fundamental principles of government, voting responsibility, and rules of law. These discussions will help inmates become more responsible citizens.

Plans are to pilot this program in the summer at Smithfield, Cambridge Springs, and Chester. In addition to citizenship, the Department has initiated a parenting program which includes a Read to Your Children Program currently operating in 18 institutions.

This program provides an opportunity for inmates to communicate with their children through the reading process. There is no direct contact, as recorded tapes are sent to the child. Dr. Randall Turner will tell you more about this program later this morning.

The Department is very interested in using distance learning technology to supplement its existing instructional programs. To that end, it has contracted with Correctional Cable Television to provide GED programs in math; science; language arts; social studies; English as a second language, ESL; and life skills. Dr. Don McHenry from Correctional Cable Television will address this issue in more detail as part of his testimony.

In conclusion, Pennsylvania was the first state in the country to pilot test and receive system-wide

accreditation of our educational programs by the Correctional Education Association. We continue to work with this association to accredit our programs on a 3-year cycle.

I am personally proud of Pennsylvania's efforts on behalf of its inmate population and doubly proud that Pennsylvania is recognized as a national leader in the field of correction education. This concludes my remarks. And I and other members of the panel would be happy to answer any questions you might have. Thank you.

CHAIRPERSON BIRMELIN: And I assume that the gentleman who came late and is seated to your right is Principal Geoff Lucas?

MR. MADER: I'm not sure I want to recognize him. Yes, this is Geoff.

CHAIRPERSON BIRMELIN: If that wasn't him, we'd ask him to leave. Thank you. I want to introduce another member of the panel who's joined us since your testimony began. Second to my left is Representative Washington from Philadelphia County.

I would ask the members of the panel if you have questions, if you'd let my assistant Dave Bloomer know rather than have me go down the line and ask everybody. But let him know whether or not you have any questions. That way we can facilitate the question and answer period.

Representative Maitland has a question for you.

MR. MADER: Yes, sir.

REPRESENTATIVE MAITLAND: Thank you, Mr. Mader. I have two questions for you. One is, you get inmates for varying amounts of time. I assume you get them for at least a year or two. Do you stretch your vocational programs differently than the amount of time you're going to have an inmate in your system?

MR. MADER: In the best of all worlds, that would take place. We do reserve a small number of our inmate -- of our placement positions for long-term inmates. But most of our programs are focused on inmates who will be released in a definite period of time.

REPRESENTATIVE MAITLAND: Okay. And secondly, when these inmates are being released, do you give them any help in actually obtaining employment? I mean, I know you help them write their resume'. But do you have an office that would work like a college jobs office, so to speak?

MR. MADER: The only program -- the only program that has help like that, sir, is the Youthful Offenders Federal Program, inmates who go through the Youthful Offenders Program. And that program by federal legislation is for inmates 25 years of age or less who have a high school diploma or a GED and less than five years remaining in their sentence.

We have a contract with Labor and Industry. Labor and Industry come in and does pre-work, sets up a resume'. And before they leave the institution, they have an appointment with the job placement center in their home location.

REPRESENTATIVE MAITLAND: And one more question. And it just slipped my mind. I'll come back to it if I think of it. Thank you, Mr. Mader. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative James.

REPRESENTATIVE JAMES: Thank you, Mr. Chairman. Thank you for testifying. I just think that it looks as though as you explained in your testimony, that the educational opportunities and availability looks to be -- looks real good. And I think --

MR. MADER: Thank you.

REPRESENTATIVE JAMES: And I think that this is -- this is what we need in the institution because as you gave those alarming figures about reading levels, it's really -- it's really sad. And it says something about our educational system also.

And what is interesting, I noticed on -- you talk about real life situations, that you try to -- that you relate to some of the inmates. And it was interesting to see that you talk about -- you use them to initiate

discussions on relevant topics such as fundamental principles of government and voter responsibilities.

And I just hope that you use in your training that how we as the Legislature say that when you come out of prison, you'd be an acceptable member of society, finish your -- your responsibilities and everything, and then we take away your right to vote.

So I hope that you try to explain that to them because then we as the Legislature, we said, Okay, we saw that we made that policy. And we tried to correct it. And then all of a sudden, some of us realize that that shouldn't have been corrected.

So I just think that's something that we have to work on because I think when you finish your time in prison, that you should participate in opportunities to vote. But one of the other things I'd like to ask you is on the basic education.

Is that a requirement when someone comes up for parole or have to go see about parole, getting out an approximate time, do they have to have certain requirements or certain reading levels?

MR. MADER: That's something you'd have to ask parole. The information we send upon release does indicate what level of educational involvement has occurred inside, sir. We do not set that standard. Parole would do that.

REPRESENTATIVE JAMES: I see. So parole decides if in fact that a person must -- you must read at a certain level, and you just prepare them and then put that in their record?

MR. MADER: We indicate that any inmate who does not function at the fifth grade level must be enrolled in an educational program. We don't determine for parole whether that is what they want or whether they don't want that. They make the release determination. We do not do that.

REPRESENTATIVE JAMES: Okay. Thank you.

CHAIRPERSON BIRMELIN: Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you, and good morning. Yesterday we were at SCI-Camp Hill. And one of the things that we had an opportunity to see and review was the inmate handbook. And it was very evident to me during the course of the testimony that that's a very important piece of information for inmates to know how to conduct themselves.

But I personally couldn't help but be struck by how advanced the writing in that handbook seemed to be. I am going to take my copy and see if I can find somebody with the expertise to evaluate at what reading level it is written.

But I suspect that it is written at a higher than fifth and probably higher than seventh grade reading level, which means that 50 percent of the people in your prison who have to rely on this for good behavior, knowing how to act have -- probably have problems understanding it.

So I guess my suggestion to you would be is maybe as part of the education team, you might take a look at that inmate handbook and see if the language in it can be simplified and still communicate the message that needs to be communicated in the way that it needs to be communicated for proper behavior.

That really struck me. And if you could do that, I would appreciate that.

MR. MADER: Thank you. I will ask one of my staff to do that.

REPRESENTATIVE MANDERINO: Thank you. I have one question for Ms. Manners. And I don't know that you -- whether you will know this now. But if you don't, I'd appreciate it if you could find out for me. In the past, I would often get requests from inmates for copies of the Pennsylvania Manual, which I would try to accommodate.

But as you can imagine, over the years, the requests got more and more frequent. And so last year for the first time, I had requested through Secretary Horn's office if I could, out of my complement of Pennsylvania

Manuals, supply each prison library with two copies of the Pennsylvania Manual, which I was told that I could do and which I mailed to each prison library.

And so now when prisoners write me, I just send them back a note card that says, I can't send you a personal copy; but I've supplied a copy to your library. My question is, Can you assure me or check for me as to whether or not those books have been placed in the library for prisoner reference?

MS. MANNERS: Pittsburgh did receive their copies, plus I also wrote -- I have another way of getting more. I have a case of them. So -- because they do get damaged, and they do disappear. So we can replace them. What we -- the inmates know we have them, and we will let them use them.

We don't necessarily put them out in the collection because of the rate of damage. They rip out pages. And then we'd have to keep writing for more and more. But they -- Pittsburgh -- they know we have them. And we gladly let them use them.

REPRESENTATIVE MANDERINO: Is there some way that I can check or someone can check for me and just make sure that the other prisons -- and again, I understand about putting them in general circulation. But if somebody requests it, they can --

MS. MANNERS: It would generally be treated as a reference item.

REPRESENTATIVE MANDERINO: -- use it as a reference. That's what I expected it would --

MR. MADER: Cliff Harrison from my staff coordinates the library programs. He's sitting over here in the audience. And I will have Cliff check that for you.

REPRESENTATIVE MANDERINO: Thank you very much.

CHAIRPERSON BIRMELIN: Representative Walko.

REPRESENTATIVE WALKO: Thank you, Mr. Chairman. Mr. Mader, I -- one of the things you handed out was your apprenticeship programs. I believe it's -- well, the Department provided the information indicating that during 1999, 83 apprenticeship certificates in building trades were awarded.

And I was wondering, it also describes these programs as being available to long-term inmates housed in state correctional institutions. Is there any reason -- is it limited to long-term inmates?

MR. MADER: Most apprenticeship programs take from two to four to five years to complete. They do require thousands of hours. So it is unlikely that a short-term inmate would have much opportunity to complete a traditional apprenticeship program.

The 43 apprenticeship certificates were in all those listed below. It's not particularly in one area. The more traditional vocational education programs that I have described are shorter term and competency-based. So inmates who have shorter time would more than likely be enrolled in those programs.

REPRESENTATIVE WALKO: Because it would seem to me to be an ideal opportunity. For example, it's commonly said in Pittsburgh that you can't find a bricklayer because of all the construction. And I know we're doing a lot of construction throughout our prison system.

And I thought it would be a very logical thing to invest more in the apprenticeship programs if the building trades are cooperative and able to take on the additional people. The other question I had was concerning the overall state education appropriations for the correctional institutions.

MR. MADER: Yes.

REPRESENTATIVE WALKO: You indicated that since '95, it went from roughly 12.5 million or -6 million to 32.6 million. Is any of that increase due to a shuffling of money from the Department of Ed?

MR. MADER: Yeah. If you see the asterisk, the first four are Department of Ed. appropriations, which

was 116. And the last year is the Department of Corrections appropriation, which was 102. And the Department of Corrections includes considerably more in its appropriation than the Department of Education.

Its school principals and other things that were not part of the Department of Education are included in that significant amount.

REPRESENTATIVE WALKO: So I guess what I'm getting at, though, has that been the actual -- has there been indeed a $20 million increase in spending on education in the prisons?

MR. MADER: I would think if you would look at the other increases which are, like, 3 to 5 percent per year, something like that, in reality, that's probably a more accurate estimate.

REPRESENTATIVE WALKO: Okay. Thank you.

CHAIRPERSON BIRMELIN: Representative Josephs.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman. I'm very -- I think that the effort to educate inmates and especially -- made on the part of the Commissioner are -- or the Secretary are very commendable. And I'm very happy to see them. And I'm delighted with the dedication and the hard work of the education department at the -- at the institutions.

What I'm not so happy about is our

performance, the Legislature, in terms of giving the resources you need really to give the kind of education to our inmates that they need in order to come back in society and not be a danger to us.

And so I'm wondering when I look at some of the things, some of the achievements that have happened under this administration and by the work of you able folks; for instance, you say that 10,000 inmates -- which is what, a third of the --

MR. MADER: Slightly less than a third, uh-huh.

REPRESENTATIVE JOSEPHS: -- participate in some aspect of education. When you say some, I guess to make it more positive, if we would give you the resources that you felt you needed to educate every inmate to the point where that inmate is capable, what kind of a program would you see?

And what kind of resources, what kind of appropriations ought we to be making? Instead of 10,000 inmates, how many? And instead of some education, what kind of thoroughness of education is what I'm after.

MR. MADER: I made several specific comments in my testimony. I requested 25 additional staff members for basic skills to help upgrade our mandatory education program from fifth to eighth. I indicated we're adding 25

additional vocational programs. And we could use many, many, many more.

I mean, a number? You could give me another 50 to get vocational programs. But you'd also have to give me the space. Especially in the older institutions, space is the significant prohibitor to expansion for education, not just for vocational but for basic skills as well.

As you probably know, we have some classes right attached to cellblocks in certain institutions and not in a traditional school setting. So space is a problem as well as that. But the basic skills piece at 25 would help greatly. Twenty-five to 50 additional vocational educational programs would help significantly.

And as a question a representative -- I'm sorry. Too many names at this point -- asked, placement is also an important piece that is lacking for the most part of our educational programs.

REPRESENTATIVE JOSEPHS: In terms of English as a second language where you have as much trouble, perhaps, more in recruiting instructors, why can't inmates be used for those -- for that program?

MR. MADER: Inmates are used as interpreters. Inmates are used as assistants. But inmates are not in fact qualified or certified to be teachers.

REPRESENTATIVE JOSEPHS: I understand that.

But there are -- there must be a very large number of inmates that are quite competent bilinguals.

MR. MADER: And yes, we do use them as teacher assistants. We do use them as interpreters.

REPRESENTATIVE JOSEPHS: Do you keep any kind of -- or the prison system, the Department of Corrections keep any kind of figures on recidivism based on the level of education?

MR. MADER: To the best of my knowledge, the Department of Corrections in Pennsylvania has not done a recidivism study based on education.

REPRESENTATIVE JOSEPHS: Is that kind of information available the way you keep your statistics in the computers?

MR. MADER: The data that I have in school would only reflect the kinds of educational gains that students have made or the kinds of programs they had completed. It would not reflect anything that occurred upon release.

REPRESENTATIVE JOSEPHS: My suggestion would be that you push for that kind of a study and those kinds of statistics because I would guarantee that there are many folks in the General Assembly that would find it easier to approve the kinds of appropriations that you're talking about if we could hold up something that said look what an

investment this is and how much more safe this makes the community, your community.

So I would really suggest that you talk to the Commissioner about trying to set up something that would show that because I have no doubt that it would have a positive response. I'm also --

MR. MADER: May I comment just a bit on that?

REPRESENTATIVE JOSEPHS: Certainly. I'm sorry.

MR. MADER: We have, within the last six to eight weeks, established an Education Evaluation Committee. We have had two initial meetings. And we are in fact discussing how we can better evaluate our education program and the impact they have upon the inmate.

So I would hope that somewhere down the road you may get a legislative request from somebody to fund a study like that.

REPRESENTATIVE JOSEPHS: I think that would be very worthwhile. And I would certainly be at least one person who would be in favor of that. And then last, it occurred to me when Representative Manderino was talking about the handbook, that a worthwhile reading and comprehension and behavior kind of course might use the handbook as a text.

And it might be a course on how you read this

and what these words mean and what it means in terms of your behavior. I was once an English teacher. So --

MR. MADER: I was a history teacher like the Chairman.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Washington.

REPRESENTATIVE WASHINGTON: Thank you, Mr. Chairman. Good morning.

MR. MADER: Good morning.

REPRESENTATIVE WASHINGTON: I came in at the part when you were talking about the Cell Study Program --

MR. MADER: Yes, ma'am.

REPRESENTATIVE WASHINGTON: -- for inmates that are in the RHU unit. Tell me how -- how that works and how they have direct contact twice a week with the teacher.

MR. MADER: Sure. Teachers prepare lessons, and that information is taken to the cell. The inmates can work on that information on that study in their cell. And then twice a week, the teacher will go to the restrictive housing unit area and, with coverage by a corrections officer in a secure place, provide an inmate an opportunity to answer questions directly about the work that they are

doing in the cell.

REPRESENTATIVE WASHINGTON: So you're saying that -- because we went to one of the prisons, and we did see the RHU unit -- that they take them out of that particular unit?

MR. MADER: No, I'm not saying they take them out of the unit. I'm saying the teacher goes to the unit. And typically, the work is done right inside the unit or directly attached to the unit in a secure area.

REPRESENTATIVE WASHINGTON: Okay. I don't remember seeing a place like that when we were there. So you're telling me that she does one-on-one with them?

MR. MADER: A teacher, male or female, yes, will go for cell study for special education students. Yes, ma'am, they do go to that area and provide direct contact.

REPRESENTATIVE WASHINGTON: Twice a week?

MR. MADER: Twice a week.

REPRESENTATIVE WASHINGTON: Thank you.

MR. MADER: That's what our requirements say.

REPRESENTATIVE WASHINGTON: Okay. Thank you.

CHAIRPERSON BIRMELIN: Representative Hennessey.

REPRESENTATIVE HENNESSEY: Thank you, Mr. Chairman. Mr. Mader, with regard to the Cell Study Program

that you talked about, is it possible to implement more frequent contact by using some sort of closed circuit television apparatus, or is it thought not to be necessary at this point to do that?

MR. MADER: That's a difficult question for me to answer. I'm not really familiar with the RHU units themselves and whether they are currently wired for that purpose or not. Maybe Geoff or someone else could comment on that.

MR. LUCAS: The only thing -- good morning. Sorry I'm late this morning. I got some bad instructions at the front desk and went all the way to Camp Hill. So I had a crazy morning. I apologize for my lateness. What I can tell you is that cell study in the RHU is a difficult process.

We -- we are mandated to see the inmate twice a week. And that's -- that's difficult for some inmates because they are really incorrigible. Let me give you an example. We had one inmate who was rather violent, a spitter. So any attempt to meet with the staff person, the inmate would have to wear a mask. That makes cell study almost absurd.

So we have alternatives. We then are able to provide information with material directly to the inmate. And in those cases, most often cell study occurs at the

cell front simply because it's more convenient. It's difficult to expect an officer sometimes to pull an inmate out. They have their duties, and it's not always convenient.

And at the same token, we have staff who have to leave the school building or sometimes classrooms to interrupt their study, their regular classrooms to do this. So there are a number of factors that make this challenging, to say the least. But we attempt to meet the regulations.

