

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 705

Printer's No.: 710

Sponsor: Senator Blake

Prepared by: Gregg Warner

Synopsis: This bill amends section 1731 of the Prisons and Parole Code, Title 61 of the Pennsylvania Consolidated Statutes, relating to county jail boards of inspectors, to give the district attorney in a county of the third, fourth or fifth class the option of being a member of that county's board.

Summary: Section 1731 provides for the establishment of a board of inspectors for the jail or prison in each county of the third, fourth and fifth class. Currently the county district attorney is required to be a member of the board of inspectors. The bill gives the district attorney the option of being a member.

Effective date

This act takes effect in 60 days.

Background: According to the sponsor, "Under current law, District Attorneys in 3rd, 4th, and 5th class counties must serve on their county prison Board of Inspectors. There is a perceived conflict of interest as they must occasionally prosecute inmates, guards, or employees of said prison."

Current law

61 Pa.C.S. §1731 requires the following persons to be members of the county jail board of inspectors:

- (1) The president judge of the court of common pleas or a judge designated by him.
- (2) The district attorney.
- (3) The sheriff.
- (4) The controller.
- (5) The county commissioners.

The president judge may choose at any time to remove the judge position from the board. The decision to remove the judge position shall remain in effect for so long as the president judge making the decision remains as president judge and until rescinded by a successor.

The board of inspectors shall provide for the safekeeping, discipline and employment of inmates and the government and management of the correctional institution.