

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE HEARING

STATE CAPITOL
HARRISBURG, PA

MAIN BUILDING
HOUSE CHAMBER

WEDNESDAY, FEBRUARY 17, 2021
10 A.M.

PRESENTATION OF THE
DEPARTMENT OF CORRECTIONS

BEFORE :

HONORABLE STAN SAYLOR, MAJORITY CHAIRMAN
HONORABLE ROSEMARY BROWN
HONORABLE LYNDA SCHLEGEL-CULVER
HONORABLE TORREN ECKER
HONORABLE JONATHAN FRITZ
HONORABLE KEITH GREINER
HONORABLE DOYLE HEFFLEY
HONORABLE JOHNATHAN HERSHEY
HONORABLE LEE JAMES
HONORABLE JOHN LAWRENCE
HONORABLE ZACH MAKO
HONORABLE NATALIE MIHALEK
HONORABLE TIM O'NEAL
HONORABLE CLINT OWLETT
HONORABLE CHRIS QUINN
HONORABLE GREG ROTHMAN
HONORABLE MEGHAN SCHROEDER
HONORABLE JAMES STRUZZI
HONORABLE JESSE TOPPER
HONORABLE RYAN WARNER
HONORABLE DAVE ZIMMERMAN
HONORABLE MATT BRADFORD, MINORITY CHAIRMAN
HONORABLE AMEN BROWN
HONORABLE DONNA BULLOCK
HONORABLE MORGAN CEPHAS
HONORABLE AUSTIN DAVIS
HONORABLE ELIZABETH FIEDLER
HONORABLE MARTY FLYNN
HONORABLE PATTY KIM
HONORABLE EMILY KINKEAD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE: (cont.)

HONORABLE STEPHEN KINSEY
HONORABLE PETER SCHWEYER
HONORABLE JOE WEBSTER

ALSO IN ATTENDANCE:

HONORABLE ROB KAUFFMAN
HONORABLE BRIAN SIMS

COMMITTEE STAFF PRESENT:

DAVID DONLEY, MAJORITY EXECUTIVE DIRECTOR
RITCHIE LaFAVER, MAJORITY DEPUTY EXECUTIVE DIRECTOR
ANN BALOGA, MINORITY EXECUTIVE DIRECTOR
TARA TREES, MINORITY CHIEF COUNSEL

* * * * *

*Pennsylvania House of Representatives
Commonwealth of Pennsylvania*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

TESTIFIERS

* * *

<u>NAME</u>	<u>PAGE</u>
JOHN WETZEL SECRETARY, DEPARTMENT OF CORRECTIONS.....	5
TABB BICKELL EXECUTIVE DEPUTY SECRETARY, DEPARTMENT OF CORRECTIONS.....	48
KELLY EVANS DEPUTY SECRETARY, OFFICE OF REENTRY.....	25

SUBMITTED WRITTEN TESTIMONY

* * *

(See submitted written testimony and handouts online.)

* * * * *

Summer A. Miller, Court Reporter
SMCourtreporting@gmail.com

P R O C E E D I N G S

* * *

MAJORITY CHAIRMAN SAYLOR: Again, this morning -- we'll get started here -- remind everybody about the mask. Also ask, like I said yesterday, when you're asking questions, it's up to you whether you take your mask off or you keep it on, but when you're done with questions, please replace your mask and put it back on.

Also, keep in mind, today, I think most of you have already experienced, I think, at both doors we were taking temperatures because of protocol, we did that today. And just keep that in mind as we go through, we'll follow the House protocols.

Anyway, we are joined today by the Secretary of the Department of Corrections, Secretary John Wetzel.

Secretary, I'm going to ask you to introduce the team that you have with you today that will be testifying and providing testimony. And once you do that, I will swear all of you in, and we'll proceed with questions.

Mr. Secretary.

SECRETARY WETZEL: All right. Good morning, Chairman, John Wetzel here. I'm joined by Tabb Bickell, and then Kelly Evans. Tabb is our Executive Deputy over the institution side of the house. Kelly Evans is our Deputy Secretary of Reentry.

1 And I believe Ted Johnson is on the video,
2 somewhere, but not in our room.

3 MAJORITY CHAIRMAN SAYLOR: Okay.

4 Ted, are you there?

5 (No response.)

6 SECRETARY WETZEL: These are the challenges of
7 Zoom life, I guess.

8 MAJORITY CHAIRMAN SAYLOR: Yeah, you know, I'm
9 looking forward to when we don't have to worry about this and
10 the masks, but that's what we have to live with today.

11 Well, Mr. Secretary, if you would, and your
12 staff, raise your right hand as I swear you in.

13

14 JOHN WETZEL, TABB BICKELL, and KELLY EVANS,
15 called as witnesses, being duly sworn, testified as follows:

16

17 MAJORITY CHAIRMAN SAYLOR: Thank you,
18 Mr. Secretary. And we'll start off with our first
19 questioner, which is Representative Tim O'Neal.

20 REPRESENTATIVE O'NEAL: Thank you, Mr.
21 Chairman.

22 Thank you, Mr. Secretary, for being here
23 today.

24 This morning I was reviewing the testimony
25 that you provided, Mr. Secretary. And on page 9, you talk

1 about the Department of Corrections population reduction.
2 And you tout it as the largest yearly drop in recorded
3 history. As a matter of fact, the chart that's provided here
4 (indicating) goes back to 2011. And it shows about a
5 reduction of a little over, a little over 12,000 inmates.

6 And I'm curious, when I compare that to your
7 cost structure and your allocated funds, your budget request
8 for this year, and I compare that to the actual cost of
9 running the operation back in 2011, and there's a significant
10 increase in cost as we tout this reduction in population. In
11 addition to that, I believe it was in 2018 that the
12 Administration made an effort to close facilities across the
13 Commonwealth in order -- I believe the talking point at the
14 time was to save money.

15 So, you know, my question to you is, as I look
16 at this, as I look at your appropriations, as I look at your
17 projected budget, how do you justify a dropping population on
18 record levels year over year, closing facilities in order to
19 save money, and yet substantial costs increase in your annual
20 budget?

21 SECRETARY WETZEL: Yeah. Thanks for the
22 question.

23 I'll start with the increase. I think what we
24 are requesting is about an increase of about two and a half
25 percent. And I think you'll note in there looking at

1 historic cost increases, you'll note this two percent is
2 relatively low compared to historic.

3 Now as it relates to what the cost drivers
4 are, the primary cost driver is personnel. And I will tell
5 you in 2011, our staffing levels were a lot lower. And
6 frankly, when you look at the makeup of the population over
7 the past 10 years, you've seen a significant increase in
8 individuals with mental illness. It's now a third of our
9 population. It's a very difficult aspect of the population.
10 It requires a lot of staff, requires a lot of resources, a
11 lot of medical resources.

12 In addition to that, we've seen a pretty
13 significant increase in gang members. We've also had a
14 myriad of lawsuits and things that drove increases.
15 Specifically in 2013 or 2014, we were part of a Disability
16 Rights Network, as well as a Department of Justice
17 investigation around the mental health system and that caused
18 an increase of \$40 million a year in mental health services,
19 for instance.

20 Our population, you'll note over the last 10
21 years, has gotten significantly older. By about two percent
22 a year, our elderly population grows. It's now a quarter of
23 our population. And, you know, the true context of this
24 budget in particular -- and those are cost drivers that
25 historically have driven the budget -- that's not to mention

1 pension and benefits.

2 So if you look, you'll see a graph in there
3 that looks at operational expenses and you'll see they are
4 relatively flat. Personnel expenses increase, but when you
5 look at the acuity of the population, we need staff. It's a
6 very difficult operation.

7 And again, the context of this year's
8 budget -- and in any other year, if it weren't for COVID,
9 certainly we'd be talking about prison closures when you look
10 at a population reduction of 7,000 inmates or 6,000 inmates,
11 I think in the fiscal year. But with COVID --

12 REPRESENTATIVE O'NEAL: But with all due
13 respect, Mr. Secretary --

14 SECRETARY WETZEL: Yes.

15 REPRESENTATIVE O'NEAL: -- you talk about
16 prison closures, we've closed prisons and it hasn't saved us
17 any money at all.

18 SECRETARY WETZEL: Well, that's not accurate,
19 that's not accurate at all. If you look at the cost increase
20 historically over the years, you were looking at double
21 digits prior to Governor Corbett's Administration when we
22 came in and passed the first (inaudible). That's the first
23 thing that drove the population increase down.

24 REPRESENTATIVE O'NEAL: Mr. Secretary, I'm
25 actually looking at the chart you provided in your testimony

1 that shows a flat line in -- this is breaking out personnel
2 costs; these are operation costs.

3 In 2008, when you closed, what was it, three
4 or four -- 2017, 2018, when you closed three or four
5 facilities, SCI Pittsburgh, SCI Retreat. The operational
6 costs haven't dropped at all.

7 So I'm wondering, where is the fiscal
8 management in the system? As we continue to drop in
9 population, if that's our effort, that's wonderful. That's
10 something that we should potentially be focused on. But the
11 reality is, the Corrections system continues to be a drain on
12 the Commonwealth financially and the answer isn't just to
13 close prison populations and release everybody into the
14 public. We need to find a better way to fiscally manage this
15 process. If closing prisons and closing facilities across
16 the Commonwealth is a method to do that, we need to
17 absolutely ensure that it is also saving us money.

18 Thank you, Mr. Chairman.

19 SECRETARY WETZEL: Thank you.

20 MAJORITY CHAIRMAN SAYLOR: Next is
21 Representative Bullock.

22 REPRESENTATIVE BULLOCK: Thank you, Mr.
23 Chairman.

24 Good morning, Mr. Secretary. How are you
25 doing today?

1 SECRETARY WETZEL: Good morning. I got my
2 cheat sheets for you.

3 REPRESENTATIVE BULLOCK: All right. Well, I'm
4 going to start with some other questions and then we'll get
5 to those usual questions that I have.

6 SECRETARY WETZEL: All right.

7 REPRESENTATIVE BULLOCK: We have talked in the
8 past about implementing a virtual reading program between
9 parents and their children at home. And I have a bill that
10 encourages family unification and maintaining family links
11 through phone calls and e-mails.

12 Since the start of the pandemic, it's my
13 understanding that you've started some virtual visits to
14 address some of the concerns around in-person visits at the
15 state correctional institutions.

16 Can you share with me how that is going and
17 what are the costs associated with that?

18 SECRETARY WETZEL: Sure. Let me start with
19 the reading to your kids program.

20 And, Representative Bullock, I think we met
21 maybe four or six years ago in Philadelphia and talked about
22 some of these initiatives around children with incarcerated
23 parents. And I think at that time we talked about
24 generational incarceration and those kinds of things.

25 But we've been doing that reading to your

1 children program probably since 2012, 2013 to try to keep the
2 parents and the children connected.

3 COVID -- as you know, the 13th of March is
4 when Pennsylvania got their first case. We got our first
5 case March 27th. We stopped visits when the Governor signed
6 the first declaration of emergency for COVID nearly a year
7 ago. And we have switched to virtual visits.

8 The virtual visit itself, the technology has
9 cost us about a million dollars and it involves kiosks and
10 virtual visitation stations. We're actually trying to get to
11 a place where they're on all the housing units.

12 One of the challenges with COVID, as you all
13 know, you talked about taking temperatures and wearing masks.
14 Social distancing inside prisons is a challenge. So having
15 that decentralized and being able to do virtual visits from
16 the housing unit is where we're landing.

17 But initially, we started with Zoom. We did
18 that very early on in March, as soon as we stopped visits.
19 We didn't have the capacity to keep with that. We switched
20 to Polycom, which is what we're using now. And we're still
21 working through some scheduling issues, but I think it's
22 going pretty well.

23 REPRESENTATIVE BULLOCK: Is that something you
24 can see yourself continuing post-COVID?

25 As we know, many families are not within, you

1 know, short driving distance of some of your institutions.

2 SECRETARY WETZEL: Yes. Virtual visit are
3 going to stay, yes.

4 REPRESENTATIVE BULLOCK: Great. That's great
5 to hear.

6 And so on to some of my usual questioning
7 around diversity and inclusion and equity within your own
8 workforce and culture at Department of Corrections. Can you
9 share with me the efforts you have taken within your
10 department to advance racial and gender equity?

11 SECRETARY WETZEL: Yeah. I can give you -- I
12 mean, basically we have nonwhite staff members on the
13 institution side of the house, make up about 13 percent of
14 our employees; on the field supervision side of the house,
15 makes up about 19 percent of our employees. That 19 percent
16 on the field side of the house is about the same as it was in
17 the last 10 years, if you look at a 10-year look back. It's
18 been flat at about 19 percent.

19 As it relates to the institution side of the
20 house, it's actually up two percent from 11 percent 10 years
21 ago to 13 percent.

22 But as we discuss every year, I think on the
23 institution side of the house, you see -- our diversity
24 challenges are in some of our more rural areas. On the
25 supervision, field supervision side of the house, a lot more

1 diversity kind of around the state. However, black males are
2 really low. That's an area that we need to target as it
3 relates to field supervision.

4 But I'll provide you in writing with the whole
5 breakdown and the comparison between 2010 and 2020.

6 REPRESENTATIVE BULLOCK: That would be
7 helpful. Thank you, Mr. Secretary.

8 And one last question, you mentioned briefly,
9 or suggested that some of the cost drivers are lawsuits that
10 the department has dealt with.

11 One of those lawsuits is the November 2018, I
12 believe, around hepatitis C and treatment of our inmates in
13 regards to hepatitis C. Can you share with me the progress
14 and costs associated with this lawsuit.

15 SECRETARY WETZEL: I can.

16 So basically what the lawsuit was, there was a
17 new drug that came out that cures hepatitis C. We got a
18 class action lawsuit and the settlement for that lawsuit was
19 that we would treat -- I'm going to say 1500 a year. And so
20 we're on pace with that, treating 1500 inmates a year, at an
21 average cost of about 17,000 per last year.

22 Obviously, drug costs are modified. We've
23 done some things to offset drug costs. The federal 340B
24 program, we partnered with Temple to do that -- was that for
25 hep C -- it's for HIV meds and hep C meds. So that's offset

1 some of the costs, but yeah, that's still going.

