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Concerns with Pennsylvania's Parole System

Pennsylvania Senate Judiciary Committee

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Good morning. My name is Larry Blackwell, and I represent the nearly 10,000 members of the Pennsylvania State Corrections Officers Association. Joining me today is PSCOA Vice President John Eckenrode.

Members of the Senate Judiciary Committee, thank you for the opportunity to be here with you today — and for your leadership on public safety issues.

I want to especially thank the chair, Sen. Lisa Baker, for her support of our members, her strong record in support of public safety, and for holding this important hearing that allows us to discuss the very real concerns the PSCOA has with our commonwealth's parole system and the Department of Corrections.

In short, we believe corners are being cut to save money, and that approach has been disastrous. It has led to the deaths of innocent Pennsylvanians, and countless more have been the victims of crimes that could have been avoided.

Here are the unvarnished facts:

1. During a recent internal review of its parole system, DOC disclosed that an average of 91 Pennsylvania parolees have been arrested every year for murders or attempted murders since 2007. There was a high of 103 in 2017. This year, DOC projects 102 such arrests. The DOC maintains that these numbers are consistent

and don't raise red flags. It should concern all of us that our commonwealth is releasing more than 90 people on average each year who go on to be accused of violent, capital offenses.

2. Despite the DOC's so-called internal investigation indicating the decision-making process has improved, more than half of all parolees are returning to jail within three years, many of them for violent crimes.

You only need these two facts to see that something is horribly wrong. Together, we must do something, but it seems as if Pennsylvania is more interested in releasing inmates and closing prisons. Just a few years ago, SCI Pittsburgh was closed, and the local community was promised new economic development opportunities. Today, the facility still sits untouched.

Earlier this year, Secretary Wetzel told many of you that Pennsylvania's prison system needed to be stabilized and that he didn't foresee any future closures since the commonwealth had closed three in just a few short years — Pittsburgh, Cresson and Greensburg. But months later, the intention to close SCI Retreat was announced.

The circumstances inside the prisons aren't any better. Inmates can see what's happening. They're becoming more aggressive. Even if they misbehave, they know the chances are good they can still get paroled. Prisoners who are placed in restricted housing units because of their behavior are being released early back into the general population.

So, the message is clear: Violence against Corrections Officers and other inmates is tolerated because the commonwealth's main focus is on releasing prisoners and closing jails to save money that can be spent elsewhere in the state budget.

To begin addressing these concerns, the PSCOA recommends the following seven suggestions:

1. There must be an independent investigation. Please support House Judiciary Chair Rep. Rob Kauffman's call for Pennsylvania Inspector General Bruce Beemer to conduct a thorough investigation of the Department of Corrections and the Board of Probation and Parole. At a time when you are considering JRI II, which in part seeks to further streamline the parole process, the General Assembly must have more information to make decisions, especially when lives are at stake.

2. Create a standard definition of a violent offender through legislation. Not only does the definition vary from state to state, but it appears to vary widely within Pennsylvania.
3. Consider an inmate's full criminal record when making a decision about their parole — not just their recent past. The fact is there are inmates in the system who are considered nonviolent but have committed violent offenses in the past — or accepted a plea deal to a lesser, nonviolent offense. One recent parolee, now accused of murdering a child, gamed the system. Though he had not committed any behavioral infractions for about five years, he did previously stab a fellow inmate in the neck with a pencil and committed more than 27 misconducts during his prison time. Despite this, he was released when he reached the minimum of his 20- to 40-year sentence.
4. If an inmate commits a violent crime in prison, DOC must add restricted housing unit time to the inmate's minimum sentence. There must be a strong deterrent against violent crimes in our prisons.
5. The DOC's so-called internal investigation makes reference to using a "vote sheet" to elicit input from, among others, Corrections Officers on the potential parole of an inmate. The PSCOA has yet to find someone who has been asked to fill this out. WE HAVE NEVER BEEN ASKED. Officers interact every day with Pennsylvania's inmates. We must have a role in parole decisions.
6. Eliminate the term "operational capacity." For too long, DOC and administrators in other states grew tired of answering questions about their prisons being dangerously overcapacity. So they created a definition that creates too many gray areas and that can be manipulated with little or no oversight from this panel. A prison should either be considered overcapacity — or not.
7. If a parolee is labeled as absconded, the time they are on the run should be added to their parole. Incredibly, this isn't the case. A parolee can abscond several times, miss meetings and check-ins with a parole officer, and the commonwealth does not add time to their parole. This policy is reckless.

We hope you find these recommendations helpful in guiding your oversight of the Department of Corrections. I'll close with this.

Right now, there's a national dialogue on vaping because it has killed just over two dozen people. But every year 90 or more Pennsylvanians are the victims of a capital crime being committed by a parolee.

And no one is really talking about that.

Serious consideration must be given to slowing down the parole process until a thorough, independent review can be completed. Lives of innocent Pennsylvanians depend on it. We stand ready to work with you and the Wolf administration on a process that will put the public's safety first.

On behalf of the PSCOA, thank you, again, for the opportunity to testify. I will be happy to answer your questions.

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