

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
APPROPRIATIONS COMMITTEE HEARING
BUDGET HEARING

STATE CAPITOL
MAJORITY CAUCUS ROOM
HARRISBURG, PENNSYLVANIA

MONDAY, MARCH 3, 2008, 12:00 NOON

VOLUME III OF V

PRESENTATION ON DEPARTMENT OF CORRECTIONS
AND BOARD OF PROBATION AND PAROLE

BEFORE:

HONORABLE DWIGHT EVANS, CHAIRMAN
HONORABLE MARIO J. CIVERA, JR., CHAIRMAN
HONORABLE STEPHEN E. BARRAR
HONORABLE CRAIG A. DALLY
HONORABLE GORDON R. DENLINGER
HONORABLE BRIAN ELLIS
HONORABLE DAN B. FRANKEL
HONORABLE JOHN T. GALLOWAY
HONORABLE WILLIAM F. KELLER
HONORABLE THADDEUS KIRKLAND
HONORABLE BRYAN R. LENTZ
HONORABLE TIM MAHONEY
HONORABLE KATHY M. MANDERINO
HONORABLE MICHAEL P. MCGEEHAN
HONORABLE FRED McILHATTAN
HONORABLE DAVID R. MILLARD
HONORABLE RON MILLER
HONORABLE JOHN MYERS
HONORABLE CHERELLE PARKER
HONORABLE SCOTT A. PETRI

1 BEFORE: (cont.'d)
2 HONORABLE SEAN M. RAMALEY
3 HONORABLE DAVE REED
4 HONORABLE DOUGLAS G. REICHLEY
5 HONORABLE DANTE SANTONI, JR.
6 HONORABLE MARIO M. SCAVELLO
7 HONORABLE JOHN SIPTROTH
8 HONORABLE MATTHEW SMITH
9 HONORABLE KATIE TRUE
10 HONORABLE GREGORY S. VITALI
11 HONORABLE DON WALKO
12 HONORABLE JAKE WHEATLEY, JR.

13
14 ALSO PRESENT:
15 MIRIAM FOX
16 EDWARD NOLAN

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DEBRA B. MILLER
REPORTER

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I N D E X

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1 CHAIRMAN EVANS: We are going to reconvene
2 the House Appropriations Committee meeting with the
3 Department of Corrections and Board of Parole and
4 Probation.

5 We are going to reconvene with the Secretary
6 of Corrections and the Chairperson of Parole and
7 Probation. We are reconvening the hearing.

8 Well, let me start off with you, Mr.
9 Secretary. Can you introduce yourself for the
10 record.

11 SECRETARY BEARD: Yes. Jeffrey A. Beard,
12 the Secretary of Corrections.

13 CHAIRMAN EVANS: Thank you.

14 Can I get your attention, please?

15 What I would like to do is start off with, I
16 have a story here that was in the Pittsburgh
17 Post-Gazette, and the story talks about 1 in every
18 100 Americans are in jail, and Pennsylvania leads the
19 way in the Northeast as the U.S. rate set.

20 My question is, with the package that the
21 Governor has proposed, how will that affect and begin
22 to reverse the trend of more people in jail and more
23 savings to us? Can you talk a little bit about the
24 package of bills?

25 SECRETARY BEARD: Yes, Mr. Chairman.

1 The legislative package that has been
2 proposed, and it is out there, will do a number of
3 things to help both the State Corrections Department
4 and the Board of Probation and Parole, and it will
5 help our county prisons, too, because right now, the
6 largest growing segment within our prison population
7 is the less serious offenders.

8 Last year, out of 10,000 people that we
9 received, some 6,400 of them, about 63 percent of
10 them, were what we call the part 2 less serious
11 offenders. They are what is driving the growth of
12 the prison population.

13 CHAIRMAN EVANS: When you say part 2, what
14 do you mean by that?

15 SECRETARY BEARD: The part 2 offenders are
16 people who primarily have been arrested for drug
17 offenses and property offenses as opposed to the
18 part 1 offenses, which are your murderers and your
19 rapists and your more serious offenders.

20 I think a lot of times when we think about
21 prisons, people think it's these more serious
22 offenders that we are locking up, that we are putting
23 in, the murderers and the rapists, but in fact while
24 we are incarcerating those individuals, it's the
25 less serious offenders that are driving the growth of

1 the prison population.

2 And what is really important with that group
3 of people, what is really critical with them, is that
4 they get the treatment that they need while they are
5 incarcerated. If they don't get that treatment, they
6 are going to go out, they are going to commit new
7 crimes, and they are going to come back again.

8 The legislative package really provides
9 incentive for them to get involved in the various
10 treatment programs that they need, because what it
11 tells them is that if you come to prison, if you
12 behalf yourself, if you get involved in the treatment
13 programs that you need to make a difference in your
14 life, and if you complete those programs -- because
15 the real key is program completion; that's where you
16 get the highest degree of success -- then you will
17 have an opportunity of getting out of prison a little
18 bit earlier.

19 Another piece of the legislation will also
20 allow us to go back and look at State Intermediate
21 Punishment cases. You know, a number of years ago
22 this Legislature passed and the Governor signed a
23 State Intermediate Punishment bill, but during the
24 first 2 1/2 years that we have had that bill out
25 there, we had a thousand referrals to that program,

1 but we had 4,600 individuals who came in who should
2 have been or could have been potentially referred to
3 that program.

4 So a second piece of that legislation will
5 allow us to go back to the courts, if we see that
6 there's a good case for State Intermediate
7 Punishment, and ask the court and the D.A. if they
8 would convert the sentence to State Intermediate
9 Punishment so that they could get the needed
10 treatment that they need so they are less likely to
11 come back to prison.

12 So, you know, I think what it will do, Mr.
13 Chairman, is it will set us on the road of dealing a
14 little smarter with our prison population rather than
15 just locking up more and more and more people at a
16 much higher expense each year.

17 I mean, if you go back to 1980, this
18 department cost the Commonwealth \$94 million, and
19 today, you know, in this budget that is coming up,
20 we are talking about \$1.7 billion, and I think what
21 that legislation will do is maybe help reverse that
22 trend.

23 CHAIRMAN EVANS: Say the package passes
24 tomorrow. Two, three years out, are you able to
25 judge in terms of percentage reduction on the budget

1 side what it will mean in terms of savings if it
2 passes? Because I know New York has something
3 similar to that. Are you able to give a little sense
4 of what would be the reduction on the budget?

5 SECRETARY BEARD: Well, we have tried to be
6 very conservative about what will happen with this
7 legislation, because I would much rather undershoot
8 than overshoot. But we believe that conservatively,
9 within 5 years, we will have 2,000 less inmates than
10 what we are projecting to have at that point in time.
11 What that means is that we won't have to build a
12 prison, because that is basically the size of the
13 prisons that we build.