2 REPRESENTATIVE BULLOCK: Thank you very much,
3 Mr. Secretary. I have no further questions.

4 Thank you, Mr. Chairman.

5 SECRETARY WETZEL: Thank you, Rep. Appreciate
6 you.

7 MAJORITY CHAIRMAN SAYLOR: Next is
8 Representative Topper.

9 REPRESENTATIVE TOPPER: Mr. Secretary, good
10 morning. Good to see you again.

11 SECRETARY WETZEL: Hey, good morning. How you
12 doing?

13 REPRESENTATIVE TOPPER: Doing well.

14 I have a question. We talked, I think a
15 couple of years ago. The Independent Fiscal Office released
16 a performance-based budget plan for the department, what is
17 now the Department of Criminal Justice. And that included
18 about 13 items, if you recall, and we said at the time, and I
19 still think, that's quite a lot of measures for one
20 department.

21 But could you give me about three or four from
22 that IFO performance-based budget plan that you're focusing
23 on to determine the effectiveness of what you're doing in the
24 department?

25 SECRETARY WETZEL: Yeah. So here's the caveat

1 to this: This last year, with COVID, kind of makes the
2 measurements different. I think the independent --

3 And as you all know, I'm a big proponent of
4 performance budgeting. I think data-driven budgeting and
5 expecting outcomes is critical. And traditionally, what we
6 have looked at is overall violence, inmate-on-inmate
7 violence, inmate-on-staff violence, we've looked at
8 recidivism, crime after release by people who are on parole,
9 we've at looked at both arrests and reincarceration. And
10 then we have some fiscal measures to include performance
11 contracting halfway houses, so basically paying them based on
12 the recidivism rate of individuals who go through there and
13 leave.

14 But again, this last year --

15 REPRESENTATIVE TOPPER: So those would be kind
16 of, those would pre-COVID, kind of your measuring sticks --

17 SECRETARY WETZEL: Yeah.

18 REPRESENTATIVE TOPPER: So let's break that
19 into two parts.

20 SECRETARY WETZEL: And frankly, the numbers
21 are very skewed because, you know, we've been in a modified
22 operation, so lockdown, significant population reduction. So
23 the numbers don't really mean too much to compare to other
24 years this year.

25 REPRESENTATIVE TOPPER: Well, what would you

1 reduction, rolling housing unit closures, and this and that
2 to maximize staff. At one point, we were down a third of our
3 medical staff. We were down to 65 percent of our medical
4 personnel being available, so that's been a challenge. And
5 it's been a challenge not just for us, but for counties.

6 So throughout this, we've had Pike County, we
7 ended up sending a bunch of staff up to operate Pike County
8 early on. We're currently in your district, in Bedford
9 County, we currently have an acting warden there because
10 county jails have struggled throughout this also. So we
11 partner with them and so it's really staff and trying to keep
12 the inmates safe and healthy and alive.

13 We just expanded our treatment. We now have
14 the monoclonal treatment, which is very effective for certain
15 groups if you can get them the treatment early enough. We
16 now have that available inside a couple of facilities. We
17 have a couple of health systems around the Commonwealth who
18 have that available for us.

19 And I think the other thing is keeping the
20 medical infrastructure in place in DOC so it's not, it
21 doesn't threaten the community infrastructure.

22 And frankly, we had an outbreak in Huntingdon.
23 And I really have to give a shout-out to UPMC, who -- we were
24 on the phone with them -- when we have an outbreak at a
25 facility, we're on the phone with the local medical provider

1 daily just trying to work through things. And UPMC was right
2 there with us. And it was a bumpy two weeks until we got it
3 under control.

4 But I think those are the big drivers right
5 now. It's really trying to keep people healthy and safe, and
6 that's both people who are incarcerated and staff who are
7 working there. And you know, all these prisons happen inside
8 communities and have an impact on the community.

9 So that's really the measures we've been
10 focusing on the last year.

11 REPRESENTATIVE TOPPER: All right. Thank you,
12 Mr. Secretary, and thank you for the work you're doing
13 working with the Bedford County Jail, as well. That has been
14 much appreciated during this time.

15 Thank you, Mr. Chairman.

16 MAJORITY CHAIRMAN SAYLOR: Representative
17 Steve Kinsey.

18 REPRESENTATIVE KINSEY: Thank you, Mr.
19 Chairman.

20 MAJORITY CHAIRMAN SAYLOR: Mr. Kinsey, if you
21 would take your name plate with you, as well -- oh, sorry. I
22 can't see you from there. Sorry.

23 REPRESENTATIVE KINSEY: Not a problem, sir.
24 Thank you.

25 Thank you, again, Mr. Chairman.

1 And I also want to thank Secretary Wetzel for
2 being here this morning.

3 Mr. Secretary, I want to talk a little bit
4 about COVID and the impact that it's having not just across
5 the state, but directly within the Department of Corrections.

6 As of yesterday, there were over 899,000 cases
7 in the state of Pennsylvania. And I believe as of
8 February 10th, there were 4,000 cases, just over 4,000 cases,
9 of COVID reported throughout the Corrections system.

10 Mr. Secretary, if you can just help me out for
11 a second, based on the general population, this number
12 appears to be low, but can you give us a view in regards to
13 how Pennsylvania is ranking with other states as it relates
14 to the number of COVID cases for those that are incarcerated?

15 SECRETARY WETZEL: Yes. And the number you
16 referred to refers to the total number of positives
17 throughout. I think right now we have about 500 active
18 cases, 499 active cases currently.

19 There was a report put out at the end of last
20 year, and Pennsylvania was sixth as it relates to the
21 incidents inside our prisons. That's sixth lowest in the
22 country and the largest system in the top 10. But it's a
23 challenge, especially our older facilities, facilities that
24 have a lot of dorm space. It's very difficult to stop the
25 spread.

1 But that's where our numbers are right now,
2 and in the context of state prison systems, we would be in
3 the top 10.

4 REPRESENTATIVE KINSEY: Great. Thank you very
5 much for that.

6 Also I want to talk about the geriatric
7 population. I know in the past years, we've talked about
8 legislation that myself and some of my colleagues have
9 sponsored as it related to individuals who have been
10 incarcerated, but that also have medical conditions. And
11 again, we want to continue to push that because we believe
12 that under the current state with COVID, that those
13 individuals who have served a period of time and have medical
14 conditions probably should not be there at this particular
15 point.

16 But can you share with us the population, the
17 percentage of individuals who are incarcerated that might
18 have a medical condition or that fall into that geriatric
19 category? And also, in addition to that, can you share with
20 this body the cost for those individuals versus the general
21 population, as well?

22 SECRETARY WETZEL: All right. I think that
23 was about 15 questions, Rep, so I'm going to try to hit them
24 all. If I miss some --

25 REPRESENTATIVE KINSEY: I know you're good, I

1 know you're good at this. So come on, Secretary.

2 SECRETARY WETZEL: Please follow up. I should
3 have taken notes.

4 Let's start with geriatric and skilled care
5 beds. We have about 350 beds that are specifically
6 designated for geriatric and skilled care. And we have them
7 in three facilities: Laurel Highlands, which is kind of our
8 traditional nursing home, Waymart, which is where our mental
9 health unit is in addition to a personal care unit, and then
10 Muncy for females.

11 As it relates to overall geriatric -- and
12 again, I don't define geriatric, that's defined by the feds,
13 and the feds define it, in prison, as anybody over the age of
14 50, which would make me quite elderly, by the way. That's
15 25 percent of our population. And I think that everyone is
16 aware of like the different designations, right, 1a, 1b.

17 I think just to give you a sense of what our
18 population is, about 47 percent of our population is 1a, so
19 they are vulnerable for COVID. It's a group we identified
20 early on and we put a bunch of -- for instance, we try to not
21 house people who are 1as in a dorm, for instance, we want
22 them in a cell, preferably a cell that's closed in.

23 The cost of a nursing home in prison is
24 extraordinary because you have the same level of medical care
25 provided, in addition to, it's provided inside a venue that

1 has security. So our per diem is about \$500 a day for a
2 nursing home versus about 145 for overall. So significantly
3 larger costs.

4 And you know, this is my 10th or 11th budget
5 hearing, and either way, in every one I've talked about
6 medical parole and really the mechanism to flip individuals
7 -- especially individuals who are incapacitated who have,
8 there's no reasonableness that they will ever even regain
9 consciousness, but we have no mechanism to shift them into a
10 nursing home in the community on the federal dime versus the
11 state dime.

12 I think I covered almost everything, Rep. If
13 I missed something, please follow up.

14 REPRESENTATIVE KINSEY: No, you did well. And
15 I see my time is almost up.

16 I just want to clarify, did you say \$500 per
17 day per diem for those that need medical care versus \$145 for
18 those that do not?

19 SECRETARY WETZEL: Yeah, I'm talking about
20 nursing home level. Yes.

21 REPRESENTATIVE KINSEY: Thank you very much.

22 Thank you, Mr. Chairman.

23 MAJORITY CHAIRMAN SAYLOR: Next is
24 Representative Zach Mako.

25 REPRESENTATIVE MAKO: Thank you, Mr. Chairman.

1 And, Mr. Secretary, thank you for being here
2 virtually with us today.

3 SECRETARY WETZEL: Good morning.

4 REPRESENTATIVE MAKO: Good morning. Good
5 morning, sir.

6 Hey, quick question for you, a two-pronged
7 question relating to your testimony on the mergers of the
8 Department of Corrections and the Board of Probation and
9 Parole.

10 In your testimony you spoke about -- first
11 question is -- you spoke about saving \$12 million with that
12 merger, and I guess the memorandum of understanding. Can you
13 just talk a little bit about what those savings were and how
14 you guys got the 12 million?

15 SECRETARY WETZEL: Yeah. It was basically
16 eliminating a lot of the administrative redundancy as it
17 relates to -- you know, when you have multiple, for instance,
18 HRs, ITs, the infrastructure stuff that every -- for
19 instance, your caucus has that infrastructure, so there was a
20 lot of overlap.

21 But we also realized a lot of efficiency in
22 allowing -- so when you have two separate organizations, when
23 parole is on one end and DOC is on the other -- for instance,
24 if you have a significant population reduction, you can't
25 just shift that funding to increase the amount of parole

1 agents in the community because it's two separate entities.
2 Now, we have 7,000 more who are in the community. We can
3 shift some of that funding and increase staffing on the
4 community side of the house. So it's those kinds of
5 efficiencies.

6 Kelly or Tabb, do you have anything to add to
7 some of the benefits of merger?

8 DEPUTY SECRETARY EVANS: I would just say that
9 a big benefit is that, the Secretary mentioned, being able to
10 provide staff, and you know --

11 MAJORITY CHAIRMAN SAYLOR: Kelly, if I can
12 just stop you. The stenographer probably cannot hear you.
13 If you could, speak more into your microphone, so that the
14 stenographer here can hear you. My apologies.

15 DEPUTY SECRETARY EVANS: Okay. I'll try
16 again.

17 A lot of the efficiencies were staffing
18 between the two agencies. We had similar staff doing the
19 same job. So we got rid of the, you know, redundancies and
20 we are able to save financially with that.

21 SECRETARY WETZEL: Yeah, for instance, what
22 Kelly is talking about, it's like we had parole folks,
23 institutional parole officers and counselors essentially
24 doing the same function. So by having only one entity do
25 that, we have been able to reduce the redundancy and expand

1 what we're doing with the same amount of staff.

2 REPRESENTATIVE MAKO: It's a good answer, I
3 like it.

4 So my second question would be, you know, in
5 your testimony you just kind of mentioned it, it's a little
6 blip here (indicating) with the merger legislation, "the
7 department could save another 10.5 million with even more
8 efficiencies."

9 And what would those be? What would those
10 initiatives be that the legislation would allow you to do
11 that you can't already do with this merger?

12 SECRETARY WETZEL: Yeah. So we're still
13 technically, legally, two separate entities and we have a lot
14 of overlap as it relates to things like transportation, for
15 instance.

16 I will tell you a for instance where we had an
17 individual who was at a halfway house that is on the grounds
18 of one of our state prisons. He needed to get violated and
19 brought inside this state prison. Because -- even though we
20 have an MOU -- because we are two separate entities, we
21 actually had to call a parole agent from Pittsburgh to drive
22 down on the grounds of SCI Greene to walk someone across the
23 street into Greene because it's two separate bargaining units
24 and different bargaining works as opposed to one entity. So
25 that's an illustration.

1 There's still additionally legislatively, we
2 could work through that would allow us to become more
3 efficient in those areas like that, that it's not standard
4 that one side or the other should be doing it.

5 REPRESENTATIVE MAKO: I got you.

6 Well, that's all I had. Thank you. I
7 appreciate it, Mr. Secretary.

8 SECRETARY WETZEL: Thank you.

9 MAJORITY CHAIRMAN SAYLOR: Next is
10 Representative Austin Davis.

11 REPRESENTATIVE DAVIS: Thank you, Mr.
12 Chairman.

13 And thank you, Mr. Secretary, for being with
14 us today. I hope you're doing well.

15 SECRETARY WETZEL: Morning, Rep.

16 REPRESENTATIVE DAVIS: You know, first -- so I
17 kind of have two issues I'd like to touch on. The first is,
18 last year prior to the pandemic, a group of legislators went
19 and toured Cambridge Springs. And one of the things that
20 really kind of struck most of us on that tour was the ratio
21 between social workers and inmates. I think for that entire
22 prison, there may have been, I think, only two social workers
23 in that entire facility, from what I remember.

24 Can you speak a little bit to what that
25 situation is like overall in the Department of Corrections,

1 and potentially how can the legislature be more helpful in
2 ensuring that inmates are getting the proper access to social
3 workers?

4 SECRETARY WETZEL: Yeah. Well, actually the
5 social workers is an area that's pretty new for us. I think
6 in the last four years we've expanded the social workers.
7 But social workers aren't the only folks who deliver the
8 services that you're contemplating.

9 So we use social workers in particular as it
10 relates to reentry. The challenges for our folks -- and in a
11 normal year, we'll release around 20,000 people, somewhere in
12 that ballpark. And the reentry challenges for those folks
13 are significant. Any time you're talking about individuals
14 who are criminally involved and, you know, 70 percent
15 suffering from some addiction and a third suffering from
16 mental health, connecting them to services in the community
17 are critical. That's what social workers primarily work on.

