

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2198 Session of
1989

INTRODUCED BY EVANS, CALTAGIRONE, ROEBUCK, RIEGER, BLAUM,
HAYDEN, WILLIAMS, CARN, WAMBACH, FOX, YANDRISEVITS, COLAIZZO,
STUBAN, RYBAK, BELFANTI, VEON, PISTELLA, LINTON, FARGO,
FREEMAN, GLADECK, LANGTRY, WOGAN, RAYMOND, TIGUE, NOYE,
McCALL, J. L. WRIGHT, VROON, KOSINSKI, LUCYK, KASUNIC, ITKIN,
FAIRCHILD, MAINE, GIGLIOTTI, HERSHEY, BATTISTO, BISHOP,
PESCI, MELIO, HAGARTY, D. F. CLARK, JOSEPHS, McVERRY, TRELLO,
BROUJOS, BUSH, LEVDANSKY, DIETTERICK, GEIST AND HERMAN,
DECEMBER 13, 1989

REFERRED TO COMMITTEE ON YOUTH AND AGING, DECEMBER 13, 1989

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," authorizing motivational
4 boot camp programs at youth development centers; and making
5 an appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Public Welfare Code, is amended by adding a section to
10 read:

11 Section 347. Motivational Boot Camp Programs.--(a) The
12 following words and phrases when used in this section shall have
13 the meanings given to them in this section unless the context
14 clearly indicates otherwise:

15 "Motivational boot camp" means a program in which eligible
16 delinquent minors are selected by a youth development center to

1 participate for a period of six months in motivational boot camp
2 programs which shall provide for rigorous physical activity,
3 intensive regimentation and discipline, substance abuse
4 rehabilitation therapy and programming certified by the
5 Department of Health, education, ventilation therapy, vocational
6 training and prerelease counseling.

7 (b) There are hereby established at Youth Development
8 Centers within the Department of Public Welfare motivational
9 boot camp programs. The Secretary of Public Welfare, guided by
10 consideration for the safety of the community and the welfare of
11 the inmate, shall promulgate rules and regulations for the
12 program. These rules and regulations shall reflect the purpose
13 of the program and shall include, but not be limited to,
14 selection criteria, inmate discipline, programming and
15 supervision, and program structure and administration. The
16 department shall also provide four weeks of intensive training
17 for all staff prior to the start of their involvement with the
18 program.

19 (c) For each youth development center, the secretary shall
20 appoint or cause to be appointed a motivational boot camp
21 selection committee, which shall meet on a regularly scheduled
22 basis to review all applications for the program.

23 (d) Motivational boot camp programs may be established only
24 at intensive incarceration youth development facilities
25 classified by the secretary as motivational boot camp
26 facilities.

27 (e) The department shall conduct an ongoing evaluation of
28 the program to ensure that the programmatic objectives are met.
29 The department shall undertake studies and prepare reports
30 periodically on the impact of the program to the appropriate

1 committees of the House of Representatives and of the Senate
2 responsible for conducting and supervising legislative oversight
3 responsibility.

4 (f) An eligible inmate may make an application to the
5 motivational boot camp selection committee for permission to
6 participate in the motivational boot camp program.

7 (g) If the selection committee determines that an inmate's
8 participation in the program is consistent with the safety of
9 the community, the welfare of the applicant and the rules and
10 regulations of the department, the committee shall forward the
11 application to the secretary or his designee for approval or
12 disapproval.

13 (h) Applicants may not participate in the motivational boot
14 camp program unless they agree to be bound by all the terms and
15 conditions thereof and indicate their agreement by signing a
16 memorandum of the program immediately below a statement reading
17 as follows:

18 I accept the foregoing program and agree to be bound by
19 the terms and conditions thereof. I understand that my
20 participation in the program is a privilege that may be
21 revoked at any time at the sole discretion of the
22 secretary. I understand that I am also provided with the
23 right to terminate, at any time, my involvement in the
24 program. I understand that I must successfully complete
25 the entire program to obtain a certificate of earned
26 eligibility upon the completion of said program, and, in
27 the event that I do not successfully complete said
28 program, for any reason, I will be transferred to a
29 nonintensive incarceration correctional facility to
30 continue service of my sentence.

1 (i) Participation in the motivational boot camp program
2 shall be a privilege. Nothing contained in this section may be
3 construed to confer upon any inmate the right to participate or
4 continue to participate therein.

5 (j) Upon the inmate's successful completion of the program,
6 the department shall notify the sentencing court of the
7 participant's success in the program, whereupon the court may
8 issue an order modifying the disposition of the sentence and
9 place the participant on probation. If the conditions of
10 probation are violated, the court may revoke probation and make
11 such disposition as it deems necessary.

12 Section 2. The sum of \$5,000,000, or as much thereof as may
13 be necessary, is hereby appropriated to the Department of Public
14 Welfare for the fiscal year July 1, 1990, to June 30, 1991, to
15 carry out the provisions of this act.

16 Section 3. This act shall take effect in 60 days.