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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

July 7, 2004

John S. Shaffer, Ph.D.
Deputy Secretary for Administration
PA Department of Corrections
2520 Lisburn Road
P.O. Box 598
Camp Hill, PA 17001-0598

TO → JIM Pluck
J 7/8/04
DEPUTY COMMISSIONER
04 JUL - 8 AM 10: 25
CORRECTED INSTITUTIONS

RE: Proposed Amendment to Regulations on Administration, State
Correctional Institutions & Facilities, and Release & Pre-release Programs
No. 19-6

Dear Dr. Shaffer:

I write as the Chairman of the House Judiciary Committee to provide you with comments from Representative Kathy Manderino, a member of the Committee, regarding the above-referenced regulations. Her comments are as follows:

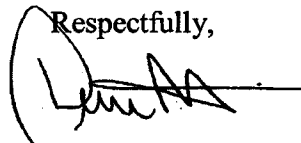
Subsections 93.3(h)(1) and (2) add the phrase "at the discretion of the facility manager" to language regarding visiting days and hours. This new phrase is of concern because many inmates are confined to state correctional institutions far from their homes. Visiting days and times should be varied enough and always be available on weekends, so that a family has reasonable access to the inmate without family members having to miss days at work or stay overnight in a hotel. Representative Manderino prefers that the regulations provide for a system-wide minimum standard that assures visiting days and hours such that reasonable access is ensured.

Subsection 93.10(a) changes the requirement that "[r]ules which define expectations and prohibitions for inmate behavior" be "distributed" to the inmate population. Instead, these rules are to be "made available" to the inmates. Representative Manderino has expressed concern that as these rules set the expectations for inmate behavior, and as they are disciplined for infractions of these rules, the inmates should have copies of the rules distributed to them. As inmates are held responsible for knowing and understanding certain rules, they should not be held responsible for observing rules they don't receive. This is especially true for inmates whose reading level might be below that at which the rules are written, for these inmates may need time to study the rules or to get help in understanding them. Just as employees receive copies of their employee handbooks, so should the inmates receive copies of the inmate handbook and any rules to which they must conform their behavior.

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Thank you for reviewing the comments of Representative Manderino. Should I receive additional comments from individual committee members, or should the Judiciary Committee as a whole wish to comment, I will forward same in due course.

Respectfully,



Dennis M. O'Brien
Republican Chairman
House Judiciary Committee

cc: The Honorable Robert E. Nyce
Executive Director, Independent Regulatory Review Commission

Representative Kathy Manderino

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