

PENNSYLVANIA STATEWIDE DRUG CONTROL
AND SYSTEM IMPROVEMENT STRATEGY

FEDERAL FISCAL YEAR 1991

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PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

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I. EXECUTIVE SUMMARY

Pennsylvania's FFY-1991 Drug Control and System Improvement (DCSI) Strategy is being developed in accordance with state law (Act 117 of 1976, 72 P.S. §4615 (1990 Supp.)), which mandates that all federal funds be appropriated by the General Assembly. The Commission on Crime and Delinquency, as the designated administering agency for the DCSI funds, is working in close coordination with the Governor's Drug Policy Council and the Governor's Budget Office to formulate the FFY-1991 DCSI Strategy. The Governor's Executive Budget for 1991-1992 will be submitted for consideration to the General Assembly on February 5, 1991 and the General Assembly will appropriate FFY-1991 DCSI funds to PCCD no later than June 30, 1991. Until this appropriation process is complete, the DCSI funding strategy cannot be finalized.

At this time, the Pennsylvania strategy statement does not specify plans for new projects, but it does detail the anticipated use of the 1991 DCSI funds for continuation of state and local projects which were awarded during the past two years. These projects fall under two major categories: county corrections projects with an emphasis on reducing jail crowding, and providing needed treatment and supervision services to drug-dependent offenders. The other major group of projects includes those state initiatives which were initiated during 1990 under the General Appropriations Act of the Commonwealth's 1990-91 budget. These projects include major enforcement activities by the Pennsylvania State Police and Office of Attorney General and state corrections initiatives by the Pennsylvania Board of Probation and Parole and the Department of Corrections.

Immediately after the Governor's budget is released in early February, PCCD staff will formulate a plan and a set of recommendations for consideration by the Commission concerning overall program direction and specific dollar allocations for new funding categories. One area that is expected to receive considerable attention is the area of county corrections in an effort to help alleviate current crowding problems and a lack of community supervision and correctional facility treatment and supervision services for drug-abusing offenders. Recent passage of Pennsylvania Act 1990-193 will require counties which are interested in applying for a portion of a new \$200,000,000 bond issue for jail construction and renovation to submit "Intermediate Punishment Plans" to the PCCD. These plans will address specific strategies by the counties designed to impact on their jail crowding problems. Intermediate punishments include such programs as electronic monitoring, house arrest, community service, intensive probation supervision, victim restitution or mediation and other specialized supervision approaches. The Commission will evaluate the need and potential impact of allocating dollars to this area to provide counties with start-up funds to begin new program activities under their intermediate punishment plans.

The DCSI Strategy references the Governor's PENNFREE Program, which allocates \$90 million in new state funds to the Commonwealth's drug problem over a two-year period. These funds are being used to support new project activity in the areas of drug abuse prevention and education, treatment and

law enforcement. As the Commission moves to finalize the FFY-1991 DCSI Strategy, it will examine the new project activity and related impacts under PENNFREE as it sets priorities and funding allocations for use of the federal dollars.

Another major step in fighting the drug war and maximizing available state and federal resources is currently underway in Pennsylvania. The Governor's Drug Policy Council is currently in the process of developing the Commonwealth's first Long-Range Plan for Anti-Drug Abuse Programs. The plan will set forth the prevention, treatment and enforcement priorities for the Commonwealth and provide direction to agencies which have operational responsibilities in the drug area.

Three events occurring during the past year will increase the effectiveness of Pennsylvania's law enforcement agencies in responding to drug-related crime. First, the Commonwealth's Criminal History Records Information Act was amended to permit the computerization of intelligence and investigative information. Up until the Act was amended, Pennsylvania was the only state in the Union which expressly prohibited the computerization of drug suspect information. This new tool will enhance the investigative work being conducted by state and local enforcement agencies. Second is the recent agreement between the Pennsylvania State Police and Office of Attorney General to strengthen the cooperative efforts of each agency in fighting illegal drug trafficking in Pennsylvania. Both of these agencies have major responsibilities in this area and it is anticipated that the recently signed agreement will provide clarification to each agency's specific role. Lastly, the Pennsylvania National Guard has undertaken a major role in the Commonwealth's fight against illegal drug use. The National Guard has dedicated manpower, equipment and resources to support the drug suppression efforts of state and local enforcement agencies.

