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PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

PRISON AND JAIL OVERCROWDING TASK FORCE

STEERING COMMITTEE MEETING PACKET

MARCH 5, 1984

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U.S. Department of Justice
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ACQUISITIONS

- I. A Review of Proposed Initiatives to Alleviate Overcrowding
- II. Summary of the Reformed Final Recommendations for Steering Committee Consideration
- III. Draft Outline for the Final Overcrowding Task Force Report
- IV. Reference Materials
 - A. State Correctional Institutions: Current and Future Capacity
 - B. Summary of the Governor's Budget Recommendations and Estimated Costs
 - C. Summary of the House Subcommittee on Crime and Corrections Recommendations and Estimated Costs

I. A REVIEW OF PROPOSED INITIATIVES TO ALLEVIATE OVERCROWDING

A briefing book was prepared as a resource document for the Valley Forge Task Force meeting. The book contained a matrix presenting specific proposals on which the Steering Committee felt the Task Force was very close to consensus regarding a final recommendation. Also, the book contained briefing papers on initiatives that the Steering Committee felt were still outstanding and required further review and deliberation by the Task Force. The following paper presents these same initiatives, the results of the work group and full Task Force deliberations at the Valley Forge meeting, and staff's observations and recommendations regarding each.

Initiative A: Establish a 500-bed regional facility in the southeast that would accept inmates with maximum sentences of from 2-5 years.

Work Group/Task Force Deliberations:

There was overall work group consensus on this initiative, albeit with some minor concerns. It was felt, for example, that judges might be giving out more 1 to 2 year sentences than 11½ to 23 month sentences in order to send the inmate to the state system. It was also mentioned that the 500-bed regional might be "overbuilding" to some extent.

With respect to these concerns, it was pointed out that we have no control over judicial sentencing and that we must assume that judges will remain "facility-blind" in their sentencing practices. Also, it has been shown that there is a need for such a facility in the southeast. If the inmate population dries up in future years, we will at least have a new facility that could replace one of our older institutions.

Perhaps the major concern was that of site. It was generally felt that there should be no mention of a specific site (i.e., county) in the initiative; only that it would be built somewhere in the southeast. In addition, it should be noted that this is a separate entity from the proposed Graterford construction.

The Task Force concurred with this initiative.

Staff Recommendation to the Steering Committee:

Establish a 500-bed regional facility in the southeast that would accept inmates with maximums of from 2-5 years.

Initiative B: Temporary expansion of cell space, primarily in the form of modular housing units.

Work Group/Task Force Deliberations:

There was overall work group consensus on the use of modulars. There was no dissent and little discussion on this issue.

The Task Force concurred with this initiative.

Staff Recommendation to the Steering Committee:

The Bureau of Correction's Special Services Division, in conjunction with PCCD, will provide an informational package on modular housing to be made available to all counties. This package can be completed by May, 1984. Also, it will be noted in the final report the value of modular units.

Initiative C: Intensive State Parole - Provide a program for release to very intensive supervision of those inmates eligible for a first parole who are past their minimum eligibility date, state technical parole violators recommitted to prison, and state parole violators detained in county jails pending disposition of non-violent less serious offenses or technical violation charges.

Work Group/Task Force Deliberations:

One of the work groups recommended that this initiative be implemented as a pilot project. This group suggested that the groups to whom this supervision would apply be staged. The pilot program should originally apply to Technical Parole Violators. If the program proves successful for this group, then those inmates past minimum should be included, and finally include those parole violators detained pending disposition of non-violent less serious offenses or technical violation charges.

Another work group suggested that this program should include or stress job counseling. The third group accepted the initiative in its present form.

The Task Force concurred with this initiative.

Staff Recommendation to the Steering Committee:

The staged implementation recommendation was apparently in reaction to the inclusion of a scaled down Intensive Parole Program in the Governor's present budget proposal. Given that proposal, staff recommends that Intensive State Parole be included as a Task Force recommendation and that the recommendation specify the present three groups of clients to which it should apply and the inclusion of job counseling. The actual groups or persons given Intensive Parole would be determined by the Parole Board. Further, if the present program is effective, it should be expanded next fiscal year.

Initiative D: Provide for the release by the court of certain non-violent offenders to a period of Intensive Parole Supervision after serving a relatively short period of incarceration (30 days) in the county jail.

Also provide Intensive Probation Supervision as an alternative to incarceration.

Further provide Intensive Probation and Parole Supervision as an alternative to revocation with incarceration.

Work Group/Task Force Deliberations:

The major concern, voiced in all work groups, on this initiative was that allowing Intensive Probation as a direct sentencing mechanism would not really affect jail populations. It was feared the offenders now given Intensive Probation and other borderline cases would still be incarcerated. It was suggested that by tying the use of Intensive Probation to Sentencing Guidelines, this "widening of the net" could be avoided. Another suggestion was that court fees could be charged to finance this program for individual counties.

