



Chairman Ron Marsico
Minority Chairman Joseph Petrarca
House Judiciary Committee

December 7, 2015

Re: Senate Bill 859, PN 1421

Dear Chairman Marsico and Chairman Petrarca:

The Pennsylvania NewsMedia Association is the statewide trade association for print and online news media in Pennsylvania, and counts more than 300 print, digital and related media organizations as members. On behalf of PNA's members, we write to oppose language contained in Senate Bill 859, scheduled for a hearing on Nov. 7, 2105.

SB 859 would amend Title 42 to consolidate the Department of Corrections and the Board of Probation and Parole. Among its changes, SB 859 calls for new definitions to be added to Section 102 of Title 61. One of the new definitions would be "Official website," defined as "[t]he official Internet website designated by a municipality or county as its primary method of electronically communicating with the public about its official business." SB 859 also proposes a new section in Title 61, Section 9, designed to alert the governing body of a municipality or county about certain offenders residing in group-based homes. Proposed Section 5007 would require notification of group-based housing used for persons convicted of murder or similar offenses. Section 5007(b)(2) provides that a county may hold a hearing on this type of group-based housing and that such a hearing would be advertised using the county's "official website."

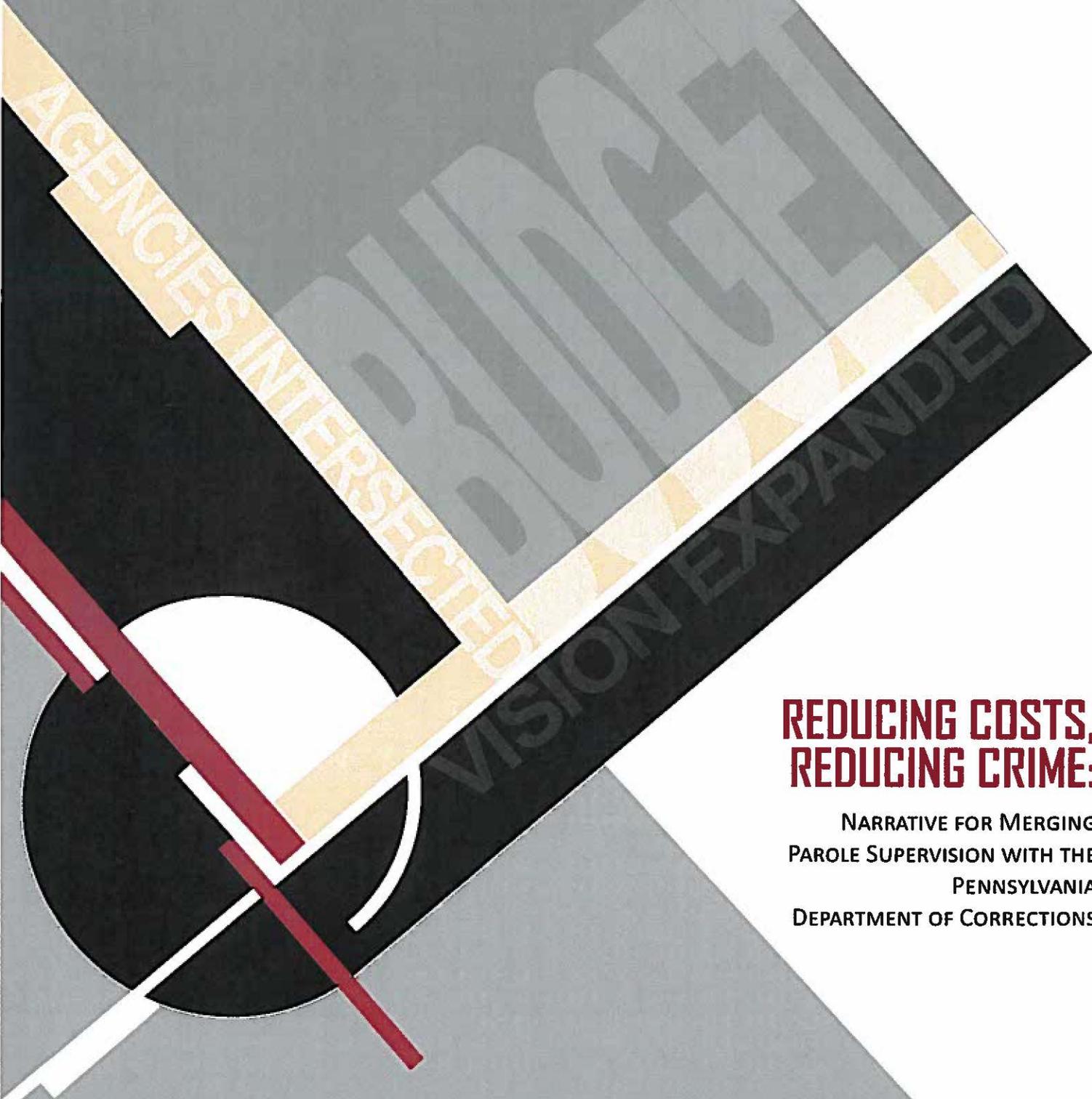
The Pennsylvania Newspaper Advertising Act (45 Pa. C.S.A. §301 et. seq.) requires that all official notices must be published in newspapers of general circulation and legal newspapers, where applicable, and a proof of publication must be filed in all cases, evidenced by a publisher's affidavit. In this way, Pennsylvania law requires an independently published notice to the public regarding government activities and proposals, in a way that reaches the most people, does not require the public to 'search out' information that they may not even know exists, on an often little-used government website, and, importantly, establishes an archived, verifiable proof that the notice required by law was correctly provided. Allowing "internet" publication, as permitted in the new definition of "official website" and through the proposed Section 5007 disenfranchises a significant portion of Pennsylvania's population. Numerous populations within Pennsylvania struggle to access the Internet, including farmers, senior citizens, disabled citizens, and certain socioeconomic groups. In addition, studies done by the Pew Research Center have shown that a number of citizens simply choose – for many reasons – not to use the Internet. Using a government entity's website is not a robust method to inform the public about an important matter, such as group-based housing that would include an offender who served time for murder. In contrast, more than 83% of Pennsylvanians read a newspaper each week, keeping Pennsylvania's newspapers the most read, most reliable place to read and establish legal proof of public notices.

