

Criminal Justice

Department of Corrections (DOC)

<http://www.cor.state.pa.us/>

Pennsylvania has a notable reputation in penology. The commonwealth was the birthplace of the penitentiary concept with the opening of the Eastern State Penitentiary in 1829. Known to historians as "the first true penitentiary in the world," it operated until 1970.

The Bureau of Correction was created by an act of the Legislature in September 1953 after receiving a report from a special committee to investigate prison problems. The Devers Committee was convened during a time of prison unrest throughout the United States and after riots at Pittsburgh and Rockview early in 1953. The committee's mission was to recommend ways to improve the correctional system.

At that time, the state's prisons were collectively grouped under the Pennsylvania Department of Welfare, governed by individual boards of trustees. The Devers Committee recommended the creation of one agency whose sole purpose would be the administration of the state prison system. Based on this recommendation, the Legislature created the Bureau of Correction.

From 1953 to 1980, the state prison system was managed by the Bureau of Correction under the former Pennsylvania Department of Justice. In 1980, the bureau was placed under the jurisdiction of the newly created Office of General Counsel to the Governor after a constitutional change resulted in a switch to an elected state attorney general and the disbanding of the Department of Justice. The Bureau of Correction was elevated to cabinet-level status in 1984 under Act 245 – making it the state Department of Corrections (DOC).

Today, DOC oversees 26 state correctional institutions, 14 community corrections centers, one motivational boot camp, nearly 40 contract facilities, and a training academy. The average cost in fiscal year 2009/2010 for incarcerating an offender in a state correctional institution is almost \$35,000 per year (including health care).

The Department of Corrections protects the public by confining offenders in the state correctional institutions for the period of time specified by the courts and the Board of Probation and Parole. DOC is charged with maintaining safe and humane prisons and providing opportunities to the inmate population for growth and change. Funding for the Department comes primarily from the General Fund followed by Federal Funds, the Manufacturing Fund, Local Criminal Justice Fund and augmentations. The *Manufacturing Fund* was created in 1915 and is a self-sustaining enterprise that provides inmates with vocational rehabilitation. Inmate manufactured goods are sold to Government agencies or related organizations. An *augmentation* is money such as institutional billings or fees that are generally spent for the purposes authorized under the associated appropriation.

Inmate Population

The most substantial cost driver for the DOC is inmate population and it continues to grow at a significant rate in Pennsylvania where approximately 51,000 individuals are incarcerated. The continuing inmate population growth has an impact on costs, staffing, housing, and ability to provide services. In order to reign in DOC costs, it is necessary to research, develop, and implement policies that will reduce the number of inmates in state correctional institutions.

For public safety, violent offenders need bed space and maximum attention. Non-violent offenders may have the same needs as violent offenders in certain circumstances; however, many more need proper drug and/or alcohol rehabilitation programs. Diverting non-violent offenders to needed treatment or alternative sentencing can be cost-effective and can reduce recidivism rates. Reducing recidivism rates in the Commonwealth results in further cost savings. The number of non-violent inmates admitted into our state correctional institutions is growing faster than admissions for violent inmates.

The appropriation for Medical Care in the DOC budget is constitutionally mandated as inmates are wards of the state. Increased medical costs have affected the funding needs of DOC to treat inmates for all of their health care needs. In addition to medical costs rising in general, the Commonwealth has a number of aging inmates whose medical needs can be costly. Inmates in Pennsylvania state prisons do have a co-pay of five dollars for certain medical visits or treatment.

Recent demographics of inmate populations and statistical reports can be found on DOC's website.

Pennsylvania Board of Probation and Parole (PBPP)

<http://www.pbpp.state.pa.us/pbpp/site/default.asp>

The Parole Act of 1941 created the Office of Board Secretary. By statute, the Board Secretary functions to attest to acts of the Parole Board and affix the official seal of the Parole Board to certificates of the Chairman. The Board Secretary's Office is considered to be the custodian of all active records for state parole offenders in Pennsylvania. The Board Secretary serves as the Board's liaison with the Department of Corrections, the Board of Pardons, and the Pennsylvania Commission on Crime and Delinquency.