18 We have counselors, we have psychologists, and
19 psych staff and a bunch of human services type staff, but
20 social workers in particular focus specifically on reentry
21 and working with our seriously mentally ill population and
22 their specific needs.

23 REPRESENTATIVE DAVIS: So specifically one of
24 the areas that I think that really stuck out was particularly
25 pregnant women who were incarcerated who had just given

1 birth. There were a number of women who had just given
2 birth -- you know, I'll say fairly recently at that time,
3 within the last month or two. But they had not necessarily
4 had access to a social worker or mental health professional.
5 And clearly they were dealing with some separation issues
6 from their children, maybe even some postpartum depression.

7 Can you talk a little bit about how the
8 Department of Corrections kind of deals with that very
9 specific, particular instance? It's a very -- I mean, it can
10 be -- it is a very traumatic experience for a woman to give
11 birth in a prison to be immediately separated from their
12 child within, you know, 24 to 48 hours.

13 Can you talk a little bit about that process?

14 SECRETARY WETZEL: I can.

15 We average, I think, around 40 births a year.
16 We have two female facilities, Muncy and Cambridge Springs.
17 Cambridge Springs is the one where we also have our methadone
18 clinic. As I assume most folks know, if an individual is
19 pregnant and addicted to heroin, you actually have to
20 detox -- you have to keep them on methadone. And then, when
21 the baby is born, the baby has to be detoxed. We do that at
22 Cambridge Springs. So it happens about 40 to 45 times a
23 year.

24 The vast majority of babies actually do not go
25 into the Department of Human Services. They are actually

1 going to families or friends.

2 We do have psych services available for that
3 and I assume initially when they come back, they go into an
4 infirmary and then back to their general population. But
5 I'll follow up specifically on -- I'm not sure exactly what
6 date you visited, but I'll have Diana Woodside follow up with
7 you specifically to get some specifics around the two ladies
8 you interacted with.

9 REPRESENTATIVE DAVIS: Thank you.

10 And then just to switch gears for a moment.
11 Prison reform efforts, such as JRI, have led to the reduction
12 in the racial disparity in Pennsylvania prisons. But
13 African-Americans and Hispanics are still over represented in
14 the prison population.

15 What can your Department of Corrections and
16 the Department of Criminal Justice do to address those
17 disparities, and particularly, what efforts have you taken to
18 date to address those disparities?

19 SECRETARY WETZEL: Well, I think if you look
20 at my tenure, the 10 years I've been in this job, 75 percent
21 of the population reduction is in the nonwhite population.
22 That's not a phenomenon, that's Pennsylvania specific. We
23 see this in a lot of states around the country, that when you
24 go through these reform initiatives -- and as you know, we
25 went through two here, JRI 1 and 2 -- subpopulations that are

1 disproportionately negatively impacted receive a benefit and
2 that benefit is less disparity.

3 But to your point, it's still very despair.
4 It used to be four times, now we're three and a half times
5 overrepresented. And I'm talking specifically about
6 African-American males in particular.

7 So I think, one, it starts at the front end of
8 the system. And you can't have a conversation about racial
9 disparity without talking about educational disparity. And
10 when you look at 40 percent of new commits don't have a high
11 school diploma, when you look at young, black men who drop
12 out of school who have a 70 percent lifetime likelihood of
13 incarceration, you can't talk about reducing racial disparity
14 without improving education outcomes, especially in some of
15 our urban areas that have poor education outcome.

16 I mean, you can reverse engineer our
17 population and look at educational outcomes, and just, if
18 there was one thing that you could do that would
19 significantly increase or decrease the racial disparity, it's
20 improve urban education, period.

21 I think in addition to that, I think -- you
22 know, Representative Bullock, every year, asks about the
23 disparity. I think it's important that we do have this
24 diversity among our staff. I think it's important especially
25 when you think about parole agents. It's important that we

1 have some cultural competence in dealing with individuals
2 who -- getting out of the criminal justice system is
3 complicated and folks need people to help them get out of it.
4 And I think continuing to be diverse as it relates to both
5 sides of the house is a key piece of it.

6 REPRESENTATIVE DAVIS: Well --

7 SECRETARY WETZEL: -- but -- and also, then
8 continuing to use incarceration with precision. When we
9 divert people --

10 One of the interesting things, if you look at
11 racial disparity and you break it down by the type of
12 sentence, what you'll see is the most racially despair
13 sentence is life without parole. That's the most racially
14 despair. So the more severe, the more the racial disparity.

15 Conversely, the diversionary programs such as
16 SIP, where the state drug treatment program is, they have
17 less disparity, meaning less minorities get sentenced to
18 those programs. So I think that's another area that's real
19 obvious to look at.

20 REPRESENTATIVE DAVIS: Thank you,
21 Mr. Secretary.

22 I see my time has expired. But I would just
23 say I completely agree with you that we need to invest in
24 urban education in our urban schools. That's a particular
25 quick pathway to reducing black and brown populations in our

1 prisons.

2 And clearly, this is a topic you're passionate
3 about and I just offer myself as a willing partner to help
4 work with you in those efforts.

5 And thank you, Mr. Chairman, for the
6 indulgence of the time.

7 SECRETARY WETZEL: Thank you, Representative.
8 I'll be in touch.

9 MAJORITY CHAIRMAN SAYLOR: Next is
10 Representative Jonathan Fritz.

11 REPRESENTATIVE FRITZ: Thank you, Mr.
12 Chairman.

13 And good morning, Secretary Wetzel.

14 SECRETARY WETZEL: Good morning.

15 REPRESENTATIVE FRITZ: Pleased to have you
16 with us, albeit virtually.

17 So, Secretary, you know I proudly represent
18 the 111th Legislative District, which is home to SCI Waymart.
19 You know, it was just a few years ago that we were really
20 sweating some bullets when we found out that SCI Waymart was
21 on the short list for consideration for closure. And while
22 that process, that experience, was certainly
23 anxiety-inducing, we were able to illustrate through that
24 process just how important SCI Waymart is in the network of
25 correctional facilities. It really is the preeminent mental

1 health facility within our network of prisons.

2 So I always like to have you spend a little
3 bit of time in our exchange this morning to speak to the
4 value kindly, sing the praises for SCI Waymart.

5 SECRETARY WETZEL: You got it.

6 SCI Waymart is the center of our mental health
7 universe for men. It was, as many people know, it was
8 originally a Department of Human Services facility called
9 Farview. It is our only male mental health unit, in other
10 words, people go through the mental health process, the 302,
11 303, or 304 involuntary commitment, and they ultimately end
12 up at Waymart.

13 In addition to that, we have a large
14 population up there -- I said it has a personal care unit.
15 So it's not a nursing home level, but the level of acuity
16 below a nursing home, we have that at Waymart also.

17 We've been working with your county
18 commissioners up there, as I'm sure you know, and I think we
19 are supporting a grant they're applying for to look at using
20 that site to put some sort of facility, drug treatment,
21 mental health treatment, some kind of combined use facility
22 that makes sense for an adjacency.

23 So it is, to your point, it is a very critical
24 part of this department.

25 It also is co-located with the federal

1 facility, which makes, you know, finding some use, like a
2 halfway house kind of thing, for that campus makes sense.

3 REPRESENTATIVE FRITZ: Wonderful. So our
4 employees --

5 SECRETARY WETZEL: I would also -- can I note
6 one more thing?

7 REPRESENTATIVE FRITZ: Yeah, yeah.

8 SECRETARY WETZEL: Tomorrow Waymart will be
9 doing, they are our second facility to receive vaccines
10 because they're designated as a personal care facility and
11 they will be doing that tomorrow.

12 REPRESENTATIVE FRITZ: Okay, good deal.

13 Listen, I want to shift gears here a little
14 bit. Last year, we touched on this and I want to touch on it
15 again this year, and it is the housing of out-of-state
16 prisoners. We have some excess capacity, some empty beds, in
17 our facility system and oftentimes we'll enter into a
18 cooperative agreement, an arrangement with other states, to
19 house inmates.

20 Are we presently doing that now, Secretary
21 Wetzel?

22 SECRETARY WETZEL: As of yesterday, the last
23 inmates from Delaware left. So no, we are not.

24 We did do that for about two years. You may
25 remember Delaware had a riot where Sergeant Floyd was

1 murdered. We helped them out by taking a bunch of their
2 inmates. They're all gone now.

3 And I think until we get beyond COVID, we're
4 not going to be getting back into that business.

5 REPRESENTATIVE FRITZ: Is there a thought or
6 an intent in the future, once we get on the other side of
7 this pandemic, to enter into arrangements with neighboring
8 states, or states really anywhere in the country, to house
9 some of their inmates if we have empty beds and we can profit
10 from housing other inmates from other states; is that a
11 consideration?

12 SECRETARY WETZEL: Yeah. It was before. I
13 mean, every time we come to a place where we have excess
14 capacity, prior to closing a prison, we try to rent the beds
15 so we can keep our staff employed and those kinds of things.
16 so we'll try to do the same thing.

17 I hope we get beyond COVID. It's hard to see
18 beyond it right now, but hopefully, we get through the
19 vaccinations the rest of this year and get beyond it. But,
20 yeah, I think that's always, there's always a market.

21 REPRESENTATIVE FRITZ: Thank you, Mr.
22 Chairman. That's all my questions.

23 Thank you, Mr. Secretary. Be well.

24 SECRETARY WETZEL: Thank you. Have a good
25 day.

1 MAJORITY CHAIRMAN SAYLOR: Next is
2 Representative Patty Kim.

3 REPRESENTATIVE KIM: Thank you, Chairman
4 Saylor.

5 Good morning, Secretary Wetzel and team.
6 Thank you so much for being with us today.

7 I wanted to piggyback on Representative
8 Kinsey's comments about the geriatric population. Just like
9 the Commonwealth, you know, our older population is growing
10 and it's growing in the prison.

11 I went to Graterford, I think a couple of
12 years ago to visit the lifers. And honestly, I was nervous,
13 I didn't know what to expect. You know, these are the
14 hardest criminals there. And once I went into the room, I
15 felt like I was in a nursing home, like they were shuffling.
16 And I was like, "I can outrun these guys," like, "I'm not
17 afraid."

18 They were so much older. And studies show
19 that since it's such a harsh environment -- you know, if
20 you're 50 years old in prison, your body and your health is
21 more like a 65-year-old. I think a lot of the folks who are
22 in the elderly population are low risk.

23 Secretary, how often do you evaluate the older
24 population and consider them on leave, for medical leave?

25 SECRETARY WETZEL: Well, I mean, as it relates

1 to lifers, there's really not an expedient mechanism to
2 release them. So we don't look at that very often.

3 I think as -- I mean, but to your point, as it
4 relates to outcomes, you can look at individuals who are
5 commuted over the last decade or 15 years, and you'll see
6 that -- I can't think of one that's back here -- actually,
7 that's not true. One of the people who have been commuted
8 over the past 15 years, there was a gentleman who was just
9 brought back from Ohio. That's the only one I recall.

10 So to your point, don't expect bad outcomes
11 from, you know, 60-, 70-, 80-year-old individuals who spent
12 decades in prison who go back to the community.

13 REPRESENTATIVE KIM: So in a study in 2012,
14 Texas spent nearly \$2 million on 10 particular sick
15 prisoners. That's a lot of money, taxpayer money, on these
16 folks and to have them out with, you know, on Medicare, with
17 their families supporting them, I think, is a better use of
18 our money.

19 I'm going to pivot over -- I appreciate you,
20 Secretary, for always looking at programs. You're always
21 putting in more programs and experimenting with different
22 programs. And I just wanted to focus on the women.

23 Your motto is, you know, "our obligation is to
24 keep these facilities safe, humane, and cost efficient."
25 What are you doing to help the women population in terms of

1 their needs, their health needs, psychological needs?

2 When we did a TEDx at Muncy, you had a lot of
3 people talk and give speeches. And a lot of them went
4 through domestic violence abuse, a lot of them are survivors
5 and made a bad decision and hurt somebody.

6 What kind of support are you giving the women
7 in the prisons?

8 SECRETARY WETZEL: So we have two female
9 facilities, SCI Muncy and SCI Cambridge Springs. And unlike
10 the men, with the women, we actually offer trauma programs
11 right at commitment. We're screening for trauma, we have a
12 different mechanism for screening, different programming that
13 specifically targets the criminogenic needs of the female
14 population.

15 I talk about this all the time, the female
16 population is, has been growing larger than the male
17 population. During COVID, I think the good news is that the
18 female population actually went down a little more from a
19 percentage standpoint than males.

20 We see a larger number of females on our
21 mental health roster. As it compares to females, that's a
22 phenomenon, it's not just a Pennsylvania phenomenon, but
23 national. They are also more likely to be addicted, more
24 likely to be the custodial parent of children. So we have
25 mothering programs.

1 And we also focus specifically on reentry.
2 And we have a female transitional unit that we built on the
3 grounds of SCI Phoenix, specifically because 27 percent of
4 our population comes from Philly. If you look at the
5 southeast in particular, you're probably looking at over a
6 third of our population comes from there.

7 However, COVID has -- we tried to open it. We
8 just didn't have the numbers. And in a COVID environment, we
9 just aren't able to start it. But I think the good news is
10 we do have a lot of specific programs for females, I think
11 we're going to continue to need to focus on their specific
12 needs.

13 REPRESENTATIVE KIM: Thank you very much,
14 Secretary.

15 Thank you, Chairman Saylor.

16 MAJORITY CHAIRMAN SAYLOR: Representative
17 Zimmerman.

18 REPRESENTATIVE ZIMMERMAN: Thank you, Mr.
19 Chairman.

20 And good to see you, Secretary. You and I --

21 SECRETARY WETZEL: Good morning.

22 REPRESENTATIVE ZIMMERMAN: You and I go back
23 to Lancaster County Prison where we met along with Justice
24 and Mercy.

25 SECRETARY WETZEL: I do remember that, yeah.

1 REPRESENTATIVE ZIMMERMAN: Good to have you
2 here.

3 So my colleague from Harrisburg mentioned the
4 Graterford Prison. I'd like to just talk a little bit about
5 that.

6 In a former life, I negotiated herd health and
7 dairy management contracts with that prison system. And of
8 course, as you know, it's -- I'm not sure how long it's been
9 that the farm has been closed, but the housing facility was
10 closed back in 2018. And I understand that some of the
11 buildings and so forth have been being managed by DGS. And I
12 was just wondering, what is the status there? Where are
13 things at and what's actually happening?

