
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 273

Session of
1979

INTRODUCED BY ZEMPRELLI AND FUMO, FEBRUARY 20, 1979

REFERRED TO JUDICIARY, FEBRUARY 20, 1979

AN ACT

1 Authorizing family visitation privileges for prisoners.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the "Family
6 Visitation Privileges Act."

7 Section 2. Declaration of policy.

8 (a) Since the Bureau of Corrections is charged with
9 protecting society through the control and rehabilitation of
10 offenders, and in order to achieve the maximum benefit to
11 society, the prisoner should be viewed as an individual within a
12 family unit. Therefore, the process of rehabilitation should
13 prepare the prisoner to return to the family with the motivation
14 to assume or resume family responsibilities. These would include
15 such matters as the care and protection of his or her family,
16 the attainment of gainful employment, and the direct guidance in
17 the educational and social needs of his or her children and the
18 well-being of his or her parents.

(b) In addition, maintaining strong family ties reduces recidivism among offenders, reduces incidences of violence within a correctional facility, increases an inmate's adjustment to incarceration, thereby facilitating administrative control within an institution, and prepares an inmate for parole.

(c) Furthermore, maintaining family ties prevents juvenile delinquency in the children of inmates.

(d) In every instance, family visitation privileges should be a part of the correctional process and should serve to support the goals of the courts, the Board of Probation and Parole, the community and the Bureau of Corrections.

Section 3. Visiting privileges.

In addition to any other visitation privilege or prerelease privilege extended to inmates of State correctional institutions, any eligible inmate of a State correctional institution as determined by the superintendent and his staff according to the Bureau of Corrections regulations and upon the recommendation of the inmates support team, who has an immediate family shall be permitted to visit with his or her family within the institutional setting, in complete privacy, for a period of not less than 24 hours and not more than 72 hours. The frequency of each visit shall be determined by the number of inmates in each facility who participate in the family visiting program, and the number of units available for family visits but shall not be less than once every three months. Any family members who participate in the family visiting programs shall be subject to a complete search.

Section 4. Immediate family.

For purposes of family visiting, immediate family members are the inmate's legal spouse, natural parents, step-parents or

1 foster parents, grandparents, brother or sister, the inmate's
2 legal children, stepchildren or foster children and
3 grandchildren.

4 Section 5. Maximum security.

5 No inmate housed in a maximum security unit within a State
6 correctional institution is eligible for family visiting
7 privileges.

8 Section 6. Suspension of privileges.

9 The visitation privileges provided by section 3 may be
10 suspended by the superintendent of the institution, with respect
11 to any inmate if, during the visitation period, such inmate or a
12 member of his or her visiting family violates any law or rule or
13 regulation promulgated by the Bureau of Corrections dealing with
14 prisoner visitation, or violates the provisions of 18 Pa.C.S. §
15 5121 (relating to escape), § 5122 (relating to weapons or
16 implements for escape), or § 5123 (relating to contraband).

17 Section 7. Program implementation.

18 The State corrections institutions shall have the family
19 visiting program operating within one year from the day this act
20 takes effect.

21 Section 8. Effective date.

22 This act shall take effect in 60 days.