REPRESENTATIVE HENNESSEY: Could -- I guess the question I'm asking is could we surmount some of these hurdles by using the closed circuit television system through direct contact between the inmate and teachers without physical contact or without physical presence in the same cellblock?

MR. LUCAS: It would seem to be certainly worth a try.

REPRESENTATIVE HENNESSEY: In addition to that, it would seem to me that perhaps educational programs like ESL language studies might be broadcast, at least available on some sort of a system closed loop within the prison. Maybe you do that already.

MR. LUCAS: Let me answer that. Most institutions do provide distance learning, not -- not of

the type that we have recently gotten. But they do provide videos, instructional videos on their closed circuit television, for those inmates that have televisions. Most institutions do that.

REPRESENTATIVE HENNESSEY: And that's available to the inmates simply by turning the channel and watching the program or --

MR. LUCAS: Simply by turning the channel. Not in the RHU, I might add, because there are no TVs in the RHU. Inmates are not allowed to have television.

REPRESENTATIVE HENNESSEY: For general viewing.

MR. LUCAS: Yes.

REPRESENTATIVE HENNESSEY: But it might be possible to put one in --

MR. LUCAS: So if you did put one in the RHU, the challenge would be where would you put it, how -- who would have access to it, how would you manipulate that so that person in the cell could get it and still abide by the institutional security, the necessary security.

REPRESENTATIVE HENNESSEY: Okay. On another topic you had mentioned, Mr. Mader, the home school district diploma program.

MR. MADER: Yes.

REPRESENTATIVE HENNESSEY: Is that simply an

initiative the Department of Corrections has started to try to take away any stigma that might be attached to one that was issued by the state system?

MR. MADER: We cannot issue a high school diploma per se. Only a school district could do that. We could give a GED. So where possible, we hook up with a local school district to do that.

REPRESENTATIVE HENNESSEY: But I guess what I'm asking, why, because the --

MR. MADER: The Department of Corrections cannot give a high school diploma.

REPRESENTATIVE HENNESSEY: I understand. But could you give a GED certificate?

MR. MADER: We do that. We do give a GED. There's a difference between the two. I'm not sure of your question then.

REPRESENTATIVE HENNESSEY: Well, I was trying to figure out whether or not the reason you made this opening with the home school districts was to allow for someone to have a diploma to look like everybody else's diploma and remove the GED equivalency.

MR. MADER: That's up to an individual school board. Now, an individual could take the GED to their home school districts, and some school districts will accept that and give them a high school diploma. But that, as I

understand it, is a local school district decision as to whether they would do that or not.

REPRESENTATIVE HENNESSEY: Well, what's the -- what's the benefit of this program then from the corrections department, just that you've opened the door to allow that to happen, to facilitate it somehow?

MR. MADER: Most of the diplomas that we've gotten are for special education students who probably could not have obtained the GED.

REPRESENTATIVE HENNESSEY: Okay. Thank you.

MR. MADER: They've completed their IEP.

CHAIRPERSON BIRMELIN: Representative Masland.

REPRESENTATIVE MASLAND: Thank you, Mr. Chairman. One specific question first, and that deals with the issue of special education. Representative Josephs and I were talking about the percentage. And you had in your testimony, Mr. Mader, that 20 percent of the inmates 21 years of age or younger have special education needs.

Our question is, What is that percentage of people in RHU? We would assume it would be much higher. Is there any way of tracing what the percentage of RHU residents are that are special education?

MR. MADER: I do not have that information, but I certainly could attempt to get that for you.

REPRESENTATIVE MASLAND: Okay. And just in

general, as you talked about the -- the Department's goals, the Secretary's goals, these are basically, for the most part, internal goals that you have as opposed to external mandates; is that correct?

How much of what you are doing do you have to do because we say this person has a right to this type of an education in a prison setting?

MR. MADER: The only mandates are those that apply to inmates who are public school age.

REPRESENTATIVE MASLAND: Right. The younger students.

MR. MADER: That is correct. In Pennsylvania, they have a right to a free public education until at least their 21st birthday. Or for special ed., they have a right a little bit beyond that, until the class in which they start their 21st year graduated from high school.

Beyond that, the law calls for us to provide an education training program. It is not specific as to what is to be provided.

REPRESENTATIVE MASLAND: And I think that's important. I think it's important what you're doing. I think it's obvious that education is helpful whether you get it before you go to prison or after you're in prison. But I'm hesitant for us to push things to the point where we get beyond it being a goal of the Secretary to the point

where it is a mandate because I think where we need to put our emphasis is not on special education in prisons, important as that is, but special education with students before they get to prison because I think the fact that we have such a high percentage of students with special education problems in prison is an indication that we aren't serving them very well in the first place in our public schools to prevent them from getting into prison in the first place. Thank you.

CHAIRPERSON BIRMELIN: We want to thank you folks for coming and testifying today and answering all the questions. Mr. Mader, you did most of the talking. But we want to thank those of you who accompanied him and whispered in his ear and gave him the correct answers. Thank you for coming.

MR. MADER: Thank you.

CHAIRPERSON BIRMELIN: Our next testifiers are Professor Stan Jacobs from Villanova University, Professor Joseph Betz from Villanova University, and Dr. Thomas Greene. Would you gentlemen come forward if you're here? If you would introduce yourselves so that we know who is who.

DR. BETZ: Joe Betz, Professor of Philosophy, Villanova University.

DR. JACOBS: Stan Jacobs. I direct the

graduate criminal justice program at Villanova University and direct the Villanova undergraduate program at Graterford prison.

DR. GREENE: Thomas Greene, Professor of History at Villanova University.

CHAIRPERSON BIRMELIN: Gentlemen, we're still distributing your testimony. Is there any order in which you prefer to give your testimony? The man in the middle has been pointed to. Professor Jacobs, I guess you're first. If you would begin.

DR. JACOBS: Thank you. As I mentioned, I direct the graduate criminal justice program at Villanova. But more importantly, for the purposes of this meeting, I direct the undergraduate liberal arts program which has been offered at the state correctional institution at Graterford for about a quarter of a century.

As the director of the Graterford program, I'm the principal liaison person between the Department of Corrections and SCI-Graterford and the University. I have the responsibility for administering and coordinating the application/admissions/registration process for Graterford students.

Also, in consultation with a core group of Villanova faculty and staff, such as Dr. Greene and Dr. Betz, I and they decided upon the courses to be scheduled,

arrange for their staffing, coordinate the scheduling of courses with Mr. William Zinkel who's the principal of the education program at SCI-Graterford, and I register students for the courses to be offered.

Right now at Graterford, we have about 80 students out of almost 4,000 men at Graterford who are admitted to the undergraduate program. We offer two courses in the fall, two courses in the spring. The course enrollments typically run 20 or 25 students.

I also arrange for the purchase, provision, and entry into the institution of books and supplies for the courses because men are essentially destitute. We have to provide them with textbooks, reference books, and all their supplies.

Perhaps most importantly, I administer the small budget that the University provides me with that funds both the institutional program and the on-campus contingent of men who have been released from Graterford who began their studies while incarcerated and who wish to complete their degrees at Villanova on campus as regular undergraduate students.

My colleagues, Dr. Betz and Dr. Greene, will describe more fully the nature of the program within the walls at Graterford. I'd like to tell you a little about the on-campus program which I coordinate. On-campus men,

who all began their studies while in prison, pursue the regular University curriculum for a liberal arts degree.

They register for up to nine credits per semester, which are underwritten by the small budget that I mentioned. These students receive what is known as Presidential Scholarships, which covers the cost of tuition and fees, books and supplies, but no other expenses.

These men compete with the remainder of the Villanova undergraduate population, which is a highly select group. To their credit, they do very well. The students currently active on campus earned an average grade of somewhere between a B-plus and an A-minus this past spring semester. My very best student earned his GED in Graterford, having been a high school dropout.

Offering incarcerated and released men the opportunity for an education is clearly consistent with the mission of Villanova University as an Augustinian Catholic Institution. There is another compelling reason to support programs such as Villanova's.

The cost to keep a man incarcerated in a maximum security institution like Graterford is about $30,000 a year and increasing. The recidivism rate, which I've heard alluded to earlier, the rate of failure upon release from prison, is appalling.

Depending upon the nature of the offense, the

state we're talking about, the institutional type, it's as high as 80-plus percent. This is true for both adult and juvenile offenders. The popular opinion is that rehabilitation efforts are failures.

A more informed position would be that the efforts have largely been failures, that we are guilty of doing little or nothing that could reasonably be expected to prepare a man for reentry into society. Certainly, it should come as no surprise that if we lock a man up in the prison and restrict him to the company of felons, he will fail to reform himself despite the fact that he's been incarcerated for a number of years.

The $30,000 a year is roughly equal to the annual tuition and fees at a good private university such as Villanova. In terms of a return on society's investment, a small percentage of that $30,000 that the Commonwealth spends annually should be spent on education and training to habilitate, not rehabilitate, offenders because many or most of our prisoners have never had even a slight chance of preparation for what you and I regard as a normal life.

Our track record at Villanova is exceptional with graduates leading useful, productive and, perhaps more importantly, taxpaying lives. Recidivism is nil. Our students appear to have truly turned a corner in their

lives. Our students are undoubtedly a very select group, totalling only about 80 out of almost 4,000 men at Graterford.

However, some of our best students, as I mentioned earlier, began with the earning of a GED certificate. More programs tailored to the needs of students and consistent with contemporary employment possibilities and requirements are needed.

There are standard success stories across the United States that we can learn from. We know what we should be doing. NIJ has done studies on what works and what doesn't. I just received a publication from NIJ which is the latest review of the types of prison programs that seem to have the greatest success and also the types of efforts that don't seem to work at all.

What works is unfortunately often not politically expedient in a get-tough-on-crime climate. Speaking for my on-campus students and their needs, funds for aftercare upon release from prison are badly needed. Most prisoners are virtually destitute with no prospects for employment upon release.

The halfway house is a good idea. But lack of funds and personnel often leads to a very restrictive regimen unresponsive to the interests and needs of men newly released trying to pick up the pieces of their lives.

Employment possibilities do exist, but it takes time and effort and money to search them out and establish relationships with potential employers.

The opportunity to obtain even partial external funding for a program like Villanova's would enable us to do a far better job of reaching more men. The choice is really between a minimal up-front investment to attempt to minimize a growing threat to society that we're unwittingly creating through punitive get-tough-on-crime policies and continuing on our present course of creating an expanding gulf between the Hispanic and African-American communities, the source of most of those who have been, are being and will be incarcerated, and the rest of America. Thank you very much.

DR. BETZ: Good morning. My name is Joseph Betz. I hold a Ph.D., and I'm Professor of Philosophy at Villanova University where I have taught for 34 years. I've been teaching courses at Graterford prison at regular intervals since 1989. There I have taught the philosophy of criminal justice, ethics, philosophy of law, the ethics of war, and introduction to philosophy.

When I began teaching at Graterford, there were three college programs at the prison, Villanova's, Montgomery County Community College's, and the Pennsylvania Business Institute's. When the federal government

prohibited the use of Pell Grants for the education of prison inmates about five years ago, it caused the crisis for all three of our colleges.

Would we continue to teach there without the federal government paying student tuition as we did so? Villanova, a Catholic institution committed to the corporal work of mercy of visiting the imprisoned and the spiritual work of mercy of instructing the ignorant, decided to stay at its own expense and has budgeted at least $50,000 a year for this charitable enterprise.

I was told that Pennsylvania Business Institute dropped out completely -- it is a for-profit junior college -- and was told that it provided the only significant computer education in the prison. So that's gone. I was told that Montgomery County Community College was going to withdraw but did come back when it found some limited source of public funding.

But I'm told Montgomery County Community College no longer provides free courses for those serving life sentences, and they were often my very best students. So the chance for a college education at Graterford is much less now than it was a half dozen years ago.

Even Villanova's program has shrunk in that one of my Villanova courses once enrolled 55 but now can enroll, for budgetary reasons, only about 23. Our students

can no longer count on taking one or two courses each semester, and we only teach four in a year.

Our Graterford students must now await their turns as we give all 80 of them a chance. I feel much more appreciated by the inmates in my Graterford classroom than I do by the average well-heeled, sometimes spoiled 19- or 20-year-old in my Villanova College classrooms.

My Graterford students take for granted perhaps the prison food provided for their bodies. But their attitudes of attentive expectation show me that food for their minds is scarce in prison. They can and do read books without me; but books do not invite them to speak out about what they have read or talk back to them or grade their work as I, their classroom teacher, do.

I hold them accountable for learning by grading them. Speaking of grades, in one semester, I taught the same ethics course at Graterford that I was teaching on campus at Villanova, the same material, the same tests. The grade pattern at Villanova was much higher than at Graterford, but the Graterford students accepted their Cs and D-pluses with much more grace and sense of justice than my Villanova campus students accepted their Bs and C-pluses.

This told me that my Graterford students were really learning, agreeing with a lesson in justice. They

seemed to be acknowledging that they had only worked hard and well enough to deserve the lower grades. Many seemed resolved to do better next time.

This one program at the State Correctional Institution at Graterford really was experienced, I think, as correctional for the inmates. As I taught inmates at Graterford, I thought I could detect lights going on in their minds, lights going on both because of the material learned and because of the normal academic grading process.

Academic norms seemed to be accepted as persuasive in their minds. Many prison rules seemed only coercive to their bodies. Inmates seemed to be moving much closer to accepting fair social standards, to internalizing them because of their experience in my classroom.

Since something like 90 percent of those in American jails are eventually released, this was to me a good indication for the return of a prison inmate to society. College educated persons think differently than do others, even differently than do those with vocational training.

Exposure to the humanities makes people better at putting themselves in the mental perspectives of others unlike themselves and much more tolerant of diversity. I believe that I have seen this sort of growth in my inmate students. Villanova's average in-prison graduate has taken

12 to 15 years to get his Bachelor's Degree.

But he is a different person because of it, and he tells you this. As far as I can judge, he is calmer, more reflective, less angry, more hopeful, more willing to help others, more likely to lead other inmates in service clubs, charitable events or religious organizations. They do not act out. They talk things out.

From what I have seen, I believe that they are safe people to return to society and would be an asset to their communities if released. And they qualify for the good jobs which make relapse into crime unlikely. Thank you.

DR. GREENE: My name is Thomas Greene. I am a Professor of History at Villanova University, which I mentioned before, where I have been employed since 1964 teaching primarily American History. I have taught in the Villanova University Extension Program at Graterford Correctional Institution on a regular basis on and off for about the last eight years.

Currently, I am teaching the core humanities course at Graterford. The course is the foundation course for Villanova's liberal arts program. It is a course all liberal arts students must take, including the Graterford contingent.

I would like basically to reflect upon my

experience and what might be drawn from it from the Graterford institution experience. Mainly, I'm going to repeat a couple things I think Professor Betz mentioned already. One is the commitment. It's unmistakable.

It's dramatic, basically, of the student body, the student inmates at Graterford to the program itself. They're expected to complete a regular program of studies. They do it. Written assignments, they prepare for those on a regular basis. It's not always easy for them to accomplish it, but the significant thing is that they do accomplish it.

If for some reason they are not able to complete an assignment, they make it up as well later. And I guess maybe what I'm stressing more than anything else is that there's a very real dedication evident on the part of the students. Not all is success, of course. But the percentage is rather stifling high.

I think also one of the things that might be relatively clear is the visit to the classroom, any classroom at the program at Villanova, Villanova's program that is at Graterford. Students are prepared for class, have read the material and not only that, but often read far more than the assignment requires they do.

And they're ready to discuss it as well. Classroom discussion is invariably animated. It sometimes

gets a bit loud, but it's also focused. It doesn't leave that focus, and it's dealing with material under discussion.

To fill this in a little bit, the material used currently in this core humanities includes selections from Thomas More's Utopia, Scriptural readings such as Paul's Letter to the Romans, Martin Luther on Obedience to Civil Authority addressed as well with Villanova's background, drawing from that as well.

And they're able to put this all together, make sense of it, and compare it one with another. And it's a rather impressive accomplishment given the circumstances. I did mention once -- and this is where I'm going to repeat Dr. Jacobs and Dr. Betz -- the Graterford class, how much I was impressed by their commitments and how far more committed many of them did seem to be to Villanova students.

I said very often -- I say this rather in jest obviously -- I'd like to take the entire class from Graterford down to Villanova and show Villanova students what can be done, what should be done. I don't think the warden would appreciate that. But still, it's a thought. And it's a thought I wanted to get across to them as well.

Anyway, I did mention -- this is going out on a limb a bit. And this is just the other day. Two days

ago, I gave them the final exam which consisted essentially of about 12 or 14 nouns, abstract nouns, friendship, obedience, all that sort of stuff.

And their assignment is to take each page, three pages at most, and just deal with this. What do you think about this, how do you feel about it, what would you like to say about it? And when I read the responses, what I got was a very well thought out description of their attitude towards various things.

And it began to dawn on me -- and this is where I got a little bit worried -- I might have gone over the line. I might have sort of intruded upon their privacy in a way. And yesterday when I gave them back, I asked them about this. And I said, Do you think I crossed the line? They said, No, this is exactly what we wanted to do.