14 SECRETARY WETZEL: Yeah. So after a prison
15 closes, once we moth ball it, it goes over and DGS
16 technically manages it. Graterford is a little different
17 because we built its replacement on the same grounds. So
18 there's no thought of selling it or using the property for
19 anything other than demolish it.

20 We actually explored making the demolition of
21 Graterford a program. Maryland DOC actually did that and you
22 actually recycle the stuff you get. You teach the inmates
23 who help demolish it a skill that translates to reentry. But
24 again, this past year, we're not -- that was two years ago,
25 we were looking towards that.

1 But that's the status of Graterford right now.

2 REPRESENTATIVE ZIMMERMAN: Okay. So the
3 buildings are actually still there, but the process of taking
4 them down is in motion, then? Is that what you're saying?

5 SECRETARY WETZEL: It was in motion prior to
6 COVID. Now it's kind of freeze frame until we get through
7 COVID and then we'll relook at it.

8 But it's on the same campus. Like, we own
9 that entire campus, so it's not like the other ones, that
10 there's nothing else on that campus. So it's not costing us
11 additional to provide security, for instance, because we
12 already have security on that campus.

13 REPRESENTATIVE ZIMMERMAN: It's all there.

14 So then, when we look back at the dairy
15 facility, for example, that was right there, as well, is that
16 still owned and part of the facilities, as well?

17 SECRETARY WETZEL: Not -- I mean, we pretty
18 much got out of farming under the Rendell Administration
19 actually, prior to me being in this job, most of that stuff.
20 I think we have a handful of facilities that are still
21 farm -- Huntingdon still is.

22 EXECUTIVE DEPUTY SECRETARY BICKELL:
23 Huntingdon, Rockview does.

24 SECRETARY WETZEL: Rockview does a little bit.
25 But we're not, not to the extent that we were back in the

1 2000s.

2 REPRESENTATIVE ZIMMERMAN: Okay. But so some
3 activities, farming activities, are still actually happening
4 there?

5 SECRETARY WETZEL: At Rockview and Huntingdon
6 -- is that the only two?

7 EXECUTIVE DEPUTY SECRETARY BICKELL:
8 (Inaudible.)

9 SECRETARY WETZEL: Yeah, maybe there are two
10 or three that are doing some, but nothing major.

11 REPRESENTATIVE ZIMMERMAN: But no longer at
12 Graterford, then?

13 SECRETARY WETZEL: Nope, nothing at
14 Graterford.

15 REPRESENTATIVE ZIMMERMAN: Okay. All right.

16 Well, I think that concludes my questions.
17 Just interested in knowing what's happening there, but if new
18 facilities are being built and the old ones are being taken
19 down, sounds like a good plan, so thank you.

20 SECRETARY WETZEL: Thank you.

21 MAJORITY CHAIRMAN SAYLOR: Representative
22 Peter Schweyer.

23 REPRESENTATIVE SCHWEYER: Thank you, Mr.
24 Chairman.

25 Mr. Secretary, thank you for joining us today.

1 I was just commenting, if anybody doesn't
2 know, when you're in the chamber, you're actually staring at
3 yourself on the screen, so it's really sort of strange for
4 all of us to be talking to ourselves right now. Somebody had
5 to say it.

6 Anyway, Mr. Secretary, we have a situation in
7 Lehigh County, I know you're aware of it because my office
8 and other legislators from the Lehigh Valley have reached out
9 to you. And I know that there's nothing directly that you
10 can do to control outbreaks of COVID in county prisons. But
11 I was wondering, sir -- as you know, we had a guard and an
12 inmate in December both pass away due to COVID-19 in Lehigh
13 County Prison. And it's an area of great concern for
14 activists for the union, for county leadership, for folks
15 across the Lehigh Valley.

16 And I was wondering, sir, if you could
17 extrapolate on something that you had mentioned earlier about
18 working with our county prisons to share best practices. Are
19 there certain things that you could do that you need from us
20 to help you with to really get into our county prisons to try
21 to control the pandemic, sir?

22 SECRETARY WETZEL: Yeah. Well, thanks for
23 that question. I am very familiar with Lehigh County, going
24 back to even when Ed Sweeney was there and now -- Janine and
25 I go way back also.

1 Yeah, I'll tell you, the COVID for county
2 jails is a lot more challenging than us, and specifically,
3 from the new commits. So what we did is we set up a new
4 commit process where everybody goes through Smithfield, so a
5 single point of contact for all males. And the reason we did
6 that is because what we found is even if we test people on
7 day three or day one, which a lot of folks are doing, a week
8 later they'll be positive because the testing isn't sensitive
9 enough, or in some cases two weeks or three weeks. We've had
10 people testing three weeks out positive when they're tested
11 weekly. So we're testing everybody three times.

12 So counties really have their hands full.

13 So early on, there wasn't a lot of guidance
14 for Corrections. And CDC was really focusing on kind of the
15 bigger community. So a bunch of Corrections directors from
16 around the country got together and kind of worked with the
17 National Governors' Association and came up with kind of the
18 best practices. And then we were convening weekly calls with
19 the counties in Pennsylvania and just kind of providing them
20 with best practices. We give them everything we have, all
21 the information we have, all the forms. Everything new we
22 learn, we provide to them.

23 We provided direct assistance to a bunch of
24 counties. I talked about Pike. We currently have an acting
25 warden at Bedford County. We helped Washington County out.

1 I toured Lancaster County -- I know Representative Zimmerman
2 and I met there before -- to help them. Everyone is just
3 trying to do their best.

4 And I know you've talked to the folks at
5 Lehigh County. It's just a huge challenge. And I think, you
6 know, a lot of states stopped taking new commits. I felt
7 like that would have been an error because for counties and
8 the state to kind of be fighting against each other, I felt
9 like we really needed to pull together.

10 So it is, I guess, to sum up, the county
11 construct is a lot more challenging. We've sent people out.
12 We have teams that go out and inspect and give
13 recommendations on best practices. And we'll be reaching out
14 to Lehigh County and offering that service. We've done that
15 for about three or four different counties.

16 REPRESENTATIVE SCHWEYER: Well, I appreciate
17 that, Mr. Secretary. Having your professionals come in to
18 provide that guidance, that expertise, to be able to help us
19 is going to be certainly very welcome.

20 The second part of my question that I just
21 want to reiterate is, are there things that you need from the
22 legislature to be able to give you those, more of those tools
23 to be able to help our local prisons?

24 SECRETARY WETZEL: Well, I think with the
25 local prisons, I think -- listen, population counts. The

1 number of incarcerated individuals you have per square foot
2 counts as it relates to COVID. And the more people you have,
3 the more COVID is going to spread, the more deaths you're
4 going to have, both staff and inmates. That's just the
5 reality. So mechanisms for population reduction like medical
6 parole at the state level and a mechanism at the local level.
7 And frankly, you know, DAs around the state, a lot of local
8 courts have been very creative in reducing their population
9 to manage it and I think that's a key piece.

10 I think giving access to things like PPEs and
11 those kinds of things, early on that was really critical. We
12 don't know what the next pandemic is going to be or what the
13 needs are, but when this first hit, counties are really
14 scrambling. And again, fortunately, we have a good
15 relationship through our counties Inspection Office with
16 counties and we just kind of work with them. But I think
17 knowledge and then resources and actual things like PPEs...

18 The inmates are in lb as it relates to
19 vaccines, right? So the vaccination plan for counties -- and
20 it's going to be challenging in counties because people come
21 and go. And so at the state level, we're not going to
22 vaccinate someone who's not going to be here 28 days to make
23 sure they get both shots. I don't know what that looks like
24 at the county.

25 So I think, one is information and knowledge;

1 and then, two, when something outbreaks -- and if there's a
2 need at the state level, there's going to be a need at the
3 county jail level, and they need to be able to find it
4 without jumping through a whole lot of hoops because they
5 just don't understand the state process.

6 So I think those are the things that counties
7 really need as it relates to pandemics.

8 REPRESENTATIVE SCHWEYER: Okay. Thank you,
9 Mr. Secretary. Look forward to seeing you and your team in
10 Lehigh County.

11 Thank you, Mr. Chairman.

12 SECRETARY WETZEL: Thank you.

13 MAJORITY CHAIRMAN SAYLOR: Next is
14 Representative Struzzi.

15 REPRESENTATIVE STRUZZI: Thank you, Mr.
16 Chairman.

17 And good morning, Secretary Wetzel.

18 SECRETARY WETZEL: Good morning.

19 REPRESENTATIVE STRUZZI: As you know, I
20 represent the 62nd district in Indiana County, which is home
21 to SCI Pine Grove. So as in previous years, my questions are
22 going to be focused on corrections officers' safety.

23 I was extremely concerned when I looked at the
24 Governor's executive budget and saw that the cases of
25 in-institution violence on staff and other persons per 1,000

1 had increased to 59 last year, or at least the 2019-2020
2 year. That's an increase from 50 just five years ago in
3 2014-2015.

4 So I know when we discussed this last year,
5 you had said, or I believe that one of your staff members had
6 said, that you take every assault on a corrections officer
7 personally. I do, too, because these are the people who live
8 in our community, their children go to school with my
9 children, and it's important to me that they are safe on the
10 job, as well as the inmates that have been discussed here
11 previously related to COVID.

12 So, you know, I'm concerned with that and I'm
13 sure you're concerned, as well. Can you talk to me about why
14 this increase is occurring? What constitutes a major assault
15 and what is being done to counter this?

16 SECRETARY WETZEL: Yeah. I'm going to have
17 EDS Bickell answer that. I'll just -- just to contextualize
18 in case folks aren't exactly where you're at in the budget.

19 Overall violence is down. What we've seen is
20 a significant increase in serious assaults on staff. In
21 other words, the definition of that is when staff have to be
22 sent out to the hospital.

23 I'm going to ask EDS Bickell to talk about
24 both what we think, why and then talk about what we're doing
25 to address it.

1 EXECUTIVE DEPUTY SECRETARY BICKELL: Yes. You
2 are correct. In 2020, we had 82 major staff assaults. And a
3 major staff assault would be an officer or staff member being
4 sent to an outside hospital. In 2019, we had 53. Now, what
5 the thing about that was, 49 of these assaults happened at
6 the very beginning of the pandemic between January and May.
7 Some of the things -- and since that time, we have averaged
8 probably about five, which is still way too many.

9 One of the things that we have done is we have
10 really emphasized effective communication throughout COVID.
11 And I believe as a result of that -- that has really had less
12 incidents. As I said, 60 percent, 65 percent of those major
13 assaults occurred at the very onset of COVID. I think we've
14 got better communication. We also do what we call fireside
15 chats to our inmates to make sure we are communicating with
16 them. We continue to train in effective communication
17 tactics to gain inmate compliance and (inaudible). A lot of
18 these assaults occur over phone calls, things of that nature,
19 where we just need to communicate a little bit better.

20 We also continue to train in deescalation
21 training. And we are also establishing a Management Control
22 Units, which are going to be very important to us. And we
23 are like days, possibly weeks away from getting that
24 operational. That's going to be housed at SCI Greene. And
25 that's where we're going to house some of our violent inmates

1 who have had a period of positive adjustment.

2 But as far as what you said, yes, our violent
3 incidents in 2020 were 31 percent lower than we were in 2019.
4 And everything really across the board is lower with the
5 exception of those major assaults in 2020.

6 REPRESENTATIVE STRUZZI: Does the assault
7 known as gassing or throwing of bodily fluids as an attack,
8 does that count as a major assault?

9 EXECUTIVE DEPUTY SECRETARY BICKELL: Yes, that
10 could, if they go out to the outside hospital, which if they
11 are assaulted by any type of liquid or that, medical will
12 look at it to see if it's deemed as a significant exposure,
13 but, yes, they will go to the outside hospital.

14 REPRESENTATIVE STRUZZI: And as far as the
15 inmate-to-staff ratio, how has COVID impacted that also
16 related to overtime? I've heard a lot of stories about
17 understaffing due to quarantine and things like that. Can
18 you talk to me about staffing to inmate ratios?

19 EXECUTIVE DEPUTY SECRETARY BICKELL: Yes.

20 Right now, our inmate ratio as of this year is
21 4.2 inmates to staff, which is like our lowest that I can
22 remember in my 33 years, you know, in this system. Right now
23 we have 9,360 correctional officers hired. Our training
24 academy through this COVID has done a remarkable job of
25 getting correctional officers and other support staff through

1 the academy. We took some new measures over there to where
2 we're kind of like working 12 hours a day seven days a week
3 to try to get the staff out. Right now we're about 300 staff
4 vacant throughout the system, which is pretty remarkable, you
5 know, through the COVID experience.

6 And I don't know if I'm going to repeat
7 myself, but we're hiring 50 more on March 1st.

8 SECRETARY WETZEL: So as it relates to
9 overtime, this last year, our overtime was budgeted at 90.
10 Minus COVID, we would have hit 94 million with overtime.
11 COVID added about 47 million to that. That was offset by
12 some of the federal funding, the COVID relief funding.

13 But our staffing levels are at -- I mean, our
14 pop went down by 7,000, our staffing levels stayed the same.
15 However, there has been periods, like I said, there was a
16 period where we had nearly 3,000 staff out for COVID. So
17 there will be periods where, and there's facilities where,
18 when we have an outbreak, we have a lot of staff, overtime
19 goes up. And at times, we've deployed people from other
20 facilities to different facilities to backfill that. But
21 we're at about 500, somewhere in the 500 range, of staff out
22 now, plus 500 vacancies, so we're only down 1,000 out of
23 17,000 staff, which is a heck of a lot better than we were
24 even two months ago.

25 REPRESENTATIVE STRUZZI: I appreciate your

1 testimony. We are out of time, but I encourage you, as
2 always, to make sure that we're putting the safety of the
3 corrections officers at the forefront. Thank you.