The Board Secretary's Office also investigates grant opportunities for a variety of Board initiatives. Additionally, the Board Secretary has the responsibility for controlling all board cases assigned to the Federal Witness Protection Program. The Board Secretary also has administrative responsibility for providing pre-parole case management services for inmates under the Interstate Compact for Corrections.

The Pennsylvania Board of Probation and Parole (PBPP) is committed to protecting the safety of the public, addressing the needs of crime victims, improving county adult probation and parole services, and assisting in the fair administration of justice by ensuring the custody, control, and treatment of offenders under the jurisdiction of the Board.

According to the Board of Probation and Parole, in fiscal year 2009/2010 the average cost for state parole supervision is \$3,000 per year and the average cost for supervising a county adult offender in 2010 is \$800 per year.

Funding for PBPP primarily comes from the General Fund followed by augmentations, and some federal funds.

Annual reports related to agent-client ratios, demographics, and statistics can be found on PBPP's website.

Related Programs

Office of the Victim Advocate (OVA) provides notifications to registered crime victims when the PBPP considers offenders for parole and release on parole. The OVA ensures that victims' input is considered in the parole decision process. Funding for this office is provided through PBPP and the Department of Corrections (DOC).

Sexual Offenders Assessment Board (SOAB) falls directly under the PBPP and is charged with the legislative mandate of assessing convicted sexual offenders.

Firearms Education and Training Commission (FETC) provides training for and certifies county probation officers in the use of firearms. The FETC operates from a restricted account funded by fees levied on probationers.

PBPP also provides both fiscal and technical support to 65 Commonwealth county probation offices (full probation and parole services are provided to adult probation programs in Mercer and Venango counties). PBPP conducts audits of county probation offices and provides training for county officers and disperses county Grant-in-Aid appropriations based on the legislative formula.

Reintegration of the Adult Offender

The responsibilities of PBPP are to make parole decisions and supervise adult parolees with a maximum sentence of two years or more; revoke the parole of technical parole violators who are convicted of new crimes; and discharge offenders under supervision who have fulfilled their sentences.

Pennsylvania State Police (PSP)

<http://www.psp.state.pa.us/portal/server.pt>

In 1905, the Pennsylvania State Police (PSP) was created as an executive department of state government. The Department became the first uniformed police organization of its kind in the United States and a model for other state police agencies throughout the nation.

Legislation passed in June 1939 gave the Pennsylvania Motor Police the responsibility for the return of escaped convicts and parole violators. Other laws gave the Motor Police responsibility for annual school bus inspection and inspection station supervision.

Act 52 of April 28, 1943, changed the name of the organization from the Pennsylvania Motor Police to the Pennsylvania State Police. The Department also became responsible for enforcing the Uniform Firearms Act that year.

On July 31, 1993, PSP became the largest accredited police agency in the world. In order to gain accredited status from the Commission on Accreditation for Law Enforcement Agencies, PSP had to comply with 733 professional police standards.

In 2005, the PSP marked 100 years of protecting Pennsylvania's communities and roadways.

Funding for the State Police comes from: the Motor License Fund, followed by the General Fund, Augmentations, Federal Funds, the State Stores Fund, the State Gaming Fund, the DNA detection Fund and certain restricted receipts. The ratio of funding shared between the General Fund and the Motor License Fund in the PSP budget is based on a head count of troopers assigned to highway patrol and criminal investigative activities. The count reflects 27% of troopers assigned to criminal investigation and 73% assigned to highway patrol duties.

The General Government Operations Appropriation (GGO) supports personnel, fixed assets and operating expenditures. The GGO represents approximately 86 percent of all State Police activity, including traffic enforcement, criminal investigations, crime laboratory analysis, crime prevention, and implementation of mandated legislation. PSP also provides primary police services to municipalities without local police coverage Funds provide for maintenance of the current complement and for the training of State Police Cadets.