So they want this learning. They want this participation. And they do feel -- and I think it's one of the things that the University must continue -- must continue. So --

CHAIRPERSON BIRMELIN: Thank you, gentlemen. Mr. Betz, I think I understood what you were saying. But I just wanted to ask you a question for clarification. Are there a total of 80 students who are Graterford inmates currently who are enrolled in your program even though they may not all get an opportunity to take a course each

semester?

DR. BETZ: That's true. Generally, a course -- for example, in the process of setting up the course work for the coming fall semester, there will be two courses. And right now, because of the need to juggle the small budget I have to fund the men who are on campus and are not sure who's going to be released between now and September -- so that's a big question mark -- what I have set aside right now are sufficient funds to register 25 students in each of the two courses in the fall, which means that, of course, a number of students are going to be excluded.

CHAIRPERSON BIRMELIN: The -- also, Mr. Betz's testimony indicated that the school budgets $50,000 a year on a charitable basis. Do any of the inmates have the opportunity to reimburse you for any of those costs, or do you ask them to, or do you just not ask?

DR. JACOBS: No, we do not. There are actually three -- three types of funding or funds of three types that the University contributes to this program. The first is the $50,000, which sounds like a lot of money. But the way the University handles this budget is the $50,000 is given to me to administer.

But then the University charges the -- the tuition costs for each man's registration against that

$50,000. So really, the $50,000 budget is more a way of tracking the registrations and enrollments in the different courses. All it does is enable me to offer course work to a certain number of men.

The second type of funding that the University provides is paying for the salaries and the indirect costs that are associated with the work of men like Dr. Betz and Dr. Greene. The third type of funding, which in my estimation is the real money, is a sum of $3,000 which I have to purchase books and supplies for the men both at Graterford and on campus.

So actually, I have very little in the way of what you might call discretionary money to run the program.

CHAIRPERSON BIRMELIN: Are all of the teachers from Villanova who go into Graterford paid?

DR. JACOBS: The instructors?

CHAIRPERSON BIRMELIN: Yes.

DR. JACOBS: Yes. They do it on several different bases. It might be a part of their regular teaching responsibilities. It might be what faculty refer to as an overload where they already have their regular commitments on campus and this is something extra that they're going to do and be compensated for.

And we have a very -- very, very minimal involvement of what we refer to as adjunct or part-time

faculty. Once in a great while, I will have someone who is a regular part-time adjunct faculty member at Villanova offer a course at Graterford.

The vast majority of the instruction, though, is carried out by regular Villanova faculty such as Dr. Betz and Dr. Greene.

CHAIRPERSON BIRMELIN: I guess I'm reading between the lines. But in the testimony of all three of you gentlemen, I think you're all advocates for what you do and would like to see more of it done. May I assume then that if that is the case, that you have looked into the possibility of Villanova and other accredited professors or and/or teachers on a college level donating some of their time so that this is more available so that they don't necessarily always get paid for the courses that they do?

Have you tried to either ask your staff or people who you would feel competent teaching under the auspices of your University's name to volunteer as instructors?

DR. JACOBS: Well, I've looked into that. And in fact, that happens with the Villanova faculty. One of the men who offered a course at Villanova in the spring is a retired dean, a professor emeritus at Villanova. And in conversation one day, he mentioned that he hadn't been paid in three years. And he said, But don't worry about it.

He said, I just want you to know that the University dropped the ball somewhere. And although I have funds to reimburse the faculty members for their travel expenses, their mileage back and forth, in the four or five years that I've administered the program, I have never gotten a travel expense report.

So the faculty at Villanova are already doing a great deal above and beyond their responsibilities to see this program continue. The problem -- I could quite possibly find people, in quotes, on the outside who would be willing to participate at -- participate in this program.

But part of the problem that I have is this artificial limit on the number of students I can reach that is created by this $50,000 budget.

CHAIRPERSON BIRMELIN: But that's a limit that you have set, not the prison has set?

DR. JACOBS: Right. That's a limitation that I have.

CHAIRPERSON BIRMELIN: Right. And my response to that is if you had more people perhaps like this doctor emeritus or others who are retired and are able or willing to volunteer to teach rather than be paid for it, that restriction is gone. I mean, if they're not getting paid, it doesn't matter to them.

DR. JACOBS: Well, I see what you're driving at. But it wouldn't be gone because the University controls the level of enrollment in the prison program through this device of the $50,000 budget. When I first started out, the -- started with the program, the -- the students at Graterford were assessed the normal part-time continuing studies rate for tuition charges, which at the time was $300 a credit.

That was $900 per registrant for a 3-credit course, which meant $900 into $50,000 means I can register about 55 men over the academic year, 14 or 15 men in each of the four courses. Well, over the -- over the years, I have whittled that down from a $300-a-credit charge to a $100-a-credit charge, which at first blush looks great except also over those years, the number of men released from Graterford who are continuing their studies on campus has grown from zero to 6.

And these men are still charged the normal on-campus part-time continuing studies rate for course work that they take. So although I'm in better shape with the institutional program because of the reduction in tuition charges, the increase in the number of men on campus and the tuition charges for them have offset it. So I've gained a little ground but not a whole lot.

CHAIRPERSON BIRMELIN: So I guess what you're

saying is once they're released from Graterford, they continue their studies on campus. You're not charging them there either? You're not charging them on campus?

DR. JACOBS: No. No, we're not. If a man completes 12 credits with a 2.5 grade point average at Graterford and he applies to the University through me, he will be admitted to the division of continuing education at Villanova and pursue the regular undergraduate liberal arts program.

DR. BETZ: May I make a comment, please? What can be learned from what Villanova has done is that this pattern can be generalized. Something like this collaboration between Villanova and Graterford could exist at many of the state prisons.

This began when a criminologist at Villanova, Dr. Jim McKenna, who has also been President of the Pennsylvania Prison Society, asked our administration and the administration at Graterford prison if there could be a cooperative program. It was decided quickly that there could be.

The kind of institution that might do this for free in Pennsylvania prisons, the kind I know best are private Catholic colleges. They'd have to be larger. They'd have to be more financially secure. But if the superintendents, for instance, of all the state

correctional institutions looked around and saw what private colleges there were in the area and asked if they would like to become involved in this, especially Catholic or other religiously based colleges, I think you'd get a lot more duplication of this program.

We have a very strong commitment at Villanova. We have peace and justice education programs. We have a social action office. We brag about the fact that our patron St. Thomas of Villanova, a Medieval Spanish Bishop, aided the poor, including ransoming them from prison in some cases.

A lot of schools, if invited, if given the chance, if told of the opportunity, would do, I think, what we do.

CHAIRPERSON BIRMELIN: Thank you. Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you. Actually, my questions were answered during Jerry Birmelin's questioning. I just want to commend you and Villanova University for your commitment and applaud you.

CHAIRPERSON BIRMELIN: Representative Hennessey.

REPRESENTATIVE HENNESSEY: Thank you, Mr. Chairman. My questions were largely answered. I think, Professor Betz, you said that when the program was

initiated in Graterford back 25 years ago, I think that it was accepted warmly. Has that relationship continued on a warm and accepting basis?

DR. BETZ: Yes.

REPRESENTATIVE HENNESSEY: Any kind of trouble interfacing with the administration in terms of having them try to freeze you out or anything like that?

DR. BETZ: No. By the way, when it was begun, there was PH -- LEAA, Law Enforcement Assistance Administration, money from the federal government. It was, I think, the Nixon Administration. It was to fight crime. It provided a lot of money for this.

And we began with guards taking our courses for free. That didn't last. The guards were often embarrassed by the inmates being their equals in the classroom. That's the way it was explained to me. But I believe it's been a harmonious relationship.

Stan, can you say anything about whether or not it's been harmonious? I think it has been.

DR. JACOBS: Well, it has been harmonious bordering on disbelief. I think that's -- that's a fair way to put it. When Dr. McKenna retired about two years ago, I sent a letter to the Commissioner informing him of the fact that Dr. McKenna was retiring and I would be assuming direction of the program.

And the letter I got back welcomed Villanova's continued participation at Graterford but also was very, very careful to point out that I could expect no assistance from the Commonwealth at all, which was all right with me because that was -- those were the conditions under which we had operated.

I was a little taken aback at the tone of the letter, not surprised but a little taken aback.

REPRESENTATIVE HENNESSEY: Well, I guess I'm a little confused now because Villanova's commitment is to, I guess, to donate. The $50,000 was covered at registration and administration. But you also had professor salaries and, you know, other expenses that in the sense they donate or this University donates by allowing them to do that while on a salary teaching at Villanova.

But that's not included in the $32 million figure that we heard earlier by Mr. Mader about the commitment the Commonwealth makes toward education in prisons; is that right?

DR. JACOBS: Yeah, we don't get anything from the Commonwealth. We get no external support.

REPRESENTATIVE HENNESSEY: Okay. Your comments about the tone of the letter, since I've not seen the letter, I can't go ahead and comment on that. But I think that they were probably trying to draw distinctions

from the fact that if you were going to operate this program, it's going to be separate and has traditionally been separate --

DR. JACOBS: Right.

REPRESENTATIVE HENNESSEY: -- from what other commitment has been made by the state to bring educational programs to Graterford or other prisons.

DR. JACOBS: Yeah, I'm sure that's what it was. The Commissioner simply wanted to make it clear that if we wished to continue the program, it was our responsibility; that perhaps he interpreted my letter as -- as a feeler for some kind of Commonwealth support. I don't know.

REPRESENTATIVE HENNESSEY: One other question. Professor Betz, you had indicated that this is a program that might be replicated at other state facilities. Do you know whether or not it has been, or are you -- or in your testimony, are you saying that it hasn't been?

DR. BETZ: I believe it hasn't been. I pick up in the literature every so often statements of profs. all throughout the United States who have taught in prisons. And from what I remember, they tend to be employees of state or county institutions, county community colleges.

I don't think it is widely duplicated. There

is some natural pairings. For instance, I understand that a former part of St. Francis of Loretto College in Pennsylvania is now a federal prison. The old seminary that the priests used to study in is now a federal prison.

Well, St. Francis of Loretto College is right there. I know that's a federal prison, not a state. But there's a natural pairing that could occur. I don't know of other pairings like that, sir.

REPRESENTATIVE HENNESSEY: So it might be a situation where somebody's waiting for the other person to ask?

DR. BETZ: Yes. I think if there were an invitation, especially from the superintendents of various prisons to the educational institutions in the area, there would be a good many acceptances I think.

REPRESENTATIVE HENNESSEY: Well, since my daughter's a student at Villanova and just finished her first year there, I'm glad to know that Villanova's a prototype for this type of initiative throughout the state.

DR. BETZ: Thank you for sending us your daughter. We'll try to care for her very well.

CHAIRPERSON BIRMELIN: Treat her kindly.

DR. BETZ: Yes. And what I said about Villanova students not accepting their Bs and Cs well does not go for your daughter.

REPRESENTATIVE HENNESSEY: I was listening. And I was going to talk about that when I saw her tomorrow evening.

DR. BETZ: For me, the main problem is guys and fraternities. Of my best students -- this is something you can tell your daughter -- three or four or even four or five are female students. But the guys are waylaid by campus social life, fraternities, sports.

REPRESENTATIVE HENNESSEY: Well, you're off the proverbial hook with her then.

DR. BETZ: Yes. Thank you.

CHAIRPERSON BIRMELIN: Representative Josephs.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman. My -- my question was answered by Representative Hennessey's question. I also want to commend you on your work. And I'm sorry because it seems to me that it means that there's no woman in the state system who would ever have this opportunity ever, since you're only in the male prison and there aren't any other programs.

DR. BETZ: What is near Muncy? Does anyone know what --

REPRESENTATIVE JOSEPHS: Nothing.

DR. BETZ: Yeah. That's a problem. Locating the prisons in wilderness areas is a problem with this kind of thing.

REPRESENTATIVE JOSEPHS: I understand. But we do -- we do have a lot of the state -- state institutions of higher education and community colleges around. And if we have the legislative will, $50,000 to the ones that were closest to some of these institutions probably would not break the bank and would return our investment over and over again.

But the real question is, Do we have the legislative will to do that? Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: For Representative Josephs' information, Penn State University is not real far from Williamsport. You may want to contact them. I'm sure they --

REPRESENTATIVE JOSEPHS: I'll do that.

CHAIRPERSON BIRMELIN: They have a plethora of teaching staff there I'm sure. Representative Walko.

REPRESENTATIVE WALKO: Thank you, Mr. Chairman. Mr. Betz, all three of you gave excellent testimony. I was wondering if there was some document or pamphlet or anything describing your program at Villanova University that we could share with superintendents throughout the Commonwealth system since we've come up with a very concrete idea here?

And even if it only affects 200 or 300 inmates

system-wide, given that the recidivism rate is nil, that could be a very wise small investment. So if you have anything like that, I would appreciate it.

DR. BETZ: Dr. Jacobs probably has something. Dr. Greene, do you have --

DR. GREENE: Not offhand, but we can get it.

DR. BETZ: We believe that there will be Villanova magazine articles or one or more articles soon about our program which might be ideal. Sir, your name is?

REPRESENTATIVE WALKO: Don Walko, W-a-l-k-o.

DR. JACOBS: I have something that might be useful in the interim. I've been looking unsuccessfully for external support through a philanthropy or whoever might be interested in supporting a program like this. So I have an introduction really to a funding proposal which is historical treatment and a description of the program.

REPRESENTATIVE WALKO: Thank you.

DR. JACOBS: And I'd be more than happy to send that to you.

REPRESENTATIVE WALKO: We would appreciate it. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: We want to thank you gentlemen for your testimony today and thank you for your work that you're doing at Graterford prison as well. Thank you very much.

DR. BETZ: Thank you.

DR. JACOBS: Thank you.

DR. BETZ: May I leave by asking the name of the gentleman whose daughter is at Villanova?

REPRESENTATIVE HENNESSEY: My name is Tim Hennessey. Her name is Elizabeth.

DR. BETZ: Okay. I want to make sure she's well cared for.

CHAIRPERSON BIRMELIN: She will be on the dean's list.

DR. BETZ: With awards at graduation.

REPRESENTATIVE HENNESSEY: If nothing else.

CHAIRPERSON BIRMELIN: Thank you, gentlemen. Our next two testifiers are Dr. Randall Turner and Dr. Don McHenry. These gentlemen are with Correctional Cable TV. And gentlemen, if you would come forward. Gentlemen, did you bring prepared testimony with you?

DR. TURNER: Yes, I did.

CHAIRPERSON BIRMELIN: Dr. Turner, you're not with Correctional Cable TV?

DR. TURNER: No, I'm not. No, I'm not.

CHAIRPERSON BIRMELIN: My apologies. I thought I saw somewhere that you were.

DR. TURNER: That's okay.

CHAIRPERSON BIRMELIN: I apologize. Mr.

McHenry, why don't we begin with you. And Dr. Turner, as soon as he's finished, you may give your presentation. Then when both of you are finished, we'll turn to the question and answer section.

DR. McHENRY: Thank you. Good morning, Chairman Birmelin, members and staff. I'm Dr. Don McHenry, Director of Education for Correctional Cable Television, a provider of interactive video distance learning in correctional programs throughout Pennsylvania and other parts of the United States.

I would like to thank you for the opportunity to address you on the benefits of distance learning in correctional facilities and, in particular, with regard to interactive video as a state-of-the-art delivery model. Throughout the United States, public and private education is getting on the bandwagon of distance learning, predominantly through Internet-based delivery systems and some one-way instructional television and videotape programming.

This use of technology as an instructional delivery model has some significant limitations in that it cannot effectively address individual needs, and it typically means the learner operates in isolation from other students. It is also limited in flexibility to adjust to the student population, since most course work is

developed around a prepackaged format.

In particular, it has even greater limitations for incarcerated adult learners who have rarely experienced success or self-discipline in school to stay self-directed under these conditions. I am pleased to report that the Commonwealth of Pennsylvania has gone beyond the basic trend of distance learning to implement a more innovative delivery model: Interactive real-time video instruction.

Essentially, this means that a real live instructor is teaching from a studio classroom set up much like any other classroom over a satellite television broadcast system. The instructional program is designed in this case to meet the needs of inmates preparing for a GED exam to get their equivalent high school diploma, for students who are limited or non-English speaking to acquire English as a second language, and to deliver a life skills curriculum to inmates in correctional facilities to assist them in becoming more productive members of society.

However, this distance learning model goes well beyond the traditional instructional television program. It is totally interactive. Each student has an assigned hand-held remote device that allows them to ask for clarification, indicate a lack of understanding of a concept, answer questions on a quiz or survey, and provides the instructor with immediate feedback to assess whether a

concept needs to be repeated or built upon.

For clarification, the remote unit looks exactly like this (indicating). An inmate enters an identification number, which is programed into our computer system. The inmate turns the unit on and then logs in their ID number to identify himself or herself to the instructor.