We urge this committee to strike the proposed definition of "Official website" in Section 102 as well as the proposal to allow internet notification in Section 5007(b)(2). Thank you in advance for your consideration of our concerns. Please contact me at paulak@pa-news.org or (717) 703-3032 if we can provide additional information or be of any assistance.

Sincerely,

Paula K. Knudsen
Director of Government Affairs/Legislative counsel

cc: Sen. Stewart Greenleaf



**REDUCING COSTS,
REDUCING CRIME:**

NARRATIVE FOR MERGING
PAROLE SUPERVISION WITH THE
PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

OVERVIEW

Over the past several decades, we have seen an historic rise in the use of incarceration as a response to crime and a skyrocketing price tag to match. Fueled by true, bipartisan spirit, Pennsylvania's criminal justice policy changes have led to reduced inmate growth rates over the last few years, but we still have significant work to do. *In fact, one out of every 10 crimes in our state is committed by a person who spent time in a PA Department of Corrections (PA DOC) prison.* As two agencies whose joint mission is to improve public safety in Pennsylvania by having offenders leave prisons less likely to commit a crime and more ready to become full citizens and taxpayers - from the beginning of their incarceration through their discharge from parole supervision - the PA DOC and the Pennsylvania Board of Probation and Parole (PBPP) *have a responsibility to make a bigger impact.* This statistic illustrates a clear truth - that the way we have been doing things is not maximizing our opportunities, causing our progress to move at a snail's pace. While we keep waiting for such outcomes to catch up with our goals, more money is spent, focus is lost, and public safety is at risk.

If our goal is to reform offenders into successful citizens, then we must reform the path to their destination. Because, right now, our inefficiencies as two separate agencies working with the same individuals are creating roadblocks to success while inflating our spending along the way. Only by unifying our corrections system in a merging of parole supervision with the PA DOC - creating a new agency called the Pennsylvania Department of Corrections and Rehabilitation - can we significantly improve Pennsylvania's outcomes and increase public safety.

RATIONALE

In the context of current crime statistics and with high expectations at the fore, our merging agencies have the opportunity to drastically improve outcomes. Historically, our duplicative and overlapping use of resources to impact the same individuals has clearly resulted in both increased spending with diminished returns. Areas causing redundancy and other issues include:

- Duplicate administrative tasks.
- Outdated technological processes, equipment, and decision-making tools.
- Conflicting schedules.
- Parole delays due to communication issues between departments.
- Inconsistent placement, diagnosis, classification, and treatment.
- Two sets of orientations and two sets of expectations.
- Too much time spent on caseload/assessment.

Delivering offender and parolee supervision in an integrated way enables us to ultimately reduce crime together, by:

- Improving and increasing communication.
- Reducing caseloads for those supervising higher-risk offenders.
- Increasing field staff.
- Streamlining continuity of care and services.
- Employing new, research-driven strategies.
- Maximizing the efficient use of resources and funds by eliminating process redundancies and ineffective practices.
- Enhancing screening and assessment/providing better identification of individual's needs.