14 CHAIRMAN EVANS: And what would that savings
15 be to the taxpayer?

16 SECRETARY BEARD: That savings would be
17 \$200 million in capital money and \$50 million in
18 operating money each and every year. That is what a
19 prison basically costs you to run and operate.

20 So conservatively speaking, we would save
21 that, plus we would save another \$20 or \$30 million
22 at least in the ensuing years, between now and the
23 fifth year down the road.

24 CHAIRMAN STABACK: Obviously, Commissioner,
25 you know, everybody always asks the question,

1 obviously what's the savings to the taxpayers.

2 On the safety side, which, you know, people
3 are going to raise, has there been any increase as a
4 result of, and I used New York as an example, because
5 I think that is what your modeling is after, but in
6 terms of safety, where people have seen there is an
7 uptick in crime of this nature with these
8 individuals?

9 SECRETARY BEARD: Well, you know, when we
10 started to put this package together, we put it
11 together with public safety in mind. We didn't put
12 it together with the idea that we were going to save
13 money or reduce beds, but that is the consequence
14 effect.

15 The real reason to do this is public safety,
16 and the reason--- And you are right. New York,
17 which did something similar to this about 10 years
18 ago, not only saw a drop in their prison population
19 to the point where they are talking about closing
20 prisons while we are talking about building prisons,
21 but at the same time, they saw their recidivism rates
22 get better because the people were getting into the
23 programs they needed to get into, and all during the
24 10-year, 11-year period since they started that,
25 their crime rate had been coming down and it

1 continues to come down today. So I would expect that
2 to happen here in Pennsylvania as well.

3 The group of people that we are talking
4 about, these less serious offenders, if you don't
5 properly give them the treatment that they need, that
6 is the group of people that is more likely to come
7 back to prison. That is the group of people that is
8 likely to keep driving crime out in our society.

9 So the primary reason to do this is public
10 safety. The secondary reason is, it will save us
11 some money and it will get, you know, our prison
12 population a little bit better under control.

13 CHAIRMAN EVANS: Madam Chairperson, have you
14 had a chance to look at the package suggested by the
15 Governor?

16 CHAIRMAN McVEY: Yes.

17 CHAIRMAN EVANS: Then tell us from your
18 perspective how it would be a savings.

19 CHAIRMAN McVEY: Well, again, I think what
20 Secretary Beard has said is absolutely correct.

21 We approach it from a public safety
22 perspective. It allows us to manage offenders who
23 are the less serious property offenders and drug
24 offenders differently, addressing their treatment
25 needs.

1 From my perspective, it will allow me in
2 this package to have a rebuttable or a presumptive
3 model of parole for this population so that we
4 demystify when they are going to be getting out of
5 prison. So they are incentivized to partake of the
6 treatment, develop their reentry plan, and come on to
7 parole.

8 The last piece of our package is the
9 administrative parole, which then allows us to take
10 this same offender, when they have successfully
11 stabilized them in the community, and move them under
12 administrative caseload.

13 So we will be able to have, in terms of cost
14 savings, very, very significant savings by moving
15 that population over into an administrative parole
16 after 1 year and to receive additional offenders who
17 are getting the risk reduction incentive credits.

18 So from a public safety perspective, it
19 manages the offenders as they need to be managed, and
20 it is a tremendous cost savings.

21 CHAIRMAN EVANS: Thank you.

22 Chairman Mario Civera.

23 CHAIRMAN CIVERA: Thank you, Mr. Chairman.

24 Mr. Secretary, just to go further with the
25 package, because I was very interested when you had

1 visited my office and we discussed this, where are
2 the bills presently? Some are in the House, some are
3 in the Senate. Could you give us---

4 SECRETARY BEARD: Well, actually, I think
5 all of the bills are in both the House and the
6 Senate. House Bills 4, 5, 6, and 7 all talk to the
7 kinds of things we have been talking about here
8 today. And then the Senate Bills are Senate Bills
9 1044, 1045, 1206, and 1207.

10 CHAIRMAN CIVERA: Have these bills cleared
11 the standing committees or are they on the calendars
12 in either chamber?

13 SECRETARY BEARD: I believe, the last I
14 checked on both the House and the Senate, the bills
15 are in Appropriations.

16 CHAIRMAN CIVERA: They're in our committee,
17 Dwight? Okay.

18 Thank you.

19 SECRETARY BEARD: Thank you.

20 CHAIRMAN EVANS: Vice Chair William Keller.

21 REPRESENTATIVE KELLER: Thank you, Chairman
22 Evans.

23 Chairman McVey, I have asked this question
24 from the Attorney General, and I don't know if there
25 is an answer, but do you have a statistic or are

1 there statistics available on how many crimes are
2 committed by people on parole?

3 CHAIRMAN McVEY: I don't have the exact
4 statistic for Pennsylvania. I do know nationally,
5 and I think Pennsylvania is very similar. It's a
6 very low percent of crimes committed by people while
7 they are under parole supervision, but I can get you
8 that information from a national perspective.

9 REPRESENTATIVE KELLER: I would appreciate
10 that. Thank you.

11 CHAIRMAN EVANS: Representative Katie True.

12 REPRESENTATIVE TRUE: Thank you, Mr.
13 Chairman.

14 Good afternoon to both of you.

15 SECRETARY BEARD: Good afternoon.

16 REPRESENTATIVE TRUE: Mr. Secretary, I think
17 we have talked about this at other Appropriations
18 hearings, particularly pertaining to this package
19 that you put forth. I lend my support. I believe
20 I'm a cosponsor on all the bills.

21 I think we talked about at the last
22 Appropriations hearing that you were here the fact
23 that I was in fact around when we were doing the
24 tough-on-crime, putting first-time users in jail, and
25 everybody at that time -- I'm forgetting if that was

1 the late eighties, nineties -- but everybody thought
2 that was a really good idea, and obviously it has not
3 worked, and that is why we have now come to standing
4 up and saying, it has not worked and we have to do
5 something better.

6 And I have an article from the Pittsburgh
7 Post-Gazette, and I just, if you don't mind, want to
8 read it into the record and then I have a question
9 for you.

10 A Susan McNaughton, who is a spokesperson
11 for your agency, said that "Substance abuse is the
12 root of many of the inmates' criminal thinking."
13 Great sentence. "Since the prison system
14 traditionally might not treat their substance abuse
15 problems, those inmates are likely to reoffend." I
16 couldn't agree more.

17 My concern is the funding, and I want to
18 know, without putting you on the spot, if either of
19 you would venture, you know, are we doing enough?
20 Because I don't think we do enough on this particular
21 issue. And I don't think the 30-day detox does
22 enough, where we just detox them and send them back
23 out, and long-term care of abusers is the only way to
24 go.