The student may signal the instructor with a call button that they want to ask a question. Or they may press the flag button, which indicates a lack of understanding but that they do not want to ask a question. The 10-digit key pad allows students to respond to multiple choice questions, true/false questions, or respond to a survey through a program called Question Wizard.

This allows the instructor to do frequent spot checks for understanding before moving on with more advanced lessons. The delivery of instruction is one-way video and audio over a satellite system and one-way return audio over a closed Internet system.

A computer software program interfaces these two mediums to provide for real time interaction between students and instructors. The studio has the capability of utilizing video clips, a document camera, a self-tracking live camera, and multimedia presentations for high interest and motivational lesson presentations.

The GED curriculum addresses all five of the basic course requirements: Literature and the arts, mathematics, science, social studies, and writing. The ESL program is primarily language acquisition and is taught by a bilingual ESL teacher.

The life skills curriculum addresses interpersonal and communication skills, basic consumer education, positive community and government involvement, how to acquire and maintain employment, and general survival skills for success on the outside.

All teachers are licensed with master's level degrees and many years of experience in alternative and correctional education. The instructional program operates six hours per day, five days a week, twelve months a year. I would like to emphasize that this instructional technology is designed to complement other full-time instruction.

It is designed to be supplemental to a more comprehensive on-site educational program. This delivery model can provide instructional flexibility for students who are in need of a refresher course before taking the exam or to students who are in isolation or segregation areas or students who are involved in other work programs and need instruction at different times or to simply provide an additional means of teaching students who may

not otherwise be able to benefit from instruction.

For some students, the use of technology is itself a motivational teaching tool that enhances their ability to learn. The instructional format provides for a 45-minute direct instructional period, with a 10- to 15-minute interactive lab time.

This minimizes interruptions during each lesson. However, students may still indicate a desire to ask a question, or they may flag their lack of understanding. Recognizing that many facilities have high turnover rates, each daily lesson is topical in nature so that students do not necessarily have to have been present for the prior lesson to understand the lesson of the day.

Every course is designed to repeat itself on a 6-week, 30-day cycle. We are excited about the cost-effective benefits of this video distance learning program. It closely emulates a real classroom yet provides for considerable flexibility and supplemental instruction.

In a relatively short period of time, specialized courses can be developed in areas such as substance abuse education, anger management, domestic violence prevention, and work readiness programming. Finally, I want to thank you and the Commonwealth of Pennsylvania for recognizing and implementing a high tech and innovative correctional education distance learning

program designed to supplement an already existing quality instructional model.

I will be happy to answer questions once we've completed.

DR. TURNER: Allow me to introduce myself. I'm Dr. Randall Turner, Vice President of the National Fatherhood Initiative out of Washington, D.C., a nonsectarian, bipartisan, nonprofit organization that works to develop responsible fatherhood initiatives throughout the country.

I'm also president of the board for the Fathers Workshop out of Erie, Pennsylvania that worked with the Pennsylvania Department of Corrections to develop Long Distance Dad, an incarcerated fatherhood program that is unique and was implemented through Pennsylvania.

In 1996, before Pennsylvania announced its state fatherhood initiative, Secretary Horn and Superintendent Brennan encouraged the development of an incarcerated fatherhood program that would work to help teach fathering skills to incarcerated fathers and enable them to begin to develop nurturing relationships with their children even while being in prison.

Due to the distance most of these fathers are from their homes, many times they don't get to see their children on a regular basis. So it was really important

for them to understand that that's not a solution that can be easily solved. But there is a capability of maintaining and developing a relationship with your child even from that distance over an extended period of time.

As we began to develop the program, the success of the program became paramount that it was needed to be facilitated by trained inmate peer leaders. It reduced the barriers for receiving the materials. And we have seen the success of the program multiply since that began.

Having started this, we knew that it needed to be continued. So we began working with the Pennsylvania Board of Probation and Parole to begin to help mend transitioning out of state correctional facilities and be able to refer them to community-based fatherhood programs.

The community-based fatherhood programs have began to grow over the last two years with Governor Ridge's Pennsylvania Fatherhood Initiative. And currently, there's about 120 community-based fatherhood programs throughout the state.

Probation and parole refers these men on an as needed determined basis to community-based fatherhood programs. And these community-based fatherhood programs have not only education and support services, but they have counseling, they have welfare to work, job placement,

career, education.

And they will help men deal with those transitional realities of integrating back into the lives of their family and their community, help them to deal with the stressors and help them to deal with life on life's terms.

Pennsylvania now leads the nation as having the only statewide interdepartmental continuum of services to begin working with fathers while incarcerated, transitioning them positively to probation and parole into existing community-based fatherhood programs.

The existing community-based fatherhood programs are being funded by both private and public funds, and those are being developed on an ongoing basis. We are pleased to announce that over this next year -- we've started with a pilot of eight prisons.

And over this next year, all of the male correctional facilities in Pennsylvania will begin developing Long Distance Dads. All probation officers throughout the Commonwealth of Pennsylvania will be trained on how to utilize and refer inmates to community-based fatherhood programs.

And all community-based fatherhood programs will make ready preparation to receive any and all fathers returning back to their community and work with them for

however long is necessary to help them to positively integrate back into their community and especially into the lives of their children. Thank you very much.

CHAIRPERSON BIRMELIN: Thank you, Dr. Turner. I have one question for you with your fatherhood initiatives and the workshops, et cetera, that are either currently being done in prisons or, as you've indicated, will eventually be done in all of our state prisons.

DR. TURNER: Yes.

CHAIRPERSON BIRMELIN: Are these -- do these take the form in classroom settings? Or specifically, what actually happens to approach a man who is a father who is in prison, as to what you think his responsibilities ought to be as the father? Could you go through this without a real long version but --

DR. TURNER: Sure. The program can be facilitated by the psychology staff or the chaplaincy staff. At SCI-Dallas, it's facilitated by the chaplaincy department. At SCI-Albion, it's facilitated by the psychology department.

A notice is sent out to all the units that the next session is open for Long Distance Dads. Men sign up for the program. Currently, all institutions that offer the program have a waiting list. It's totally voluntary. SCI-Albion's waiting list right now is 250 men that want to

get into the program.

They're run in 12-week increments. Men come in and work together and focus discussion groups of 12 men using two peer leaders. And at SCI-Albion, we meet in a classroom approximately this size and divide up into four to five groups so that we can do 55 men at a time through 12-week cycles.

At the end of the 12-week cycles, they're given resources and information. Meanwhile, the institutional library has continued to develop and get in more materials on parenting for fathers, relationships with their children, and other things that go on to help them to continue developing those skills.

SCI-Albion will start this month a level two program which will continue what was learned in level one because the men have requested to have more classes around the issue of fatherhood and how they can maintain and connect with their children.

And so now we are offering a level two curriculum group as well. And all of the correctional institutions will eventually have a level one and level two. And so it's focused through a 12-week support education group.

CHAIRPERSON BIRMELIN: As with any educational program or training program, one of the most important

things you need to know is whether or not what you're doing works.

DR. TURNER: Absolutely.

CHAIRPERSON BIRMELIN: And how do you measure whether or not you're being effective in what you do?

DR. TURNER: The curriculum is designed with a pre- and post-assessment called the Fathering Profile developed by the National Center for Fathering out of Shawnee Mission, Kansas. And it's designed to help measure the relationship and the education that the father receives during that 12-week time period.

Since we've been implementing the program, there has been an average increase of 10 percent in all of the inmates' score during the 12-week cycle, which is a tremendous amount of increase. Currently, Penn State University is doing a research evaluation on the Long Distance Dad program.

And that research information will be available to you within about 12 months.

CHAIRPERSON BIRMELIN: Thank you. I'll give the opportunity now to members of our panel to ask you questions. Representative Hennessey is first.

REPRESENTATIVE HENNESSEY: Thank you, Mr. Chairman. Dr. McHenry, you had mentioned and you noted that the Commonwealth has gone beyond the basic trend of

distance learning to use interactive distance learning. Is it the interactive part, the fact that someone's provided with this device that allows them to ask questions, is that -- that's the differentiation you tried to make?

DR. McHENRY: That's exactly correct. And that's really a significant differentiation, I think, in that it does provide real-time interaction with the instructor. The inmates can hit a call button. And every inmate has one of these assigned to them that's in the classroom.

They then can hold the microphone button and will be able to ask questions of the instructor in the studio. The other inmates on line also hear that question, and the instructor is able to respond to those questions. Now, so that we aren't interrupting all of the lessons continuously, we've structured the classes so that there is an interactive time, a lag time of 10 to 15 minutes after each instructional block where most of that interaction will occur.

But if an instructor has covered a topic, let's say perimeter and area in the math class, and all of a sudden a large number of questions come up, then we know that we need to answer a few of those. Hopefully, that will answer a number of the other questions, and then go back over that concept.

So it really is a feedback system for the instructor as well as an opportunity to answer questions for the students.

REPRESENTATIVE HENNESSEY: In addition to implementing this kind of a program, what have you found in terms of how the Department of Corrections has made it available to inmates? Is it widely available; is it rather selectively made available? Can you tell us what your experience has been?

DR. McHENRY: At this point, we're still in our infancy of install. We're in the 27 facilities. The availability is in -- we have one classroom that accommodates 25 students at one time in each of the facilities in Pennsylvania, and those are on line now.

And we're, you know, broadcasting in those facilities. Some are still bringing their system in and fine tuning the program. It's within a month or so old. So it's still new enough that we're fine tuning the system.

REPRESENTATIVE HENNESSEY: And is this something that can be repeated, you know, on a cyclical basis? Once you do the studio videotape the first time, that can be used and then somebody can just be there to answer questions later on?

DR. McHENRY: Absolutely. First of all, we repeat the course every 6 weeks because the GED testing is

done about every 12 weeks. And that allows for some repetition of the course work. But on a daily basis, the lessons can be videotaped for use with students after hours or evening hours if they choose to do that as well.

REPRESENTATIVE HENNESSEY: Okay. And just so I'm clear, this group of 25 or 30 students in a particular institution, is that the only class that's accessed to this lesson at that point? Or are these classes in -- available in Graterford and in Pittsburgh and in various different institutions we have around the state?

DR. McHENRY: Every institution has a classroom designed around this downlink. So every facility has one classroom that will accommodate up to 25 students at a time. However, that is all going on with a 6-hour block of instruction during each day.

So they all are accommodating, you know, being accommodated with that instructional program in every facility at the same time. So all 27 facilities have access to the programming.

REPRESENTATIVE HENNESSEY: Okay. Thank you very much. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Masland.

REPRESENTATIVE MASLAND: Thank you, Mr. Chairman. Just a couple comments, and you gentlemen can respond. I think it's interesting that we've -- well, at

this point, by my count, we've had five doctors in a row. Maybe we'll have a few more doctors after this. Maybe I missed some of the earlier doctors.

But it's kind of interesting that you two were juxtaposed together. And on the one hand, we have strictly high tech type of learning. And on the other hand, although that is a component obviously of Long Distance Dads --

DR. TURNER: Strictly low tech.

REPRESENTATIVE MASLAND: -- it's much more low tech. And my comment is that it's not a question of one or the other. I think it's really both. And certainly, I'm sceptical, Dr. McHenry, when I think of trying to use a clicker in your hand to actually learn and get any benefit out of an anger management or a substance abuse course.

Maybe that is possible. But I think you really need to have more than just a clicker for some of those programs. Not that you shouldn't -- not that you shouldn't try. I think the continuum of contact, though, is what we need to emphasize.

And those trained peer mediators in the fatherhood program I'm sure are much more effective than we can ever do through a high tech process, the Villanova professors actually being there as opposed to just trying to visualize and get your feedback through -- through a

clicker.

So maybe you have a response to that. I think -- I guess that the heart of my comment is that we're dealing with people that don't have very good interpersonal skills. Once they get out of prison, they're not going to have a clicker; they're not going to have that modem necessarily in front of them all day long.

They're going to have to deal with people. And to the extent that we can improve those skills by having them deal with people in the institutions in the first place, I think we're going to be better served. Response?

DR. McHENRY: Yes. And I appreciate your comments. This medium -- first of all, I would like to characterize it as a little more than a clicker in that it is real time, a live broadcast by an instructor on television. And so they do get the benefit of that medium as well.

The remote unit simply allows them a means of asking questions and communicating back with the instructor. However, I would not suggest to you that it is the best delivery model for every course. It certainly is designed to accommodate the areas and I think does quite well in the areas that we've addressed: GED, ESL, life skills, and a number of other areas that are content based

where we can provide direct instruction with interaction.

It is supplementary in nature. And I would like to reinforce that in fact the model used in Pennsylvania supplements an already existing quality instructional program. So we see it as a way of accommodating some other students that may work better under this model or that can receive a supplement to other instructional programs.

I would not suggest to you that it is the best model for every course.

REPRESENTATIVE MASLAND: Sure. Dr. Turner.

DR. TURNER: Yeah. You're correct. Seventy percent of the fathers that are being incarcerated today are coming from fatherless households where there was no consistent male model there for them to understand how to be a father.

They are really looking for that interaction, that touch point with other men to begin to debate -- and they like to debate -- but also discuss and learn how to be a father and learn a lot of skills and other things. So it becomes a re-parenting for them because many of them are learning some of these things for the first time.

And it also becomes a new area in developing -- learning to develop relationships. And that's translated way beyond what's done in the group. The

men who are peer leaders all the time will have inmates come up to them and talk to them about family issues.

They will run from their visits and show visits in the visiting room. And in some cases, we have had mothers bring children to visit their father for the first time in two years. And the reason she did was because she noticed the change in his correspondence to the children. There was a change in the man.

And so it's really significant. This is a relationship issue. And the importance of fatherhood also is that importance of leadership. If you're going to encourage your children to get a good education, then a father is going to need to lead by example.

If you're going to encourage your children to obtain a family-sustained wage job and career, then a father should lead by example. If you're going to encourage your children to -- not to have sex until they're ready, then a father needs to lead by example.

These are -- these are real life issues. And they have to navigate those.

REPRESENTATIVE MASLAND: Thank you. And maybe there's a parallel for those of us outside the prison population; that as far as fathering and being a good mother goes, we can probably do a whole lot more if we put the clicker down and relate to the kids. That's more of a

guy problem. But --

DR. TURNER: That's kind of difficult during the NBA Playoffs, you know.

REPRESENTATIVE MASLAND: Thank you.

CHAIRPERSON BIRMELIN: Thank you, Mr. Masland, for revealing one of our secrets of fatherhood; that is, control of the remote. I would assume your male students really respond well with the remote. And it's a good thing you give each of them one because I know they wouldn't want to share. Representative Washington.

REPRESENTATIVE WASHINGTON: Thank you, Mr. Chairman. I have a question. What do you do with pedophiles? Is there a program that deals specifically with that? And how do you deal with -- if it's a father or the -- or what do you do?

DR. TURNER: With pedophiles, we -- we are not a Department of Corrections staff. And they have their own program for sex offenders.

REPRESENTATIVE WASHINGTON: I know that. But I'm saying if indeed you're promoting this father parenting program and just coincidentally one of the inmates is a pedophile and something has happened within the family structure with one of their children --

DR. TURNER: Right.

REPRESENTATIVE WASHINGTON: -- do you still

encourage that father, and how do you do that?

DR. TURNER: We -- we allow that father to still participate in the support group if he wants to. We do not allow any sex offenders to be peer leaders whatsoever. It -- the inmates will not respect that. When it comes to the other issue surrounding being a pedophile and that relationship that they have or may not have with the family at home, we don't do anything to intervene or try to -- to do anything in that way as of yet.

There are community-based programs; for example, the CCCs in probation, that now specifically deal with released sex offenders and those kind of things. And we are also implementing additional fatherhood support programs in the CCCs with the support of probation and parole.

So we are trying to continue that continuum of services. But in the relationship issue between him and his children or him and his family, there are some things we just can't fix.

REPRESENTATIVE WASHINGTON: So in route, if that issue were to come up, you just kind of tell the inmate that that's not what this particular program is for?

DR. TURNER: Absolutely. And the peers will redirect them to talk to the psychologist or the counselor who is supervising the group that day.

REPRESENTATIVE WASHINGTON: Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you. My questions are for Dr. McHenry. I got a good picture from your testimony about the education program that you provide through -- through Correctional Cable Television. But I don't have a sense of Correctional Cable Television.

Is your -- is the company, Correctional Cable Television, just the provider across the system for this particular education program; or are you the cable-providing system itself for the prisons?

DR. McHENRY: Correctional Cable is the cable provider for the systems. The educational component of that is a subpart of that delivery system.

REPRESENTATIVE MANDERINO: A couple questions about Correctional Cable Television's whole system, if I may. How many channels do you provide to the system? And one of them is dedicated to the interactive education. Are some others dedicated to noninteractive education? Can you give me a picture of that?

DR. McHENRY: Unfortunately, I can't tell you too much about that side of the company because I'm not directly involved in anything other than educational

programming. I do know that they have a dedicated channel that provides for training opportunities throughout the system that is a component of that.

