

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1198 Session of
2010

INTRODUCED BY GREENLEAF, FONTANA, ERICKSON, BOSCOLA, ALLOWAY,
BROWNE, WILLIAMS, FERLO, TARTAGLIONE AND WOZNIAK,
JANUARY 19, 2010

REFERRED TO JUDICIARY, JANUARY 19, 2010

AN ACT

1 Amending Title 61 (Penal and Correctional Institutions) of the
2 Pennsylvania Consolidated Statutes, establishing the Safe
3 Community Reentry Program; and providing for the powers and
4 duties of the Pennsylvania Board of Probation and Parole and
5 the Department of Corrections.

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

8 Section 1. Title 61 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

10 CHAPTER 47

11 SAFE COMMUNITY REENTRY

12 Sec.

13 4701. Scope of chapter.

14 4702. Definitions.

15 4703. Safe Community Reentry Program.

16 4704. Contract for services.

17 4705. Rules and regulations.

18 4706. Study and report.

19 § 4701. Scope of chapter.

1 This chapter relates to the Safe Community Reentry Program.

2 § 4702. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Community-based programs." Programs which are administered
7 and operated outside of a correctional institution.

8 "Community organization." A community, faith-based or other
9 private charitable organization which is organized as a
10 nonprofit corporation or nonprofit unincorporated association
11 under the laws of the United States or this Commonwealth which
12 is authorized to do business in this Commonwealth as a nonprofit
13 corporation or unincorporated association under the laws of this
14 Commonwealth.

15 "Institutional-based programs." Programs which are
16 administered and operated within a correctional institution.

17 "Offender." An inmate in a correctional institution or a
18 person released from incarceration.

19 "Program." The Safe Community Reentry Program established in
20 this chapter.

21 § 4703. Safe Community Reentry Program.

22 (a) Program established.--The department, in cooperation and
23 coordination with the board, shall establish a comprehensive
24 program to reduce recidivism and ensure the successful reentry
25 of offenders into the community. The program shall provide
26 offenders with access to a full continuum of services during
27 incarceration and upon release during their transition and
28 reintegration into the community.

29 (b) Assessment and plan.--

30 (1) The department shall assess each offender entering

1 into the State correctional system to determine which
2 treatment services, programs and skills the offender needs to
3 develop to be successful in the community following the
4 offender's release.

5 (2) The department shall assist each offender in
6 developing a reentry plan for the offender. The reentry plan
7 shall include the offender's educational, employment, housing
8 and treatment needs as appropriate and necessary to encourage
9 the successful transition and reintegration of the offender
10 into the community.

11 (3) The department shall coordinate the specifics of the
12 offender's reentry plan with the educational, vocational
13 training and treatment services that will be provided to the
14 offender during the offender's incarceration.

15 (c) Transition and reintegration programs.--The department
16 shall identify a comprehensive network of transition and
17 reintegration programs to address the needs of offenders
18 released from incarceration.

19 (d) Community organizations.--

20 (1) The department and the board shall use community
21 organizations to assist the department and the board in
22 meeting the needs of offenders reentering the community.

23 (2) The department and the board shall develop and
24 maintain a list of community organizations available to
25 provide services.

26 (3) Community organizations may provide services
27 including education, vocational training, follow-up treatment
28 services, support with finding housing and employment and may
29 help with family issues and other elements of life after
30 incarceration.

1 (4) The department and the board may refer offenders to
2 community organizations on the list.

3 (e) Sharing of information.--

4 (1) The department and the board may share information
5 about offenders with the entities the department and the
6 board contract with under section 4704 (relating to contract
7 for services) and other agencies and providers of services as
8 necessary to adequately assess and address the needs of each
9 offender.

10 (2) This subsection shall not apply to the disclosure of
11 an offender's personal health information unless the offender
12 consents to the disclosure.

13 (3) This subsection shall not be construed to permit
14 disclosure of personal health information if the disclosure
15 violates the Health Insurance Portability and Accountability
16 Act of 1996 (Public Law 104-191, 110 Stat. 1936) or other
17 Federal or State law.

18 § 4704. Contract for services.

19 (a) Duty of department and board.--As part of the program,
20 the department and the board may contract with private vendors,
21 including community organizations, units of local government and
22 other entities to provide for reintegration and transitional
23 programs and services, which may include institutional-based and
24 community-based programs. The programs and services provided
25 under these contracts may include:

26 (1) Assisting in the development of each offender's
27 reentry plan.

28 (2) Coordinating the supervision and services provided
29 to offenders in correctional institutions with any
30 supervision and services provided to offenders who have been

1 released from incarceration.