25 So in a nutshell, and I'm not asking you to

1 have a crystal ball, but are you confident or do we
2 need to do a lot better with the kind of funding we
3 are going to put up front that we should put up for
4 this problem, which I think over the years we have
5 traditionally not funded properly?

6 SECRETARY BEARD: Well, actually, I think
7 that things have gotten a little bit better more
8 recently, and we have been able to build more
9 capacity in the drug and alcohol area.

10 In fact, in this year's budget, I got
11 additional treatment physicians that will allow me to
12 start additional therapeutic communities within the
13 institutions.

14 In addition to that, when we reopened
15 SCI Pittsburgh, I made a determination that rather
16 than reopening that as a maximum security prison, we
17 were going to reopen it as the drug and alcohol
18 treatment prison of the west, because we have Chester
19 in the east, and we have done that and we are still
20 ramping that up.

21 So I think over the course of the next 6 to
22 9 months, with Pittsburgh coming on line, with these
23 new positions that we got in this year's budget
24 coming on line, that we are going to be able to see a
25 real substantial increase in the amount of substance

1 abuse treatment and other treatment that these
2 inmates need being taken care of.

3 You know, I guess before I say I need more
4 money, I would like to go out and make sure that what
5 I have now isn't enough. And, you know, we have been
6 look at our waiting lists that we have. We do have
7 waiting lists. We are hopeful that we have enough
8 resources to bring them down, but if we don't and if
9 I find next year that we need more, then I will be
10 back trying to get some more money for that.

11 I want to make one further comment. I
12 totally agree with you about the 30-day detox thing.
13 If somebody thinks that putting somebody in a
14 substance abuse program for 30 days is going to make
15 any difference, they are wrong. You need at least
16 90 days and probably more like 6 months in many
17 cases, and then you need to follow that with some
18 really good aftercare if you really want to make a
19 positive effect with these substance abuse issues.

20 And the programs, the legislation we are
21 talking about, all was pointed in that direction,
22 doing those kinds of things.

23 REPRESENTATIVE TRUE: Well, I really
24 appreciate that, and I can't tell you how good it is
25 to have government officials agree with that

1 position, because I think until we all start going in
2 that direction, we are never going to get ahold of
3 this problem, and I thank you for your advocacy.

4 Thank you, Mr. Chairman.

5 CHAIRMAN EVANS: Representative Jake
6 Wheatley.

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

9 Good day to both of our guests this morning.
10 Or good afternoon now, I guess.

11 First let me begin by stating that it is
12 always difficult for me when I have the Department of
13 Corrections before me, because really, I believe once
14 we get them into your system, we have already broken
15 down as a system, in general as a government.

16 And the good thing about this current
17 Administration is, I think that they are at least
18 cognizant of their investment that is necessary on
19 the front end to try to eliminate the costs on the
20 back end, meaning, the fact that we are investing
21 more and more in education and the fact that we are
22 really trying to invest in job creation and ways of
23 making sure people skills match the new creation of
24 jobs that we're trying to do so people have options
25 will probably have some benefit to us on the back end

1 so that we don't have to see that continued
2 reinvestment in building institutions to punish and
3 control and then to repopulate them back into the
4 system.

5 But that you are here is a question, and
6 that your department is one of the fastest growing
7 departments is a question that is always perplexing
8 and challenging to me and goes to the Board of
9 Probation and Parole first.

10 I noticed in your document you talk about
11 reentry, that successful reentry programs are the
12 best way to try to reduce the likelihood of people
13 recommitting crimes.

14 I have knowledge that a lot of your
15 offenders, from the numbers that you talked about,
16 are nonviolent drug offenders who may be coming back
17 into the system, but we have laws that prevent them
18 from being able to access driver's licenses, and at
19 that point, it makes it very difficult for them to
20 get into particular jobs.

21 Are you working with them around those
22 issues? And if you can suggest to me, have you
23 come into barriers around driver's license issues
24 for ex-offenders who are coming back into the
25 market?

1 CHAIRMAN McVEY: We have. Actually, we are
2 working with the Department of Corrections, who now
3 works, before the offenders get out, to get them
4 their identification card through PENNDOT, which is
5 very helpful. And other identification; for example,
6 a Social Security card, which is fundamental.

7 Once they are out, we do work with offenders
8 to get their driver's license and get them
9 established in the community. But with the Social
10 Security card and their State identification number,
11 we are able to have them employed, working.

12 We work closely with Labor and Industry with
13 the CareerLinks to coordinate all that with
14 employers.

15 REPRESENTATIVE WHEATLEY: So the particular
16 interest that I have, and this question is to you, is
17 around the driver's license and drug offenders,
18 especially nonviolent drug offenders.

19 CHAIRMAN McVEY: Yes.

20 REPRESENTATIVE WHEATLEY: It is my
21 understanding that via the law that we have, they
22 cannot access a driver's license from the time they
23 get out of prison. They have to serve, dependent
24 upon the offense, it is a period of time before they
25 can access a driver's license. Is that correct? Or

1 do you run into that---

2 CHAIRMAN McVEY: Are you familiar with which
3 offense this is?

4 SECRETARY BEARD: Yeah. I think, you know,
5 that with certain DUI offenses and things like that,
6 that they would lose their right to have a driver's
7 license for a period of time.

8 But, you know, PENNDOT has really worked
9 very closely with us on this, and if we can't get the
10 actual driver's license, we get what is called a
11 nondriver's ID from PENNDOT, which is, you know, as
12 good. I mean, they can't drive with that, obviously,
13 but they can certainly use that for identification
14 purposes.

15 So, I mean, they have worked with us to the
16 point where they actually allow us to take the
17 picture of the individual and electronically transfer
18 it to them, and then they make up the ID and send it
19 in to us.

20 REPRESENTATIVE WHEATLEY: Thank you, Mr.
21 Secretary.

22 Now, help me understand the capacity
23 question for you as the Department of Corrections as
24 you project 5 years from now, 10 years from now.

25 Are we going to have to build more

1 facilities? And if so, how many facilities are you
2 anticipating us to build?

3 SECRETARY BEARD: Well, right now, if we
4 don't have any new legislation and if we go the way
5 things are going today, our projections are that
6 within the next 5 years, we will add just about
7 10,000 new inmates to the system.

8 Now, at the same time, we are in the process
9 of bringing on about 3,100 beds, and we have a
10 request in the capital budget for another 6,800 beds.
11 Those 6,800 beds would be three new prisons and four
12 or five new housing units.

13 Now, the cost of that to the Commonwealth
14 will be something over \$660 million in capital money,
15 and it will add about \$180 million to the annual
16 operating expense of the Pennsylvania Department of
17 Corrections over and above inflation and everything
18 else that we have.

19 So if you take those numbers together, that
20 means we are looking at bringing on, in the next
21 5 years, about 9,800 beds, and we are looking at
22 growing by about 10,000 inmates. So that means in 5
23 years, we will be a couple hundred in the hole from
24 where we are today.