The total number of channels I'm not aware of myself. There may be others here that can answer that. I primarily deal with the educational component.

REPRESENTATIVE MANDERINO: Okay. Let me just ask my questions, and perhaps you can get answers to me vis-a-vis somebody more appropriate from your company.

DR. McHENRY: I'd be happy to get the information for you.

REPRESENTATIVE MANDERINO: I am interested in kind of an overview of the whole system because I understand it is a new system that is being installed and used at all of our correctional institutions. And from the questions or concerns or complaints that I get, I'm just trying to understand the whole system.

And in particular, I would like to know the extent of the system, how many channels it has, how many channels are dedicated to education, whether it's passive education or interactive education, who makes the decisions about what channels could be offered?

I'm assuming but would like to know for sure that all three major network channels are part of that system, meaning ABC, NBC, and CBS. But I would also like

to know whether or not C-Span 1 and C-Span 2 and Pennsylvania Cable Network are part of that system; and if they aren't part of that system, why not; who made that decision; and can that be accommodated?

DR. McHENRY: I will certainly make sure that information is provided to you.

REPRESENTATIVE MANDERINO: Thank you very much. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: That information, Representative Manderino, is available. I already have some of that. Just anecdotally, I was approached when it was announced what channels were going to be on there. And I was asked to ask the Department of Corrections to add Pennsylvania Cable Network and the two C-Span stations.

And the answer I got was it was not possible to get the C-Span currently; they were working on that; but that PCN would be added. And this is not a question you asked. But it's my understanding that it's now going to be in all of the prisons, which currently it was not so that -- and I'm not sure how many of the prisons had cable access or cable ready prison cells.

But they will all have them ultimately, which was not the case until this new system came into place. So ultimately, at least from my perspective, it's going to be a much better system than we had. Although it may be a

little expensive for some of the prisoners to pay for it, it's going to be cheaper for most.

So there's a price to be paid for everything I guess. But I know that the Department of Corrections is willing to provide that information for you, not that this gentleman wouldn't. But the Department of Corrections may be better able to answer some of that question that you had as to why are some channels there and some are not.

Some of those were internal policy decisions that were made as to what they felt was in the best interest of the inmate population. So I would recommend that you talk to the Department of Corrections first. Then if you're, you know, if you think that these folks can help you, you might be better --

REPRESENTATIVE MANDERINO: Fair enough. Thank you.

CHAIRPERSON BIRMELIN: Representative James.

REPRESENTATIVE JAMES: Thank you, Mr. Chairman. Most of my questions were answered. I just wanted to ask in reference to the father's program, you said they were in the community facilities also?

DR. TURNER: The community facilities, meaning the -- there's the community correction facilities that probation and parole oversees. They will be implementing them in those this year also.

REPRESENTATIVE JAMES: Okay. Have they started in any?

DR. TURNER: There are just a couple that have started. Right now, I think that the one in Pittsburgh is beginning -- getting ready to get one up and running. We just finished their training last week. So that's how recently they're starting this.

But there has been some voluntarily run programs by community-based fatherhood programs at some of the CCCs for the last year.

REPRESENTATIVE JAMES: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Josephs.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman. For Dr. Turner, you mentioned that Penn State was doing an evaluation of the long distance fatherhood initiative. Do you know if part of that is going to look at recidivism rates?

DR. TURNER: Oh, absolutely. The first phase is going to evaluate the effectiveness of the program and its impact upon the institution and the inmates while incarcerated. Phase two is going to literally track these men for five years and take a sample group that did go through the program and a group that did not and track them for five years not only to -- to be able to evaluate the

recidivism rate but also to evaluate the relationship between the father and his children.

So we plan on getting that study back to you. But a 5-year tracking -- we'll see you in five years if it's that kind of way.

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

CHAIRPERSON BIRMELIN: I want to thank you two gentlemen for being with us today and for giving your testimony. Our next panel consists of Ms. Barbara Rittenhouse from the Literacy Program at State Correctional Institution at Graterford; and Mr. Paul Dinter, Executive Director of the Center for Redirection Through Education.

Welcome, Ms. Rittenhouse and Mr. Dinter. And what I'd like to do is have Ms. Rittenhouse give her testimony first. And then immediately upon conclusion of hers, Mr. Dinter, if you would give yours. And then if both of you would remain for questions, I'd appreciate that. Ms. Rittenhouse.

MS. RITTENHOUSE: Thank you. Thank you very much for giving me the opportunity to give my personal observations of my time at Graterford prison as a volunteer in the prison literacy project. Last night when I got home from a meeting, I saw many of you on TV, many of you sitting here today, talking about recidivism and grievances

and some other things.

And it was really interesting to me that the comments kept coming back to the center theme. And that's what I'm talking about today, which is illiteracy in the prisons. As we all know, illiteracy is a major, major problem with ramifications for all of us.

CHAIRPERSON BIRMELIN: Ms. Rittenhouse, I'm sorry to interrupt you. But I think you need to have that microphone directly in front of you. We're not picking you up quite as strongly as we want to.

MS. RITTENHOUSE: There are currently 1.8 billion inmates in the United States prisons. And the illiteracy rate is estimated by a University of Pennsylvania study in 1994 to be as high as 75 percent. At Graterford, that would translate into approximately 2,400 of their 3,200 inmates would be functioning illiterate.

And at Graterford itself, I have been told that they estimate that 1,900 of their inmates read at less than a fifth grade level. According to the same study, there's a direct relationship existing between insufficient literacy and unsocial and often criminal behavior and that education has been a proven catalyst for change.

There's also a socializing effect on many inmates' personalities, and better educated inmates tend to be more tractable and make prison life more bearable for

all that are involved. The prison literacy project -- the prison literacy project at Graterford is an all-volunteer program. It started in 1984.

And between 1984 and 1995, there were over 400 inmates that went through this program and 200 tutors that went through the program. After raids of 1995, the inmates were no longer allowed to be tutors. We now have in the outside program five outside volunteer tutors.

We have five of us that work in the daytime and six that work in the evenings. Obviously, the 11 of us cannot make a dent in the 1,900 to 2,400 inmates that need the service. The goals of the prison literacy project are to have the prison residents learn to read or sufficiently raise their reading levels through this literacy training program.

We are trying to get them back into a classroom setting so that they can be less disruptive and can work within this classroom setting to further their education. I have been told by both the teachers and the inmates that the classroom setting is not really satisfactory right now because they are not put in -- like levels are not together.

They can have anyone from zero to sixth grade in the same classroom. And that makes learning almost impossible, and it makes it disruptive for the teachers as

well. The administration has told me that this is not the case, that the same levels are in the same classroom. So I don't know what the real answer is to this.

My intent in deciding to tutor was because I wanted to try to make a difference in someone's life other than someone that I was related to. I tutor one-on-one, and I've done it for approximately four years now. Before I did this, I was in the business world where I had a computer screen in my office that gave me daily accountability for every decision I made.

When my boss asked me to do something, I did it as soon as possible. And when I asked the people that reported to me to do something, they did it as soon as possible. There was a very high level of reaction that I had to have, pro-action, and definitely accountability.

For the first three years that I was at Graterford, I quietly endured the little indignities like being kept at the front gate without any explanation of why I was there for 30 or 45 minutes, feeling as though everyone was suspicious of my motives and what I was doing there and lack of follow through with our program, and also the lack of accountability and reaction and pro-action that I saw happening.

While I became inured to it, we have lost other outside tutors because they don't have the time to

wait there, they don't have the time to not have the follow through when their inmate doesn't show up and some of the other things that were happening.

I have to admit after those three years went by, I started becoming increasingly frustrated with the awareness that security took, in my opinion, unwarranted precedence over the programs, the education, and often rudimentary professionalism.

I started to realize that there was little reaction to the needs of the inmates that were there now, virtually no pro-action to possible new things that could be done for these inmates, and little accountability. There was no discussion with us in the literacy program about reduced recidivism, increased sociability, reduced idleness, increased test scores.

And I wasn't used to this, and I started to get inpatient. And I started to push a little bit about why literacy training wasn't given more attention and why I felt that no one was ultimately responsible for whether these men were going to read or not.

When I did push, I was told at Graterford that the day-to-day mechanics of running such a large maximum security prison, things like are all the cell doors locked and are we actually going to get 3,200 hot meals out three times a day, have taken priority over programs and

education. And I think it should be returned to a point where security and treatment work hand in hand.

While the top administration supports the prison literacy project, there seemed to be factors of the lower staff level that preclude their inability -- their ability to work to be committed to the appropriate staffing and funding for this program.

The things that we absolutely need are we need an inside clerk, an inmate clerk who can do all of the things that we can't do because we aren't on the inside. Last November, we had a meeting with Superintendent Vaughn and Associate Deputy. And he was asked to make sure that we did get a clerk.

And that was passed on to the program director, who then passed it on to the school. By February, when we still didn't have a clerk, we asked again for another meeting. And a caring academic counselor basically volunteered one of his persons that was under his demise to do some work for us.

He was subsequently, within about three weeks, reassigned to another job and then said that he would, in his free time, do for us what he could continue doing as long as it didn't interfere with his new job. Besides a clerk for the prison literacy project, they need to have a staff person responsible for all aspects of literacy

training, not only our program but any subsequent literacy programs that they can put together. And they are badly needed.

We have been told that there's no one qualified and/or willing to do this on the current staff. And we have asked that this be written into a job description for a future hire or academic advisor, and we have been told that there is resistance from a strong teacher's union.

We also need the same staff person to design and implement an inmate tutor program based on the program as it was prior to 1995 when the inmates were tutors as well as programs that are already in other Pennsylvania prisons. As the 11 of us outside tutors are obviously not making a dent here, I have been encouraging them to do this program.

I have contacted other prisons, Pennsylvania prisons, about their use of inmates as tutors. And I've submitted this information to Graterford for possible models. And I happen to have some of that information if anybody would be interested.

I have also volunteered my help in designing this program, but it clearly needs the expertise and input of someone inside Graterford prison. And the staff person that does this must be accountable to someone. The last

thing that we absolutely need is funding.

We need funding to get a staff person for the literacy project -- and I say a staff person. More than one would be wonderful -- the materials needed to implement an inmate tutoring program and to pay the inmate tutors, not the students.

It has been advanced that possibly the students would be paid. I don't think there's anywhere in this country where you get paid to go to school. I -- no other Pennsylvania prison pays their students that I know from people that I've talked to, but they do pay for tutors.

And as I understand it, there are a lot of jobs, way too many jobs, that the steps are being scrubbed a lot. Maybe some more valuable jobs could be as inmate tutors. Clearly, there are intricacies, challenges, and opportunities inherent in running a large maximum security prison.

But I do know this, that it's in all of our long-term interests to increase the emphasis on working towards ending illiteracy. We must eliminate this before it becomes a further catalyst for criminal behavior. What I would really like to see at Graterford is a really fire-in-the-belly attitude of everyone, particularly at the lower level to say we must stamp out illiteracy.

And we must do it because we want to do it and we know that it's necessary. I think we need to demand this of our prisons not only for the inmates but also for ourselves. Thank you.

MR. DINTER: Mr. Chairman, my testimony, which is about a program that I've run in New York, is I think a poor complement to this because this is very much about a problem in a Pennsylvania prison. But if you want me to go ahead, I will.

CHAIRPERSON BIRMELIN: It's your choice.

MR. DINTER: Well, do you want to ask questions?

CHAIRPERSON BIRMELIN: We will ask you questions if you would like to make some comments. If you don't feel it's necessary to read this, that's fine. If you would like to make some comments and we could ask you questions, that would be fine, too.

MR. DINTER: All right. I won't read my testimony. I will introduce myself first. My name is Paul Dinter. I'm the Director of a nonprofit, privately funded organization developed for two purposes: One, to put a college prison in Bedford Hills Correctional Facility, New York State's only maximum security prison for women.

As such, our program very much complements what was spoken of before by Villanova but is considerably

larger. But secondly, we also exist to raise public awareness for opportunities to reduce the total cost of -- to society at large by educational investment.

I think it's important for me to make the point that back in the early 1990s, advocates of correctional education and people in the correctional educational association had impressive statistics already at hand showing a strong correlation between educational programs and reducing rates of return to custody.

And five years ago, 350 college programs in prisons in the United States were closed down. You know, back then, popular horror over rising crime rates easily translated into anger at prisoners. Before now, few lawmakers, even in these days of falling crime rates, have looked again.

And I think that's what this legislative hearing -- I wish one were going on in New York, but I drove out here because there is not one going on in New York -- really does need to look again because we can make citizens safer and society more humane at the same time.

And I think very often, those goals are pitted against one another. But I'm not here to propose political or moral arguments themselves. There have been considerable ones put forward this morning. I am too a teacher. And long ago, I learned that if you want to leave

something behind, you tell a story. And I'd like to just share with you some first-person stories, first in the words of an inmate transcribed from a record of a small group session that is part of a research project that we are running at Bedford Hills, and then offer two more brief testimonies from corrections officers.

The inmate recalls that when she came to prison, she says, "I was so young when I came here. I waited ten years to go to school. And when I started going to school, it was a whole new world. I had no expectations about what college was or what to do in college.

And then when I started going, it was just -- being able to exchange ideas and learn new ways of life and learn about the classics and learn about methodology opened this whole new world for me. I was overwhelmed at first.

But then I got to a point where inside of me, it was an urge. It was like, You can do this. You know, I wanted to learn more. I wanted to get more. I sort of wanted -- started identifying with the world, understanding the world better, understanding my crime and why I was here. I just wanted to read everything.

I wanted to know more. I wanted to explore. And I found that I started surrounding myself with people of like minds because when I first came here, I had a chip

on my shoulder that I wanted someone to knock off. I stayed in trouble. I was disrespectful. I had no self-respect, no respect for others.

And it took a while for me to change gradually through the years. And when I started going to college, that was like the key point for me of rehabilitation, of changing myself. And nobody did it for me. I did it for myself. And I went, and I did it, and I accomplished things that I didn't think I could accomplish.

I realize the value of school and education, whereas before I would say, Get a job and make money. You'll be all right. What do you need an education for? You know, I know plenty of people in my neighborhood that didn't have education that made money, that got jobs, had friends, whatever, and survived.

But it opened a new world for me. And I think it does that for a lot of people, especially people that are going back into society soon. And I realize that, you know, I have an education and this education is going to carry me someplace. And even if I don't get a better job, I'll be a better person because of it. And that's -- that's what it's all about."

Now, at our center in Bedford Hills, we hear personal testimony like this quite often. But just as impressive are papers that get submitted in which convicted

felons analyze Socrates on the unexamined life and write about what they have learned from him, or they examine the work of women writers and poets where they find the language that helps bring their egos back from the dead.

The remarks of the professors from Villanova before were completely apposite and echo our own professors' sentiments. To me, it is a wonderful paradox that as more of today's entitled young people take the privilege of higher education for granted, incarcerated women at the margins of our society are vindicating the value of a liberal humanistic education.

But don't take my word for this. Here are the words of two corrections officers we have interviewed. "See, unfortunately, prisons are warehouses. And without programs, it's just that, just a warehouse. They leave here with no, no knowledge of -- excuse me. They leave here with just knowledge of being criminals or better criminals.

But with the college program at least here and now, it's giving them something to do. It's giving them something to strive for, and it broadens their horizon. It gives them something to think about instead of just dealing drugs or being a prostitute. Now they're building up their self-esteem and their self-worth to something. It gives them a broader horizon."

And another guard: "Well, education does a few things. Predominantly, it gives the inmate self-esteem that they lack when they come in. It gives them something to strive for. I mean, there are so many miracle stories down there in the education department.

At first, I was like, you know, as a corrections officer, you learn to separate yourselves. Inmates are inmates, and officers are officers. But after dealing with them on a one-to-one basis and you start learning about them, you get a sense that you get to feel where they come from, what kind of background they had.

They ask for advice, and you become a counselor also besides a corrections officer. And they'll bring you their grades. And if they have a problem, they come over and ask to see if I can help them. And overall, the transformation they make from coming in here initially, I can't even put it into words."

Ladies and gentlemen, I ask that you try to find the words to remake the laws so that people who come out of prison can graduate back into society that has made an investment in their future rather than in their eventual re-incarceration.

We have today the ability to foster partnerships between private philanthropy and public entities that can open up minds, instill ideas of personal

responsibility, teach the social contract, and redeem lives currently heading nowhere.

Programs such as ours which brings together a consortium of public -- rather of private institutions can make a great bit of difference, again, as the professors from Villanova spoke about. But a little public money wouldn't hurt.

New programs such as the State of Texas has begun, which make reimbursable funds available for postsecondary prison education, represent beacons of hope. They should become the wave of the future before at-risk communities throughout the country five years hence succumb to waves of newly released prisoners or inmates reentering society without the sufficient job skills, no insight into their past illegalities, and little real purchase on any new sense of self.