The Task Force concurred with this initiative, providing there are safeguards to assure that this would be an alternative to incarceration, not an alternative to present probation supervision.

Staff Recommendation to the Steering Committee:

Staff recommends this initiative be included in the Task Force recommendations and that Intensive Probation, as a direct sentencing alternative, be limited in some fashion. Whether this limitation will be tied to Sentencing Guidelines or based on some other criteria should be studied further by both PCCD and the Parole Board and included in the final program design.

Initiative E: Intensive Supervision - This initiative would provide for the release of selected non-violent inmates who are in detention and cannot meet bail criteria. They would be assigned to intensive supervision under the probation department.

Work Group/Task Force Deliberations:

This initiative should be included under Initiative H (Revised Bail Practices/Conditional Release). Also, supervision of these detentioners may be under the local probation department or other appropriate agencies such as pre-trial services. The purpose of such supervision is to ensure appearance in court and is not punitive supervision. And, the initiative should be titled Supervised Bail Release or Intensive Pre-Trial Release.

There was general agreement by the Task Force to meld this into Initiative H and revise the label for the initiative.

Staff Recommendation to the Steering Committee:

Staff supports melding this initiative into the present Revised Bail Practices initiative and revising the name of the initiative to more clearly point to its pre-trial nature.

Initiative F: Intensive Pre-Release (Expanded Community Placement) - Provide for the increased placement of inmates in Community Service Centers (CSC). Generally, they would spend the first half of their pre-release program in the CSC and the second half under intensive supervision.

This would apply to state prisoners within 90 days of parole eligibility. Only those expected to be paroled at minimum would be eligible.

Also, in this initiative would be the provision for more CSC bed space for use by the Parole Board to place selected parole violators instead of recommitment.

Work Group/Task Force Deliberations:

There was very little discussion on this initiative. There was a question as to whether the Parole Board could legally place parolees in a CSC. This process is already used, but is limited due to the lack of bed space.

The Task Force concurred with this initiative.

Staff Recommendation to the Steering Committee:

Staff recommends this initiative be included with some minor adjustments in the implementation schedule to coincide with the two new CSC's proposed in the Governor's present budget proposal.

Initiative G: Finance the renovation/expansion of existing jails; providing the funds to make substantial improvements to antiquated and aging physical structures.

Work Group/Task Force Deliberations:

The primary dissent on this issue was that a total state appropriations approach to assist counties would be unfair to those counties which have already found ways to finance their own construction or renovation.

It was further mentioned that there are other financing options available. Sale-lease back is particularly good for renovations. It was pointed out that the state can get a better bond price than counties.

Perhaps the best suggestion for financing was a grant-in-aid type program. Monies could be budgeted to the Bureau of Correction.

Counties could apply for grant monies based on their meeting the minimum jail standards as set by the Bureau. Formulas for disbursement of the funds could be worked out. Basically, this approach would give some financial assistance but would place the impetus on the individual counties to improve their facilities.

There seemed to be no final consensus among the work groups (ranging from concurrence, to concurrence but more discussion, to rejection) or the Task Force.

Staff Recommendation to the Steering Committee:

This initiative should be eliminated from our package of final initiatives. Instead, we would point out there are counties which have a problem, but rather than the state providing funds through some kind of grant-in-aid program, the State would provide technical assistance to these counties via the PCCD's jail technical assistance program.

Initiative H: Revised Bail Practices/Conditional Release - This initiative is for a systematic statewide approach that develops a mechanism/procedure for the courts to assess risk and release defendants to a variety of particular bail options. Training for district justices, plus a review procedure whereby detained cases are reviewed in 3-5 days for possible release, are part of this initiative.

In addition, a county-by-county approach is also recommended. Technical assistance to help counties implement the systematic approach would be required. The initiative would concentrate on detentioners charged with non-violent, less serious crimes who are not able to make bail under current practices. Use of detainers which limit pre-trial release will possibly also be revised.

Work Group/Task Force Deliberations:

This is a broad context initiative and should possibly include some of the concepts in Initiatives E, J and L. Key actors that should be added include the Rules Committee of the Pennsylvania Supreme Court and the State Trial Court Judges Association. Importantly, it is suggested that the risk assessment and release mechanism not be done on a statewide basis. Concentration should be on counties that need and want this type of program. Each county assisted should have bail practices thoroughly reviewed and practices of components affecting bail procedures/decisions are subject to revision. If a statewide approach is not taken, then involvement by the Associations for the District Justices and the Trial Court Judges, along with the Pennsylvania Board of Probation and Parole and Supreme Court Rules Committee is probably unnecessary. If done only on a county-by-county basis, decisions on policy and procedures will solely be up to local officials.