25 And that means after expending \$665 million

1 in capital money and all that new money in operating
2 money each year, we could, in 5 years, again be out
3 of bed space, and what that would mean is that with
4 the projected rate of growth, that we would have to
5 then build one new prison each year at a cost of
6 \$200 million apiece and \$50 million in operating for
7 each year then on to keep up with the growing
8 population.

9 If we pass the legislative package that the
10 Chairman was referencing earlier, we hope that we
11 will only have to build two of those three prisons
12 that we are asking for, and we are hoping to be able
13 to put off future growth or future prison needs
14 perhaps for a number of years beyond that. And in
15 fact it might start us getting back in the right
16 direction here, and maybe by then we will be able to
17 be like New York and be talking about closing prisons
18 instead of building prisons.

19 REPRESENTATIVE WHEATLEY: And I appreciate
20 that, and I just have one final statement, and
21 whatever questions come out of that statement, you
22 can certainly submit your responses back to the
23 committee.

24 But I have said over the last couple of
25 years that I think we need to take a serious look at

1 our building boom and economic-driven perspectives on
2 correctional facilities -- where they are being
3 located, where we are expanding them -- because it
4 seems to me that the way we do the construction of
5 these facilities does not match the research that
6 talks about how best to serve these gentlemen and
7 women as it relates to correcting their behavior and
8 getting them back to become productive citizens.

9 And because of that, I think it becomes very
10 hard and problematic when we start talking about
11 correcting and changing behavior so that they do not
12 end up in your facilities, because to many folk, they
13 become economic generators. They are products that
14 help fuel an economy that is otherwise dying.

15 So I really would like to take a real
16 thorough analysis of how we are projecting the
17 growth, how we do our construction to manage that
18 growth, and if that matches research proven-based
19 strategies of how best to slow that growth, because
20 what I find is, there is no urgency to do that in
21 many quarters because of the way we have it set up
22 and structured.

23 So with that being said, Mr. Chairman, I
24 appreciate the opportunity to ask you a question, and
25 I look forward to working with you as we try to

1 manage this problem.

2 Thank you.

3 CHAIRMAN EVANS: Denlinger.

4 REPRESENTATIVE DENLINGER: Thank you, Mr.
5 Chairman.

6 Good afternoon.

7 SECRETARY BEARD: Good afternoon.

8 REPRESENTATIVE DENLINGER: A couple of
9 questions. As I have been reviewing your budget and
10 looking down over it, I guess two points of concern.

11 I see that the budget that you submitted is
12 built on the premise of the passage of the package,
13 and Representative Civera, of course, had asked for
14 and you provided some information about where those
15 bills stand.

16 It is a concern that we have worked those
17 assumptions into the numbers well in advance of it
18 actually becoming law, and couple that with the, I
19 guess, contract negotiations that -- you will need to
20 give me a status update of that, where those stand at
21 this point, but the potential hit to the Department
22 of Corrections could be, I understand, as high as
23 \$30 million. Are we adequate with the numbers that
24 we have presented here?

25 SECRETARY BEARD: I think the numbers that

1 are presented are adequate. I will say that the
2 H1 bargaining unit contract numbers are not included
3 in that budget and will have to be added in later
4 after the contract negotiations are concluded.

5 Historically, we have not included that
6 information in the budget, because then you are sort
7 of negotiating against yourself, and so that is why
8 those numbers aren't there. But you are absolutely
9 right; at some point, a particular amount of money
10 will have to be added to the budget request that is
11 there to take care of that H1 contract.

12 You know, we are hoping that we will have
13 that information before the passage of the budget.
14 The negotiations are ongoing at this particular time.

15 As far as the legislative package, you know,
16 you heard about a sense of urgency. I think there is
17 a sense of urgency here. And I didn't want to be the
18 next Commissioner who keeps building new prisons, you
19 know, and that's what it turns out that I'm going to
20 have to do, because if I don't, I'm not going to have
21 places to put people.

22 So there is a sense of urgency, and that is
23 part of the reason why we have included it as we have
24 in the budget request the way it is. And I realize
25 it hasn't passed, but it is predicated upon the

1 passage of that, you know, that legislative package.

2 REPRESENTATIVE DENLINGER: I appreciate
3 that. And I'm wondering, I understand that the
4 system at this point is about 10 percent over
5 capacity. Is that a fair statement?

6 SECRETARY BEARD: That would be an accurate
7 statement. We are at about 110 percent of capacity.
8 We have about 4,400 more inmates than we would like
9 to have to be able to operate most efficiently.

10 REPRESENTATIVE DENLINGER: In your
11 experience, and you have a long career with these
12 types of things, at what point does the judicial
13 system start to get involved with, I guess, mandatory
14 releases because we are overcrowded to such an extent
15 that it starts to be deemed cruel and unusual in
16 nature? Has that happened in other States? Is that
17 a risk that we have at this point?

18 SECRETARY BEARD: I think yes. There have
19 been situations. Philadelphia a number of years ago
20 was under a population cap. It has never really been
21 done to a State system, I don't think, though
22 California right now is on the brink of having that
23 done with them.

24 We certainly are not in as bad a shape as a
25 place like California. I think we are far away from

1 reaching the point where the courts are going to step
2 in and do something. But we are certainly not in the
3 position we would like to be in as far as being able
4 to best manage the population, to make sure that
5 everybody gets the programming that they need in a
6 timely manner before, you know, before they get
7 released and the like.

8 So, you know, my hope is that as we move
9 forward here and get some control over the growing
10 population, that, you know, these numbers will start
11 to come down and we get a little closer to that
12 100 percent of capacity instead of 110.

13 REPRESENTATIVE DENLINGER: One last
14 question, if I can.

15 I understand that we did have an inmate
16 escape at SCI Albion. I am wondering if you can tell
17 us exactly what happened in that case and what is
18 being done to remedy that.

19 SECRETARY BEARD: Well, we did. I think you
20 know that back in the late 1990s, we had a number of
21 escapes from some of our prisons, and after those
22 escapes, we took a very serious look at what we were
23 doing and really made a lot of improvements to our
24 perimeters, you know, with new electronic perimeter
25 detection systems and policies and procedures and

1 training. And the one thing that we fight against
2 all the time -- and we are not the only ones; I mean,
3 the military does, NASA does, everybody else does,
4 too -- is complacency, of people not really doing the
5 job that they should do on a regular basis.

6 And as I said in the press conference that
7 we held over that escape, if the policies and
8 procedures of the Department of Corrections and of
9 SCI Albion had been followed, that escape should not
10 have occurred.

11 The bottom line is that we had some staff
12 who didn't pay attention to what they were doing.
13 They didn't follow the procedures that they were
14 supposed to follow, and because of that, that allowed
15 this inmate to basically figure a way out.