Pennsylvania is also continuing to utilize another tool in its fight against drugs, which has been available to law enforcement agencies for some time. The increased use of asset seizure and forfeiture is providing valuable resources to state and local enforcement agencies. The level of activity is so high in some counties that specialized units have been created to handle asset seizure and forfeiture related work. It is anticipated that drug-related forfeitures will continue to increase in Pennsylvania as a result of a new asset seizure and forfeiture unit within the Office of Attorney General and through training opportunities offered to county district attorneys and local law enforcement personnel.

Pennsylvania's success with interagency coordination in the drug area will continue to be built upon. The DCSI Strategy addresses the cooperative work between such agencies as the Office of Drug and Alcohol Programs (treatment), Department of Education (prevention/education), Pennsylvania Commission on Crime and Delinquency (criminal justice) and the Governor's Drug Policy Council. Many statewide initiatives started during the past three years would not have been possible without the spirit of cooperation which exists between these agencies. Examples of many new treatment services for drug-abusing offenders are discussed in the Strategy, largely supported by the Commonwealth's Office of Drug and Alcohol Programs. The Commonwealth's two major drug education efforts,

involving law enforcement officers in public and private schools, were made possible through the close cooperation of the Governor's Drug Policy Council, Department of Education, and PCCD. These efforts will be continued and built upon during 1991.

The Commonwealth will continue to place significant emphasis on a number of areas identified in the National Drug Control Strategy. The area of drug testing will continue to be an important component of new and enhanced correctional supervision projects. The current drug testing efforts in the Commonwealth have generally reduced offenders' use of illegal drugs while under supervision. It is believed that this tool, combined with appropriate drug and alcohol treatment services, substantially reduces the likelihood of reinvolvement with drugs and crime. Two other areas highlighted in the National Strategy and of significant importance in Pennsylvania are street-level enforcement activities and the concept of user accountability. State and local efforts will be continued to apprehend and prosecute those who are involved in the illegal drug trade. Pennsylvania's multi-jurisdictional task forces have been extremely successful in identifying and prosecuting street-level dealers. Pennsylvania's asset seizure and forfeiture laws target drug users as well as drug dealers. One example of holding the user accountable for his/her actions is the provision in the law which allows for the seizure and forfeiture of vehicles in possession cases.

As discussed earlier, Pennsylvania's movement toward intermediate punishment is also consistent with the National Strategy, which calls for intermediate sanctions for non-violent drug offenders. As counties develop alternative sentencing programs, it is anticipated that jail crowding problems will be alleviated and more effective treatment and supervision programs for drug offenders will be implemented.

The DCSI Strategy addresses plans to conduct assessment and evaluation activities in a number of select areas including: drug law enforcement efforts; supervision and monitoring of substance-abusing repeat offenders; and effectiveness of coordination in the state's drug control efforts. These areas are extremely important in the Commonwealth's fight against drug abuse. It is anticipated that the findings of these evaluation efforts will assist decision-makers in setting future policy and allocating state and federal resources.

II. INTRODUCTION

The Pennsylvania Commission on Crime and Delinquency (PCCD) is in its fifth year of administering federal funds under the federal Anti-Drug Abuse Act. Throughout those five years, PCCD has employed a planning process for drug control and systems improvement which heavily relies on input from state and local officials. To assist in the development of the initial drug strategy and its subsequent revisions throughout the past five years, PCCD has sponsored working seminars to elicit recommendations from those individuals who work in the criminal justice and drug and alcohol treatment fields. Participants have outlined plans for improving their efforts related to the drug offender population, stressing the coordinative aspects between local, state and federal drug agencies.

During the past few months, the Governor's Drug Policy Council (DPC) has been actively involved in developing a multi-year anti-drug abuse strategy which focuses on the most pressing treatment, prevention/education and criminal justice issues in the Commonwealth. This process incorporates the involvement of a wide range of officials who are continuing to focus on establishing long-range direction for the Commonwealth.

The PCCD is serving as the coordinating agency for the criminal justice section of the multi-year strategy and in conjunction with Administration officials is examining possible use of FFY-1991 DCSI funds for certain activities under the multi-year strategy.