Incarceration can become a new beginning if it is combined with meaningful educational opportunities. And I'd like finally to say that tomorrow at Bedford Hills, we are going to graduate ten students from college with Associate and Bachelor's Degrees. And more than 200 inmates will cheer for them.

We have in fact, over the last years, matriculated 300 women in the program that Marymount Manhattan College heads up and the other colleges

contribute to. Those women will be cheering for themselves and for a future of possibility that has opened up for them.

And I'll end again quoting from another student's educational autobiography. I had come to prison -- "I had to come to prison to get an education. We learned about irony in our writing class. This is irony. But it has a happy ending.

My children will come to my college graduation here at Bedford Hills. And then when I am released, I will go to their college graduation. That is not irony. That is hope."

Thank you for the opportunity of presenting this testimony to you.

CHAIRPERSON BIRMELIN: Thank you. Thank you both. Ms. Rittenhouse, I have one question for you. On page two of your testimony, you stated that since 1995, inmates at Graterford have not been allowed to be tutors. And then as I read I think elsewhere in your testimony, they are allowed to be tutors in other prisons.

MS. RITTENHOUSE: Yes.

CHAIRPERSON BIRMELIN: Why did Graterford stop the tutoring program when it is being done in other prisons? Do you have -- what was their response to you? Why did they tell you that --

MS. RITTENHOUSE: I was not there in 1995. But when I asked -- I mean, I didn't start to tutor until 1996. But when I asked them, that was the year that there was a raid in Graterford looking for drugs and weapons. And because of that, they closed down all volunteer programs.

And it was only in -- when I started in October of 1996, they had just begun again to let outside tutors in or any volunteer programs in. And they have never allowed the inmates -- they say that the inmates are not allowed to have power over one another.

I thought it was interesting in the father's group presentation that there are peer people there. And I have talked to Dallas, to Smithfield. I've talked to many other prisons, and they all have inmates as tutors.

CHAIRPERSON BIRMELIN: Have they had any problems in any of the other prisons with the inmates being tutors, to the best of your knowledge?

MS. RITTENHOUSE: I asked that question also. And they -- initially, they said there was some abuse of the time scheduling; there needed to be security; there needed to be somebody that was making sure that the inmates were where they said they were going to be and making sure the time cards or whatever they're called.

But they said once the system got up and

running, it was the cream of the crop of the prison. It was the system. It increased self-esteem for the tutors and for the students. There were graduation ceremonies. The inmate tutors were the ones that were most sought after.

They were the highest paying jobs. They could only be tutors in those highest paying jobs if they had the education. The other higher paying jobs in the prison were totally linked to literacy. You had to be at a certain level before you could be paid at a certain level no matter what your job was.

It was really interesting. It was very exciting to me to see what other prisons have been able to do.

CHAIRPERSON BIRMELIN: And one final question for you. I assume you use a curriculum that maybe would be the same or maybe similar to what our statewide adult literacy programs use. Could you just share with me quickly what type of programming or actual curriculum you use with the prisoners?

MS. RITTENHOUSE: Actually, we're all Lahbach (Phonetic) trained.

CHAIRPERSON BIRMELIN: Lahbach.

MS. RITTENHOUSE: And we do not necessarily adhere to Lahbach. We all try to work with the -- since

it's one on one, we try to work with our prisoners to meet the needs that they want. If they want to be able to read to their children, if they love sports or if they're dyslexic, I mean, each person has their different needs. That's why it's one on one.

And there are a lot of learning disabilities out there, as I'm sure you can imagine. So we basically start out with Lahbach; but I use Sports Illustrated a lot, too.

CHAIRPERSON BIRMELIN: Okay. Thank you very much. Representative Josephs.

REPRESENTATIVE JOSEPHS: Thank you, Mr. Chairman. To follow up on your remarks, there are a number of us on this Committee and a number of us who are not on this Committee who live close to Graterford. We're from Philadelphia.

What would you think we might do as state officials, policymakers, individuals, people who are going to be exposed to the Graterford inmates when they're released? I'd rather have them released literate than illiterate. What can we do to maybe expand this program in Graterford?

MS. RITTENHOUSE: This is probably going to sound very naive. Somebody needs to tell the Department of Education or the Department of Corrections in Harrisburg to

tell Graterford to have an inmate literacy training program. And somebody there has to be in charge of it, has to design it and has to implement it and has to be responsible to the state for it.

REPRESENTATIVE JOSEPHS: Thank you. Before you go, I'd like to talk to you a little bit privately. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: That brings a question to mind that I wanted to ask; and that is, the interaction that you have with the educational department at Graterford, we've heard stated from previous testifiers that they wish to have every prisoner able to read at a fifth grade level or higher before they leave the institution.

It occurred to me that -- and I'm somewhat familiar with the adult literacy programs in the district that I represent. It seems to me that what you people are doing certainly augments and does not contradict what they're trying to do as long as you're teaching similarly how to read.

Have you found resistance to what you do from the educational department at Graterford? Are they asking you to do things that perhaps you can't do because you don't have staff? I mean, what has been the general interaction and relationship with the education people in

Graterford?

MS. RITTENHOUSE: They aren't asking us to do things that we can't do or don't want to do or are unable to do. They really aren't asking us to do anything. I think, once again, they are so concerned with security and making sure that the school is running -- I mean, there's some problems at Graterford with the school.

I've been told it's been that way for a long time. And we come in trying to take those students that are below the fifth grade level, work one on one with them to get them back into a classroom setting so that they can then be -- graduate up to a GED and hopefully have a more meaningful life when they come out.

But it's almost as though we're just a side thing. And there are just five of us that come in there. It's almost as though we aren't there.

CHAIRPERSON BIRMELIN: I think you've answered my question. Thank you. Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you. My questions are for Dr. Dinter. I was trying to kind of read the attached article while the questions were being asked. And I'm just trying to picture. Is your program operating at the one women's prison in New York kind of in the same position that the Villanova program is in here?

Here's one model program. We only have it

happening in one place --

MR. DINTER: Yes.

REPRESENTATIVE MANDERINO: -- and we're trying to get it expanded?

MR. DINTER: That is correct.

REPRESENTATIVE MANDERINO: How does the funding or provision of the program, what kind of model is it following in this case? Whereas Villanova, it was a university decision to -- to offer it at a certain level kind of as charity from that institution. How is the one in New York working?

MR. DINTER: Well, we have a consortium. We have a flagship school. Marymount Manhattan College kind of made something of the same commitment that Villanova did but not in terms of a budgeted amount. They were part of an initial group of volunteers who were helping to restart college.

The President of Marymount Manhattan invited other college presidents to be involved. And a core group of our colleges do give us two to three courses a year that we put together as part of a curriculum so that the academic coordinator who works in the prison but who is one of our employees -- we have -- we've gone from a situation a little like what was talked about at Graterford to a much better situation when it was a change in educational staff.

And we have an awful lot of collaboration going on right now. And I think it's a -- I'll generalize on this point, that because in prisons -- and this may be a rule written somewhere -- everything affects everything else in prisons.

And if in fact you have something like a college program -- in fact, at graduation tomorrow, we have two women who will be getting their Master's Degrees, one of whom finished, with our help, something she had started, another of whom did a distance learning Master's. But they'll be recognized at graduation.

If you raise the bar, then all of the educational efforts down this end also have to get kind of put on notice that if you just teach to a GED so you can get so many people have passed the GED but they're nowhere near being able to start college, well, that puts your GED teachers on notice that they really have to do more than teach the test.

And in a sense, what has happened at Bedford Hills is that there's a culture of education that has been very much put in place by the superintendent and her staff, which our volunteers and both paid and unpaid coming into the prison really become sustained and also broadened.

But we have -- there's a tremendous amount of excitement when people get a GED because it has immediate

consequence. They can sit for their college entrance test, and then they'll either pass into a college class or they'll be put in a pre-college component that we also raise money to fund.

We're getting help from one of our colleges, Mercy College, with the pre-college program. But the model is a consortium model. We have a very active group of volunteers who have raised funds because we have about a half million dollar budget.

And that's -- it's pretty rich for a program like this. But we're lucky because Bedford Hills is in -- it's a posh suburb. And not an awful lot of prisons are in a posh suburb. So it can't be generalized, which is why I put the pitch in for a little public money would help.

REPRESENTATIVE MANDERINO: Okay. So you just clarified my next question, which was, you get no public money?

MR. DINTER: No public money.

REPRESENTATIVE MANDERINO: And I couldn't help but pick up on the comment that you made that you came down to Pennsylvania -- and thank you for doing that -- because we were having hearings and New York wasn't. Was I sensing in there a little bit of frustration?

Have you tried to kind of get this to be a

model in New York and met with resistance or --

MR. DINTER: Some of our -- some of our funders actually have tried to get programs started otherwise, and they have in fact funded. There's a program called the Consortium of the Niagara Frontier, which actually was delivering college classes when Pell Grants were still being given.

They actually banked all the extra money they made. And when the Pell Grants collapsed, they were able to kind of keep in business. They've actually recently gotten a state appropriation because they've put a lot of their energy into the communication between the state senator up there, et cetera.

So there's a little bit of movement now. But we're trying to advance on a couple of different funds, getting more private money but also to try and get other colleges interested such as was mentioned before. But there's no one place -- you can never be caught lobbying. So you have to do what you can.

REPRESENTATIVE MANDERINO: Any -- my -- I guess I'm a little pessimistic about the ability to convince the majority of lawmakers in today's day and age that money ought to be spent on the inside for things that -- the perception at least is -- that people on the outside are struggling maybe to provide for their families.

So I'm pessimistic that we're going to return today's any time soon Pell type of grants being available for inmates or even any substantial outside public dollars for higher education. But absent that, is there anything from your experience that can be being done that isn't being done to facilitate some of these private partnerships or consortiums?

MR. DINTER: Well, I think the -- the possibility should be there of -- and certainly, I think you're right about the Pell Grants. And in fact, we have a provost of one of our colleges used to administer the in-prison program, who's now a provost with the college, felt that the money shouldn't come from the students.

It should really be made available to the people doing the education, and maybe it doesn't have to be in a sense as rich as before. But that if the state could provide a certain level of support, then you could access private monies.

You could access interest not only from volunteers but from private institutions to do some of this work. Again, the one example that I don't know a lot about, though, is the State of Texas is making public money available for at least 50 percent of what it costs to educate.

And inmates take upon themselves the

obligation to pay that back either in prison or when they get out of prison. And it can also be done in community service when they -- or in reparative acts towards their victims of crimes, et cetera.

So there's a lot of imagination of how to pay back. Our own women do, by the way, pay $10 every semester out of their -- and most of them, it comes out of their inmate pay. They get 10 to 25 cents an hour at different jobs. So a $10 commitment is a substantial commitment.

And we are trying to put in place a community service program so that they also can be actively paying back for the benefit that they're receiving. And I think those kinds of ideas need to be put out to the public so that it doesn't look like a freebee but that it -- economically, this makes sense.

It makes desperate sense, and that message should be conveyed.

REPRESENTATIVE MANDERINO: Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: I want to thank both of you for your testimony today. We appreciate your being with us.

MR. DINTER: You're welcome.

CHAIRPERSON BIRMELIN: The next panel that we have for testifying is on the religious opportunities in

prisons. We have four folks that are going to be with us. And one I'm not sure that's going to be here, but we'll find out in a minute.

Patricia Selinger and Chief Mike Sopko from the Thunder Mountain Lenape Nation are here. Leonard Smalls, Founder of RESCU, former Graterford Chaplain; and Reverend Nick Barbetta, Executive Director of Crossroads Prison Ministries.

I didn't see Mr. Barbetta in the room. And I know him personally. So I'm fairly confident that he's not here. Is Mr. Smalls here? For the record, Reverend Barbetta is ill and is not going to be with us. And Mr. Smalls is not here either, couldn't make it. Thank you.

Ms. Selinger and Chief Mike Sopko, we welcome you. And we have written testimony from you. And I'm not sure which of you would like to go first, but whichever.

MS. SELINGER: I'll go.

CHAIRPERSON BIRMELIN: You may begin.

MS. SELINGER: Honorable members of the House, my name is Pat Selinger. I'm called Alankentkataxkwe. My name is Star Dancer, and I'm of the Thunder Mountain Lenape Nation. And I thank you for the opportunity to speak to you about the problems we're having providing Native American services within your state prisons.

I have served the Department of Corrections as

a Native American chaplain and a Native American spiritual advisor. So I am aware of the problems firsthand. I receive letters constantly from inmates across the state voicing their concerns.

For over a decade, the Department of Corrections has been providing some type of Native American spiritual services to inmates. They developed regulations which describe the items that may be used. It then is left up to the individual institutions to design their own policies.

This has created a confusing and often contradictory web resulting in lawsuit after lawsuit year after year. A man who is practicing in one institution is transferred to another only to find that what he is doing is no longer acceptable or even legal. So he sues.

These lawsuits are costly in time and money to the taxpayers and the courts. They are unnecessary, and the solution is simple. For over a decade, the Department of Corrections has been unable to provide satisfactory Native American spiritual services. And the proof is that these lawsuits are pending today.

CHIEF SOPKO: Honorable members of the House, as my grandmother has said, we represent the Thunder Mountain Lenape Nation, an independent tribal nation centered right here in Pennsylvania. I am Sakima

Pomsuwichimaxkanto, Chief Mike Sopko.

The Lenape have always been here in Pennsylvania. We still honor the treaties that exist between our nations. That is why we are here to speak today. We are Lenape. We are an honorable people. William Penn knew this.

The Lenape have always been known as the diplomats of the native community. We solve problems or remove them with education. We create a win/win situation for all parties involved. We know that you cannot divide your loyalties, but you can add to them.

It is clear that we share a common objective and goal. It is true that problems exist for you concerning Native American spiritual services within the Department of Corrections. The evidence is the fact that you are being sued repeatedly and needlessly.

Perhaps the Department of Corrections just don't know any better. However, the people causing these problems are in fact answerable to you. It is so easy for you to fix this. If you have trouble with your wiring, you do not call a plumber. You call an electrician, for they are the experts.

You and I both know that there is little concern for issues at this point. What you are concerned with are results. The result we want is to put an end to

these lawsuits. They are wasting time, energy and effort as well as your money because they are unnecessary.

The solution is so very simple. You have the authority to fix this, please do so. We are Lenape. We are an honorable people, and we have spoken.

CHAIRPERSON BIRMELIN: My apologies for mispronouncing and calling you Lenape. I'll try to remember that in the future.

MS. SELINGER: That's okay.

CHAIRPERSON BIRMELIN: If it's any consolation, my name is mispronounced constantly. So I'm used to it. But I apologize for doing so with yours. I guess I wrote some questions from your testimony which I guess I would ask of both of you.

In your testimony, you said that EOC developed regulations which describe the items that may be used. What are we referring to by items? What does that mean?

MS. SELINGER: I think the policy's across the board for religion. That's what they do. In other words, Catholics can have rosaries. We can have a medicine bag. We can have a prayer feather and a headband.

CHAIRPERSON BIRMELIN: You're referring to specific items --

MS. SELINGER: Items, correct.

CHAIRPERSON BIRMELIN: -- that are connected

to worship?

MS. SELINGER: Correct. But what happened --

CHAIRPERSON BIRMELIN: I wasn't quite sure what you were saying there, and I just wanted to clarify that. And then I guess from what you're telling me, that it varies from prison to prison. So that you're finding that a transfer from one prison to another, he was allowed to do something in prison A but when he gets to prison B, he's being told that that's contraband?

MS. SELINGER: Right.

CHAIRPERSON BIRMELIN: Or he's unable to be using that or whatever?

MS. SELINGER: Right.

CHAIRPERSON BIRMELIN: The statement that both of you made is that there is a solution and the solution is simple. But you didn't give us what you thought the solution was. What do you think the solution is?

MS. SELINGER: I think the solution is, one, to ask people who know what the needs are. You wouldn't ask people to come together and discuss what the needs of Catholics are. You would ask the Catholics; you would ask the Jewish community; you would ask the Muslims. The same is here.

And the second thing is that you need to standardize it. If you ask each institution to develop

policy about things it really has a limited knowledge of knowing, you create a whole system of confusion which, like I said, has resulted in numerous lawsuits, where all it takes is communication.

CHAIRPERSON BIRMELIN: I agree with you. Yesterday we had, as one of our testifiers, Father Menei, who, as I understand, is the overall head of the chaplaincies in all of the prisons.

MS. SELINGER: Yes.

CHAIRPERSON BIRMELIN: Have you met with him and discussed this particular problem?

MS. SELINGER: Yes, I have. I have met with him probably several times over the last maybe five years.

CHAIRPERSON BIRMELIN: And I'm going to gather from that that the series of meetings did not resolve the problem?

MS. SELINGER: Right. And it's not any -- it's not the fault of any particular person. What it is is the system in allowing -- which it kind of across the board does -- the superintendents at each institution to design and run their institutions, which is understandable.

But that works where you already have a system in place where you know what the boundaries and the outlines for each, you know, class is or for security or

for whatever, for religions. But there is very little understanding about what we do.