16 In fact, we know, from what this inmate told
17 another inmate, that he was watching us. The inmates
18 watch us all the time, and he was able to figure a
19 way that, you know, if a certain person was working
20 at a certain time and he saw that person wasn't doing
21 their job, he would be able to effect an escape, and
22 he was able to do that.

23 Now, we have a very sophisticated set of
24 programs called Vulnerability Assessments that we do,
25 that we go into our facilities all the time, on a

1 regular basis, and try to do exactly what the inmates
2 are trying to do. We try to find the holes before
3 they find the holes, and often we do and often we are
4 able to fix them. Unfortunately, in this particular
5 case, we weren't. And I would like to be sitting
6 here and saying we have not had any breach escapes
7 since 1999. Unfortunately, I have to now say that we
8 did have one escape.

9 We did make a couple of minor changes as a
10 result of that escape. Anytime we have something go
11 on, we look and say, is there something else we can
12 do? Can we layer something else in there? Because
13 this whole thing is a matter of having a whole bunch
14 of layers, so that if they can get through a couple
15 of layers, there are still some that will catch them.

16 In this particular case, there were two
17 changes that we made. The one was that the person
18 went out in the trash. We now are requiring that any
19 trash be locked and held over inmate counts before
20 they go outside the institution. That way if an
21 inmate gets into the trash and the staff aren't doing
22 their job, aren't paying attention, we should catch
23 them before they go out, because the inmate count
24 will come up and show that they are short.

25 The second thing that we did is that this

1 occurred on a weekend. The inmate was able to see
2 that the officer during the week was doing his job
3 properly, but the officer who was brought in on the
4 weekend didn't do the job -- he was a relief officer
5 -- properly. That is how he was able to do it.

6 Most of our institutions did not take things
7 out over the weekends because of that, and so we have
8 now made it a requirement that you can't open the
9 sally port except on emergencies -- you know,
10 obviously for an ambulance or something like that.
11 You can't open the sally ports on the weekends, and
12 if you have to in an emergency, then we expect a
13 commissioned officer to be there.

14 So those were the two changes that we think
15 will help enhance things even a little bit further
16 than what we went. And one of the other things is we
17 were somewhat criticized with our notification up
18 there, how rapidly we notified the press and the
19 public.

20 It is one of those things that, at first,
21 they didn't know that this individual was gone, and
22 you have to balance between rapid notification and
23 needlessly upsetting people. We are going to err
24 more on the notification side.

25 And we also have added the media to our

1 rapid notify system, which dials everybody who lives
2 within a certain area of the prison. It dials the
3 numbers of everybody who lives there if we have any
4 kind of a major event. We have now added the media
5 to that same system so that they are notified more
6 rapidly as well.

7 So those are the changes that we hope will
8 enhance things and make it even less likely that we
9 will have another breach escape from one of our
10 facilities.

11 REPRESENTATIVE DENLINGER: Very good. I
12 appreciate those answers.

13 Thank you, Mr. Chairman.

14 CHAIRMAN EVANS: Walko.

15 REPRESENTATIVE WALKO: Thank you, Mr.
16 Chairman.

17 Secretary Beard and Chairman McVey, you
18 noted earlier that there are roughly 4,600 persons
19 who should have been referred to the State
20 Intermediate Punishment program but who, nonetheless,
21 are the Department of Corrections custody, and that
22 is different, of course, from people who are diverted
23 by drug treatment courts or mental health courts.
24 Correct?

25 SECRETARY BEARD: Yes.

1 CHAIRMAN McVEY: Yes.

2 REPRESENTATIVE WALKO: And then just my
3 follow-up question would be, what are the mechanics
4 involved? Say the bill that we are referring to
5 becomes law, what would be the mechanics of putting
6 those 4,600 people into the SIP program?

7 SECRETARY BEARD: Well, what we would do is
8 when we saw an individual who we think, after
9 assessing them, would be a good candidate for State
10 Intermediate Punishment, and, of course, if they are
11 one of these less serious offenders who is the type
12 of offender that is permitted, which is primarily
13 property and drug offenders, that would be permitted
14 to go into the program, then we would go back to the
15 courts and we would ask the court and the D.A. to
16 approve changing their sentence to State Intermediate
17 Punishment.

18 And what that would mean is that instead of
19 having a 2-to-4-year or a 3-to-6-year sentence, their
20 sentence could be converted to the flat 2-year
21 sentence of State Intermediate Punishment, which
22 would allow us to put them in this intensive drug
23 treatment program, not only in the prison but then
24 when they get back out into the community.

25 REPRESENTATIVE WALKO: And those would

1 primarily be done through Chester and Pittsburgh?

2 SECRETARY BEARD: Those are two places that
3 we do do the treatment -- I mean, run programs for
4 State Intermediate Punishment. As the numbers get
5 bigger, we may have other locations, like the boot
6 camp, or if we have some extra room in places like
7 that, then we may do some of it, too.

8 REPRESENTATIVE WALKO: Mr. Secretary, one of
9 the bills we refer to as part of the package, I
10 believe, dealt with nonviolent, terminally-ill
11 inmates. Is that correct?

12 SECRETARY BEARD: That dealt with what?

13 REPRESENTATIVE WALKO: Nonviolent,
14 terminally ill. Is that part of that package?

15 SECRETARY BEARD: Yes. There is a bill out
16 there, I think it is House Bill 7, that is to try to
17 sort of improve on the current compassionate-release
18 act that is out there, that would allow the
19 department to go to the courts and petition them to
20 release them into a hospice or into nursing-home care
21 if they were terminally ill.

22 REPRESENTATIVE WALKO: And again, are those
23 type 2 or program 2 offenses, nonviolent, drug
24 related?

25 SECRETARY BEARD: That particular bill does

1 not limit it to those types of offenders. That would
2 be open to any type of offender, as the current
3 compassionate-release act is today.

4 What it would actually do is, I think, put a
5 little more control on it, because the current
6 compassionate-release act does not have a guarantee
7 that the Department of Corrections will have any
8 input into what is going on, it does not have any
9 guarantee that the Commonwealth Attorney will have
10 any input, and it does not have a guarantee that the
11 victims will have input into what is going on. The
12 new act would have those guarantees and would require
13 those things to be considered before the courts went
14 and issued a release under that new act.

15 So I think it actually makes things better.
16 But it would be subject to anybody that is in prison,
17 just as the current act does.

18 REPRESENTATIVE WALKO: And regarding the
19 recidivism rate of 46.3 percent, how does that
20 compare to Texas and New York, as two examples?

21 SECRETARY BEARD: Well---

22 REPRESENTATIVE WALKO: Or if you don't have
23 it---

24 SECRETARY BEARD: I don't have that
25 specifically. I will say that we are probably a

1 little bit better than the national average, and one
2 of the reasons why our rate might seem higher than
3 some other States is because of the way that we are
4 currently counting our recidivism.