In addition to the federal funds coming into the Commonwealth for drug control and systems improvement, a sizeable amount of state dollars was recently committed to the drug problem. In September 1989, Governor Robert Casey announced the details of his PENNFREE Program. The components of the PENNFREE Program are based on input received during seven public forums across the Commonwealth which the Governor personally chaired. The Governor's plan includes \$90 million of new PENNFREE dollars and \$45 million of General Fund dollars targeted to the areas of prevention, education, treatment and law enforcement relative to substance abuse. PENNFREE dollars are being used to support projects throughout the Commonwealth through June 30, 1991. On the criminal justice side, the majority of the PENNFREE funds are being used to support apprehension and prosecution efforts within the Office of Attorney General and the Pennsylvania State Police. The Pennsylvania Department of Corrections and Pennsylvania Board of Probation and Parole are also implementing new corrections initiatives under PENNFREE.

It is anticipated that the FFY-1991 DCSI allocation will be used to provide continuation funding to existing state and local projects, most of which were started using FFY-1989 and 1990 funds. The balance of FFY-1991 funds will be programmed following the submission of the Governor's 1991-1992 Executive Budget and the General Assembly's passage of the requisite appropriations act. This process is consistent with Pennsylvania Act 117 of 1976, which mandates that all federal funds be appropriated by the General Assembly (72 P.S. §4615 (1990 Supp.)).

PCCD will seek public comment on the FFY-1991 strategy by announcing the document in the Pennsylvania Bulletin. The Bulletin serves to provide official notification of the promulgation of rules and regulations of the various programs administered by state agencies and serves as the principal mechanism to solicit public and official comment on governmental regulations and policies. The Bulletin will announce the availability of the strategy and solicit comments as well.

In lieu of creating a special Drug and Violent Crime Policy Board, as suggested by BJA, Pennsylvania will continue to utilize the oversight of the Pennsylvania Commission on Crime and Delinquency and the Governor's Drug Policy Council. The PCCD's enabling statute (Appendix Q) requires the Commission to "develop policies, plans, programs, and budgets for improving the coordination, administration and effectiveness of Pennsylvania's criminal and juvenile justice systems." The Commission will review and approve the strategy document itself as well as all grant applications funded under the strategy. Members of the Commission are appointed by the Governor and represent both public and private interests, including all components of the criminal justice system. A list of current Commission members is provided in Appendix L.

The Governor's Drug Policy Council (DPC) was created by Governor Robert P. Casey for the purpose of coordinating a comprehensive statewide strategy for combatting illegal drug use and drug and alcohol abuse. The DPC is charged with developing an "integrated program of education, enforcement, prevention and treatment in the fight against drug and alcohol abuse." As with the Commission, the DPC reviews and takes action on all drug-related strategies and plans developed by PCCD and all grant applications requesting federal funds. Please refer to Appendix M for a list of the current membership of the DPC.

In the development of the statewide drug law enforcement and violent crime strategy, the PCCD has worked in concert with the DPC, the Pennsylvania Department of Health, and the Pennsylvania Department of Education to ensure that the law enforcement strategy takes into consideration the drug and alcohol related prevention, education, and treatment initiatives that are being developed by these agencies.

III. NATURE AND EXTENT OF THE PROBLEM

In identifying the problems posed by substance (drug and alcohol) abuse, the Pennsylvania Commission on Crime and Delinquency continues to engage in a two-pronged approach to information collection. This approach focuses on the collection of existing law enforcement and treatment data related to substance abuse and the operational problems posed by substance abuse. The existing substance abuse data is collected and collated from the major agencies in Pennsylvania which are responsible for dealing with the problem. These agencies span all segments of the criminal justice system, including enforcement, prosecution, courts, corrections and treatment.

The nature and extent of substance abuse in Pennsylvania is described in the following two sections. The first section presents substance abuse trend data. The second section outlines the operational problems experienced by these agencies in coping with substance abuse.

A. Existing Agency Data

Information contained in this section was primarily gathered from the Pennsylvania Uniform Crime Reporting system, Office of Attorney General, State Police crime labs, Department of Corrections, Department of Health, and the Pennsylvania Commission on Sentencing. Some of the data is presented as substance abuse (drug and alcohol) while in other cases only drug data is presented.