General agreement was reached by the Task Force on this initiative, with possible linkage to other initiatives, and a revised title.

Staff Recommendation to the Steering Committee:

It is suggested that a working group coordinated by the PCCD be organized to develop a prototype for risk assessment and release procedures applicable statewide. This, of course, would then be tailored to individual counties.

Initiative I: Jail Overcrowding Technical Assistance - This initiative is a vehicle for implementing some of the other initiatives that have specific strategies. For counties with overcrowded jails, systematic technical assistance to the various components which affect the "in" and "out" decision is provided. The basic concept is to use the jail as a scarce resource.

Work Group/Task Force Deliberations:

This should be provided on a county-by-county basis to those counties which need such assistance. It is possible that small amounts of financial assistance may be available in July, 1984. Counties could use up to \$25,000 to implement programs developed through the jail technical assistance (\$100,000 is proposed in the Governor's Budget Request).

The Task Force concurred with this initiative.

Staff Recommendation to the Steering Committee:

PCCD should proceed with the full implementation of the Jail Technical Assistance Program.

Initiative J: Accelerating Court Processing - This initiative would give priority to incarcerated pre-trial defendants and convicted persons awaiting sentencing. Reducing the amount of time accused or convicted persons spend in detention potentially can curb crowding through reducing length of stay.

Work Group/Task Force Deliberations:

If pursued, this initiative should be melded into Initiative H. The Pennsylvania Supreme Court should be included as a key actor. Generally, it is felt that this proposal is good in theory, but very difficult to adequately develop. It is suggested that it be pursued in select counties where it is really needed.

The Task Force agreed this should not be a separate initiative, but may, in certain counties, be worth pursuing where court processing is seriously delayed.

Staff Recommendation to the Steering Committee:

This should be eliminated as a separate and distinct initiative and should be melded into Initiative H. Also, the suggestion that delays in sentencing largely contributes to overcrowding may not be germane since the persons remain incarcerated in a county or state facility, only in a different status.

Also, this area should receive on-going review, and appropriate state agencies and organizations should consider this a continuous concern. Perhaps a Court Processing Advisory Group should be formed, coordinated by PCCD.

Initiative K: Use of Juvenile Facilities - Secure care facilities for delinquent juveniles have been used below capacity in 1982. These spaces possibly could be used for 18-19 year old adults sentenced to the Bureau of Correction for non-violent crimes. The facility or facilities used would be chosen by the Department of Public Welfare and the length of stay would not be beyond the young offender's 21st birthday. The Juvenile Court Judges' Commission would review placements to assure protection to the public (risk due to violence, etc.).

Work Group/Task Force Deliberations:

All three work groups quickly rejected this initiative due to a potential for the mixing of juvenile and adult offenders. It was also mentioned that the impact would be very small. Two of the working groups did report that acquiring vacant juvenile facilities should be considered, along with any other vacant public facilities that would be suitable.

In the plenary session, there was no support for mixed housing in juvenile facilities. Also, the full Task Force was very much in favor of using any vacant public facilities that could provide housing, even if only temporarily.

Staff Recommendation to the Steering Committee:

Staff recommends rejection of this initiative as a separate entity. Instead, we will develop a new recommendation that vacant public facilities be utilized where possible to alleviate crowded correctional facilities. Non-correctional state agencies will need to aid in the identification and acquisition of such facilities.

Further, it should be noted that the Steering Committee never intended the mixing of juveniles and adults. The Steering Committee has considered vacant YDSs as a potential source of housing.

Initiative L: Use of Citations/Summons by Police - This initiative provides for charging suspected offenders without routine arrest, booking, arraignment and possible detention. For selected offenses, police would instead issue citations or

summons. Field citations or stationhouse citations would be used following existing procedures (Rule 53, Rules of Criminal Procedure). Summons would be issued by police for more serious cases requiring arraignment (per Rule 58, Rules of Criminal Procedure).

Work Group/Task Force Deliberations:

If pursued at all, this should be included under Initiative H. The Pennsylvania Supreme Court should be included as a key actor. It is suggested that this initiative only be done on a county level where interest is high. Technical Assistance staff (PCCD) should not spend priority time on this.

The Task Force did not consider this initiative to be a priority. Processing from arrest is acknowledged as an integral part to system improvement, but the impact on jail crowding for selected offenses is less than significant.

Staff Recommendation to the Steering Committee:

This should not be a separate initiative, but should instead be melded into Initiative H. Possibly, an advisory group or systems processing task force should be formed.

As mentioned previously, the following three initiatives were listed in the Valley Forge briefing book as initiatives requiring further Task Force deliberation.

