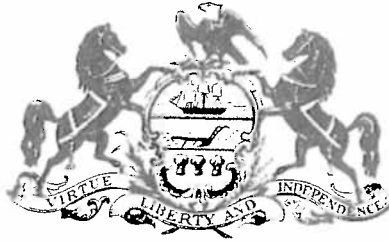


**BERNARD T. O'NEILL, MEMBER**  
29<sup>TH</sup> LEGISLATIVE DISTRICT  
B-8 MAIN CAPITOL  
PO BOX 202029  
HARRISBURG, PA 17120-2029  
(717) 705-7170  
E-mail: [boneill@pahousegop.com](mailto:boneill@pahousegop.com)  
Website: [www.reponeill.com](http://www.reponeill.com)

SUITE 105  
755 YORK ROAD  
WARMINSTER, PA 18974  
(215) 441-2624

PO BOX 1290  
BUCKINGHAM, PA 18912  
(215) 794-1055



HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

EDUCATION  
MINORITY SUB-COMMITTEE  
CHAIRMAN ON BASIC EDUCATION  
JUDICIARY  
LABOR RELATIONS  
PROFESSIONAL LICENSURE

APPOINTMENTS

DEPUTY WHIP  
EDUCATION & JOB TRAINING TASKFORCE  
VIRTUAL HIGH SCHOOL TASKFORCE

**M E M O R A N D U M**

**TO:** All House Members

**FROM:** Representative Bernie O'Neill *BT*

**DATE:** January 11, 2011

**SUBJECT:** Contraband in State & County Correctional Facilities – former HB 1617

I am planning to reintroduce legislation which will amend the Crimes Code (Title 18) to expand the scope of what is considered "contraband" in state and county correctional facilities.

Under current law (Section 5123), it is a 3<sup>rd</sup> degree felony to sell or give an unauthorized controlled substance to a prisoner; and a 1<sup>st</sup> degree misdemeanor to furnish a prisoner with other material which is deemed to be contraband. Contraband currently includes any kind of "spirituous or fermented liquor, medicine or poison", and the section also prohibits the furnishing of any telecommunication device to a prisoner.

My bill will establish that any item designated by the Secretary of Corrections or the correctional facility manager as contraband would be prohibited. This change will allow the designation of cigarettes as contraband, addressing an immediate concern conveyed to us by prison administrators in our areas. The amendment will also provide administrators with flexibility in the future, allowing them to make determinations on prohibited items with the health and safety of prisoners and prison employees in mind.

Please join in sponsoring this legislation by contacting Connie McClure in my Harrisburg office at 705-7170 or e-mail [cmcciure@pahousegop.com](mailto:cmcciure@pahousegop.com).

Thank you.