While substance abuse continues to increase and affect all segments of Pennsylvania's criminal justice system, its most pronounced impact has been on the correctional system, particularly at the county level. Of the 24,388 inmates sentenced to county jails in 1988, nearly 50% (11,505) were sentenced for drug, Driving Under the Influence (DUI) or public drunkenness offenses. In 1981, substance abuse offenders accounted for only 14% of county jail sentences. The number of offenders sentenced for substance abuse increased 626% from 1981 to 1988, while sentences for all other offenses increased by 33%.

From 1981 to 1988, Pennsylvania's state correctional system experienced a 165% increase in commitments for substance abuse offenses. The increase was primarily due to drug offenders and was most evident in 1988. Prior to 1988, the Department of Corrections received, on average, an additional 35 sentenced drug offenders annually. In 1989, the number of drug offenders sentenced to a state institution increased by 86. The PCCD is further projecting 378 per year increase for drug violators through 1995.

Arrests for substance abuse increased 31% from 1980 to 1989. Arrests for DUI rose 107% while drug arrests have increased 125%. The increase in drug arrests is significant, especially when compared to a 6% increase in arrests for all other offenses during the same time period. Arrests for drug sales rose over 230% while possession arrests increased 65%. Arrests for drug sales accounted for 36% of all drug arrests in 1980 compared to nearly 53% in 1989.

Drug arrest data also indicates a change in the type of drug being abused, manufactured and sold within Pennsylvania. The most dramatic increase in drug arrests involves cocaine/opium. In 1980, cocaine/opium arrests totaled 2,245 and increased to 21,195 in 1989, a 844% increase. Cocaine/opium arrests comprised 68% of all drug arrests in 1989.

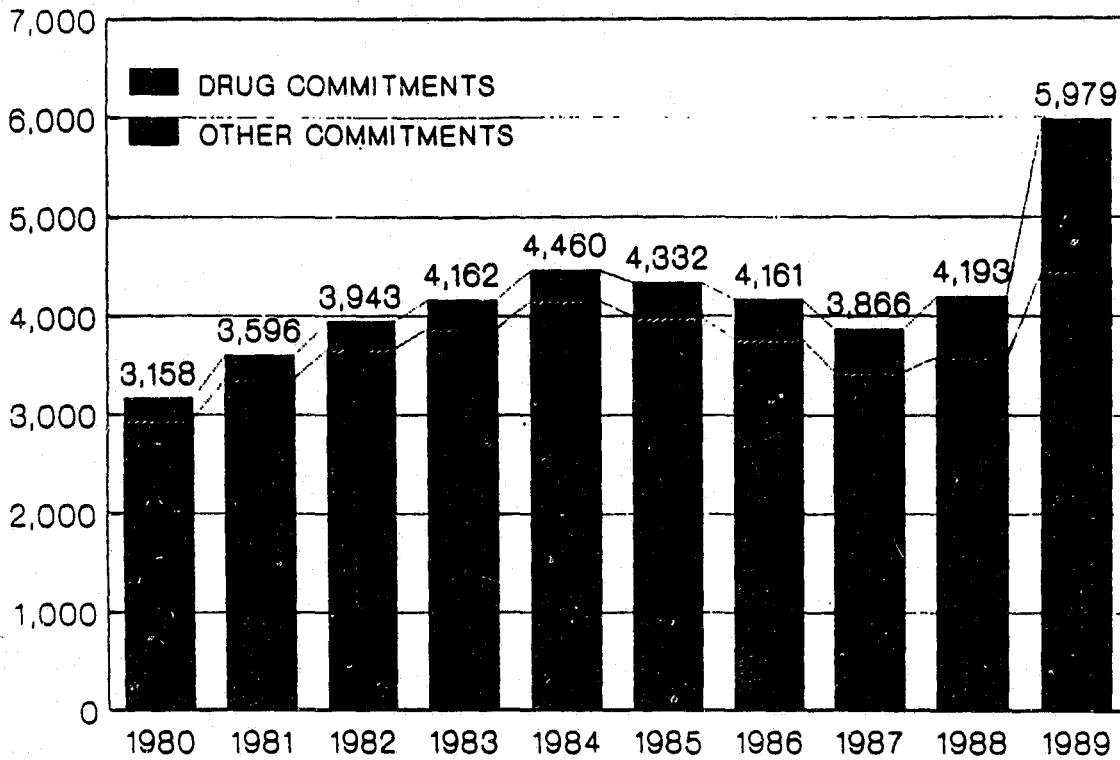
When broken down by county, drug arrest data indicates that the largest portion of the illegal drug problem in Pennsylvania occurs in the City of Philadelphia, which in 1989 accounted for 38% of statewide drug arrests. Including the four large suburban counties surrounding the City of Philadelphia, this area accounted for 55% of all drug arrests. The second largest urban area in Pennsylvania, Allegheny County, which includes the City of Pittsburgh, accounted for 17% of all drug arrests. The remaining 28% of drug arrests occurred in the 61 other counties of the state. The major urban areas accounted for 39% of all alcohol-related arrests, while the other 61 counties accounted for 61%.