Initiative: Emergency Release -- Originally, an Emergency Release Act similar to the Michigan Act was considered by the Steering Committee. The Steering Committee rejected this option. At the Carlisle Task Force meeting, several members thought Emergency Release required more study and could be a viable mechanism to ease overcrowding.

Work Group/Task Force Deliberations:

The discussions in all three work groups followed a similar path. The mechanisms outlined in the Michigan plan appealed to few Task Force members. All three work groups rejected the idea of an Emergency Release Act. Other suggestions from the work groups were:

- Emergency Release be mentioned in the report as a measure to be faced if other initiatives are not used well enough to reach specific prison population goals.
- An emergency plan or refinement of present release laws be prepared for the event of a severe emergency.

One group reported that we need to address a definition for capacity and set population goals. The group suggested we need to do something in the next two years and suggested a link between capacity and double-celling. It suggested our goal should be to eliminate double-celling by the end of 1985.

There appeared to be consensus of the Task Force that we do not need an Act (or a plan) as we already have the necessary mechanisms to accomplish the same result (pre-release and commutation).

Staff Recommendation to the Steering Committee:

First, no Act (or Plan) should be recommended for Emergency Release. A goal statement should be included in our final report. This could be as general as "the Task Force believes that double celling is an inappropriate correctional practice for both inmates and corrections staff, and should be eliminated." Also, we would point out that such an Act is an example of what may to be done if other initiatives we are recommending are not carried out, or fail.

The Task Force (primarily through the PCCD and the BOC) will continue to monitor the growth of our correctional population and evaluate on an on-going basis our release mechanisms and the need for any revisions.

Initiative: Mental Health - Although this is an important issue which needs to be addressed, it is more of an inmate management problem than an overcrowding problem.

Former recommendations arising from the September of the Prison and Jail Overcrowding Task Force included:

1. A mental health unit at the State Correctional Institution at Muncy should be established.
2. Female forensic units in the eastern and western parts of the state should be established.
3. A medium security forensic facility for men should be established (location not specified.)
4. The Commonwealth should assume costs for inmates committed under Act 143 from state correctional facilities and county jails/prisons.
5. Technical assistance to local systems for mental health services to county inmates should be provided.
6. Another legal category for inmates who are not committable under current law should not be created.
7. Developing regional facilities for mentally ill inmates is not recommended. Nonetheless, lack of services, especially at the county level, for committable inmates

awaiting transfer, and for inmates not committable who are unable to participate in the corrective setting due to some mental disturbances is a major issue. Emergency mental health resources and routine professional assistance are often not available, especially within county jails.

Therefore, additional services must be developed either at the individual facility or on a regional basis. For state prisons, work is in process and a 50-bed mental health unit is planned for SCIP. But little has been done at the local level. Consequently, the concept of regional mental health correctional centers needs further exploration, especially since a number of vacant state sites (land and buildings) might be available.

Working Group/Task Force Deliberations:

A major area of discussion was the procedures for referring inmates to treatment services within the institution. It was suggested that they should be less restrictive. To follow this, it was recommended that the criminal justice and mental health communities establish a concise procedure for providing mental health services to those inmates in need.

Additionally, the funds counties would save, if the Commonwealth paid for forensic services for inmates, should be appropriated to the local corrections budget to provide mental health services to those inmates not committable.

For state prisons, it is suggested that the SCIs should have crisis treatment units. At the county jails, it is suggested that mental health services should be developed at the county level by the Base Service Units.

In terms of the Commonwealth paying for forensic services, for inmates referred from both county and state institutions, there was some disagreement. Two groups concurred, but one group supported paying for state inmates, but not for county inmates because some inmates may be committed to forensic services to save the cost of housing them at the local jail.

Also, one group voiced concern over having "Act 143 units" inside a correctional facility. It was suggested that there are great differences between prisoners' rights and mental health patients' rights. (This has been a much debated topic within the PCCD Mental Health/Corrections Task Force.

There was general consensus that the mental health in corrections issue was indeed complex and convoluted and that the Task Force had not been able to adequately explore the issue. In addition, there was consensus that while it is a serious problem requiring action, it is not an overcrowding initiative.

Additionally, it was suggested that the Task Force findings would be referred back to the PCCD Mental Health/Corrections Task Force. This Task Force has been working on the issue since March 1983.

Staff Recommendation to the Steering Committee:

Staff concurs that this problem, though very important, is an inmate management issue and not a significant overcrowding initiative. Referring it back to the existing PCCD Mental Health/Corrections Task Force is supported, but it must be noted that policy issues must be decided about mental health in corrections, and the current Mental Health/Corrections Task Force primarily is technically very capable, but does not presently have a policy setting role.

Initiative: Establish a good time policy to be used as a population management and control tool.