State Police Coverage of the Commonwealth

Enforcing the Commonwealth's traffic laws is a responsibility of PSP who provides traffic patrol and enforcement throughout the state in those municipalities without full-time police departments and on interstate highways. During FY 2007/08, 18 additional municipalities abolished their police services, requiring PSP to provide full time police services to 25,454 additional citizens in the Commonwealth. Approximately 67% of the 2,573 municipalities in the Commonwealth are PSP primary jurisdictions.

Municipal Police Training

This program receives funding to meet the requirements of the Municipal Police Officers' Education and Training Commission (MPOETC). . Fifty percent of the MPOETC appropriation comes from the Motor License Fund and 50% from the General Fund.

Municipalities are reimbursed from this appropriation for 100% of travel, subsistence, and tuition costs, and 60% of salary while new officers are in basic training. The Municipal Police Officers' Education and Training Commission annually conducts 800 courses at 17 certified schools throughout the Commonwealth. The Commission also offers grant-funded continuing professional education in police skills and related topics for municipal police.

Gaming Enforcement

Personnel assigned to this area of PSP are dedicated exclusively to criminal and regulatory investigations, regulatory control, and background investigations involving the gaming industry.

The PSP enforces the criminal laws of the Commonwealth at licensed gaming facilities, fingerprints applicants for gaming and racing licenses and permits, and takes appropriate action on any referral from the Gaming Control Board (Act 2004-71, amending Title 4 (Amusements) of the PA Consolidated Statutes).

Funding for Gaming Enforcement by PSP comes from the State Gaming Fund.

Law Enforcement Information Technology

This appropriation to PSP provides support to the following information technology initiatives:

- Enterprise Network
- Mobile Office Support
- Criminal History Record Project
- Data Powerhouse Billings
- Help Desk Operations
- Commonwealth Law Enforcement Assistance Network (CLEAN) System Support
- Uniform Crime Report (UCR) Internet System
- Automated Criminal Investigation Intelligence System (MEMEX)
- Megan's Law/Walsh Act Legislation Requirements

Disbursements for these initiatives are for operating costs and implementation costs. The appropriation for Law Enforcement Information Technology is generally 73% Motor License Fund and 27% General Fund.

Incident Information Management System

The Incident Information Management System (IIMS) is designed to improve the efficiency of PSP's law enforcement processes through the application of modern technologies. The IIMS mobilizes the dispatch process and expedites response times to incidents. IIMS disbursements are for infrastructure support. The appropriation for IIMS is generally 73% Motor License Fund and 27% General Fund.

Automated Fingerprint Identification System

PSP maintains the state repository of fingerprint cards taken at the time of an arrest as part of criminal history profiles. In addition, the cards are placed in the national Federal Bureau of Investigation files. The Automated Fingerprint Identification System (AFIS) currently contains over 2,500,000 subject prints in the database. PSP funds are disbursed in accordance with contractual obligations for purchase,

maintenance, and scheduled upgrades of the AFIS system. The AFIS appropriation is funded by 9% Motor License Funds and 91% General Fund.

Gun Checks – Pennsylvania Instant Check System

The Pennsylvania Instant Check System (PICS) is a telephone initiated records background check program accessed by Pennsylvania licensed firearm dealers, county Sheriffs, and the Philadelphia Chief of Police. The purpose of PICS is to determine an individual’s eligibility to possess firearms, or to acquire a license to carry a firearm. Funding for Gun Checks comes from a restricted account that collects monies through a surcharge imposed on the sale of a firearm and from a fee charged to users of the telephone-based system.

Patrol Vehicles

Vehicles in the PSP fleet are subjected to severe usage such as high-speed pursuit, travel on unpaved roads, long term idling, and operation in extreme weather, all of which cause quick deterioration. As a result, the replacement criterion for PSP’s patrol fleet has been set at 80,000 miles. Patrol vehicles are funded 100% by a Motor License Fund appropriation because vehicles are purchased for troopers assigned to highway patrol.