A NEW ROADMAP

Under the current landscape, overlapping processes and duplicative spending have become the unnecessarily long route around rehabilitating offenders and ensuring community safety. While the DOC and Parole as separate agencies have the same mission, their ability to reach this goal directly is hindered by inefficiencies. This route, however, does not have to be permanent. By carving out a new roadmap on which our paths intersect rather than run in parallel, we create both a broader field of vision and a sharper, more strategic focus. In this way, we maximize our use of resources while ensuring the most direct approach to rehabilitation and accountability for those under our care. And by concentrating funding on areas that need it most, we generate the most power to accelerate our impact on Pennsylvania's current crime statistics. In the context of this unobstructed roadmap, key strategies include:



ELIMINATING ADMINISTRATIVE REDUNDANCY AND OVERLAP

We anticipate approximately **\$6.2 million** in savings simply by streamlining our administrative offices, eliminating duplicative services, reducing time wasted on overlap, and modernizing our use of technology. To be clear, this does not include eliminating officer positions within the facilities or at the parole field agent level. Rather, by redirecting our focus and funding toward services and security, we can improve the overall success of offenders, an outcome that further strengthens our mission of community safety.



MAXIMIZING FIELD SUPERVISION

By combining corrections and parole, staff can work together efficiently and effectively not only to rehabilitate offenders, but also to help them stay on the right path after they are released back into the community. Pennsylvania is planning a "Swift, Certain, & Fair" method of managing Technical Parole Violators (TPVs). Essentially, it promises immediate, consistent sanctions for those who break the rules. In addition to targeting those at high risk of failure, this approach comprises several essential components:

- Initial notification hearings clearly inform program participants of expectations, rules, and consequences for infractions.
- Immediate, moderate, and graduated sanctions are consistently delivered for every infraction of the rules, typically several days in jail and escalating with each violation.
- Program participants are closely and regularly monitored.
- Frequent random drug testing. Drug treatment is mandated only for offenders who repeatedly fail, rather than for all.¹

¹VERA Center on Sentencing and Corrections (2010) More Than the Sum of Its Parts: Why Hawaii's Opportunity Probation with Enforcement (HOPE) Program Works. VERA Institute of Justice. Retrieved from <http://www.vera.org/pubs/more-sum-its-parts-why-hawaii-opportunity-probation-enforcement-hope-program-works-1>. February 2015

This method, already adopted and successfully implemented in several other states, would result in more individuals incarcerated but for shorter periods of time in secure Community Corrections Centers (CCCs), parole violator centers, state prisons, or county jails. In addition to generating more successful outcomes, this type of sanctioning is expected to save Pennsylvania taxpayers **\$4.1 million** annually. In fact, within the last month, Washington State DOC released a report of their "Swift, Certain, & Fair" program for state parolees. They found a **20% - 30% reduction in recidivism** and have also saved **\$40 million** so far.

Should Pennsylvania realize the savings we anticipate in our own merger and continue to eliminate redundancies, it would allow us to *increase our number of parole officers by 53*. And this increased number of field supervision staff would produce even more efficiency in cracking down on potentially violent offenders and sex offenders, as our use of technological tools, electronic formats, and tracking capabilities would be vastly improved. Working together in this unified effort, we can become even better at diagnosing problems, discerning treatment and vocational needs of offenders, and improving outcomes that propel public safety forward into the modern age.



A NEW ROADMAP (CONT'D)

EMPHASIZING USE OF MEDICATION-ASSISTED TREATMENT (MAT) AND OTHER METHODS FOR SUCCESS IN RECOVERY

Today, two-thirds of Pennsylvania's prison population is coping with an alcohol or other drug problem, and nearly one-fourth of our prison population is suffering from mental illness. In fact, the number of people annually incarcerated in the PA DOC with a heroin problem has doubled. Because of their prevalence and overwhelming capacity for blocking the success of offenders both before and after release, these issues must be treated with expertise and precision. To ensure any sort of successful rehabilitation and reentry, early and accurate diagnosis is essential, along with providing appropriate treatment, prescribed medications, behavioral therapy, and programming both in prison and after release.

MAT has gained huge momentum as a modern, successful, and research-proven way to help lighten the weight of addiction recovery, especially from opioids. For those who have been incarcerated or released from prison, addiction recovery can present an additional barrier to success, leaving many individuals on parole especially vulnerable and at risk to violate. The MAT program is just one of the important new tools our combined agencies can use to help these individuals cope with and recover from their addiction, manage relationships, and move on with life in the community. Together we can help them *sustain* their recovery success by first *supporting* their recovery success – sending home individuals who are not left on their own in recovery and have been afforded the understanding that the disease is not the crime.