5 Right now, we count anybody who returns
6 within 3 years to get that rate. Some States, like
7 Ohio, and maybe I think New York, too, only counts
8 them once they are actually recommitted. So there is
9 a certain percentage of people that we get back in
10 but are not actually recommitted, and we are
11 currently counting them and probably artificially
12 making our rate look a little higher.

13 REPRESENTATIVE WALKO: Is that a technical
14 violator that you are talking about?

15 SECRETARY BEARD: Yes.

16 CHAIRMAN McVEY: And actually I would add
17 that our technical violator recidivism rate in the
18 last year has dropped from 2005 to now by 5 percent
19 for State-sentenced offenders. So we are under
20 the national average, which is a little bit over
21 50 percent.

22 REPRESENTATIVE WALKO: My gut would tell me
23 that the major contributing factor, or one of them
24 would be drug addiction, one of them would be alcohol
25 addiction. Is that correct? I mean, that those are

1 major contributing factors to recidivism.

2 CHAIRMAN McVEY: Yes. I would say that
3 there are basically three categories of offenders
4 that we now violate. One, those who are absconders,
5 who are choosing not to be supervised.

6 Those who are repeated drug failures.
7 Typically when an offender is out on parole and
8 starts to decompensate in terms of beginning to use
9 drugs again, we refer them to treatment programs, and
10 we work with them for a protracted period of time.
11 But there comes a point where we need to recommit
12 them and have them directed into the Department of
13 Corrections for programming.

14 The third category of offender that we
15 typically violate now are those who begin to act out
16 physically in terms of assaultive behavior.

17 REPRESENTATIVE WALKO: Is there a strain,
18 usually, of addiction among them, I mean, generally
19 speaking?

20 CHAIRMAN McVEY: Yes.

21 REPRESENTATIVE WALKO: Regarding the
22 Department of Corrections vocational-training
23 efforts, I have a license plate back in my office
24 made at SCI Pittsburgh, I've seen the upholstering
25 work at Dallas, and I wonder, just generally, how do

1 you assess the Department of Corrections' efforts and
2 put resources in the area of helping people return to
3 work?

4 SECRETARY BEARD: Well, you know, I think
5 more recently we have focused a lot of attention on
6 our vocational-training programs. We are trying to
7 make sure that we focus on programs that will give
8 people jobs that they can get when they get out into
9 the community.

10 So we look at the workforce investment
11 areas. We look at the types of jobs that are out
12 there, things like building trades, carpentry,
13 electrical, automotive, restaurant trades,
14 landscaping, custodial maintenance and things like
15 that. And we have begun over the last 3 or 4 years
16 to just focus on those kinds of programs and get rid
17 of some of these other programs where they would have
18 a more difficult time getting a job.

19 The other important thing that we have done
20 is that we have moved to see that our programs have
21 some type of certification, you know, ASE
22 certification, for instance, for the automotive side,
23 or what we call NCCER certification, which is a
24 certification that has a recognized standard out in
25 the building trades community.

1 And so a very high percentage of our
2 programs do give those certifications, and the ones
3 that don't currently, the few remaining ones, we will
4 either be getting rid of or will see that they do.

5 The other thing is in this year's budget, we
6 did receive 25 positions for our educational
7 programs, and most of those positions went for more
8 vocational training, and so we are going to see a
9 real substantial increase.

10 Last year, I think we had about 4,000 people
11 who completed our vocational-training programs. I'm
12 hoping you are going to see the numbers go up this
13 year, and then next year you should even see them go
14 up higher as we get these new programs on line.

15 The final thing that we did is we did take
16 \$7 1/2 million of money from correctional industries
17 and we used that to buy new state-of-the-art
18 equipment in our vocational-training programs so that
19 we are training people on the equipment that they
20 will use when they get out in the community and not
21 something that is 20 or 30 years out of date.

22 So I think we are moving in a really
23 positive direction there.

24 REPRESENTATIVE WALKO: Excellent, and I
25 think you are on the right track, both of you. And I

1 do have confidence that the legislation should be
2 enacted by June 30 or July 18 or whenever we are done
3 with the budget.

4 SECRETARY BEARD: Well, I certainly hope so.

5 REPRESENTATIVE WALKO: Thank you very much.

6 SECRETARY BEARD: Thank you.

7 CHAIRMAN EVANS: Representative Dally.

8 REPRESENTATIVE DALLY: Thank you, Mr.

9 Chairman.

10 I will be real brief. I know we are running
11 late.

12 Dr. Beard, getting back to the overcrowding
13 issue, you mentioned that you don't have concern, at
14 least at this point in time, as far as intervention
15 by the Federal courts. Is there some type of
16 guideline that you use in terms of percent of
17 overcrowding to ascertain when that threat, you know,
18 is real?

19 SECRETARY BEARD: Well, I don't know that
20 there is really a number that we look at there. I
21 think when we have to start taking program space and
22 turning it into space to house inmates like they have
23 done out in California, and when we have to take a
24 gymnasium and triple-bunk them as they are doing out
25 in California, I think certainly, once we get to that

1 point, we can say we have gone over the line.

2 REPRESENTATIVE DALLY: Okay.

3 SECRETARY BEARD: And, you know, that is why
4 I'm out there saying, hey, we need the legislation,
5 but we need this capital bill, too, because we have
6 to build some additional capacity.

7 REPRESENTATIVE DALLY: Right.

8 SECRETARY BEARD: Now, hopefully we can
9 limit the amount of capacity we have to build, but we
10 do have to build some capacity to get there.

11 The other thing that we look at is we
12 monitor on an ongoing basis the operations of all of
13 our facilities, and we look at things like assault
14 rates and things like that, and we look and see if
15 they are going up or down.

16 REPRESENTATIVE DALLY: Okay.

17 SECRETARY BEARD: Despite the fact that we
18 have been overcrowded, you know, I am very proud of
19 the 15,000 men and women of the Department of
20 Corrections, because they have just done a great job.

21 Since 2003, we have brought down the
22 assaults on staff by 39 percent. We have brought
23 down the assaults on inmates by 31 percent, and
24 we did that at a time when our population went up
25 12 percent.

1 So I think even though we are overcrowded,
2 we are managing it. I just don't want people to get
3 too comfortable with that and then leave us
4 overcrowded forever, you know, because that can be a
5 measure of complacency as well.

6 REPRESENTATIVE DALLY: Okay.

7 And finally, another question that is often
8 posed to me by constituents is, why aren't our
9 inmates engaged in more public-works projects? And I
10 understand that at the State level it is probably a
11 little different, because you are dealing with more
12 violent offenders and the like. But at the county
13 level, I would think it would be more appropriate.

14 But you go in other States, and you would be
15 driving down the interstate and you will see a Bureau
16 of Corrections bus with, you know, say a highway
17 beautification project. I mean, you are utilizing
18 inmate labor. Is that being done in Pennsylvania?