Commercial Vehicles Inspection

This appropriation supports a number of state Police Commercial Vehicle Inspection type activities including the Motor Carrier Safety Assistance Program (MCSAP) and the New Entrant Audit Program (NEAP). The MCSAP is 80% federally funded and 20% state Motor License funded. The NEAP and other federal initiatives are 100% federally funded. Motor Carrier Safety Inspections are conducted by PSP through the use of mobile Commercial Vehicle Enforcement teams.

Liquor Control Enforcement

PSP’s Bureau of Liquor Control Enforcement implements, directs, and controls a coordinated enforcement effort of the PA Liquor Code and related crimes code statutes.

Funding for this line item comes from the sale of Wine and Spirits deposited in the State Stores Fund.

DNA Detection Fund

Act 14 of Special Session I of 1995 created the DNA Detection Fund for the collection, processing, and storage of DNA samples by PSP from individuals convicted, adjudicated delinquent, or granted accelerated rehabilitation disposition for a felony sex offense or other specified offense. Revenues are derived from mandatory fees which are assessed on offenders. Act 57 of 2002 (S.B.1089) repealed Act 14 but reestablished and “continued” the fund as well as the State DNA Databank.

Commission on Sentencing (PCS)

<http://pcs.la.psu.edu/>

The Pennsylvania Commission on Sentencing (PCS) is a legislative agency. Its primary purpose is to create and maintain a consistent and rational statewide sentencing policy. Created in 1978 by the Pennsylvania General Assembly, PCS is charged with adopting guidelines that promote fairer and more uniform sentencing throughout the Commonwealth. It does this by providing every judge with a common reference point for sentencing similar offenders convicted of similar crimes.

PCS has been legislatively mandated with substantially expanded duties and responsibilities related to a recently enacted Prison Package that addresses sentencing and corrections reforms (Acts of 2008 – 81, 82, 83, 84 of 2008).

This legislative agency is supported by the General Fund.

Juvenile Court Judges' Commission

<http://www.jcjc.state.pa.us/jcjc/site/default.asp>

The Juvenile Court Judges' Commission (JCJC) was established by the Pennsylvania Legislature in 1959. The JCJC is legislatively empowered to advise the juvenile court judges of the Commonwealth in all matters pertaining to the proper care and maintenance of delinquent and dependent children. The JCJC does the following:

- Examines the administrative methods and judicial procedures used in juvenile courts throughout the state, and establishes standards and makes recommendations to these courts.
- Examines the personnel practices and employment standards used in probation offices in the Commonwealth, establishes standards and makes recommendations.
- Collects, compiles, and publishes such data as may be needed to accomplish the reasonable and efficient administration of the juvenile courts.

The JCJC is also required to ensure that courts submit the disposition of cases resulting in an adjudication of delinquency for inclusion in the Pennsylvania State Police Central Repository within 90 days of an adjudication of delinquency.

The most critical services within the Commonwealth's juvenile justice system are those provided by juvenile probation departments. The only consistent funding stream available to support these services has been the JCJC's Grant-in-Aid Program for the improvement of juvenile probation services to offset juvenile probation salary costs. The JCJC also provides impact grants designed to improve juvenile probation services across the Commonwealth.

The Juvenile Court Judges' Commission receives its appropriation from the General Fund.

PA Commission on Crime and Delinquency

<http://www.pccd.state.pa.us/pccd/site/default.asp>

The Pennsylvania Commission on Crime and Delinquency (PCCD) was created under Act 275 of 1978, as amended. PCCD's mission is to improve the criminal justice system in Pennsylvania. Commission members bring a broad array of backgrounds and expertise and include judges, members of the legislature and the Governor's administration, representatives of law enforcement and victim service organizations as well as private citizens.

Working closely with the Governor's office, PCCD helps coordinate the work of state and local criminal justice agencies to increase communication, effectiveness and efficiency. PCCD provides training to deputy sheriffs and constables and technical assistance to communities and organizations to promote crime and delinquency prevention efforts. PCCD allocates federal and state funds to victims, victim service providers, criminal and juvenile justice and ancillary agencies, and helps communities to improve the administration of justice in a variety of ways.

PCCD receives support from the General Fund and Federal funds.