

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 173

Session of
1975

INTRODUCED BY HAMMOCK, RHODES, SCIRICA, W. D. HUTCHINSON,
OLIVER, RICHARDSON AND FISHER, OCTOBER 2, 1975

REFERRED TO COMMITTEE ON RULES, OCTOBER 2, 1975

In The House of Representatives, October 2, 1975

PREAMBLE

1 Law is the foundation on which a good correctional system is
2 founded. An effective correctional system cannot exist without a
3 good statutory foundation. Good law paves the way for good
4 administration, but it does not assure it. When appropriate
5 programs are authorized, but poorly funded, poorly administered,
6 or poorly staffed, then little benefit accrues.

7 In order to have an effective correctional system, it is
8 essential that the Legislature seek to obtain and assess
9 comprehensively the public policy on corrections and the general
10 goals and approaches for the exercise of correctional power.
11 Moreover, the Legislature must act in concert with that
12 declaration of policy.

13 Moreover, once the elements of a good correctional system
14 have been established, the Legislature must act to insure that
15 they are staffed with persons having appropriate qualifications.
16 Since corrections is known to be a politically sensitive

1 function of government, good correctional legislation requires
2 that personnel recruitment be insulated from political
3 patronage.

4 I. BUREAU OF CORRECTIONS

5 WHEREAS, The General Assembly has enacted legislation over
6 the past several years creating plans to develop new regional
7 community treatment centers and facilities throughout the
8 Commonwealth; and

9 WHEREAS, The Bureau of Corrections, Department of Justice and
10 other agencies of the executive branch have determined not to
11 develop said regional treatment centers and facilities, contrary
12 to the expressed mandate of the General Assembly; and

13 WHEREAS, These executive and administrative decisions
14 constitute a decided reversal of the General Assembly's more
15 than eight year investment in and pursuit of meaningful
16 rehabilitation of adult offenders through community based
17 programs; and

18 WHEREAS, The General Assembly has neither mandated such
19 change of philosophy, scope or direction, but on the contrary
20 has authorized expenditures for corrections to be increased from
21 \$32,000,000 in fiscal 1971 to nearly \$58,000,000 in fiscal 1974,
22 with the understanding that the laws promulgated by the General
23 Assembly were being implemented; and

24 WHEREAS, The General Assembly has been called upon to provide
25 additional funds many times through deficiency appropriations in
26 order to reduce recurring deficits; and

27 WHEREAS, The General Assembly has not been appropriately or
28 adequately advised of the effectiveness of various programs such
29 as regional community treatment centers or pre-release work
30 programs, with the result that the General Assembly has not been

1 fully able to assess the effectiveness of the current law; and

2 WHEREAS, There continues to exist a grave and constant
3 concern on the part of the general public as to the future
4 directions, scope, and administrative purpose of the Bureau of
5 Corrections; and

6 WHEREAS, There continues to exist a grave and constant
7 concern on the part of the general public that there may be a
8 reversal of policy that may have the effect of abrogating
9 effective penal reform in Pennsylvania; and

10 WHEREAS, Certain recent actions and appointments by the
11 executive have raised serious questions as to whether there has
12 been a change in the attitude and philosophy of the executive
13 regarding corrections, without the consultation or the advice
14 and consent of the General Assembly; and

15 WHEREAS, The General Assembly, as part of its legislative
16 oversight powers, is entrusted with the responsibility to see
17 that its acts are implemented.

18 II. STATE CORRECTIONAL INSTITUTION AT MUNCY

19 WHEREAS, The General Assembly enacted legislation in 1972
20 providing for regional community treatment centers for women and
21 authorized the creation and establishment of such regional
22 facilities; and

23 WHEREAS, The executive branch of government and the Bureau of
24 Corrections has not moved to implement the legislative mandate;
25 and

26 WHEREAS, Numerous recent reports clearly show the Muncy
27 facility for women to be inadequate and unsuitable as an
28 appropriate facility to detain female offenders and creates
29 numerous hardships for those women sentenced there as well as
30 for their families; and

1 WHEREAS, A recent work stoppage or "strike" was held at the
2 Muncy institution because of allegations of misconduct on the
3 part of the women confined there, together with male residents;
4 and

5 WHEREAS, Many members of the House of Representatives have
6 reason to believe that the State Correctional Institution at
7 Muncy has inherent problems of inadequate administrative
8 leadership, program development, and pre-release programs; and

9 WHEREAS, The attendant rules and regulations governing the
10 conduct of the inmates at Muncy constitutes a tense and
11 oppressive atmosphere and environment, and creates the danger of
12 a riotous condition therein; therefore be it

13 RESOLVED, That the House of Representatives of the
14 Commonwealth of Pennsylvania directs the subcommittee on
15 correction and rehabilitation to conduct thorough and separate
16 investigations of:

17 (1) The Bureau of Corrections, such investigation to include
18 but not be limited to, the bureau's effectiveness in
19 implementing the acts of the General Assembly.

20 (2) The State Correctional Institution at Muncy, such
21 investigation to include but not be limited to, an analysis of
22 the programs currently in effect there; and be it further

23 RESOLVED, That the committee is hereby authorized to engage
24 whatever legal counsel and consultants are necessary for its
25 investigations; and be it further

26 RESOLVED, That the committee may hold hearings, take
27 testimony, and make its investigations at such places as it
28 deems necessary within this Commonwealth. It may issue subpoenas
29 under the hand and seal of its chairman commanding any person to
30 appear before it and to answer questions touching matters

1 properly being inquired into by the committee and to produce
2 such books, papers, records and documents as the committee deems
3 necessary. Such subpoenas may be served upon any person and
4 shall have the force and effect of subpoenas issued out of the
5 courts of this Commonwealth. Any person who wilfully neglects or
6 refuses to testify before the committee or to produce any books,
7 papers, records or documents, shall be subject to the penalties
8 provided by the laws of the Commonwealth in such case. Each
9 member of the committee shall have power to administer oaths and
10 affirmations to witnesses appearing before the committee; and be
11 it further

12 RESOLVED, That within 30 calendar days after the committee
13 has made its reports, the chairman of the committee shall cause
14 a record of all expenses incurred by the committee, or the
15 members thereof, which are payable at Commonwealth expense, to
16 be filed with the Speaker of the House and the Speaker shall
17 cause the same to be entered in the journal thereof. No expenses
18 incurred by the committee or any member thereof shall be
19 reimbursable by the Chief Clerk unless such expense shall first
20 have been included as an expense item in the record heretofore
21 required; and be it further

22 RESOLVED, That the committee report its findings to the House
23 of Representatives within 30 days of the completion of its
24 investigations.