4 SECRETARY WETZEL: Thank you, Rep, appreciate
5 it.

6 MAJORITY CHAIRMAN SAYLOR: Next is
7 Representative Fielder.

8 REPRESENTATIVE FIEDLER: Thank you, Mr. Chair.
9 Thank you, Secretary, for joining us.

10 SECRETARY WETZEL: Good morning.

11 REPRESENTATIVE FIEDLER: Good morning. Still
12 morning, yes.

13 So last year I asked about the contract that
14 Pennsylvania has with a Florida company called Smart
15 Communications, which processes mail, photocopies it, and
16 sends it, as I understand, electronically to the appropriate
17 DOC facility.

18 Could you tell us, now that we're a little
19 ways into this contract, what is the time turnaround
20 expectation for when mail is received in Florida and when it
21 reaches the eyes of the incarcerated person? And could you
22 also tell us what the current price tag is for that program?

23 SECRETARY WETZEL: Yeah, the price tag is 4.3
24 per year. It was a three-year emergency contract, I believe
25 done in 2018 -- yeah, fall of 2018. The turnaround time is

1 three days, "72 hours" is what the contract says -- yeah, 72
2 hours.

3 We actually are bidding -- remember, this was
4 an emergency procurement based on staff getting exposed to
5 liquid cannabinoids coming in through the mail. So we're now
6 bidding that along with some other services. That bid should
7 be out later this year and then we'll have, hopefully, a
8 better price next year for it.

9 REPRESENTATIVE FIEDLER: So you expect that
10 the -- thank you for that -- you expect that the price tag
11 may decrease in the next round, with the --

12 SECRETARY WETZEL: Yeah. I would hope that
13 competition would drive it down. It was relatively new
14 technology in Corrections in '18, it's not now. So there's
15 more vendors in the market, so I'm optimistic.

16 REPRESENTATIVE FIEDLER: And do you think that
17 it makes more sense to, for example, bid this to an outside
18 company that could be in Florida or another state, rather
19 than, say, using the secure processing center that we have
20 that already screens books to screen mail, as well?

21 SECRETARY WETZEL: They don't have the
22 capacity to do it. It would be cost prohibitive. The
23 cheapest way is to outsource this service.

24 REPRESENTATIVE FIEDLER: Thank you for that.

25 And I'd like to ask just a little bit more

1 about the way in which you're dealing with COVID-19 inside of
2 prisons, where obviously social distancing is even more of a
3 challenge.

4 There was a Spotlight PA analysis that found
5 flawed data kept by the DOC regarding COVID-19 in prisons.
6 And in some articles I read, it talked about the DOC shutting
7 down a dashboard and then planning to relaunch a new one on
8 March 1st.

9 I've heard from some families and some
10 advocacy groups who have concerns about a lack of publicly
11 available data in that period before we launch a new
12 dashboard. Could you talk about your plans for the new
13 dashboard and whether you plan to, either in that dashboard
14 or somewhere else, publicly share all testing data for
15 facilities and possibly per person?

16 SECRETARY WETZEL: Yes, so -- well, not per
17 person. You're talking about protected health information.
18 But, yeah, and currently we're sharing static information
19 nightly that has the information you're describing.

20 But the dashboard, basically when we started,
21 we thought it was important that we had information out. So
22 we had one person pulling the information from multiple
23 databases. We really weren't, we didn't have the technology
24 to just create a database and feed it automatically. So it
25 ended up being a manual process.

1 As we started mass testing around, I'm going
2 to say October, November, we started significantly increasing
3 the mass testing facilities. The volume just got too much
4 for the individual and we needed a technological solution.
5 The delays in the data made the data ineffective. So when
6 you looked at the dashboard, you really couldn't tell what
7 was going on. And that triggered a series of articles and
8 complaints and scrutiny, which was well deserved. So we took
9 it down.

10 We're working on an electronic solution that
11 will pull from the multiple databases that we get
12 information. Because when you're talking about testing
13 information, that's in one database, and it's based on the
14 type of test that's in multiple databases. We're doing some
15 testing with the Department of Health. We're doing some
16 testing in-house with one of our providers. So all of this
17 stuff is coming from different databases.

18 So we're on track for March 1st, where it will
19 be more realtime, and, yes, all the information you talked
20 about will be there and it will be fed automatically. So it
21 shouldn't -- I mean, it can crash because of technology, but
22 it won't crash because one person is trying to keep up with
23 more work than they are capable of doing.

24 REPRESENTATIVE FIEDLER: Great. That
25 definitely seems like a step in the right direction.

1 So now you have the Office of Research and
2 Statistics taking over the daily management of the data and
3 the dashboard?

4 SECRETARY WETZEL: Yes.

5 REPRESENTATIVE FIEDLER: Great.

6 One question I wanted to ask just briefly
7 going back to the mail processing program. Do you have an
8 estimate as to what you are hoping for as far as -- or do you
9 have an idea of what changes you're hoping for as you look
10 for a new bid for the mail processing program? For example,
11 are you hoping that it might be within Pennsylvania or within
12 the tri-state region? Are you looking for a lower price
13 point? Are there other changes in the program you would like
14 to see?

15 SECRETARY WETZEL: It's a competitive RFP
16 process. So there's a procurement code that covers what that
17 looks like. So where they work and all that stuff is not
18 part of that, but we're going to bundle a bunch of services,
19 a bunch of light technological services and hopefully that
20 will drop the price down.

21 You know, scanning mail, e-mail, phone calls,
22 and even potentially tablets, all of that coordinated in one
23 kind of technological bid should get us as competitive a
24 process as you can get and that's what we're hoping for. And
25 competition drives cost down.

1 REPRESENTATIVE FIEDLER: Great. Thank you,
2 Mr. Secretary.

3 SECRETARY WETZEL: Thank you. Have a good
4 day.

5 MAJORITY CHAIRMAN SAYLOR: Representative
6 Brown.

7 REPRESENTATIVE R. BROWN: Thank you, Mr.
8 Chairman.

9 And good morning, Mr. Secretary.

10 I want to first thank you for your direct
11 assistance to the Pike County Prison. As you know, I
12 represent parts of Pike County and that prison does a
13 fantastic job, a holistic approach to the inmate, they have
14 great volunteer programs, and a very good recidivism rate. I
15 actually grew up with the warden, Warden Lowe, of the Pike
16 County Prison.

17 So thank you so much for that assistance.

18 SECRETARY WETZEL: Yeah. Our staff -- it was
19 pretty cool. Pike County, half their staff was out for
20 COVID, and they asked us to help and we asked for volunteers
21 and we got 125 of our staff volunteered to go to this
22 facility they knew was full of COVID and I just think that
23 speaks to the caliber of our staff. So we're happy to help
24 folks out. We're happy we're in a position where we can help
25 folks out.

1 REPRESENTATIVE R. BROWN: Thank you very much.

2 And I wanted to talk a little bit about -- I
3 know you mentioned, obviously COVID has created a tremendous
4 amount of difficulty for all sectors. And you talked about
5 the best practices and there was really no strong guidance
6 for the facilities.

7 But as far as the transfer of inmates, can you
8 give a little bit more details about, did transfers of
9 inmates continue to happen during COVID? Why they continued
10 to happen and the reasoning for that? And what were some of
11 those best practices or procedures that may or may not have
12 been utilized during that time?

13 SECRETARY WETZEL: Yeah. Thanks for that
14 question.

15 Transportations have become a bit of a point
16 of controversy around the country as it relates to
17 Corrections. And specifically where that came from is San
18 Quentin, they transferred a bunch of inmates into San
19 Quentin. At that time in California, San Quentin did not
20 have a COVID problem. They transferred inmates in who were
21 positive and that created an outbreak at San Quentin, which
22 ended up being if not the nation's largest COVID outbreak,
23 one of the largest COVID outbreaks.

24 So if you're just reading the headlines, it
25 looks like you should never transfer anybody. But if you

1 read the Inspector General's report, what caused that
2 outbreak was not the transfer, it was the transfer absent
3 testing and quarantine.

4 So in a perfect world, you would never
5 transfer anybody. It's not a perfect world. Our population
6 went down by 7,000. You can't take that 7,000 and divide it
7 by 25 facilities and we had an equal population reduction.
8 We also don't have equal risk. Some facilities, older
9 facilities with a lot of dorm space and open cells, have a
10 heck of a lot more risk as it relates to COVID. So
11 facilities with greater risk we want to have at a lower
12 population level.

13 Let's say Laurel Highlands, Waymart,
14 Huntingdon, Rockview, old prisons, lot of dorm space --
15 Cambridge Springs, add that to it -- a lot of dorm space, a
16 lot of open bars. We want those populations -- we have to
17 reduce that almost in half at those facilities. You can't
18 achieve that by not transferring.

19 So how do you safely transfer? What the
20 Inspector General's report said is our policy. You test
21 before you transfer somebody. We required new commits coming
22 from counties to be tested within the week to 10 days before
23 they come to us. When they come to us, we test again.

24 So our transfer procedure is test; if they're
25 negative, transfer, quarantine, test, test. So we're testing

1 both on the front-end and the back-end, and that's how you
2 safely transfer people.

3 Again, in a perfect world, we wouldn't
4 transfer anybody. It's not a perfect world.

5 REPRESENTATIVE R. BROWN: So it's more based
6 to transfer on sometimes a population risk of a facility or
7 the population that you need to maintain in a facility.

8 And the amount of quarantine time, 10 days?
9 Is that what the CDC was requiring after the test and then
10 retest and then quarantine?

11 SECRETARY WETZEL: Yeah. We actually do more.
12 We actually do 14 for transfers and we do 21 for new commits.

13 And what we have found is that even -- I just
14 got a report this morning from Smithfield, where somebody
15 tested positive on their test on the 21st day. So I think
16 one of the things that's really challenging around COVID is
17 the lack of sensitivity for testing, especially with
18 asymptomatic individuals.

19 So all these procedures are put in place to do
20 that. And that's why we kept the 14-day quarantine versus
21 10-day. It just felt like erring on the side of caution made
22 sense.

23 REPRESENTATIVE R. BROWN: Okay. Thank you,
24 Mr. Secretary.

25 And obviously, the challenges will continue

1 and hopefully to best protect the facilities.

2 And I did run out of time, but if I could ask
3 you to possibly submit to the committee just a little more
4 clarification.

5 Representative Struzzi talked about violent
6 assaults on officers. If you can just provide us some more
7 detailed information. There seems to be a little bit of
8 conflicting data as far as what's listed in the budget as far
9 as those numbers and what I heard in some of the comments.
10 So if you could just clarify that with us, that would be
11 great.

12 Thank you.

13 SECRETARY WETZEL: Sure. You got it. Have a
14 good day.

15 MAJORITY CHAIRMAN SAYLOR: Thank you.

16 Before we go to the next speaker, I did want
17 to make an announcement concerning tomorrow. We are
18 monitoring the weather. I know several people are asking
19 about tomorrow. We are monitoring the weather and have, we
20 will have more to say this afternoon once we get more
21 updates, so keep tuned in.

22 And with that, we'll move to Representative
23 Cephas.

24 REPRESENTATIVE CEPHAS: Thank you, Mr.
25 Chairman.

1 And good morning, Secretary. How are you?

2 SECRETARY WETZEL: Good. How are you?

3 REPRESENTATIVE CEPHAS: I'm well.

4 My first series of questions are around your
5 vaccine coordination and distribution amongst your staff, as
6 well as the inmates. So as inmates transition out, are you
7 experiencing currently any challenges with inmates that might
8 have gotten their first dose and transitioning out, trying to
9 coordinate them getting access to their second dose?

10 SECRETARY WETZEL: No, we're not. We only
11 have one facility where the inmates were vaccinated. We only
12 have three facilities that meet the criteria for 1a, and
13 that's Laurel Highlands, Waymart, and Muncy. Laurel
14 Highlands did their vaccinations on their inmate population
15 yesterday. The first round we achieved a 73 percent
16 vaccination rate, which was very good.

17 Waymart is tomorrow and then we believe that
18 Muncy will get theirs the 22nd and start vaccinating
19 March 1st. That's our tentative numbers right now.
20 Obviously weather and a bunch of other stuff plays into it
21 because we actually do send a team of medical professionals
22 out to aid with the vaccinations.

23 Our procedures say that -- you know, the two
24 shots are roughly 24 days apart. Our procedures say that we
25 don't give you the first shot unless you're going to be

1 incarcerated for your second shot.

2 REPRESENTATIVE CEPHAS: Okay.

3 SECRETARY WETZEL: And if you're 1a, then we
4 work on coordinating in the community for that.

5 As it relates to staff, staff at the
6 facilities that are 1a facilities, all staff, everybody at
7 those facilities, consistent with what DOH is doing
8 everywhere, will be given the opportunity to be inoculated.
9 Our other staff are eligible, 1b, we have an infrastructure
10 in place where we're making staff aware of places in the
11 community where they can get the vaccine. Some hospital
12 systems have already started vaccinating 1b. Once we come to
13 1b, we have a plan for both community correction, both the
14 halfway houses, for individuals in the community, and then
15 our staff in the communities and then the facilities.

16 So I can provide you with our draft plan. I'd
17 be happy to do that.

18 REPRESENTATIVE CEPHAS: That would be
19 fantastic, because naturally, as we begin to vaccinate more
20 and more people and more and more people become eligible,
21 those plans are going to be significant. But also, I'd like
22 to know what are the added and additional costs related to
23 increasing vaccination and what can we do here in the general
24 assembly to support that infrastructure that you will need to
25 continue with the vaccinations?

1 SECRETARY WETZEL: Well, staff costs are the
2 primary drivers and the logistics around staff. Now,
3 currently we've been getting reimbursed from the feds for
4 that extra contract staff that we're using to do both mass
5 testing and vaccinating. But that's the key, it's getting
6 the staff out and getting, physically vaccinating a facility
7 with 2,000 people. Obviously, that's a lot of logistics.

8 REPRESENTATIVE CEPHAS: My last question
9 related to this, considering that we only have Pfizer and
10 Moderna online now, is there any consideration with the
11 Johnson and Johnson vaccine being used, being your preference
12 because there's only one dose? But also, the challenges with
13 it not being as effective. There have been conversations at
14 least in some areas to concentrate the Johnson and Johnson
15 vaccine for transient and hard-to-reach populations.

16 Is the department considering that? Are you
17 having conversations about that? Can you speak to the
18 Johnson and Johnson vaccine?