And so things that are not important are allowed, and things that are important are not allowed. And it's the way it's set up.

CHAIRPERSON BIRMELIN: Are you indicating then that Father Menei is not in a position to resolve this?

MS. SELINGER: I would say that the way the system is set up to my knowledge right now, he is not always given the authority.

CHAIRPERSON BIRMELIN: So it has to be from someone higher up. And of course, we know where the buck stops; and that's with the Secretary of Corrections. Have you requested a meeting with the Secretary of Corrections to resolve this?

MS. SELINGER: No, I have not.

CHAIRPERSON BIRMELIN: May I suggest that you should.

MS. SELINGER: Thank you very much. I will.

CHAIRPERSON BIRMELIN: I know that his liaison is here, Ms. Marschik, and her trusted assistant. And I think they're taking notes. And if they were to accommodate that meeting, that would be appreciated. I'm not going to put Ms. Marschik on the spot any more than I already have, which I've just done. But do you know Ms.

Marschik?

MS. SELINGER: No, I don't. But I will meet her. Thank you.

CHAIRPERSON BIRMELIN: I will introduce you to her when we're finished. And I think it can be arranged. And I can't speak for the Secretary, but I think that would be the best thing for you to do is for you to meet with him with your son and ask him to resolve this. To me, that -- that seems like --

MS. SELINGER: A simple solution, sir.

CHAIRPERSON BIRMELIN: Correct me if I'm wrong.

MS. SELINGER: No.

CHAIRPERSON BIRMELIN: Okay. We'll leave it at that. One other question I have for you. How many prisoners subscribe to your form of worship throughout our prison system in Pennsylvania, our state prison system?

MS. SELINGER: Okay. I don't have an accurate count, but I can use a few examples. I know in Greene, there are approximately 30. In Greensburg, there are approximately 20. And at one time in Cresson, there were 90 practicing. I think that's been gone down to about 12.

Again, different regulations come into play, which sometimes they're allowed to practice and sometimes they're not allowed to practice.

CHIEF SOPKO: I'd like to add that at the time that there were 90 participants at Cresson, that was under your direction.

MS. SELINGER: Yes.

CHIEF SOPKO: And now under a different direction, it's about what, 30?

MS. SELINGER: Yeah.

CHIEF SOPKO: It's a significant difference. And the evidence suggests that their needs aren't being met.

CHAIRPERSON BIRMELIN: And that may be a function of who the people are that are --

MS. SELINGER: Right. And I think the bottom line is communication.

CHAIRPERSON BIRMELIN: I mean, some of them are more active and spend more time than others do at it. Your problems in generating and sustaining interest in your faith is not uncommon to all faiths.

MS. SELINGER: Right, right. I know. May I just add one thing before I stop? And that is, I don't know if anybody has told you what a gift you have given to us by having these hearings. So many of us, at least in the hearings today, are people who are outside the system who try and come in and give some kind of a hand and try and, for very little money, if any money at all from the

Commonwealth of Pennsylvania, are trying to do a job.

And we do it on a one-on-one basis. And as someone had mentioned, sometimes that's the best way of actually changing and touching lives. We're not mechanical. We don't have big budgets. We just do it. But we are often -- we do cause -- I can't remember the word she used.

But we, you know, people have to come in place to come and get us and do kinds of things. They have to go out of their way. But that going out of their way seems so small sometimes to what kind of things on a very limited basis we can get accomplished.

And I think you're sending a very clear message to the Department that, one, you are interested in what is going on; and two, you are interested in some results. And I really thank you for that.

CHAIRPERSON BIRMELIN: Thank you very much. Representative Washington.

REPRESENTATIVE WASHINGTON: Thank you, Mr. Chairman. Do you go into the prison just like any other faith or -- and teach --

MS. SELINGER: Yeah.

REPRESENTATIVE WASHINGTON: -- and practice your religion? And you do outreach and all that kind of stuff?

MS. SELINGER: Uh-huh, uh-huh.

REPRESENTATIVE WASHINGTON: Is there anything that's part of your religious -- I don't know -- activity that's intimidating to the corrections leadership?

MS. SELINGER: May I say that everything was intimidating in the beginning. And I can understand why. We said, We're going to come and smudge. And they went, What is that? I think what happens is now it's -- when you say that to Father Menei, he's like, Oh, yeah. They do that all the time. Here's how they do it, and this is what it is.

So I think so much of it is just, again, communication and showing them and explaining to them. And if they say no, this is not going to work; but we can do it in a different way. Communication.

REPRESENTATIVE WASHINGTON: Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you. Thanks for coming. I too am not familiar with Native American spiritual services. And I'm again trying to visualize kind of -- and maybe you can, by sharing a couple of things that you've actually had to sue over, give me an understanding of what was acceptable one place and then you go to the

next place and all of a sudden it's a misconduct or prohibited activity or something like that.

MS. SELINGER: And it's almost -- it's almost trivial in a sense. In some cases, men are doing certain jobs. We wear our hair long. So they're given a hair exemption. That's all been worked out. But they're not allowed to tie their hair back.

So if they are given a job with machinery, they are not permitted to tie their hair back in some institutions. And so they cannot have the job. They are not -- they are fired from that job because of their hair. Whereas in another institution, they are given, you know, stipulations. We can have this here or you can tie it back any time you want or whatever.

There are some suits that are in because they have to have a letter from a tribal leader saying that they can practice in one institution, where it's not asked in other institutions. So they go somewhere else or, you know, it's like, Well, what is this?

So those are -- they're not really anything major. They're not things like saying, Well, we want to build a, you know, a church inside a room or we need acres or we need, you know, specific foods. It isn't even anything serious.

It's small, very frustrating things that waste

so much time and effort on everyone's part.

CHIEF SOPKO: A letter isn't required by any of the other religions either for participation because this is spiritual services. This is religion. It is open to anyone who chooses that faith. Also, what has been proven most recently, the example that my grandmother had dealt with at the Cambria County jail. It took a matter of one phone call, one letter, one visit; and they're now smudging in Cambria County jail as a result.

Smudging is a very simple but very important ceremony. It's a purification ceremony. My 5-year-old niece performs the smudging ceremony.

MS. SELINGER: And what happened in Cambria is the inmate sued. And when I went in and we did the smudging, the inmate and the Chaplain looked at each other and said, Now what do we do about the suit? It was like, Well, it's not my problem. Handle it.

REPRESENTATIVE MANDERINO: I hope it's not a long explanation. But what is smudging? And what was, like, objectionable about it?

MS. SELINGER: Okay. I'm sorry. I'm sorry. I didn't answer that. We use a variety of herbs, sage, sweet grass, cedar, put it in a small shell, tobacco. It's lit, but the fire is put out. So there's a smoke. And the smoke is a purification ceremony. So it's kind of like

incense in a sense. Not exactly, but it's a purification. And the smoke --

REPRESENTATIVE MANDERINO: So the objection was to either probably the lighting or --

MS. SELINGER: No, the objection was they didn't know what it was. And they thought that he was just a man who was a criminal and he was trying to get over on the system. And they had no idea what smudging was. So when they said, Is this real, can you explain it, and I did, they went, Oh, well, come in and do it. And I did.

CHIEF SOPKO: And that's how easy the solution is.

REPRESENTATIVE MANDERINO: Thank you.

MS. SELINGER: Thank you.

CHAIRPERSON BIRMELIN: Thank you for coming. We appreciate that. Don't leave. And I'll introduce you to Ms. Marschik. Thank you.

MS. SELINGER: Thank you.

CHAIRPERSON BIRMELIN: We have one more testifier, Sherry O'Rourke. She's the President of the Correctional Institution Vocational Education Association, a segment of PSEA, Pennsylvania State Education Association. Ms. O'Rourke, would you come forward? And Ms. O'Rourke, would you introduce the gentleman with you, please?

MS. O'ROURKE: I'd be glad to. On my left is Bill Palmer. He's another teacher within the State Correctional System. He's here to assist me in the presentation. Unfortunately, when the names had to be given, we didn't have that name available.

CHAIRPERSON BIRMELIN: No problem. We have written testimony that we've received from you. It's also included in a packet that has other information as well. And members of the panel that haven't gotten that yet, you may want to look for this particular folder.

And I've noticed that your testimony is 7-plus pages. And I would appreciate it if you didn't read all 7-plus pages. But if you would like to summarize and share with us the highlights of what you do have to share with us today, that would be appreciated I'm sure by all the members of the panel. You may begin. Thank you.

MS. O'ROURKE: Okay. First of all, to begin, we'd like to thank you, Chairman Birmelin and Cochairman James, for allowing us to present today. We are representatives of CIVEA, the Correctional Institution Vocational Education Association.

We're here to address some of the concerns and topics central to our function as educators and resulting from the transfer of the Bureau of Correction Education to the Department of Corrections. We are the points of

delivery, the teachers in the classrooms; and we feel it is important for you to hear our voice.

And I've often heard that cleanup is the most important batter in the lineup. So here we are. First, I would like to provide the panel with some history. The education services, both academic and vocational, have been provided to inmates in Pennsylvania in some form for over the last half century.

In the 1960s and early '70s, education was provided and supervised by the Department of Corrections. But then there were problems. So in 1974, it was transferred over to the supervision of the Department of Education. They tried various people running it.

And finally in 1981 centered responsibility for management within it, the section of the Department of Education. And there we remained for almost 20 years. In the early morning hours of the last day of legislative session in June 1999, the Bureau of Correction Education was transferred from the Department of Education to the Department of Corrections.

A copy of that bill is one of the things that's included in your packet. Now, we at CIVEA as independent teachers had independent input into drafting the language of the proposed bill, which became Act 15. The Department of Education, the Department of Corrections,

and CIVEA formed a task force.

And in 1998 and 1999, we sat down and talked and addressed the needs and concerns of all the parties. Education Secretary Hickock no longer wanted correction education to be part of that bureaucracy. Correction Secretary Horn welcomed correction education to the Department of Corrections.

He believed that a busy inmate is not a problem inmate and education classes were a very good means to keep them busy. The addition of corrections education also expanded his control over personnel and services. CIVEA believed that we did more than just keep inmates busy.

We attempted to protect the autonomy of the teacher and the programs; we addressed retirement issues, certification issues, and professional concerns. We had concerns regarding knowledgable and certified supervision, public school code, and special education regulations, as they would impact our programs.

Act 15 closely resembles the final compromise reached. Through Secretary Horn and his management team's leadership, education delivery is in the process of being expanded to reflect advancing technology and programs taught in other states and countries.

The number of facilities has grown

dramatically, as other people have testified. When I started in 1985, there were nine. There are now 25 open and running facilities. The 26th one is scheduled to open soon, and 27 and 28 are on the drawing board.

Nationally and internationally, there's a drive to provide more treatment services to the ever-growing number of incarcerated adults and youths sentenced as adults. The Department of Education lacked funding and funding support from the Legislature, but the Department of Corrections had little problem because of the get-tough-on-crime climate.

Every effort has been put forth to provide education, training, and programming to inmates to try to reduce recidivism and attempt to release productive citizens to the streets. I recently attended a workshop at the International Correction Education Conference in Ottawa, Ontario, Canada.

The presenter, a vice president of the Provincial Correction Association, said that his group made errors by making a lot of the decisions from the top and not consulting the teachers. Corrections of Canada is now going back to the teachers to redesign and restructure the education program.

I'm happy to inform you that the Bureau of Correction Education in Pennsylvania is now attempting to

involve the teachers also. However, we would like to share with you some of our concerns. Mr. Palmer will go ahead and list the concerns for you.

MR. PALMER: We are here a year later, and we've settled in. The last six months of 1999 was a transition period. The Department of Corrections got us and wasn't sure what to do with us. The Bureau of Correction Education was learning the new rules and management styles and trying to find office space.

The teachers went on about their classroom assignments as usual. Nothing changed immediately, not even the employer listed on our paychecks. We've had a small increase in the number of teachers employed. We've expanded the education services and programs offered.

One program, Victim Awareness, was because of legislative mandate. And others were added to mirror the developments in other state, federal, and international correctional environments. Courses in parenting skills, citizenship and employability skills have been added to the basic skills courses of Adult Basic Education, GED, and vocational basic skill classes.

In many institutions, the opportunity cost of offering the expanded programs has been the decrease in the availability of basic skills classes. We have not seen an increase in the number of classrooms available; although,

some expansion is planned.

We have seen a change in hiring practices and are concerned that competent, certified personnel continue to be hired. We hope that the centralized management from the Bureau of Correction Education will continue to have impartial input and final determination in candidate selection.

Recently, the Legislature passed the Education Empowerment Act. School districts targeted in this act are in Philadelphia, Chester-Upland, Wilkinsburg, and Harrisburg. Many of our students are products of those areas. Remediation for those students is one of our prime focuses.

We are not dealing with large numbers of formerly good students. We are dealing with people who have encountered learning problems, social problems, behavioral problems, and previously unidentified disabilities. We are dealing with adult learners who are deficient in basic skills and job skills.

Therefore, the basic skills classes are a very fundamental and necessary part of our daily instruction, as is our attempt to help these people secure a high school graduation credential and the basic or entry-level vocational skills necessary to secure employment upon release.

The public schools are making every attempt to provide more teachers and smaller classes for these at-risk students. Yet corrections educators are being asked to increase the number of students in each classroom, a policy that is putting both student and teacher once again at risk.

Although the Department of Corrections has offered exceptions to the mandatory class size, many administrators are not requesting those exemptions. They seem to view this option as a sign of weakness or failure. Corrections classrooms are filled with students who have an open time in their workday, not with a homogeneous group.

Individualized instruction is a necessity. Individual instruction cannot be delivered efficiently in one-hour time slots to 20 to 25 students at once. Most inmates have school as part of their prescriptive program, and attendance is mandatory as a consideration for parole.

Let me describe a typical classroom population. Students vary in age from teens to 70's. Some are handicapped. They come to classes in wheelchairs, on crutches, or with the help of canes. They may have hearing or vision impairments. Some are learning disabled or educable mentally retarded.

Many are physically or mentally ill and exist on daily medications. Some are rival gang members - Crips,

Bloods, Netas and Latin Kings - and hate group supporters such as skinheads, NeoNazis, Ku Klux Klan members, and Satanists.

Some students are first-time, short-term offenders. Others are career criminals. Most have entered the system with social and psychological baggage. These people are seated in the same classroom. There also exists within the correctional facilities an acceptable hierarchy of crime.

A murderer may be a more acceptable classmate than a sex offender. We take this mix and add to it the mix of skill levels, from nonreaders to those with low math abilities to those with skills that must be directed and sharpened. We add inmates who speak and understand various language and come from foreign countries - Vietnam, Cuba, Jamaica, Dominican Republic, Columbia, Romania, Korea, China, and an assortment of European countries.

The only common denominator is that they are all convicted felons. The Department of Corrections screens inmates for placement in facilities, in housing units, and in cells. There is really no screening for placement in the classroom other than an assessment of a current reading or math level.

We attempt to deal with this part of the problem through a Class Size Committee. The first meeting

is scheduled for June 1st of this year. Another area of concern is technology. Our classes will soon be supplemented with a distance learning classroom.

All the details have not yet been worked out, but that classroom is scheduled to come on line on July 1st of this year. Again, the Bureau of Correction Education has formed a committee with teacher involvement to assess the needs and services involved. Teachers have many concerns about this concept, and we will be glad to answer any questions that you may have about the concept.

Although this is a technology update, it does not really address all of the needs of the students. Most jobs now require some computer skills. Even the friendly faces at McDonald's must have some familiarity with a computerized ordering and calculating cash register system.

Failure to be able to use the computer as a tool presents a social and occupational risk. Those who have access to and the knowledge to use computers can join the work force more easily than those who do not. Unfortunately, computers pose a security problem within the correctional setting, as do the other tools necessary to teach vocational trades.

Over the years, the vocational teachers have designed sophisticated inventory and tool accountability methods. These have been upgraded and changed as a result

of new security directives and policies. We are hoping that computer literacy and technology will be made more available to the inmate population.

The passage of Act 48 by the Pennsylvania Legislature made it more critical than ever that our personnel be able to attend training conferences and to continue education and college classes. Correction educators work year-round.

The typical summer offerings available to public school teachers to enhance knowledge and to obtain additional college credits is currently not an option for our members. We are certified personnel. And we like to learn, to bring new and enhanced skills to our classrooms, and to refresh ourselves with new ideas and new technology updates.

The opportunity to do so will require the support of the Bureau of Correction Education/Department of Corrections. Time and resources must be made available for the correction educators. Teachers in correctional facilities are not different than public school teachers.

We must follow the public school code. We must adhere to the IDEA 97 Special Education Regulations, Title I requirements, and ABLE funding and form completion requirements. We must respond to parents, to attorneys, to guardians, and to advocates.

We must meet time lines for class placements for juveniles. We must have credentials to teach, and we must maintain those credentials. We must adhere to the Department of Corrections policies, to Department of Education rules and regulations, and to the security practices.