Work Group/Task Force Deliberations:

There was consensus in all work groups as to the concept of good time; particularly pertaining to its element of population control. The feeling that line staff need some type of management tool went unchallenged and the concept of good time, within this framework, was seen as a valid and necessary initiative.

However, there was some dissent voiced by a few members on the issue of the acceleration of the parole eligibility date via good time. The feeling here was that good time would undermine our current sentencing structure and invalidate the Administration's "a sentence given is a sentence served" posture.

After coming to general consensus on the good time concept, the work groups discussed particulars of such a policy. While each group immersed themselves in the mechanics to varying degrees, a number of items came to the forefront. Ostensibly, these elements would provide the basic foundation for constructing good time legislation:

1. Good time should be called "Earned Time." Earned time would not be tied to participation in programs, rather, it would only be granted through good behavior.
2. The administration of earned time should be kept as simple as possible and thus, should be awarded based on a flat rate.
3. Earned time should be deducted from both the minimum and maximum terms.
4. Earned time should be awarded to all inmates (with the probable exception of lifers) serving state sentences. This would include county inmates serving state sentences.

The primary stumbling block on the administration of earned time comes within the county structure. While there was consensus that county

inmates should be awarded earned time, there was no agreement as to the method for instituting it. Should earned time legislation be mandated across the the board to include counties, or should the possible legislation only state that there is nothing to prevent counties from initiating their own good time policy?

There was Task Force consensus on the concept of earned time as well as the particular mechanics discussed above.

Staff Recommendation to the Steering Committee:

Staff recommends support of earned time legislation for state prisoners as per the attached draft. The issue of its application to county jails needs to be resolved, but staff recommends that technical assistance be provided to the counties in this area by PCCD and the Bureau of Correction and that the issue not be addressed any further in our final report.

DRAFT

EARNED TIME LEGISLATION

AN ACT

"An act to create a system of earned time credits for inmates serving state sentences in State Correctional Institutions, Regional Correctional Facilities and County Jails; to provide correctional administrators and officers with a population management and control tool; and to provide inmates with an incentive to abide by the rules and regulations established by the Commissioner of Corrections."

Section 1.0 Any inmate serving a state sentence (as defined by a maximum term of two years or more) imposed by the Court of Common Pleas shall, upon obedience of institutional rules and regulations, be awarded earned time credit at the rate of six days per month, to be deducted from the minimum term of incarceration imposed by said Court of Common Pleas.

Section 1.1 Any inmate under sentence of death or serving a life term shall be excluded from earned time provisions unless the original sentence has been commuted by the Board of Pardons, and such commutation has resulted in the setting of a new minimum term. In such cases, earned time credits will be awarded on the new minimum term.

Section 1.2 Any inmate serving a state sentence on or after the effective date of this Act shall be awarded earned time credits.

Institutional Rules and Regulations
Revocation of Earned Time

Section 2.0 The Commissioner of Corrections shall review the current rules and regulations concerning inmate conduct and revise such rules if deemed necessary. Criteria for Class I and Class II misconducts shall also be reviewed and revised, if necessary. Established criteria will apply to all state inmates in all institutional settings.

Section 2.1 The Commissioner of Corrections shall empanel a disciplinary hearing committee consisting of from 3-5 Bureau personnel to provide inmates with due process concerning any revocation or future withholding of earned time credits.

Section 2.2 An inmate who is charged with a Class I misconduct can, upon due process hearing, forfeit no more than one-half of his awarded earned time or six months (36 days) of earned time, whichever is greater. An inmate who sustains a second Class I misconduct shall forfeit all earned time previously awarded and shall not be awarded future credits for a period of at least one year.

Section 2.3 An inmate charged with a Class II misconduct can forfeit one month of earned time for the first offense, two months for the second, and three months for the third. For a fourth Class II offense, the penalty shall be that of a first Class I misconduct as enumerated in Section 2.2. For a fifth offense, the penalty shall be that of a second Class I misconduct.

Section 2.4 Any earned time that is forfeited through misconduct cannot be reinstated.

Administration of Earned Time Post Release Earned Time

Section 3.0 An inmate shall begin earning credits from the effective date of sentence. If an inmate is serving consecutive sentences, earned time shall be awarded or forfeited on each sentence.

Section 3.1 An earned time release date will be calculated shortly after sentencing. The inmate shall be notified in writing only that his release date will be accelerated through obedience of rules and regulations, also provided to him in writing; said inmate shall also be notified in writing, each month, that he has been credited with six days of earned time, providing good behavior.

Section 3.2 The Parole Board shall consider for parole any inmate who has reached his earned time eligibility release date. The earned time release date will be treated as a minimum term release date.