19 SECRETARY WETZEL: I mean, there's so many
20 unknowns with the feds, when the Johnson and Johnson vaccine
21 is going to be available and what it's going to be used for.
22 So we are having active conversations with both the Biden
23 Administration, obviously working with Secretary Levine and
24 her team at DOH.

25 I mean, listen, I'm not a medical expert, but

1 certainly the numbers on the vaccine, the effectiveness, are
2 lower than the two-shot vaccine, but then you offset it
3 because, you know, 50 percent of people generally don't get
4 the second shot. So, listen, as soon as we go to 1b and
5 vaccines are available, whatever vaccine the feds send us,
6 we'd be happy to take. And I'd be happy to take whatever
7 vaccine comes.

8 REPRESENTATIVE CEPHAS: Which vaccine are you
9 currently using?

10 SECRETARY WETZEL: We're currently using
11 Moderna. We don't have the ultracold storage for Pfizer and
12 Johnson and Johnson isn't available yet.

13 REPRESENTATIVE CEPHAS: Fantastic. I know my
14 time is running short, but I did just want to commend you for
15 being intentional about protecting our women and girls that
16 are incarcerated, as well as acknowledging the unique
17 challenges that they bring while they're incarcerated. And
18 just one thing I would just ask from you is as we continue to
19 meet about legislative proposals, please let us know what
20 more we can do as you move further along with the women and
21 girls population.

22 Thank you.

23 SECRETARY WETZEL: Thank you.

24 REPRESENTATIVE TOPPER: Thank you.

25 Next we'll recognize Representative Greiner.

1 REPRESENTATIVE GREINER: Thank you, Mr.
2 Chairman.

3 And thank you, Mr. Secretary, for
4 participating today.

5 I want to talk to you briefly about the
6 release programs that are occurring. Using an Executive
7 Order, the Governor created a temporary program to reprieve
8 sentences of incarceration as a result of the COVID-19
9 pandemic. And according to the information on your website,
10 159 individuals were granted reprieves, and the last ones
11 were granted, what's online is June the 4th of 2020. Several
12 questions concerning that, because I know it was big news in
13 the newspaper back then.

14 How were these individuals chosen?

15 SECRETARY WETZEL: So we had a criteria. We
16 actually worked with the District Attorneys Association to
17 come up with criteria, who would be eligible for that. And I
18 can provide you with the criteria we used back in the early
19 days of COVID.

20 REPRESENTATIVE GREINER: That would be
21 important, because my follow-up question was, what were the
22 requirements for the participation in that program? So if
23 you could share that with myself and/or, you know, the
24 Appropriations Chairman here, that would be great. So thank
25 you.

1 SECRETARY WETZEL: Yeah.

2 REPRESENTATIVE GREINER: I guess, with 159 --
3 and you might have alluded to this before, out of those
4 people, how many of those are still living outside of an SCI?

5 SECRETARY WETZEL: 108 are outside. The rest
6 have been brought back.

7 REPRESENTATIVE GREINER: Oh, so they have been
8 brought back?

9 SECRETARY WETZEL: Yeah, about 50, somewhere
10 in that ballpark.

11 REPRESENTATIVE GREINER: Why were they brought
12 back?

13 SECRETARY WETZEL: Various rules violations,
14 no new charges.

15 REPRESENTATIVE GREINER: You say "and other
16 charges"?

17 SECRETARY WETZEL: No new charges, just rule
18 violations.

19 REPRESENTATIVE GREINER: Just rule violations,
20 okay.

21 SECRETARY WETZEL: Yeah.

22 REPRESENTATIVE GREINER: And then I guess my
23 next question would be, will there be any more inmates that
24 are planning to be released under this Executive Order?

25 SECRETARY WETZEL: No, nope.

1 REPRESENTATIVE GREINER: They're not --

2 SECRETARY WETZEL: The Governor used that
3 early on. It was the first time in the history of
4 Pennsylvania a Governor used reprieves like that. And then,
5 you know, we tried to work with the four caucuses to get
6 legislation to accomplish that. That did not work.

7 Since then, you know, our pop is down 7,000
8 from where it was. And although I think we still need to
9 reduce our population further, the Governor is not interested
10 in reprieve. We're really looking forward to working with
11 you all on getting legislation to achieve it.

12 REPRESENTATIVE GREINER: Let me ask a
13 follow-up, because I'm going to tell you, there's a
14 personal -- personally this bothers me because I have a young
15 Amish woman that was abducted and it's a pretty bad case in
16 Lancaster. Of course, it's made national news. I have Amish
17 neighbors. I grew up in -- I'm very fortunate, I grew up
18 with Amish neighbors, old Mennonite, they're friends.
19 They've worked with this -- her accused killer was actually
20 in state prison and somehow he was let out of prison. And
21 obviously, it's heartbreaking for our entire community.

22 And, hey, as much as I want to see people be
23 able to get out of prison and get rehabilitated, I think -- I
24 don't know what the criteria are. It's a real concern for
25 me. And I have friends, Amish friends, that have searched

1 for her body, can't find it. It's going to be -- it
2 obviously is going to go to the courts and it's just
3 heartbreaking. But to know that he was released from a state
4 prison, and this guy was quite the character, you know. I
5 just don't know how something like that can happen.

6 But just a few days ago, Governor Wolf had
7 made a comment that they don't deserve to die in prison and
8 he granted clemency to 13 lifers. And once again, one of
9 those was from Lancaster County, my home county. And they
10 were all first- and second-degree -- charged with first- and
11 second-degree murder. And I'm wondering -- maybe you can
12 give some insight, why would we be doing this?

13 It grieves me when I see people who have been
14 charged with murder, and somehow after 30 years or whatever,
15 they're allowed to get out. And I'd like to know, maybe you
16 can follow up on the *Philadelphia Inquirer* article that was
17 just out here a few days ago concerning that.

18 SECRETARY WETZEL: I can't speak to the
19 *Philadelphia Inquirer* article. You know, with the Eagles
20 season, I stopped reading Philly papers about halfway through
21 the season. But let me -- I think you conflated a couple of
22 issues, so let me just clarify. And, you know, I, too -- you
23 know, I grew up in Myerstown, so we have the same neighbors.

24 REPRESENTATIVE GREINER: Yeah.

25 SECRETARY WETZEL: So I'm very sensitive to

1 that community and to the impact that that crime had.

2 But let's not conflate reprieves with someone
3 who was on state parole who committed a murder, right?

4 So with reprieves, we released 159 early on.
5 In general, the criteria was crimes without victims, less
6 than nine months to serve, I believe -- or no, a year to
7 serve if they were vulnerable and nine months if they weren't
8 vulnerable and no victims to the crime. That was an agreed
9 upon criteria working with the District Attorneys Association
10 who will provide you with that.

11 One hundred eight are still out, 50 or so were
12 returned. Of the ones that are still out, we applied -- they
13 applied for commutation and are waiting to hear from that.

14 Second thing, you talk about people who get
15 out of prison on parole and commit murders. Two years ago,
16 it was about 42 or 43, which ends up being about, almost
17 one-tenth of one percent of the number of people that are on
18 paroled supervision.

19 Actually, in the JRI2 bill that was passed two
20 years ago, we added a Homicide Review Committee to that
21 legislation. And what that is, is a multi-disciplinary group
22 that looks at every individual who's on state parole and
23 commits murder and identifies systemic issues. To your
24 point, Rep Greiner, systemic issues are areas where the
25 system failed and that led to this happening.

1 We convened in the fall, virtually --
2 obviously that wasn't the plan. And all four caucuses should
3 be receiving a report here in a couple of months.

4 And then the third thing you mentioned is
5 commutation. Now, the commutation process in Pennsylvania is
6 the most stringent commutation process in the country. It
7 requires an individual to apply, to have the Department's
8 support, and then goes in front of five members of the
9 Pardons Board, which includes the Attorney General, the
10 Lieutenant Governor, and three appointees, a corrections
11 expert, a victim's rep, and a psychologist or a physician.
12 They have to -- for someone who is doing life, it has to be
13 unanimous. All five of them have to say "yes" and recommend
14 it to the Governor. And then the Governor does an additional
15 review and has to let them out. So those thirteen people --
16 that's a big number in one day. It's not more than 20 over
17 the past 20 years. So it happens very infrequently. And in
18 a state that has 5200 people serving life without parole,
19 we're definitely outliers in that area.

20 But, listen, nobody wants to make bad choices
21 and we need to make these choices with everyone sitting
22 around the table. I mean, I can tell you the criteria we
23 came out with reprieves specifically exclude people who
24 committed a crime with victims because there's legislation
25 that requires victim input for release on them and we didn't

1 want to do that.

2 So I hope that answers your question. I'll
3 follow up with you on what the reprieve program looks like.
4 I'll also make sure that all four caucuses get a copy of the
5 Homicide Review Report.

6 I'll make sure, Rep, you get one in
7 particular. There was a Lancaster case that was pretty high
8 profile that was reviewed in that last summer also.

9 REPRESENTATIVE GREINER: Yeah, like I said, I
10 do appreciate you taking the time to answer. This is --
11 whether it's the release program or what the Governor just
12 did with the clemency, and of course, on a personal issue
13 with my own neighbors, where an Amish girl is working with
14 the woman who's being tried, likely murdered. I mean, so --
15 yes, it's pretty tough.

16 So thank you.

17 REPRESENTATIVE TOPPER: Thank you,
18 Representative.

19 And, Mr. Secretary, just to make sure that
20 that last question was clarified -- because I know that's
21 been a concern for many members of our caucus -- so the 13
22 commutations that just happened, that was not simply the
23 Governor, they went through the process that you outlined to
24 Representative Greiner; is that correct?

25 SECRETARY WETZEL: Yeah. And frankly, that

1 internal process takes years. So those 13 were separate and
2 not related to COVID at all, actually.

3 REPRESENTATIVE TOPPER: Okay. Thank you.

4 SECRETARY WETZEL: Yeah.

5 REPRESENTATIVE TOPPER: Next we will recognize
6 Representative Kinkead.

7 REPRESENTATIVE KINKEAD: Thank you.

8 Thank you, Mr. Secretary.

9 Actually, that was a --

10 SECRETARY WETZEL: Good morning.

11 REPRESENTATIVE KINKEAD: -- great segue into
12 my questions, which largely have to do with commutations. I
13 have a number of questions, so if you don't get to answer
14 them fully, I would appreciate any kind of follow-up.

15 So as you said, currently there are more than
16 5200 people in Pennsylvania who are serving life without
17 parole, and that's fully 10 percent of the in-prison
18 population. Research has shown and the DOC has acknowledged
19 that all but the most exceptional criminals, even violent
20 ones, mature out of law-breaking by middle age.

21 You have mentioned the increase in cost of
22 administration of the prisons despite the decreasing prison
23 population and that it's in large part related to the
24 increasing medical costs and other sort of geriatric prisoner
25 care.

1 It currently takes about three years to get a
2 commutation decision. And I would say that speeding the
3 commutation process would be an incredibly helpful way to
4 both decrease costs and to acknowledge that long sentences
5 have diminishing returns when it comes to actually preventing
6 crime.

7 However, you insist on meeting with every
8 commutation applicant personally, which I believe creates an
9 unnecessary bottleneck, and I'd like to know why.

10 SECRETARY WETZEL: I don't think it creates an
11 unnecessary bottleneck to talk to someone on a video
12 conference.

13 REPRESENTATIVE KINKEAD: Sure. But you're a
14 very busy man and they have to wait for your availability.

15 SECRETARY WETZEL: Well, there's more than
16 eight hours in a day and more than five days in a week, so we
17 work it out. We're not the limiting factor. We're not
18 backed up because there's 10 people waiting for me to see
19 them.

20 REPRESENTATIVE KINKEAD: Okay.

21 There were 13 prisoners that were just
22 approved for commutation which sat with the Governor for a
23 number of months before they were actually approved, during
24 the pandemic, when we acknowledged that, you know, getting
25 folks out of prison and out of danger is better for all

1 involved. Can you tell me what the process is following the
2 Probation and Parole Board's unanimous approval and
3 getting -- but before the Governor actually signs off on it?

4 Can you explain that process?

5 SECRETARY WETZEL: I cannot. The Governor's
6 Office does a separate review and you'd have to -- exactly
7 what they do as their review, you'd have to ask them.

8 REPRESENTATIVE KINKEAD: Okay. Thank you.

9 Currently an admission of guilt is required in
10 order to receive a commutation. That's barring anyone who
11 alleges that they're wrongly convicted from seeking such
12 relief. Why is emotional maturity, good character, and
13 meaningful participation in prison life insufficient to
14 access this relief?

15 SECRETARY WETZEL: Again, you're asking -- we
16 don't make the decision who gets out. We support people both
17 who assert that they didn't do it and they did. And I
18 believe the Horton brothers who just got out asserted that
19 they didn't do it and they got commuted.

20 REPRESENTATIVE KINKEAD: Okay.

21 A unanimous vote from the Probation and Parole
22 Board was not required until 1997 --

23 SECRETARY WETZEL: Ma'am, that's the Pardons
24 Board. There's two separate boards.

25 REPRESENTATIVE KINKEAD: Sorry.

1 SECRETARY WETZEL: It's very confusing, but
2 what you're talking about is the Pardons Board, not the
3 Parole Board.

4 REPRESENTATIVE KINKEAD: Yes, thank you.
5 Sorry.

6 SECRETARY WETZEL: You're welcome.

7 REPRESENTATIVE KINKEAD: My notes in my own
8 handwriting are --

9 SECRETARY WETZEL: Yeah, I get it.

10 REPRESENTATIVE KINKEAD: So obviously, this is
11 a constitutional amendment and so that would require a bigger
12 lift to change. But do you believe that a unanimous vote
13 rather than a simple majority vote is any more effective in
14 ensuring that only those who deserve commutations receive
15 them?

16 SECRETARY WETZEL: I don't believe the
17 research would suggest that it's any more effective. I don't
18 know that you can get any research on it because it happens
19 so infrequently. I mean, if you're talking about 20 people
20 released over 20 years, you couldn't apply anything off that.
21 The ends not high enough.

22 REPRESENTATIVE KINKEAD: Okay.

23 SECRETARY WETZEL: But I don't think that -- I
24 mean, to your point, it requires a constitutional amendment,
25 which would require you all to pass a bill in two consecutive

1 sessions, so I'd be happy if that happened.

