



PENNSYLVANIA DEPARTMENT OF CORRECTIONS
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January 19, 2000

Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, Pa 17101

VIA HAND DELIVERY

Original: 2010
Harbison
Copies: Wilmarth
Smith

Re: *Motivational Boot Camp Regulations* Sandusky
37 Pa. Code Ch. 93 Wyatte


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2000 JAN 19 PM 1:48
INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Director Nyce:

Attached please find a revised Annex A of the above-referenced regulations. The regulations were submitted in final form on January 10, 2000. No substantive change to Annex A has been made; however, the format of the Annex has been revised to comply with the Independent Regulatory Review Commission's regulation found at 1 Pa. Code 307.2(c)(6). Strikeout type has been used to indicate language in the proposed regulation which was deleted in the final form and capital letters have been used to indicate new language in the final form regulation which was not included in the proposed regulation.

Please do not hesitate to contact me if you have any questions regarding this matter.

Very truly yours,


Jill E. Fluck
Assistant Counsel

JCF/jls
Enclosure

- cc: Syndi L. Guido, Deputy General Counsel
- William Love, Deputy Secretary for Specialized Facilities & Programs
- Sarah B. Vandenbraak, Chief Counsel
- Mary Beth Marschik, Director, Office of Legislative Affairs
- William Barr, Executive Assistant to the Secretary
- Victoria S. Freimuth, Assistant Counsel
- Karen Mitchell, Administrative Assistant, Governor's Policy Office
- Lois M. Hein, Director, Bureau of Legislative & Regulatory Analysis, Office of the Budget
- Jane M. Demko, Office Administrator, Office of General Counsel
- Jill C. Fluck, Assistant Counsel

Annex A

TITLE 37. LAW

PART III. AGENCIES AND OFFICES

Subpart B. DEPARTMENT OF CORRECTIONS

CHAPTER 93. STATE CORRECTIONAL
INSTITUTIONS AND FACILITIES

Subchapter C. MOTIVATIONAL BOOT CAMPS

93.300 DEFINITIONS

Original: 2010

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93.301. SELECTION CRITERIA.

Copies: Wilmarth

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93.302. SELECTION COMMITTEE.

Sandusky

Wyatte

93.303. ADMINISTRATION.

93.304. SUPERVISION/ORGANIZATIONAL STRUCTURE.

93.305. CURRICULUM.

93.306. INMATE DISCIPLINE.

93.307. STAFF TRAINING.

93.300. DEFINITIONS

THE FOLLOWING WORDS AND TERMS, WHEN USED IN THIS CHAPTER, HAVE THE FOLLOWING MEANINGS UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

DEPARTMENT – THE DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF PENNSYLVANIA.

DIAGNOSTIC AND CLASSIFICATION CENTER - A STATE CORRECTIONAL INSTITUTION THAT RECEIVES INMATES AND ASSIGNS THEM CUSTODY LEVELS THROUGH A CLASSIFICATION PROCESS THAT EVALUATES THE INMATE'S BACKGROUND AND REASON FOR INCARCERATION BEFORE ASSIGNING THEM TO A STATE CORRECTIONAL INSTITUTION ACCORDING TO THEIR CUSTODY LEVEL AND NEEDS.

THREE-TIERED APPROACH - A THREE STEP DISCIPLINARY PROCESS IN WHICH AN INMATE FIRST RECEIVES A DEMERIT OR DEMERITS. THEN, UPON RECEIVING 10 OR MORE DEMERITS IN A 7 DAY PERIOD, HE APPEARS BEFORE THE DEPUTY COMMANDER'S REVIEW BOARD AND MAY RECEIVE RESTRICTIONS OR ADDITIONAL DUTIES. THE FINAL STEP IS THE COMMANDER'S COMMITTEE AT WHICH POINT AN INMATE MAY BE REMOVED FROM THE MOTIVATIONAL BOOT CAMP.



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VENTILATION THERAPY - A GROUP SESSION LED BY A COUNSELOR DURING WHICH INMATES ARE ENCOURAGED TO DISCUSS PROBLEMS, STRESSFUL MATTERS OR PRESSURES THEY ARE CURRENTLY EXPERIENCING. THE OBJECTIVE OF THE DISCUSSION IS TO HELP INMATES IDENTIFY, EXPLORE AND ULTIMATELY EITHER RESOLVE OR BETTER COPE WITH THE STRESSORS.

93.301.Selection criteria.

(a) An eligible inmate, as that term is defined in ~~61 P.S. §1123~~ SECTION 3 OF THE MOTIVATIONAL BOOT CAMP ACT (61 P. S. §1123), may be selected by the Department for participation in a motivational boot camp. In selecting inmates for participation in a motivational boot camp, the selection committee will consider all information relevant to whether the inmate is eligible for placement in a motivational boot camp and likely to perform competently while in the motivational boot camp. Selection criteria will include ~~but not be limited to~~ the following:

- (1) The written application submitted by the inmate;
- (2) WHETHER THE inmate's participation in a motivational boot camp is consistent with the safety of the community;
- (3) WHETHER THE inmate's participation in a motivational boot camp is consistent with the welfare of the inmate;
- (4) WHETHER THE inmate's participation in a motivational boot camp is consistent with the objectives of the Department;
- (5) The health and physical condition of the inmate;
- (6) The inmate's criminal history;
- (7) The inmate's escape history;
- (8) The inmate's institutional adjustment during current and prior incarcerations;
- (9) ~~Any~~ Outstanding detainers or parole warrants, or both, for the inmate;
- (10) The inmate's psychological profile; AND
- (11) THE SUBMITTAL OF A SIGNED MEMORANDUM OF UNDERSTANDING AS REQUIRED BY SECTION 6 OF THE MOTIVATIONAL BOOT CAMP ACT (61 P.S. §1126(C)).