Section 3.3 Inmates placed on parole supervision shall be awarded earned time on the remainder of their maximum term upon release. This rate will be 12 days per month. Criteria for awarding or forfeiting earned time during supervision shall be established by the Parole Board.

II. SUMMARY OF THE REFORMATED FINAL RECOMMENDATIONS FOR STEERING COMMITTEE CONSIDERATION

Based on staff analysis of the deliberations on the initiatives at the Valley Forge meeting, the following is a summary of the revised and reformed program initiatives which staff recommends for final adoption by the Steering Committee. These initiatives are summarized in the table following the narrative.

A. Facilities, capacities, and related initiatives:

1. OCCUPANCY GOALS - as a result of continued population growth, the correctional system in Pennsylvania exists today with a capacity comprised of dissimilar beds in terms of quality, desirability, and management. Recognizing that correctional administrators have been forced to house many more inmates than originally intended, and that this situation is likely to continue in the near future, the Prison and Jail Overcrowding Task Force recommends that a population level not exceeding the realistic operational capacity of our correctional facilities should be achieved as quickly as possible. Our correctional system should be occupied at a realistic operational capacity that would provide safe and secure bedspace, permit adequate programming and other support services for inmates, provide a cushion of cells in the event of a temporary population surge, and in general promote the more effective management of our correctional facilities. An immediate goal will be to eliminate double-celling in our state correctional institutions by the end of 1985, and an occupancy level not exceeding realistic operational capacity shall be reached within 3 years.
2. EARNED TIME - The Task Force recommends, as soon as possible, the implementation of earned time for state prisoners (including state prisoners in county facilities). The earned time concept should be used as a population management and control tool. Also technical assistance should be provided to counties in this area by the Pennsylvania Commission on Crime and Delinquency and the Bureau of Correction.
3. 500-BED SOUTHEAST REGIONAL FACILITY - Recognizing the extent of the correctional crowding problem, and realizing that alternatives to incarceration and other initiatives are unlikely to solve the whole problem, the Prison and Jail Overcrowding Task Force recommends the immediate acquisition of a 500 bed regional facility in the southeast that would accept inmates with maximum sentences of from 2-5 years.
4. USE OF AVAILABLE VACANT SPACE - The Task Force recognizes that through a combination of alternative and capacity enhancement programs, measurable progress toward realistic operational capacity can be achieved over the next several years. The Task Force envisions the utilization of presently vacant public buildings to house selected low-risk, non-violent, offenders (e.g., DUI offenders incarcerated for 48 hours).

The Task Force anticipates there will be a real crunch on the corrections population through to 1990, but following that period there will be an easing, but that easing is not forever because there will be a new (but smaller) wave on its way through. Given this scenario, and the cost and time necessary to build new capacity, the Task Force recommends that we obtain additional capacity through the use of temporary existing facilities.

5. TEMPORARY EXPANSION (USE OF MODULARS) - The Task Force recognizes that increasing the capacity of the correctional system is an effective and direct means to address crowding. The Task Force recommends that the temporary expansion of cell space in crowded facilities be considered as an alternative to total replacement, and that the greatest temporary relief can come in the form of modular housing units.

Additionally, the Task Force recommends that the Bureau of Correction's Special Services Division, in conjunction with PCCD, provide an informational package on modular housing to be made available as soon as possible to all counties.

B. ALTERNATIVES TO PRISON/JAIL

1. INTENSIVE SUPERVISION PROGRAMS -

- A. Intensive State Parole - The Task Force recommends the establishment of a program for release to very intensive supervision of those inmates eligible for a first parole who are past their minimum eligibility date, state technical parole violators recommitted to prison, and state parole violators detained in county jails pending disposition of non-violent less serious offenses or technical violation charges.
- B. Intensive County Probation/Parole - The Task force recommends the establishment of a program to provide for the release by the court of certain non-violent offenders to a period of Intensive Parole Supervision after serving a relatively short period of incarceration (30 days) in the county jail.

Also provide Intensive Probation Supervision as an alternative to incarceration.

Further provide Intensive Probation and Parole Supervision as an alternative to revocation with incarceration.

2. INTENSIVE PRE-RELEASE (EXPANDED COMMUNITY PLACEMENTS) - The Task Force recommends that the Bureau of Correction be provided with sufficient resources to expand and intensify its pre-release program. The program would provide for the increased placement of inmates in Community Service Centers (CSC). Generally, they would spend the first half of their pre-release program in the CSC and the second half under intensive supervision.

This would apply to state prisoners within 90 days of parole eligibility. Only those expected to be paroled at minimum would be eligible.

Inmates selected for the program would be subject to greater levels of control and supervision than in a regular pre-release program.