Pennsylvania has also witnessed substantial growth in the number of substance abuse (drug and DUI) convictions and incarcerations. From 1983 to 1988, convictions rose 163% and incarcerations increased 174%. Generally, between 97% and 99% of DUI convictions result in incarceration. In 1983, 67% of drug felons were incarcerated, rising to 77% in 1988.

Substance abuse continues to burden Pennsylvania's treatment facilities. There were 67,017 substance abuse admissions in FY-89/90, with a slight decrease in cocaine admissions over 1988-89 figures (30% v. 31% of total). Alcohol admissions in FY-1989/90 increased by two percentage points over last fiscal year's figures. There are 6,543 licensed beds available in Pennsylvania for substance abuse treatments.

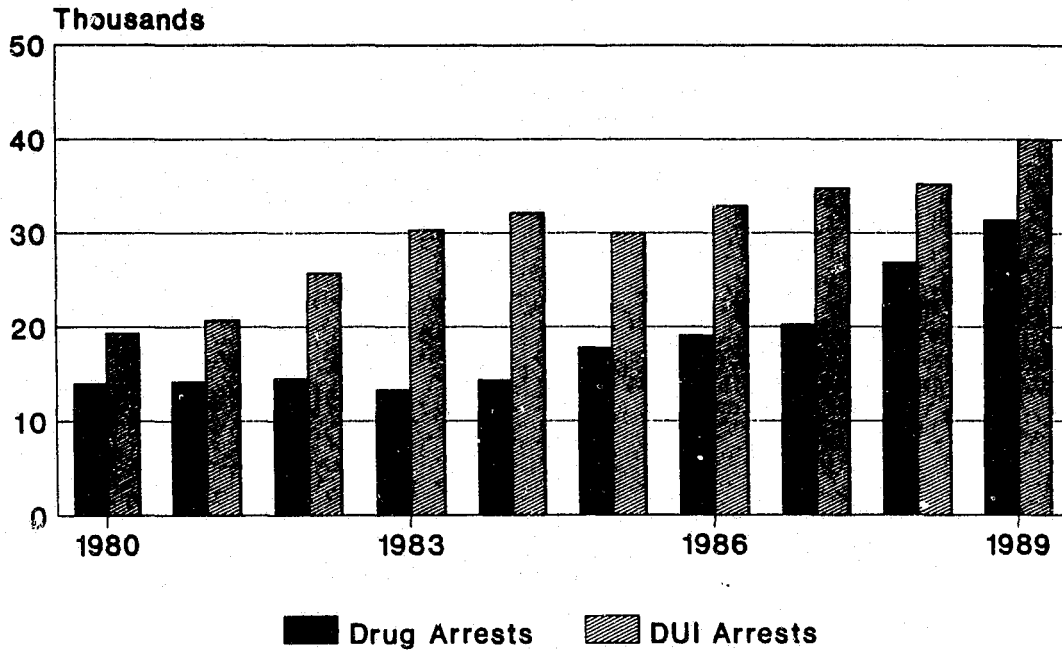
This summary highlights the significant aspects of the nature and extent of the substance abuse problem within Pennsylvania as reflected in the existing data. Additional information is contained in the charts, tables and narrative on the following pages.