19 SECRETARY BEARD: Absolutely. We have over
20 60 community-work details in our facilities, and each
21 facility has one of their details that specifically
22 -- so there would be 27 of them -- that specifically
23 focuses on litter pickup.

24 They are out there on our highways every
25 day, unless, you know, the weather does not permit

1 it, and they are picking up. And I'm sure many of
2 the citizens of the Commonwealth have seen them out
3 there, because they have their little signs and
4 everything, too.

5 REPRESENTATIVE DALLY: Okay.

6 SECRETARY BEARD: In fact, last year, you
7 know, in working for PENNDOT doing that and working
8 for the Parks Department, we do work for nonprofit
9 organizations out there, we saved probably
10 \$6.4 million, and, you know, I think \$2.7 million of
11 it was PENNDOT that was saved by the people that were
12 out there picking up the stuff on the highways.

13 And then since 1995 when we started the
14 community-work details, we have been doing it for
15 about 13 years now, we have saved \$35 million for
16 those various organizations that we have been out
17 there helping.

18 REPRESENTATIVE DALLY: Great.

19 SECRETARY BEARD: So we are doing it, and we
20 are doing it about as much as we feel we can without
21 jeopardizing the public safety, because, again, we
22 have to make sure that the people we are putting on
23 those details are low-risk people that aren't going
24 to create a public safety problem.

25 REPRESENTATIVE DALLY: Right.

1 Well, that is great news. I guess perhaps
2 we don't see it in my area. I'm from Northampton
3 County. We don't have any State correctional
4 facilities in our area, so that could be why
5 people---

6 SECRETARY BEARD: That could be one of the
7 reasons---

8 REPRESENTATIVE DALLY: ---they don't see it.

9 SECRETARY BEARD: Yes.

10 REPRESENTATIVE DALLY: Okay. Thank you.

11 CHAIRMAN EVANS: Representative Bryan Lentz.

12 REPRESENTATIVE LENTZ: Thank you, Mr.

13 Chairman.

14 Good afternoon, Mr. Secretary.

15 SECRETARY BEARD: Good afternoon.

16 REPRESENTATIVE LENTZ: I was reviewing this
17 PEW study, which the number really is shocking, I
18 guess, for lack of a better word, and there's a quote
19 in there that I found interesting at the end, at the
20 conclusion of the report. It says, "As a nation, the
21 United States has long anchored its punishment policy
22 in bricks and mortar. The tangible feel of a jail or
23 prison with its surefire incapacitation of convicts
24 has been an unquestioned weapon of choice in our
25 battle against crime."

1 Now, I spent some years as a prosecutor, and
2 I recall that there were certain crimes and certain
3 criminals for which there was no solution but to
4 house them for a long period of time behind brick and
5 mortar, but that was, in my experience, the minority
6 of the cases. The bulk of them were the cases that
7 you have described where everybody knew at the time
8 of sentencing that this person would reenter society.

9 I also was a prosecutor in Philadelphia when
10 they had the problem with the prison cap, and I can
11 tell you it was debilitating to the criminal justice
12 system there to have to tell victims that the
13 defendant that had victimized them was out on the
14 street because there wasn't enough room in the
15 prison. And it seemed to me to be a logistical
16 problem that we as a State and as a country should be
17 able to solve.

18 And I'm curious, to use the PEW phrase of
19 "weapon of choice," is there any movement that you
20 are aware of or any study being done to move away
21 from brick and mortar? And I ask that because on the
22 investigative end of the criminal justice system, we
23 have seen a revolution in technology from DNA to
24 everything you see on television or read about in the
25 papers. I'm wondering if there's a similar

1 revolution in the way we monitor criminals. You
2 know, you testified before the Judiciary Committee,
3 and you get the impression from some of what you said
4 that some of our prisons are becoming like nursing
5 homes---

6 SECRETARY BEARD: Yes.

7 REPRESENTATIVE LENTZ: ---and it makes me
8 think that in the nursing-home industry, they are
9 using technology to monitor patients with Alzheimer's
10 to prevent them from leaving the property, to wear
11 bracelets to cause the door to lock if they approach
12 the door.

13 And I'm wondering, is there a trend or is
14 there any movement to start using those kinds of
15 technologies to monitor the nonviolent criminals in
16 the community or outside of brick and mortar?
17 Because these prisons, as you pointed out, I mean,
18 \$200 million per prison. They are inordinately
19 expensive construction projects, and it seems to me
20 that we now have the ability to monitor people either
21 through electronic monitoring and the other many
22 technologies out there without having to stick them
23 in a concrete building. Is anybody looking at that
24 at our level, at the State level?

25 SECRETARY BEARD: Well, you know, I think at

1 the county level they are using electronic monitoring
2 to some degree, and I'll let the Chairman respond a
3 little bit to that, too.

4 But, you know, I think that the focus even
5 more -- because, you know, the monitoring doesn't
6 stop people from doing drugs and it doesn't stop
7 people from committing new crimes necessarily. I
8 think the focus really needs to be on things like
9 treatment courts and trying to divert as many of
10 these people from the prison system as we can, and
11 then when we can't divert them from the prison
12 system, to get them into State Intermediate
13 Punishment or to get them into programs where we
14 know we can make a difference rather than just trying
15 to lock people up for longer and longer periods of
16 time.

17 That is where we have made the mistake. I
18 mean, we thought that confining people for long
19 periods of time was going to make the difference, and
20 we know from the research that it doesn't. It's not
21 how long you leave somebody locked up, but it is that
22 some kind of a sanction occurred and then that the
23 factors that brought them to prison or into the
24 criminal justice system are being dealt with.

25 Those are the keys, and that is what I have

1 been out there trying to promote almost every year
2 since I have been in this job, and, you know, that's
3 the direction we need to go.

4 But as far as monitoring, maybe the Chairman
5 might want to give you a little more on that.

6 CHAIRMAN McVEY: Yes. Very common across
7 our county probation departments is the wide use of
8 electronic monitoring and other sorts of monitoring
9 devices to not only control location, such as
10 electronic monitoring, but also to monitor for
11 drug use, alcohol use. There is various technology.

12 For example, if you have a person who is
13 multiple DUI, there are systems that they wear 24/7
14 that can immediately detect the use of alcohol and
15 sets off an alarm. So it is widely used.

16 In our own parole system, we have in excess
17 of 400 offenders that we routinely keep on electronic
18 monitoring. So there's certainly a place for that
19 technology.

20 I would also add to what Secretary Beard
21 said in terms of the diversion, which is what you
22 were asking about, in lieu of bricks and mortar.

23 The use of specialty courts, as the
24 Secretary referenced -- Lackawanna is a perfect
25 example. I was up there a couple of weeks ago. They

1 have mental health court, they have DUI court, they
2 have domestic violence court, drug court, and they
3 are working very well to address the offender's
4 criminogenic needs.