3. PRE-TRIAL MECHANISMS - The Task Force recognizes that detentioners in our correctional system are a particularly acute problem and envisions several means to address this problem:

- A. Revised Bail Practices/Conditional Release - the Task Force recommends a systematic statewide approach that develops a mechanism/procedure for the courts to assess risk and release defendants to a variety of particular bail options. Training for district justices, plus a review procedure whereby detained cases are reviewed in 3-5 days for possible release, are part of this initiative.

In addition, a county-by-county approach is also recommended. Technical assistance to help counties implement the systematic approach would be required. The initiative would concentrate on detentioners charged with non-violent, less serious crimes who are not able to make bail under current practices. Use of detainers which limit pre-trial release will possibly also be revised.

Also a working group would be organized by Pennsylvania Commission on Crime and Delinquency to develop a prototype for risk assessment and release procedures applicable statewide. This would then be tailored to individual counties.

- B. Intensive Pre-trial Release - This initiative would provide for the release of selected non-violent inmates who are in detention and cannot meet bail criteria. They would be assigned to intensive supervision under the probation department, or other appropriate agencies such as pre-trial services.
- C. Accelerating Court Processing - The Task Force recommends that priority should be given to incarcerated pre-trial defendants and convicted persons awaiting sentencing. Reducing the amount of time accused or convicted persons spend in detention potentially can curb crowding through reducing length of stay.

Also, this area should receive on-going review, and appropriate state agencies and organizations should consider this a continuous concern. A Systems Processing Advisory Group could be formed, coordinated by the Pennsylvania Commission on Crime and Delinquency, to study and make recommendations regarding processing problems in the criminal justice system.

4. Jail Overcrowding Technical Assistance - This initiative is a vehicle for implementing some of the other initiatives that have specific strategies. The Task Force recommends for counties with crowded jails, the provision of systematic technical assistance to the various components which affect the "in" and "out" decision-making process. The basic concept is to use the jail as a scarce resource.

SUMMARY OF RECOMMENDED INITIATIVES WITH POTENTIAL FOR APPROXIMATELY
2,000 COUNTY BEDSPACES AND 2,000 STATE BEDSPACES

PROGRAM INITIATIVE	AGENCY WITH LEAD RESPONSIBILITY*	POTENTIAL IMPACT ON INMATE POPULATION	POTENTIAL COST (ESTIMATES)	TARGET DATE
1. Occupancy goals	BOC	Eliminate double celling	Unknown	End double cell 12/85
2. Earned Time	Governor's Office/ Legislature	SCI Population: Year 1 - 200 Year 2 - 400 Full Effect - 1000	Unknown	Start Earned Ti 1/85
3. 500 Bed Southeast Regional Facility	BOC	County Population: 250 SCI Population: 250	\$22.5 million to construct	Complete constr tion 1988
4. Use of available vacant space	PCCD	1 for 1 reduction	Unknown	Start surveying sites immediate
5. Temporary Expansion (modulars)	BOC in conjunction with PCCD	1 for 1 reduction	Packet - minimum cost modulars - \$20K/Bed	Packet complete 5/84
6. Intensive super- vision programs	PBPP in conjunction with Chief Probation Officers' Assn.	SCI Population: 300 County Population: 800	\$1.8M/yr.	Start programs 7/85
7. Intensive pre-release	BOC/PBPP	SCI Population: 200	5 CSCs - \$900,000	Bring on CSCs 1985-86
8. Pre-trial mechanisms	PCCD	County Population: 1,000	\$200,000/yr.	Start programs 1/85-7/85
9. County Jail Technical Assistance	PCCD	Overlap with above	\$40,000/county	Now in process

*This column identifies the initial actor responsible to start the process; obviously, all initiatives require Gubernatorial/Legislature action/support.

IV. REFERENCE MATERIALS

A. STATE CORRECTIONAL INSTITUTIONS: CURRENT AND FUTURE CAPACITY

The attached table shows the current capacity of each institution, the previously budgeted additions, as well as the recently proposed additions per the Governor's 1984-85 budget.

The current capacity of the state system (9,517) will be approximately 13,309 by 1988. Along with the previously budgeted 2,880 cells, new proposals include 588 beds in modular units to be placed in seven institutions. Three new CSCs are scheduled to open, with one due on line prior to July 1, 1984. Each CSC will house approximately 30 persons. In addition, 150 cells will be added to the Retreat renovation and Waynesburg YDC will be transformed into a 150-bed female facility.

The modular units are expected to come on line in August/September of this year. The Waynesburg facility will begin receiving female inmates around January 1985 and the new cells at Greensburg and Mercer are expected to come on line in November/December 1985. The remaining construction and renovations will be completed by 1988.