2 (3) Providing offenders awaiting release with documents
3 that are necessary after release, including identification
4 papers, referrals to services, medical prescriptions, job
5 training certificates, apprenticeship papers, information on
6 obtaining public assistance and other documents useful in
7 achieving a successful transition from a correctional
8 institution to the community.

9 (4) Involving county agencies whose programs and
10 initiatives strengthen inmate reentry services for offenders
11 who have been returned to the county of their jurisdiction.

12 (5) Providing structured programs, post-release housing
13 and transitional housing, including group homes for
14 recovering substance abusers, through which offenders are
15 provided supervision and services immediately following
16 reentry into the community.

17 (6) Assisting offenders in securing permanent housing
18 upon release or following a stay in post-release or
19 transitional housing.

20 (7) Continuing to link offenders with health resources
21 for health services that were provided to them when they were
22 under the jurisdiction of the department, including mental
23 health, substance abuse treatment, aftercare and treatment
24 services for contagious diseases.

25 (8) Providing education, job training, English as a
26 second language programs, work experience programs, self-
27 respect and life skills training and other skills needed to
28 achieve self-sufficiency for a successful transition from
29 incarceration.

30 (9) Facilitating collaboration among corrections

1 administrators, technical schools, community colleges and the
2 work force development and employment service sectors so that
3 there are efforts to:

4 (i) Promote, where appropriate, the employment of
5 offenders released from correctional institutions and
6 facilitate the creation of job opportunities, including
7 transitional jobs, for such offenders that will also
8 benefit communities.

9 (ii) Connect offenders to employment, including
10 supportive employment and employment services, before
11 their release from correctional institutions.

12 (iii) Address barriers to employment, including
13 obtaining a driver's license.

14 (10) Assessing the literacy and educational needs of
15 offenders and providing appropriate services to meet those
16 needs, including follow-up assessments and long-term
17 services.

18 (11) Addressing systems under which family members of
19 offenders are involved with facilitating the successful
20 reentry of those offenders into the community, including
21 removing obstacles to the maintenance of family relationships
22 while the offender is in custody, strengthening the family's
23 capacity to establish and maintain a stable living situation
24 during the reentry process where appropriate and involving
25 family members in the planning and implementation of the
26 reentry process.

27 (12) Facilitating visitation and maintenance of family
28 relationships with respect to offenders by addressing
29 obstacles such as travel, telephone costs, mail restrictions
30 and restrictive visitation policies.

1 (13) Addressing barriers to the visitation of children
2 with an incarcerated parent and maintenance of the parent-
3 child relationship, including, but not limited to, the
4 location of facilities in remote areas, telephone costs, mail
5 restrictions and visitation policies.

6 (14) Creating mentoring programs designed to assist
7 offenders in changing the offenders' pattern of behavior so
8 that the offenders will not revictimize their victims or have
9 new victims. Mentoring may occur inside the correctional
10 institution and in the community once the offender is
11 released. The mentor shall:

12 (i) Act as a role model for the offender.

13 (ii) Foster a caring and supportive relationship by
14 creating an independence from and not a dependence upon
15 the mentor or the system as a whole.

16 (iii) Encourage positive self-concept.

17 (iv) Teach and aid in goal setting.

18 (v) Support other positive relationships within the
19 community.

20 (vi) Assist in linking the offender to community-
21 based services.

22 (vii) Promote appropriate, positive family
23 relationships.

24 (viii) Help develop personal accountability and
25 personal responsibility.

26 (15) Facilitating and encouraging timely and complete
27 payment of restitution and fines by offenders to victims and
28 the community.

29 (b) Accountability.--To ensure accountability, any contract
30 entered under this section shall contain specific performance

1 measures that the department and the board shall use to evaluate
2 compliance with the terms of the contract.

3 § 4705. Rules and regulations.

4 The department and board may promulgate rules and regulations
5 as deemed necessary to implement this chapter.

6 § 4706. Study and report.

7 (a) Study.--The department shall conduct and coordinate
8 research to determine whether the program established under
9 section 4703 (relating to Safe Community Reentry Program)
10 reduces recidivism rates.

11 (b) Report.--Not later than February 1 of each even-numbered
12 year, the department shall present a report of the research
13 conducted or coordinated under subsection (a) to the Judiciary
14 Committee of the Senate and the Judiciary Committee of the House
15 of Representatives. The report shall evaluate the program and,
16 if appropriate, make recommendations for legislation.

17 Section 2. This act shall take effect in 60 days.