2 REPRESENTATIVE KINKEAD: Okay.

3 And a number of other states provide written
4 reasons that commutations are denied, but Pennsylvania does
5 not. Can you tell me why?

6 SECRETARY WETZEL: Again, that's the -- the
7 Pardons Board decides that. I can tell you when somebody who
8 has a hearing gets a "no." I do meet with them the day after
9 they get that "no," and discuss it with them. But I don't
10 know what the Pardons Board provides them in writing and
11 whether they provide them a reason or they don't.

12 REPRESENTATIVE KINKEAD: Okay. Thank you.

13 SECRETARY WETZEL: You're welcome.

14 REPRESENTATIVE TOPPER: Next the Chair
15 recognizes Representative Heffley.

16 REPRESENTATIVE HEFFLEY: Thank you. Just a
17 couple of questions. First off, I want to commend you on the
18 work that you've done on reentry programs, assistance for
19 mental health and addiction treatments in the state prisons.
20 I think these are all worthwhile programs in getting people
21 the help they need while in prison.

22 So the question I have is, what percentage of
23 your staff has received the COVID-19 vaccine?

24 SECRETARY WETZEL: I don't have a number
25 offhand.

1 As I described earlier, most of our staff
2 right now are getting the vaccine from community providers
3 and then providing us with the information after the fact. I
4 don't have a good number right now.

5 REPRESENTATIVE HEFFLEY: So the Department of
6 Corrections (inaudible) is not working to get those folks the
7 vaccine. They're not on a priority list to get the vaccine,
8 the correction officers?

9 SECRETARY WETZEL: Yes and no. So the three
10 facilities that are 1a, everyone who works at those
11 facilities gets vaccinated. So yesterday it started at
12 Laurel Highlands, but with the inmates, we do all at one
13 shot.

14 REPRESENTATIVE HEFFLEY: Are we talking about
15 correction officers or are we talking about --

16 SECRETARY WETZEL: We're talking about all the
17 staff at that facility and all the staff at Waymart tomorrow
18 and all the staff at Muncy next week.

19 Then when 1b happens, any staff who haven't
20 accessed it from other places in the community, that we're
21 providing them, as their facility comes up, then they'll have
22 access and we'll provide the shot with them on site, if they
23 choose to get it that way, or they can get it from the
24 community when they -- because we're 1b.

25 REPRESENTATIVE HEFFLEY: And what percentage

1 of inmates have received the vaccine to date?

2 SECRETARY WETZEL: Just one facility. And it
3 was 800 -- it was 73 percent of everyone who was offered. I
4 think it was 800 inmates yesterday at Laurel Highland.

5 REPRESENTATIVE HEFFLEY: So that's 800 in that
6 one facility. So statewide, 800 inmates have received --

7 SECRETARY WETZEL: That's it.

8 It's actually 542, I'm so sorry, 542.

9 REPRESENTATIVE HEFFLEY: So now, with the
10 eligibility of 65 and older, are those inmates eligible to
11 receive the vaccine the same as folks who aren't in the
12 system?

13 SECRETARY WETZEL: Not really. I mean, in
14 theory, they're eligible. We don't have -- the only vaccines
15 we have are at our long-term 1a facilities right now.

16 REPRESENTATIVE HEFFLEY: So the concern I have
17 is -- I mean, I've heard from numerous people who have
18 contacted my office who are waiting to receive the vaccine,
19 75 and older. And they still have not completed the 1a. The
20 networks are not getting enough vaccines. I mean, obviously,
21 it's been in a lot of articles about the Administration and
22 how the vaccine rollout has gone, I think we are 45th out of
23 50 states, and I think we can do better.

24 My concern is why we would be vaccinating
25 inmates before the general population. I mean, the death

1 rate in long-term care facilities is nine times higher than
2 in the state corrections facilities for the same geriatric
3 population. So maybe you should have been giving advice to
4 the secretary, we wouldn't have had that many fatalities, but
5 that's a different subject.

6 My concern is when we have so many people
7 vulnerable in the general population who have not received a
8 vaccine, why would we be putting anyone that, you know, could
9 have committed sexual assault, rapists, murderers ahead of
10 senior citizens in the general population, ahead of
11 correction officers, or ahead of school teachers? We need to
12 get the kids back in class. And I just want to make sure
13 that we're prioritizing those folks in general population
14 before we're prioritizing people that have committed crimes
15 and are incarcerated because they have been deemed a threat
16 to society or have that debt to society. So I just want to
17 make sure that that's taking place.

18 Am I correct, that those people are being
19 prioritized over inmates?

20 SECRETARY WETZEL: So 1a is where we're at
21 right now. We only have three facilities that are designated
22 as long-term care facilities. In those facilities, the
23 entire population is given the opportunity to be vaccinated
24 including --

25 REPRESENTATIVE HEFFLEY: But they're getting

1 inoculated, they're getting vaccines before folks that are in
2 long-term care facilities that aren't part of the corrections
3 system, which have a nine times higher death rate than what
4 your facilities have. So I don't know why we would be
5 prioritizing those facilities.

6 SECRETARY WETZEL: Well, they're long-term
7 care facilities. The feds define it as a long-term care
8 facility, so therefore they're 1a. I mean, this is a federal
9 definition of what a long-term care facility is. I'm not
10 arguing with you, but I'm just saying --

11 REPRESENTATIVE HEFFLEY: But I have -- but we
12 have 1a facilities throughout the state, right, that have not
13 received a vaccine yet and we have 800 people that are
14 incarcerated --

15 SECRETARY WETZEL: 542.

16 REPRESENTATIVE HEFFLEY: -- 500, who have
17 received it over, before people in the general population.
18 So obviously somebody, the Department of Health or somebody
19 made the decision to prioritize those folks, which have a
20 nine times less chance of dying in the facility than the
21 general population.

22 I think that's a concern, I think that should
23 be looked into, and those questions should be raised. I also
24 think we should definitely prioritize all the corrections
25 officers and staff to be vaccinated before inmates.

1 Thank you.

2 SECRETARY WETZEL: Thank you.

3 REPRESENTATIVE TOPPER: Thank you.

4 Next the Chair recognizes Representative
5 Ecker.

6 REPRESENTATIVE ECKER: Thank you, Mr.
7 Chairman.

8 And good morning, Mr. Secretary. Thanks for
9 taking our questions today.

10 We've been talking a lot -- there's been some
11 questions generally dealing with the medical release reform
12 that the Governor has proposed in his budget, as one of his
13 budget themes here. And we've kind of gone over these
14 numbers, but based upon what we've discussed here already
15 today, nationwide numbers of inmates over 55 are increasing
16 by 500 percent. The Department of Criminal Justice houses
17 more than 9,000 inmates over the age of 50, and obviously,
18 these are some of our most costly folks, especially those in
19 the skilled nursing care.

20 My question to you, Mr. Secretary, is we
21 talked a lot about why this is a good idea, I'm curious if
22 there's a proposal, if there is something you've discussed
23 with the Governor, there's something that you think, how we
24 should roll this out. Are we talking everyone over the age
25 of 50, 55, I mean, just the skilled nursing care folks? How

1 do you see this policy working out?

2 SECRETARY WETZEL: Well, the medical -- so
3 we've been working with Senator Baker on the medical parole
4 bill and we can provide you with the verbiage. And that's
5 specifically medical parole and it looks at folks kind of --
6 Connecticut was the first state to come up with a medical
7 parole and it basically targets the nursing home or very
8 acute level, and gives us a mechanism to release them to a
9 similar facility in the community. But I'd be happy to
10 provide you with the verbiage on that.

11 REPRESENTATIVE ECKER: Sure.

12 And big picture, you know, what's generally
13 the concept there?

14 SECRETARY WETZEL: So the concept is,
15 currently, if somebody is, for instance, on a vent,
16 incapacitated, in our nursing home in a prison, you're paying
17 for that with state dollars, plus the security you need for
18 someone who's probably never going to regain consciousness.

19 So if you put them in -- if there's a
20 mechanism to get them out under whatever circumstances the
21 legislation lands at, it puts it on the federal dime, they're
22 eligible for Medicaid or Medicare -- I get confused between
23 those two -- versus while they're incarcerated, where it's
24 all 100 percent state dollars, no federal offset.

25 So the nuts and bolts about where you save

1 money, that's how you save money. It's federal versus state,
2 plus the security, the additional security that is not
3 necessary.

4 REPRESENTATIVE ECKER: Yeah. And to clarify,
5 so it wouldn't just shift a Corrections problem to a Human
6 Services problem; it actually would be cheaper to be under
7 that, under that kind of Medicaid, I guess it would be, in
8 that case.

9 SECRETARY WETZEL: Correct.

10 REPRESENTATIVE ECKER: Well, just to kind of
11 follow up, you know, when we started out today, one of the
12 first questions was the department's efforts to save money
13 and reduce its population. I'm just curious, at some point
14 here, you know, is this a plan or is this a program that's
15 going to bear some fruit and show some signs of economic or,
16 you know, some cost savings?

17 You know, I know in looking at the documents
18 that you provide, you know, some of the biggest costs are,
19 that you're seeing, are employee costs and pension costs,
20 which is typically the case. Is a plan like this going to
21 help the underlying problems with the rising costs that even
22 though populations decrease, the costs are still increasing?

23 SECRETARY WETZEL: Yes, yes, it will.

24 It won't be scalable. But when you talk about
25 someone on a vent at 500 bucks a day, if we can reduce the

1 acuity at those places, yeah, the costs go down.

2 REPRESENTATIVE ECKER: Thank you,
3 Mr. Secretary, appreciate your time.

4 SECRETARY WETZEL: Thank you.

5 REPRESENTATIVE TOPPER: Thank you.

6 Next the Chair recognizes Representative
7 Schroeder.

8 REPRESENTATIVE SCHROEDER: Thank you, Mr.
9 Chairman.

10 Secretary Wetzel, welcome.

11 SECRETARY WETZEL: Good morning.

12 REPRESENTATIVE SCHROEDER: Nice to see you.

13 My question is, I see that the correctional
14 education and training appropriation is increasing by nearly
15 2.3 percent, \$976,000. The budget states that this is to
16 continue the current program.

17 Could you please expand on that a bit and what
18 do we get for our investments in this line item?

19 SECRETARY WETZEL: Yeah. This is a -- you
20 know, pre-COVID, you've got an employment rate of 65 percent
21 for people on parole based on a combination of the education
22 and vocational programs, coupled with the folks our parole
23 agents were doing in the field with connecting with
24 employers.

25 You know, it's hard to remember this, but

1 right before COVID started, I was literally traveling around
2 with our team, Kelly Evans and a bunch of other folks,
3 meeting with employers who were trying to figure out how to
4 hire somebody with a criminal record because unemployment was
5 so low. I know that's hard to remember, but that's where we
6 were at.

7 So these programs give people the skills to
8 survive, to get out and become good citizens, and become
9 taxpayers, not tax burdens.

10 I think the best news out of the programming
11 stuff is that the feds at the end of last year reinstated
12 Pell eligibility for people who were incarcerated. The
13 outcomes of people who participate in higher ed when they get
14 out, their recidivism rate drops pretty significantly. And
15 we're optimistic with some of our university partners, such
16 as Bloomsburg University. (Indicating.) Just saying. Wrong
17 side, nice, Wetzel.

18 REPRESENTATIVE SCHROEDER: I'm a Millersville
19 girl, so... But I guess what else I was going to ask --

20 SECRETARY WETZEL: I'm sorry to hear that.

21 REPRESENTATIVE SCHROEDER: Love it.

22 SECRETARY WETZEL: But I read it's really the
23 next big thing and it's, inmates are now eligible thanks to
24 the feds, so it won't be a significant cost increase, but it
25 will significantly increase outcomes when people get out.

1 REPRESENTATIVE SCHROEDER: And that's great.

2 And I got to visit a few of the SCIs pre-COVID
3 looking at some legislative issues that we were going to
4 address. And I guess I would like to ask with this, are you
5 comparing like to other states what they're doing for their
6 programs? Like, how do you develop your plan of what you're
7 implementing in our SCIs?

8 SECRETARY WETZEL: We do it based on the needs
9 of the inmate population.

10 When I started here, we weren't even thinking
11 about doing things like medication-assisted treatment, but we
12 saw a significant increase in opioids and we had people
13 getting out and falling back into addiction and committing
14 crimes, so we had to create an infrastructure to address it.
15 So we base our program needs on the needs of the individuals
16 who come through our system. That's why education, drug and
17 alcohol, and mental health are the big three, followed by
18 vocational training.

19 REPRESENTATIVE SCHROEDER: Okay. Is everyone
20 eligible to participate in that or how does that work within?

21 SECRETARY WETZEL: Pretty much it's volunteer.
22 You're required to complete, I think it's 300 hours of
23 education if you don't have a high school diploma. I'm
24 looking for someone to help me out -- yeah, 300 hours. But
25 it's basically volunteer other than that.

1 REPRESENTATIVE SCHROEDER: And how many do you
2 think actually participate in a year in that program? I'm
3 just curious.

4 SECRETARY WETZEL: I'll provide you historic
5 numbers. This year is not representative of anything.

6 REPRESENTATIVE SCHROEDER: Oh, I understand.
7 Well, thank you very much. And I'll yield back my time.

8 Thank you, Mr. Chairman.

9 Thank you, Secretary.

10 SECRETARY WETZEL: Thanks.

11 REPRESENTATIVE TOPPER: Thank you.

12 Next the Chair recognizes Representative
13 Owlett.

14 REPRESENTATIVE OWLETT: Thank you, Mr.
15 Chairman.

16 And thank you, Secretary, for being here
17 today.

18 I'd like to talk a little bit about some of
19 the proposals and procedures that took place in our senior
20 care facilities that you run. I was reading in your report
21 that the mortality rate in our long-term care facilities is
22 96 times higher than the Department of Corrections.

23 Now, my first thought was, younger population,
24 but then you go on in your report -- and one of my colleagues
25 brought this up, that the rate is nine times higher in our

1 long-term care facilities, within our long-term care
2 facilities than our prisons. So I believe that you stated
3 that Pennsylvania is in the top 10 as far as handling COVID
4 in the country; is that correct? Was that -- I think it's
5 either 10 or 11.