FOCUSING FUNDING ON ESSENTIAL POSITIONS AND PRACTICES

When we think of funding, our prime focus must always be the care and control of the 50,000 inmates in our state prisons, as well as the continued monitoring of approximately 16,800 individuals released on parole every year. Consequently, the bulk of our budget rightfully needs to be directed into our facilities and our staff. By focusing funding on the most essential positions and practices, we can, as a single agency, **reduce costs by \$10.3 million dollars in the first full year** of the merger.

Across the country, most states have already found success in this combined model. In fact, **our state is one of only a small handful in the nation** in which corrections is not combined in some way with its parole agency. And the majority of these states have found tremendous success in a combined model. For example, in 2011, New York merged its Department of Corrections and Division of Parole, anticipating a cost savings of \$6.5 million in the first year. **Within months of the merger, those savings more than doubled to \$17 million** with the implementation of this more efficient system.

By merging two agencies into one, inefficiencies and overlap that become barriers to successful reintegration can be eliminated. Doing so will reduce parolee crime, a strategy that allows tremendous savings in taxpayer dollars to be realized.

This approach has the ability to eradicate Pennsylvania's most current statistics, which are staggering:

THE STATISTICS

- Approximately 1 in every 33 crimes committed in PA is by an active state parolee.
- Approximately 1 in 10 arrests that police make in Pennsylvania are of an ex-DOC offender.
- The 3-year overall recidivism rate for parolees is 60.3% compared with 60.9% for all individuals released from DOC, including parolees.
- The 3-year rearrest rate for parolees is 44.3%, compared with 48.2% for all individuals released from DOC, including parolees.
- The 3-year reincarceration rate for parolees is 47.5%, compared with 40.4% for all individuals released from DOC, including parolees.
- The annual crime rate (violent, property, and drug crimes) for active parolees is 10,711 per 100,000 parolees, compared with the annual crime rate of 1,118 per 100,000 PA residents for the general population. This means that the parolee crime rate is nearly 10 times the crime rate for PA's entire population.

A NEW ROADMAP (CONT'D)

To that end, we can install more efficient systems within the prison – such as a computerized assessment tool that would follow offenders from intake through release – freeing parole agents in the field from hours of paperwork. Computerizing records and files so we can avoid relying on the physical delivery of information will save time and money, resulting in a more timely release of offenders who have been paroled. By supporting this mission, we continue to make an offender's transition out as smooth as possible, maintaining single points of contact, a single set of rules to follow, and a consistent flow of support.

INCREASING EDUCATIONAL AND VOCATIONAL TRAINING PROGRAMS

About 90 percent of our population will return to their communities someday. Without viable work skills and a basic education, we would be setting these individuals up for failure. In order to stay relevant in today's job market, we must increase technology in the classroom for both education and training. Once paroled, individuals need to be able to navigate the Internet, and take advantage of all continually updated resources and connections we provide on where to find employment, affordable housing, necessary treatment, and other supports.

THE PAROLE BOARD, VICTIM ADVOCATE, AND SEX OFFENDERS ASSESSMENT BOARD

In between the corrections system and parole field supervision are the independent members of Pennsylvania's Parole Board, along with two other essential agencies – the Office of Victim Advocate (OVA) and the Sex Offenders Assessment Board. Common to all three of these groups is the need to have adequate support staff and administrative avenues to free the independent decision-makers on the Parole Board, advocates for victims, and professionals for the assessment board to devote their unique talents to their many programs and resources for the community.

ON THE HORIZON

Today, we have the opportunity to design a new corrections system for Pennsylvania. By intersecting two agencies that share responsibilities for the same individuals, we create a confluence of purpose – with more time, more talent, and more concentrated resources. Now is the time for us to exhibit a laser focus, carving into the correctional landscape a system of which we demand the highest standards in outcomes, both now and into the future. Our path to excellence together will be measured and purposeful, as we weather difficulties with tenacity, maximize efficiencies, repair our weakest areas, and enhance our strongest. Only by rerouting who we are and expanding our vision as one, under a new Department of Corrections and Rehabilitation, can we affect lives with the most powerful fuel to drive our most significant mission – continuing to improve our communities while reducing the crime that affects them.

“ One reason so few of us achieve what we truly want is that we never direct our focus; we never concentrate our power. ”

Tony Robbins