

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2629 Session of
2000

INTRODUCED BY LYNCH, M. COHEN, THOMAS, HORSEY, READSHAW, ROONEY
AND STEELMAN, JUNE 13, 2000

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 2000

AN ACT

1 Providing for the establishment of a forensic intake
2 classification and diversion program in county prisons; and
3 making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Inmate
8 Diversion Act.

9 Section 2. Legislative findings.

10 The General Assembly finds and declares as follows:

11 (1) A substantial portion of the population incarcerated
12 in county prisons have significant substance abuse, mental
13 health or emotional problems, which require some degree of
14 intervention and treatment.

15 (2) Identifying these problems prior to or early in
16 incarceration and diverting these inmates to appropriate
17 health, education and social service programs fosters
18 appropriate treatment and reduces the incidence of

1 recidivism.

2 (3) Evidence shows that a criminal offender who enters a
3 substance abuse treatment diversion program is four times
4 less likely to commit another crime within the next year than
5 an offender who does not get treatment.

6 (4) Establishing an intake classification program within
7 the county prison system, assessing inmate history and
8 records and linking inmates to appropriate human service
9 programs will reduce recidivism.

10 Section 3. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Forensic Intake Classification and Diversion Program." A
15 process involving a team of professional employees, which may or
16 may not use a single coordinator, to evaluate each detainee
17 within 48 hours of incarceration to determine the need for
18 intervention by human services or health care agencies, to make
19 recommendations to the court at sentencing and to coordinate the
20 delivery of human and medical services upon sentencing.

21 "Health services." Treatment of disease, illness or injury,
22 including acute care and behavioral health services.

23 "Human service delivery system." The myriad of publicly
24 operated or sponsored social service agencies, including, but
25 not limited to, mental health services, substance abuse
26 services, children and youth services and domestic relations
27 services.

28 Section 4. Forensic Intake Classification and Diversion Program
29 Established.

30 (a) Establishment of system.--Each county prison system

1 shall establish a forensic intake classification system, either
2 by designating an individual to be responsible for such services
3 or by creating a team of forensic specialists. The purpose of
4 the intake classification system is to identify inmates and
5 potential inmates who require extensive social service or
6 medical intervention and to ensure that they are diverted to
7 receive those services as a way of reducing recidivism.

8 (b) Powers and duties of staff.--The forensic classification
9 and intake classification staff shall:

10 (1) have the right and the duty to conduct a
11 comprehensive intake interview with the pretrial detainee in
12 order to compile an education, criminal, mental health,
13 substance abuse and medical history;

14 (2) develop a treatment strategy to address the human
15 and medical service needs of the inmate;

16 (3) coordinate the provision of such social and health
17 services and handle referral services and the coordination
18 with and between social service and medical providers;

19 (4) have access to confidential case records and files,
20 including administrative segregation records;

21 (5) perform counseling and case management services as
22 required; and

23 (6) have such other responsibilities as assigned by the
24 warden of the county prison.

25 Section 5. Access to information.

26 All staff assigned to the Forensic Intake Classification and
27 Diversion Program shall have access to confidential case records
28 and files, including administrative segregation records and
29 inmate and pretrial detainee histories.

30 Section 6. State matching grants.

1 The Commonwealth shall pay half of the cost of operating a
2 Forensic Intake Classification and Diversion Program, up to a
3 maximum of \$25,000 annually for each county prison.

4 Section 7. Appropriation.

5 The sum of \$2,500,000 is hereby appropriated to the
6 Department of Corrections for the purposes of this act.

7 Section 8. Effective date.

8 This act shall take effect in 90 days.