6 SECRETARY WETZEL: Yes, that's accurate.

7 REPRESENTATIVE OWLETT: So great work. I
8 appreciate the efforts that you put in to that.

9 So my question is very simple. You know, in
10 contrast, our long-term care facilities rank third from the
11 bottom as far as the country goes -- and this is a *New York*
12 *Times* report that was published on February 12th -- only
13 behind New York state and California.

14 My question is specifically around policies
15 and procedures that you implemented that contributed to much
16 success in our long-term care facilities within our prisons,
17 our nursing homes within our prisons, that you've talked
18 significantly about today. What were some of the procedures
19 and policies that you put in place that puts us at the top
20 versus at the bottom in our long-term care facilities?

21 SECRETARY WETZEL: Yeah. Well, I mean,
22 listen, first credit always goes to our staff. We have
23 remarkable staff over here at the Department of Corrections
24 and that's from the folks on the ground level all the way up
25 to the folks who work around me. And we have a really good

1 team and we put a really good plan together.

2 We also benefited early on that our long-term
3 care facilities were not located in areas where COVID was
4 prevalent in the spring. If you think about COVID in the
5 spring, it was a four-corner issue. This is my language, but
6 you saw big outbreaks in the southeast, northeast, southwest,
7 northwest. We have facilities in those areas, but we don't
8 have our long-term care facilities other than we were worried
9 about Waymart in the northeast. Although the outbreak in the
10 northeast was more around Scranton and Wilkes-Barre.

11 And fortunately, we were very proactive at
12 staff screening early on. We started out March 13th with
13 taking temperatures and all that stuff. So we got way ahead
14 of that. We ordered masks within a week of it happening, a
15 couple of weeks before CDC ordered it. I think that was
16 probably what helped us out early on, is that we mandated
17 masking early on for both staff and inmates.

18 However, the winter outbreak has hit a couple
19 of our long-term facilities, Waymart and Laurel, and we did
20 experience some deaths. But fortunately, when it happened
21 late in the year, this monoclonal treatment is now prevalent.
22 So we've been able to kind of shift. And with the monoclonal
23 treatment, you have to meet the criteria, but if you meet the
24 criteria and you're symptomatic and you get that the first
25 three days, the symptoms generally don't get worse. It's

1 pretty miraculous. And so by the time we started struggling
2 in our long-term care facilities, there was better treatment
3 and we had a better understanding of how the disease behaves.

4 Although these new variants, there's still new
5 stuff, we're still kind of figuring it out, but I'd attribute
6 it largely to our staff.

7 REPRESENTATIVE OWLETT: I appreciate that and
8 I appreciate the phenomenal work that you've done.

9 Real quick question, did the Department of
10 Aging ever reach out to you noticing that you have a really
11 great success record here and really a story to tell about
12 how you've protected seniors? Did they ever reach out to you
13 to ask how you were doing it and some of the procedures and
14 policies that your staff put in place?

15 SECRETARY WETZEL: Well, we talk a lot. I
16 mean, especially early on, we were talking within the cabinet
17 in particular. I think one of the differences -- and I don't
18 know enough about the Department of Aging to try to answer
19 what they did or what they didn't do. But we actually run
20 these facilities, so our policies and procedures, we could
21 ensure that they were being followed.

22 I know some of our other agencies, they
23 oversee some of those facilities, so I think that's a
24 difference. But I'm not an expert in that area.

25 REPRESENTATIVE OWLETT: I appreciate your time

1 here today and I appreciate the work that you've done to keep
2 our seniors safe. We need to try and keep that as a high
3 priority moving forward, and thank you very much for being
4 here.

5 Thank you, Mr. Chairman.

6 SECRETARY WETZEL: Thank you.

7 Mr. Chairman, I just need 30 seconds. EDS
8 Bickell can take over for a minute here.

9 REPRESENTATIVE TOPPER: Okay. That's
10 something that Representative Saylor didn't have to deal
11 with.

12 But next we will be recognizing the gentleman
13 from Philadelphia, Mr. Brown.

14 REPRESENTATIVE A. BROWN: Thank you, Mr.
15 Chairman.

16 Do I wait till he returns?

17 REPRESENTATIVE TOPPER: Yeah, we'll wait for
18 this moment.

19 And we'll take this time to remind everybody,
20 we have following the gentleman from Philadelphia, we have
21 the gentleman from Chester, Mr. Lawrence, and that will
22 conclude our questioners, so we should be done just about the
23 time we planned. So we would like to start with the
24 Department of State promptly at one o'clock this afternoon.
25 So that is still the current plan.

1 And we'll wait for our testifiers to let us
2 know when they are ready for your questioning to begin.

3 EXECUTIVE DEPUTY SECRETARY BICKELL: I tried,
4 sir, but they wanted you.

5 REPRESENTATIVE TOPPER: All right. I believe
6 it sounds like --

7 SECRETARY WETZEL: I'm back.

8 REPRESENTATIVE TOPPER: -- Mr. Secretary is
9 back, so we will continue.

10 Mr. Secretary, you're about to be questioned
11 by Mr. Brown from Philadelphia.

12 SECRETARY WETZEL: All right. Thank you.

13 REPRESENTATIVE A. BROWN: Hey. How are you
14 doing sir?

15 SECRETARY WETZEL: Good morning. How are you?

16 REPRESENTATIVE A. BROWN: Good, thank you.

17 I have two things I wanted to know a little
18 more information about, the first being the \$5 co-pay for the
19 inmates that they have to pay to get to the infirmary.

20 SECRETARY WETZEL: We waived that during
21 COVID.

22 REPRESENTATIVE A. BROWN: You're waiving it
23 during COVID?

24 SECRETARY WETZEL: Yeah.

25 REPRESENTATIVE A. BROWN: Yeah. So pre-COVID,

1 what if an inmate didn't have the five dollars, was there any
2 process in place to make sure that they were able to see a
3 health-care physician?

4 SECRETARY WETZEL: Yeah, they still saw them.
5 They just ran a negative balance.

6 REPRESENTATIVE A. BROWN: Say it again.

7 SECRETARY WETZEL: They still saw the medical
8 professional, they just ran a negative balance.

9 REPRESENTATIVE A. BROWN: Okay. And so since
10 it's suspended during COVID, do you all plan to eliminate the
11 co-pay process entirely?

12 SECRETARY WETZEL: I don't know.

13 REPRESENTATIVE A. BROWN: Do you think it ever
14 got better?

15 SECRETARY WETZEL: You know, it's worth a
16 discussion, but I don't know.

17 I mean, the theory behind -- I mean, co-pays
18 started in the 90s, and it was really kind of to try to stop
19 frivolous sign-ups for that. I'm not sure that it's relevant
20 anymore. So it's worth a discussion as we come out of COVID,
21 certainly.

22 REPRESENTATIVE A. BROWN: Okay. Thank you.

23 SECRETARY WETZEL: Yeah.

24 REPRESENTATIVE A. BROWN: And then in
25 reference to the 23 and 1, is there anything in place to make

1 sure some of these inmates who need fresh air during this
2 pandemic are getting them or could you explain to us what
3 that might look like to an inmate being in a cell for 23
4 hours and out for one?

5 SECRETARY WETZEL: Yeah, it's terrible, being
6 locked down during COVID. One of the things we've tried to
7 do is find ways to increase out-of-cell time, while not
8 having too many people out so you can effect social
9 distancing. So we achieved that through cohorts. So the
10 worst case scenario, as you described, the 23 and 1, an
11 example of that would be a place that has an outbreak.

12 What we're trying to do is make sure everybody
13 gets out and gets access to the kiosk, gets access to a
14 visit, phone call, shower, but that's about it. And then we
15 control it by cohort size, so eight, sixteen, thirty-two,
16 that's how many people can be out at once. And the larger
17 the number, the lower the risk in the area.

18 So what the new normal would be -- I mean, the
19 path forward is obviously vaccinating everyone. We're
20 probably, you know, twenty-something weeks out from
21 completely vaccinating everyone. But even when we get back
22 to the new normal, I think one of the things you're going to
23 see is less people coming out at once. So it's complicated
24 to describe, but if you think of a facility with 2,000
25 inmates and then think about splitting that in three, so you

1 have basically three groups of 700 inmates and they get
2 out-of-cell time within those groups, that's kind of what the
3 new normal would look like.

4 But we're very sensitive to the impact of
5 lockdown. I mean, we're all feeling it in the community, not
6 being able to do stuff. And you know, it's been a rough
7 year.

8 REPRESENTATIVE A. BROWN: Okay.

9 And one more thing, in reference to the little
10 bit over a hundred million that was received from the CARES
11 Act funding, how do you plan to use those funds?

12 SECRETARY WETZEL: So specifically, we've
13 gotten over 1.2 billion, actually 1.367 billion in CARES Act
14 funding. And 1.2 billion specifically went for personnel
15 expenses, and this is personnel expenses that were
16 specifically working on COVID. And keep in mind, the first
17 wave of the CARES Act, the money had to be spent by the end
18 of the year. Fortunately, under the leadership of Nicky
19 Bell, our folks did a good job of quantifying that.

20 In addition to that, we got an additional
21 47 million from FEMA specifically for overtime, things like
22 PPEs, things like contract nursing. So we received a total
23 of, you know, 1.367 billion in CARES Act last year that
24 specifically was to fund our response to COVID. So it funded
25 personnel and PPEs primarily.

1 REPRESENTATIVE A. BROWN: So -- and then I'll
2 end on this -- so in reference to PPEs and the supplies that
3 was purchased, was any of those companies in this state?

4 SECRETARY WETZEL: Well, we made a bunch of
5 our own masks, so -- I mean, the primary thing was masks and
6 we made a bunch of our own. I don't know where we bought
7 N95s from and all that stuff. I wouldn't know that.

8 REPRESENTATIVE A. BROWN: Okay. Thank you,
9 Mr. Secretary.

10 SECRETARY WETZEL: You're welcome.

11 REPRESENTATIVE TOPPER: Thank you.

12 And we will conclude with Representative
13 Lawrence.

14 REPRESENTATIVE LAWRENCE: Thank you, Mr.
15 Chairman.

16 And thank you, Mr. Secretary, for being here
17 today. Your time is valuable and I think you have a tough
18 job, so I appreciate you being here today.

19 I wanted to ask a couple of questions about
20 PCI, Pennsylvania Correctional Industries. I think a lot of
21 people don't know about the good work that PCI does. You
22 know, they give inmates job skills, turn out quality
23 products. And I know the COVID pandemic has changed
24 everything and certainly PCI is no exception.

25 I've had a number of constituents that had

1 issues getting license plates back at the beginning of the
2 pandemic. I know there were some dealerships that ran out.
3 And it was an issue across the state. I think it's been --
4 not largely resolved, but largely resolved.

5 But I noticed even now on PennDOT's website
6 that there's a six month delay in obtaining personalized
7 license plates. In fact, it says right on their website,
8 "Due to the COVID pandemic, it's taking six months to produce
9 and mail personalized license plates. All license plates in
10 Pennsylvania are manufactured by PA Correctional Industries
11 using prison labor. And to mitigate the spread of COVID-19,
12 inmate labor has been reduced at the license plate factory.
13 To offset the labor reduction, PennDOT has prioritized the
14 timely production of standard issue license plates."

15 So to be clear, nobody needs a personalized
16 license plate. I think it's totally appropriate to
17 prioritize standard issue plates. Certainly, we don't want
18 to run out again.

19 So my question is, could you elaborate on the
20 steps PCI has taken to ensure we have a steady supply of
21 plates so we can have a steady stream of commerce in the
22 Commonwealth?

23 SECRETARY WETZEL: Yeah. And thanks for that
24 question, because I'll tell you what, PCI just did a great
25 job. We hired a director from there a couple of years ago

1 from Ohio named Kelly (inaudible). Just a really good,
2 smart, creative correctional industries professional.

3 So we make the license places at SCI Fayette,
4 which is our metal shop, but again, when you think about
5 social distancing, it limits how many people can be in a
6 shop, right? So production is going to be dropped. If,
7 let's just say, just simple math, they're going to do every
8 other seat instead of every seat, you cut it in half. And
9 then at a facility, once there's an outbreak, we shut down
10 industries until the outbreak is under control. So that
11 impacts production.

12 But, you know, just let me talk briefly about
13 PCI, first of all, thousands if not millions of masks
14 developed, some of which were provided to the Capitol and the
15 general assembly, but all over the place, counties, state
16 prisons.

17 We have a new industry at SCI Forest that does
18 snowplows, which, you know, have been relevant this month.
19 We're doing road partitions. So Correctional Industries is
20 really a key part of it, but like anything, if we get COVID
21 in a facility, it impacts the production until we get it
22 reeled in, and then we ramp it back up.

23 But I will follow up also with DOH -- or the
24 Department of Transportation -- and get you a better answer
25 on the timing of that, though.

1 REPRESENTATIVE LAWRENCE: Do you think there's
2 any need for more machines to make the plates? Do you think
3 there's a need for more shifts to run it? I don't think they
4 run it 24 hours a day. Just trying to anticipate for, you
5 know, what we might be looking at down the road.

6 SECRETARY WETZEL: Let me get back to you. I
7 don't want to -- I don't know. Let me -- I'll take a look at
8 it and get back to you specifically on that. I don't want to
9 take a guess right now.

10 REPRESENTATIVE LAWRENCE: Sounds good. I
11 appreciate it. Thank you, Mr. Secretary.

12 And thank you, Mr. Chairman.

13 REPRESENTATIVE TOPPER: Thank you.

14 Mr. Secretary, we appreciate your work. We
15 understand the difficulty that you and your staff have had.
16 And we thank all the officers and the staff at all of our
17 facilities for doing their best to keep everyone safe.

18 Thank you very much.

19 That will conclude this morning's hearing.
20 We're going to start this afternoon with the Department of
21 State at 1:15. Give us a little bit of extra time, 1:15
22 we'll begin. Thank you very much.

23 (The hearing concluded at 12:08 p.m.)

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

I hereby certify that the proceedings are contained fully and accurately in the notes taken by me on the within proceedings, and that this copy is a correct transcript of the same.

Summer A Miller

Summer A. Miller, Court Reporter
Notary Public