(b) An inmate will not be guaranteed acceptance into a motivational boot camp even if the inmate is eligible and likely to successfully graduate from a motivational boot camp.

(c) SUCCESSFUL COMPLETION OF THE BOOT CAMP PROGRAM REQUIRES COMPLETION OF THREE PHASES. THE FIRST PHASE CONSISTS OF ORIENTATION AND INTRODUCTION TO DISCIPLINE, PHYSICAL TRAINING AND TREATMENT. THE SECOND PHASE CONSISTS OF DISCIPLINE, PHYSICAL TRAINING AND TREATMENT. THIRD PHASE CONSISTS OF PREPARING THE INMATES FOR LIFE IN SOCIETY AND STRIVING FOR PERFECTION IN THE ASPECTS OF THE SECOND PHASE OF THE PROGRAM.

§93.302. Selection committee.

(a) There shall be a motivational boot camp selection committee in each diagnostic and classification center operated by the Department.

(b) Each selection committee shall be composed of the following individuals:

(1) The diagnostic center director or a corrections counselor supervisor, or both.

(2) A lieutenant or corrections counselor, or both.

(c) The selection committee is only responsible for recommending inmates for participation in a motivational boot camp.

(d) The superintendent of the State correctional institution in which a diagnostic and classification center is operated shall make the final decision as to inmate participation in a motivational boot camp.

§93.303. Administration.

(a) The Department will administer motivational boot camps at sites to be determined by the Department.

(b) Each motivational boot camp will operate under the administrative supervision of a regional deputy commissioner or other official designated by the Secretary of the Department.

§93.304. Supervision/organizational structure.

(a) Each motivational boot camp will be organized as a paramilitary unit with a supervisory structure consisting of a camp commander, a deputy commander and area commanders.

(b) The inmates will be organized into platoons consisting of no more than 50 inmates per platoon.

(c) EACH PLATOON SHALL HAVE AT LEAST 2 CORRECTIONS DRILL INSTRUCTORS.

§93.305. Curriculum

Each motivational boot camp shall consist of the following curriculum:

(1) Rigorous physical activity.

(2) Intensive regimentation and discipline.

(3) Work on public and community projects.

(4) Substance abuse treatment.

(5) Continuing education.

(6) Vocational training.

(7) Prerelease counseling.

(8) Ventilation therapy.

93.306. Inmate discipline.

(a) A list of the rules to be followed by inmates participating in a motivational boot camp will be provided to all inmates during their orientation to the motivational boot camp.

(b) Serious rule infractions WHICH CONSTITUTE CLASS I MISCONDUCTS LISTED IN DC-ADM 801 – INMATE DISCIPLINARY AND RESTRICTED HOUSING PROCEDURES may result in an inmate's expulsion from a motivational boot camp.

(c) Minor rule infractions WHICH CONSTITUTE CLASS II MISCONDUCTS LISTED IN THE DC-ADM 801 – INMATE DISCIPLINARY AND RESTRICTED HOUSING PROCEDURES will be dealt with according to a three-tiered approach.

(d) Inmates can be suspended or removed from a motivational boot camp for reasons other than violations of disciplinary rules, SUCH AS RECEIPT BY THE DEPARTMENT OF ADDITIONAL DETAINERS OR CHANGES WHICH MAKE THE INMATE INELIGIBLE FOR THE PROGRAM OR REASONS WHICH IN THE OPINION OF THE COMMANDER MAKE THE INMATE UNSUITABLE FOR THE MOTIVATIONAL BOOT CAMP OR DETRIMENTAL TO THE MOTIVATIONAL BOOT CAMP.

§93.307. Staff training.

Staff directly involved with a motivational boot camp shall undergo a minimum of 4 weeks of intensive training IN ADDITION TO TRAINING REQUIRED OF ALL CORRECTIONS EMPLOYEES. THIS TRAINING SHALL INCLUDE INSTRUCTION ON THE BOOT CAMP'S PROGRAMS INCLUDING THE DRUG AND ALCOHOL PROGRAM, DRILL AND CEREMONY, THE ROLE MODEL CONCEPT AND PHYSICAL TRAINING. TRAINING SHALL ALSO INCLUDE INSTRUCTION ON THE GOALS AND PHILOSOPHY OF THE BOOT CAMP AS WELL AS BASIC SECURITY. DRILL INSTRUCTORS SHALL RECEIVE THE ABOVE-REFERENCED TRAINING ALONG WITH A FIVE-MONTH ON-THE-JOB TRAINING PROGRAM INCLUDING A TWO-WEEK TRAINING ASSIGNMENT AT A TRAINING CENTER FOR CORRECTIONS DRILL INSTRUCTORS. TRAINING FOR DRILL INSTRUCTORS SHALL INCLUDE PHYSICAL TRAINING OF GROUPS, DRILL AND CEREMONY, LEADERSHIP DEVELOPMENT AND ASSESSMENT, PROFESSIONAL SENSITIVITY AND AWARENESS, COUNSELING TECHNIQUES AND INSTRUCTIONAL METHODS. EMPLOYEES SHALL NOT WORK AS DRILL INSTRUCTORS UNTIL THEY HAVE RECEIVED THE ABOVE-REFERENCED TRAINING AND A CERTIFICATE FROM THE SECRETARY OF THE DEPARTMENT.