PROJECTED PRISON POPULATIONS

In late 1981, PCCD produced prison population projections to evaluate the impact of the proposed Mandatory Sentencing Laws and Sentencing Guidelines. These new sentencing policies called for dramatic changes in judicial decisions and probability of incarceration for certain offenders. The projections were made using 1980 incarceration rates and expected 80% compliance with new sentencing policies.

Projected Average Daily Populations in state prisons were:

1985	11,927
1990	14,695
1995	14,879
2000	15,439

As of January 31, 1984 the state prison population had already reached the level projected for 1985. Obviously, these projections are somewhat low, whether this is due to better compliance with new sentencing laws or inaccurate projections of general state population is unknown at this time.

In the next few months, PCCD will attempt to produce new projections based on 1983 incarceration rates, which should include a full year of sentencing under new sentencing policies. Also, new projections of general population based on the 1980 census should be available.

In any case, the present projections indicate that without the use of some of this Task Force's recommendations, double-celling would probably continue into 1990.

STATE CORRECTIONAL INSTITUTIONS
CURRENT AND FUTURE CAPACITY

<u>INSTITUTION</u>	<u>CURRENT POPULATION (JAN. 1983)</u>	<u>% OF CAPACITY</u>	<u>CURRENT CAPACITY (*)</u>	<u>APPROPRIATED ADDITIONS</u>	<u>RECENTLY PROPOSED ADDITIONS</u>	<u>FUTURE CAPACITY</u>
Camp Hill	1836	118%	1552 (104)		** 52	1604
Dallas	1495	135%	1107 (104)	200	**104	1411
Graterford	2434	115%	2105 +	500	**104	2643
Greensburg	449	177%	243 (52)	150		393
Huntingdon	1692	134%	1259 (60)		** 52	1311
Mercer	396	157%	252 (52)	180	** 52	484
Muncy	385	113%	338		**120	458
Pittsburgh	1469	125%	1170			1170
Rockview	1437	123%	1166 (104)		**104	1270
CSCs	322	99%	325	30 (1 CSC)	60 (2 new CSCs)	415
Group Homes	12	--	--	--	--	--
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Waynesburg					150	150
Cresson				500		500
Retreat				350	150	500
Frackville				500		500
Smithfield				500		500
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TOTAL	11,927		9,517 (476)	2,910	948	13,309

(*) Current capacity figures include modular units. Modular bed space is shown in parentheses.

+ Current capacity at Graterford includes 66 trailer beds. These will not be utilized in the future and are not reflected in the future capacity totals.

** Modularity.

B. SUMMARY OF THE GOVERNOR'S BUDGET RECOMMENDATIONS AND ESTIMATED COSTS

1.	Capital improvements including additional cells at Greensburg and second phase of renovations at SCIP	\$ 48,000,000
2.	Staffing and operation of existing permanent and modular facilities	\$ 10,000,000 (approx.)
3.	11 new 60-65 person modular units at 7 institutions, 2 new CSCs, and conversion of Waynesburg YDC to female institution	\$ 6,000,000
4.	50-bed expansion at Farview State Hospital	\$ 1,600,000
5.	PBPP maintain average caseload at acceptable levels	\$ 400,000
6.	PBPP intensive supervision demonstration program	\$ 600,000
7.	PCCD Jail Technical Assistance	\$ 100,000

C. SUMMARY OF THE HOUSE SUBCOMMITTEE ON CRIME AND CORRECTIONS
RECOMMENDATIONS AND ESTIMATED COSTS

A. Initiatives Affecting Initial Incarceration		
1. Reducing Pre-trial Detention in County Jails		\$ 200,000
2. Emergency Mental Health Commitment Policy		Minimal
B. Expansion of Community Services Centers and Intensive Probation Program		
1. Community Services Centers (\$5,000/bed/year)		275,000 (budgeted)
2. Intensive Probation		600,000 (budgeted)
C. Conversion of Existing Facilities		
1. Identifying Sites		Minimal
2. Expediting Previously Authorized Construction		Unknown
3. 500-bed Regional Correctional Institution		22,500,000*
4. Modular Housing		6,000,000 (budgeted)
5. Loans to Counties for Construction		Not estimated
6. Grant Program for DUI Offenders		1,600,000
D. Interim Coping Mechanisms		
1. Hiring 322 New Correctional Officers		6,595,000 (2/3 budgeted)
2. Purchase of 7 Metal Detectors		42,000
3. Increased Security at Camp Hill		1,129,000 (budgeted)
4. Training County Correctional Officers		1,997,200
5. Mental Health Units in State Prisons		1,772,000 (budgeted)
6. Staffing Mental Health Units		1,463,676
7. Female Forensic Unit at Mayview		Not estimated
8. Screening and Diagnostic Programs		Not estimated
Total Cost of Implementing Recommendations		\$44,558,876

*Capital Cost