We must take additional training as required by the Department of Corrections and now as required by Act 48. We must adhere to work rules, to the code of ethics, and to a Governor's code of conduct. We must pass background checks, go through metal detectors, drug detection devices, pat searches, searches of our vehicles, and searches of our classroom.

We must have Act 33 and Act 34 clearances. We must meet more requirements than a teacher in the public school systems. Structured athletics, positive use of leisure time, and health and wellness courses are a major focus of the public schools. They are considered essential curriculum. They must -- so they must be with those incarcerated.

A healthy inmate costs less to maintain, can be productive in assigned work, and proves to be a more active learner. Our activities department provides essential exercise programs, stress relief activities, and classroom instructions.

We hope these offerings will continue to be viewed as positive activities and not as luxuries. Most of us know that learning is a continuing process, that it is lifelong. It is the hope of the correction educators that we can patch the holes in the skill levels of those we teach; that we can provide basic entry-level job skills to those who have few or none at the time of incarceration; and that we can help in the correction process.

We urge you to support any budget requests for increased funding for school building expansions, increases in staff, increases in funding for furniture, fixtures, texts, materials, and supplies. Our mission is more than reducing idleness or keeping inmates busy. Our mission is education.

Your support is necessary for us to continue our mission to teach our students to know, to do, to be, and to live together harmoniously. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Thank you folks. Representative Manderino.

REPRESENTATIVE MANDERINO: Thank you. Maybe I'm kind of reading a little bit too much in between the lines. But I'm not clear on some of the messages that I was getting during parts of the testimony. On the one hand, I thought I heard you saying that there's been an

increased emphasis on -- on -- on education. And that's a good thing.

But I also hear you saying that there's been a decrease in the availability of a basic skills class. But at the same time, I hear that there's this emphasis on literacy education, et cetera. So flesh that out a little bit more for me.

MS. O'ROURKE: There's a lot of confusion going on right now. We're getting upgrades in technology. We're getting additional classes to deliver to the inmates. We have the same limited number of staff to do that. So what you get on one hand, where you get a victim awareness class; on the other hand, you have one less adult basic education, reading, or math class because that teacher is teaching the victim awareness. And the -- does that answer your question?

REPRESENTATIVE MANDERINO: If that is what you meant by your testimony, then that answers my question.

MR. PALMER: I think it's the belief of the teachers that without the additional staff that the secretary hasn't requested and without further additional staff, that as you put the parenting, the victim awareness and these other classes in place, the adult basic literacy and the GED classes will be reduced and start to suffer. The numbers will start to decline.

REPRESENTATIVE MANDERINO: You talked about the technology and computers and their importance. And you mentioned -- your testimony goes on about computers pose a security problem, as do other tools. We've seen the inventory and accountability methods for tools.

And I couldn't quite tell if you were trying to say that you don't have that kind of same accountability inventory process for the computers; you do, but you're still not allowed to use the computers; or you're not allowed to use the computers as much as you want because they're perceived as a threat to security.

So can you explain a little bit more what you were getting at here?

MS. O'ROURKE: There are perceived threats to security, particularly when they get a little bit more sophisticated where we would begin to teach an inmate how to use the Internet even though we don't access the Internet, where we use a simulation to teach them how to get around on the Internet and how to access information.

There's a belief or a misunderstanding of the capability of what we -- what an inmate can do in the classroom and can do with those computers. The computers are stand-alone. They're not hooked up to any network of any kind. And we're kind of limited in what we can teach on them.

And then there's also a limit with the -- I guess it's the policy and procedures for the computers within the whole Commonwealth of Pennsylvania and with what software can be put on those computers.

REPRESENTATIVE MANDERINO: So do you find that the computer labs in the correctional facilities that have them -- I'm not assuming they all have them -- are they underutilized because of the limitations?

MS. O'ROURKE: I believe they are to some extent. We are all to be getting computer labs. Not all institutions do have them. All institutions have computers. But right now, it's a real array of computers, all different kinds and used for all different purposes.

REPRESENTATIVE MANDERINO: I don't know if you can answer this. But on the past couple of prison tours that I've been on, we've seen some rooms full of computer labs. And it could have just been the timing we were there; but on more than one occasion, I recall going into computer labs with all these computers and nobody sitting at them.

And I just wondered how much -- if that's typical or if usually during the day there's courses with people filling those seats and that they are being kind of fully utilized.

MS. O'ROURKE: I'm not sure because the

institution where I'm located doesn't have that computer lab. I know other close institutions, different classrooms share the computer lab. So one day, one teacher will have access. Another day, another teacher will.

MR. PALMER: I would suggest that if you tour SCI-Cresson where I work, the only time -- downtime in the computer lab where the computer -- the business ed. program is over the lunch hour. They are used constantly. The computer lab, the invest lab has been a very good investment up there.

I have several of my vocational students doing some -- I want to say supplemental reading to bring their reading level up to be able to perform better in a vocational program. And I've had excellent results sending them to the invest lab. And it is used five days a week the entire time that there's a teaching staff not at lunch.

REPRESENTATIVE MANDERINO: Okay. So the underutilization might be just the underutilization of the capacity of what one could learn on this, not that we're underutilizing what we have available?

MR. PALMER: Right.

REPRESENTATIVE MANDERINO: Okay. Now I understand what you're saying.

MR. PALMER: There's one other concern, too. It seems a lot of the times when we get visitors at

Cresson, it happens to be on our term break. And it doesn't -- it doesn't show things being real well utilized at that point. But it's just timing. It may well be timing more than not being utilized.

REPRESENTATIVE MANDERINO: Fine. Just my last question. Towards the end of your testimony, you said that -- you talked about the education as well as physical health and stress relief and that all of these are essential programs and we hope these offerings will continue to be viewed as positive activities and not as luxuries.

And I just -- are you -- what is making you think that there might be a change in how they're perceived? I mean, is something going on? Or are you just --

MS. O'ROURKE: Maybe it's just putting past history onto the present conditions. And the activities of teachers have just been really assigned to the Department of Education -- or Bureau of Correction Education. But there was a big push on to remove weights, free weights and the dangers that were there.

And our department, our people do much more than just that. There are health and wellness classes going on. There are structure classes on nutrition, a variety of health-related and physical education-related

classes.

REPRESENTATIVE MANDERINO: Thank you. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: Representative Hennessey.

REPRESENTATIVE HENNESSEY: Thank you, Mr. Chairman. I'm a little confused by the testimony, Ms. O'Rourke and Mr. Palmer, when you talked about a shift from the -- a shift of correctional educational programs from the Department of Education to the Department of Corrections.

It sounded like you didn't think that was such a good idea, you know; it was done in the last day of session in the early morning hours. And yet your testimony went on to say that the Department of Education didn't seem to welcome having you there and the Department of Corrections did seem to throw out a welcome mat and say, you know, yes, we want you here.

And it sounded -- I'm a little confused. Do you think it's a good idea that we shifted it from Education to Corrections, or do you think it's a bad idea?

MS. O'ROURKE: We were a little confused all along, too, during the whole process.

REPRESENTATIVE HENNESSEY: Well, yeah. But today as you sit here, do you think it was a good idea that

we shifted it to Corrections; or should we have left it in Education?

MS. O'ROURKE: We have -- we've seen a lot more support given to the education programs by the Secretary of Corrections. And we've seen a lot -- maybe more vision of where the education programs can go and the delivery of the services.

REPRESENTATIVE HENNESSEY: And it also seemed that one of the --

MS. O'ROURKE: Right now, we're still weighing all the options. But it's been fairly positive.

REPRESENTATIVE HENNESSEY: Okay. One of the other things that I think Mr. Palmer mentioned and one of the reasons I think he did it is education in a correctional facility is, in some respects, very different than education in the public school system, you know, the security concerns primarily, the searches, the pat downs, the involvement with individual prisoners.

It seemed to me that was one of the reasons it was offered to us as far as why we thought -- why it was presented as a good idea to make that shift. And that's why I'm saying I'm a little confused because it seemed like you were criticizing the idea that we did it in the last day of the session.

And yet if most of the feedback has been

positive, it would seem to me that we did the right thing whether or not it was done on the last day of session or not. I mean, is that a fair statement? Ultimately, if you're getting that kind of support from the administration and the corrections department that you weren't getting through the education department, it would seem to me that you should be relatively happy with the change.

MS. O'ROURKE: We were very unsure based on the past and what had happened in the past with staff being assigned work other than teaching, with equipment being transferred into other departments and not used for education, and with some of the attitude we had seen in the Department of Corrections.

So we were concerned. I guess we primarily view ourselves as educators, and we thought that the proper place for an educator was in the Department of Education. And we had gone through the lean years, and we had suffered with the Department of Education lean funding.

And we had lived with small -- small amounts of supplies and lack of equipment, backward equipment, donations rather than up-to-date items. And we just weren't sure what was going to happen. So far, as I've said, it's been very positive.

REPRESENTATIVE HENNESSEY: Okay. So it seems like the supportive attitude from Corrections would

ultimately lead you to think that this was a good idea even though you maybe want to withhold judgment at this point?

MS. O'ROURKE: There were a lot of items on the table. And I'm not sure that we thought the discussion was done at the time that we were transferred.

REPRESENTATIVE HENNESSEY: Okay. But it also seems like it wasn't done because now you're saying that it was -- in the early stages, Corrections wasn't involving teachers within the discussion process before changes were made. And now from your testimony, it sounds like they have been much more sensitive to the idea of bringing teachers into the discussions before changes are made.

MR. PALMER: I think one of the concerns that we've had as teachers is -- I have been in the system for 13 years now, and I have been through several governors and several secretaries of Corrections. And I guess to turn it around a little bit, I think it's incumbent upon this body to make certain that future secretaries of Corrections have the commitment to the education process.

Director Mader, some of the other people who testified here today indicated the importance of education to turn them back as productive citizens. And I think it's incumbent upon the body of representatives in the Commonwealth to ensure that future secretaries of Corrections have the same commitment to education that

Secretary Horn has.

I think that will sum up our feelings in the long haul as to whether it worked or didn't work.

REPRESENTATIVE HENNESSEY: Okay. If I understood you correctly, your concerns about the fact that we mandated the victim awareness courses to be taught was that given limited time and space constraints by mandating certain courses, we might be cutting back on the basic education courses that are available?

MR. PALMER: With no increase in staff, yes, that would be the possibility.

REPRESENTATIVE HENNESSEY: So what you're telling us is we have to be a little more careful in terms of what we might -- and sort of be warned not to just piggyback a lot of different courses, mandated courses on you that we can't adequately supply with additional funds or to get more space and more teachers?

MR. PALMER: I don't want to tell you that because I teach that victim impact class. And I have been very pleasantly, I guess, for lack of a better word, surprised by the reception that the inmates have gotten. I mean, these are some of the worst of the worst. They're violent offenses and --

REPRESENTATIVE HENNESSEY: I'm sorry. The reception you've gotten from some of the inmates?

MR. PALMER: Yeah, toward the material that's been passed out. I was somewhat apprehensive when I began to teach the course for the first time. And I've been -- I don't want to use pleasantly surprised, but I've been -- I've had a very good reception.

A lot of them have discussed -- we don't get involved in, because it's an education process, in discussing their individual offenses. But it has been a very open -- everybody seems to participate. So I guess from that perspective, I'm not going to tell you that that is a mistake in passing the legislation.

I think it ultimately will help. But I think we need to be able to have the manpower to deliver the services that are required.

REPRESENTATIVE HENNESSEY: Okay. Thank you very much. Thank you, Mr. Chairman.

CHAIRPERSON BIRMELIN: I have one quick question for you. One of the things that we hear when we tour the prisons is that there's a long waiting list to get in a lot of classrooms that you folks teach in. And in your testimony, you indicated that you have different gang members and different levels of behavior and so on and so forth.

It would seem to me that when these students are assigned to a classroom and they come in, they are

probably much better behaved because they know that if they don't behave or don't produce, they don't stay there long and there's somebody on a waiting list ready to be placed there.

Assuming all that is true, are you supported by your principals and your administrators when you do have a problem with a student, in getting them out of there for disciplinary reasons or simply because they don't study and they don't want to be there and don't do very well academically?

Do you get strong support from your administration for those situations?

MS. O'ROURKE: Personally, I have. It varies from institution to institution with the different administrations and the different institutions. Our concern is with all this great mixture. And while we've been able to deal with it over the past few years with no problems, now we've been hit with mandatory class sizes; that while they work in some institutions where the room is large enough, they don't work in other institutions. And this mix provides --

CHAIRPERSON BIRMELIN: Who imposed them on -- who imposed mandatory class size?

MS. O'ROURKE: Department of Corrections, Bureau of Correction Education. But they seemed to think

that a better way of dealing and servicing more inmates was to put more inmates in the classrooms, and they put a larger number in enrolled in hopes of getting a higher rate of attendance.

Some of us had no problem with attendance when we had 15 enrolled. Now the enrollment's up to 20 or 25. Some of the older institutions have very small rooms. And putting that many people with that many different, you know, young and old, various gangs, it's created some very tense classrooms with people bumping into one another.

CHAIRPERSON BIRMELIN: As a former teacher, I can understand and appreciate the problems that you're facing. I just -- I just know that you have a real strong incentive for your inmates to do well and to perform or they're not there.

And I just wondered if the administration was backing you up in that because ultimately, that may be your ultimate discipline in a classroom, is to remove that student and say, Hey, there's somebody else that wants that seat and if you don't behave, you're out of here. So, you know, we're going to run things my way or you're out.

MS. O'ROURKE: Probably throwing him out of the classroom of the prison is a lot more infrequent occurrence than what it is in the public school because they have a tendency to want to participate and to want

to --

CHAIRPERSON BIRMELIN: Yeah. That's my point. They really have a desire to be there. And consequently, you know, despite the fact that you have different gang members and, you know, different age differences and even ability levels, that that overall desire on their part to be there perhaps is, you know, alleviates some of that other negative stuff that you have to deal with.

MS. O'ROURKE: It does to a certain extent. Our only concern is when the increase in numbers happens, the increase in tempers and --

CHAIRPERSON BIRMELIN: I understand that. And every teacher wants to be one on one. Although, you know, that's obviously the ideal but impossible in prisons especially. Well, we want to thank you for your testimony. Do you have one quick short question that can be --

REPRESENTATIVE MANDERINO: I'm not going to promise that it's quick, but it is just one. This last conversation kind of made me realize something. Who -- with regard to education in the prisons, is the decision about what happens in each of those classrooms the decision of the central person at corrections with regard to education or the decision of the superintendent at that particular institution?

I mean, we just heard with regard to religion

that the superintendent of a particular institution has given kind of the final word about what will work in his or her institution; that if we could centralize it a little bit better, then people would have a real understanding of different religious practices and you wouldn't have to rely on the knowledge of somebody at a particular institution.

And I'm hearing you telling me something else. At a particular institution, a classroom size of 25 might not make sense and the superintendent on site would be able to see that. But he or she is not making that decision. The decision is being made centrally that there's going to be 25 people in each class. Now, am I missing something here?

MR. PALMER: I think it's a combination. I think the initial structure was educational issues were to be dealt with the Bureau at the Department here in Harrisburg and that other decisions, personnel-type things -- well, not personnel hiring but local issues would be handled locally.

I don't know that there's a clear-cut answer to your question. I think -- and I can only -- for instance, Cresson, we have a classroom up there that measures 13 by about 20. We had 20 -- or 12 students in that with a teacher and desks and so on from as long as I can remember.

Recently, when the mandate came out for 15, the institution was offered the right to ride a waiver. And 12 had been the number in that classroom. Now, most of you people probably have living rooms and maybe kitchens bigger than this classroom.

And if you put 12 -- or put 15 students and desks and a teacher and a teacher's desk and computers in, it's a crowded room. And it starts to get into a real security problem. But the superintendent on site chose not to request the waiver even though a waiver had been granted at one point in time before for the reduced number.

So it's kind of a -- of a working relationship between the Bureau of Corrections Education and the local superintendents.

MS. O'ROURKE: We have one classroom in one institution where if the teacher wants to work or has to work with the student in the back of the room, she has to go out the front door, down the hall and in the back door because there is just no room to get through the classroom.

Now, that would be a classroom where waiver of the class size would probably be proper. But I don't believe the principal at that institution has -- wants to request one. So in essence, it's done centrally; but local has a lot of inquiry into it.

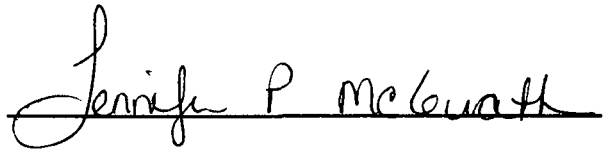
CHAIRPERSON BIRMELIN: Thank you very much,

folks, for your presentation and your willingness to come here today. This meeting is adjourned.

(Whereupon, at 12:52 p.m., the hearing adjourned.)

* * * *

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me during the hearing of the within cause and that this is a true and correct transcript of the same.



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Rep. Blum		8/9/2000
Rep Bernelis		9/14/2000
Rep James		9/14/2000