5 So when you are addressing early -- and,
6 Representative, I think you alluded to this same
7 thing -- if you are addressing their criminogenic
8 factors locally in the community and using these
9 courts as a way to canvass all of the supports in
10 terms of case management and treatment, frequently
11 you have a very good outcome with that.

12 Lackawanna is one, and there are a number of
13 other counties in Pennsylvania that use those
14 diversion techniques.

15 REPRESENTATIVE LENTZ: Thank you.

16 CHAIRMAN EVANS: Cherelle Parker.
17 Representative Parker.

18 REPRESENTATIVE PARKER: Thank you, Mr.
19 Chair.

20 Secretary Beard and Chairlady McVey, I'm
21 sitting here thinking about the PEW report, listening
22 to your presentation today, and I can't help but to
23 think that we are thinking a whole lot about the
24 people who are incarcerated and the increase in that
25 number, but I really have not heard a lot about the

1 people who are affected, and that is mainly the
2 constituency of their children.

3 Do we in any way, shape, or form document
4 how many people who are in prison actually have
5 children in Pennsylvania? Do we know that number?

6 CHAIRMAN McVEY: I could answer part of
7 that, and the Secretary may want to add to that.

8 Nationally, about 85 percent of all
9 offenders have children who are actually minors. In
10 Pennsylvania, I think that number is probably very
11 comparable.

12 REPRESENTATIVE PARKER: Okay.

13 Tell me, is there any kind of coordinated
14 approach between our Department of Public Welfare,
15 local municipal departments of human services, to
16 ensure that those children who have very specific and
17 unique needs are coordinated and that we are working
18 with them?

19 Because what happens is, we begin to see
20 that there is this cyclical nature of generational
21 incarceration in families, and I'm wondering, has any
22 empirical research been done with how to prevent
23 those children who have parents who are incarcerated
24 from actually becoming inmates in the future
25 themselves?

1 CHAIRMAN McVEY: From a parole perspective,
2 I think you are absolutely right on in terms -- my
3 perspective is that when you are releasing an
4 offender back into the family, if the family is not
5 whole, if the family is not receiving the supports
6 and treatment that they need, bringing that offender
7 back into a family is only going to continue with the
8 downward spiral of the whole family unit.

9 I actually have a trip scheduled for New
10 York in April to look at a program that has national
11 acclaim called La Bodega, and it is a social work
12 kind of based system that as offenders are being
13 placed on probation or coming out of the prison
14 system, about 6 months before the offender is
15 reunited with the family, the case management system,
16 like DPW, the probation or parole officers, actually
17 do what is called a family assessment.

18 I'm very intrigued by that, and it has been
19 extremely successful in addressing those family needs
20 prior to the offender coming out so the family can be
21 a support to the offender and conversely. So I'm
22 looking at that model to do some application of that
23 here locally.

24 The other thing that we have done in Parole
25 is 2 years ago, I established throughout the

1 Commonwealth in each of my districts a family support
2 program, so that we notify families and we encourage
3 the offenders who have just received their parole
4 action to notify their family to come and spend an
5 evening with us, locally, in our district office, so
6 we can talk to the family about the offender coming
7 out, not just to explain the rules but to identify
8 how we can help the family and the family can be a
9 support to the parolee.

10 REPRESENTATIVE PARKER: Secretary Beard, is
11 there a direct correlation between the behavior of
12 inmates if they have had access to some sort of
13 parenting program or if they are connected to their
14 children? Do we see a difference in behavior?

15 SECRETARY BEARD: We have done some work on
16 parenting programs and we have done some research on
17 that, and there hasn't really been any connection
18 that we have seen there, no.

19 REPRESENTATIVE PARKER: Okay.

20 SECRETARY BEARD: But I will say that you
21 are right on the money. I mean, we know that
22 children of incarcerated parents are six times more
23 likely to be incarcerated themselves. I mean, it is
24 just an expedient kind of thing if their parents
25 have been in prison.

1 And just like Representative Wheatley
2 mentioned, the schools, you know, the things that we
3 are doing with the schools and economic development
4 so there are jobs out there, the kinds of things the
5 Governor has been proposing for the last 4 years,
6 that is really where we need to be making our
7 investments, and I think if we can do better in the
8 schools, maybe we can deal with some of those
9 problems with some of those children, you know, whose
10 parents have been incarcerated.

11 But I think that is where the investments
12 need to be made, and there are a lot of good studies
13 out there. There was a study by the Bureau Institute
14 that said putting money into schools, economic
15 development, increasing real wages, those kinds of
16 things, made more of a difference in reducing crime
17 rate than locking up more people.

18 In fact, that study said that once you get
19 over a certain incarceration rate, which Pennsylvania
20 went through in 1998, that by locking up more people,
21 you could actually be exacerbating the crime rate.

22 REPRESENTATIVE PARKER: Okay.

23 And my final question, Mr. Chair. You know,
24 in the city of Philadelphia, there was a bill passed
25 providing a tax credit to businesses who hire

1 nonviolent ex-offenders, and if you could just both
2 tell me from your perspective, do you think that is
3 something you would like to see duplicated across the
4 Commonwealth?

5 CHAIRMAN McVEY: Well, from a parole
6 perspective, the answer is a resounding yes.

7 We actually have developed some brochures
8 that we send out to employers that talks about the
9 Federal tax credits, and now with the tax credit that
10 has been developed in Philadelphia, we will also, you
11 know, utilize that to help educate employers so that
12 they understand the advantages to hiring the
13 ex-offenders.

14 So we, of course, are very supportive of
15 that.

16 SECRETARY BEARD: Right. And we would be
17 supportive of it, too, because right now, there is
18 only that \$2,400 Federal credit that you can get out
19 there, unless you are in Philadelphia.

20 So it is extremely important. Being able to
21 get not only a job but a family-sustaining job is
22 critical to the success of these individuals when
23 they come out of our prison systems.

24 REPRESENTATIVE PARKER: Thank you. Thank
25 you both.

1 CHAIRMAN EVANS: I would like to thank both
2 of you for coming before the House Appropriations
3 Committee, and I would like to thank you for what you
4 do for the people of the Commonwealth of
5 Pennsylvania. We appreciate this opportunity.

6 This meeting is now adjourned, but what I
7 intend to do is move Military Affairs back to 1:30.
8 We will reconvene at 1:30. We will go from 1:30
9 to 2. At 2 o'clock will be Education. Definitely at
10 1:30.

11 Again, we will reconvene at 1:30. Thank
12 you.

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14 (The hearing concluded at 12:59 p.m.)

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1 I hereby certify that the proceedings and
2 evidence are contained fully and accurately in the
3 notes taken by me on the within proceedings and that
4 this is a correct transcript of the same.

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Debra B. Miller, Reporter

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