**FIGURE 1: COURT COMMITMENTS TO
THE DEPARTMENT OF CORRECTIONS
1980-1989**



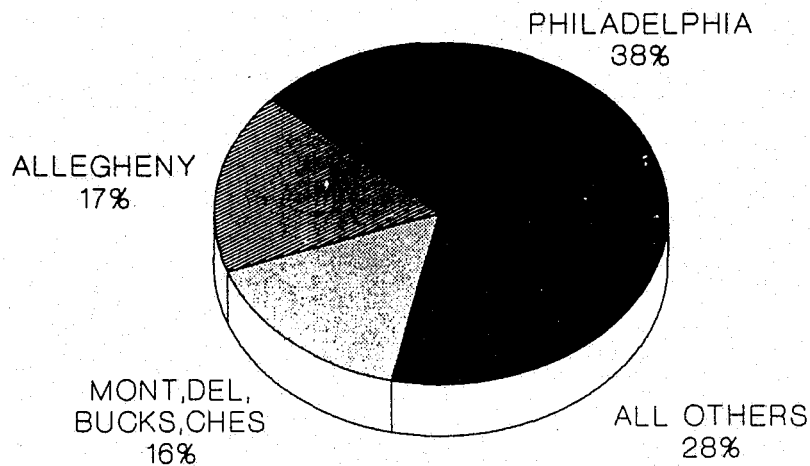
1. There were over 1,500 drug commitments to the DOC in 1989.
2. Drug violators are increasing faster than any other DOC inmate classification.

FIGURE 2: DRUG & DUI ARRESTS 1980-1989



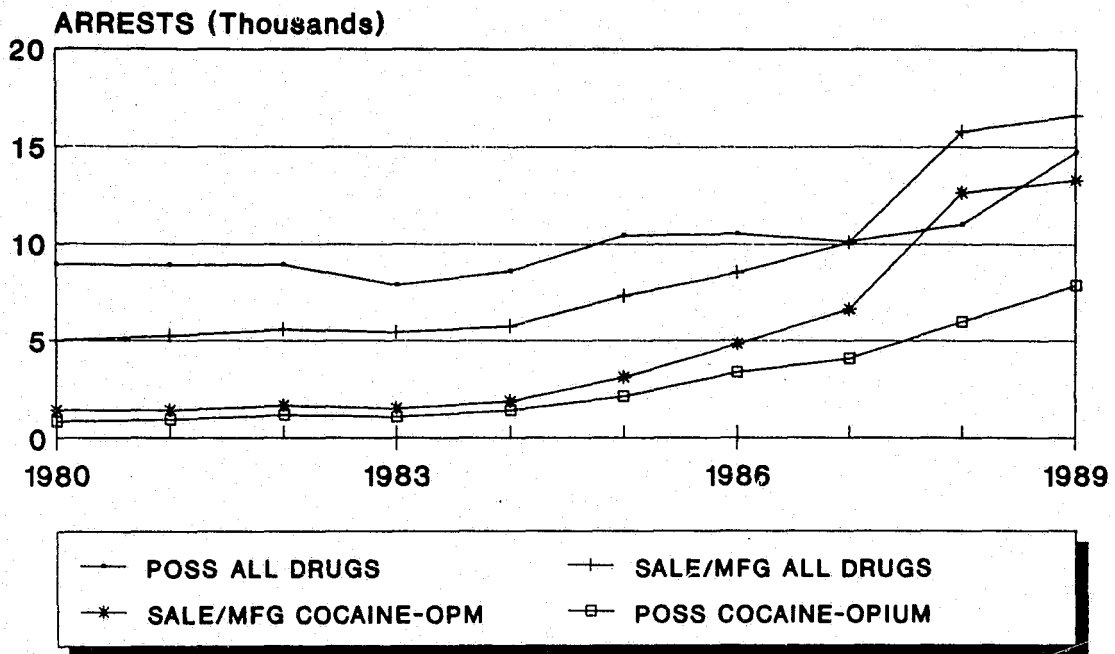
1. Drug arrests increased 125% from 1980 to 1989.
2. Arrests for DUI rose steadily since a 1985 decrease.
3. Drug arrests per 100,000 population increased by 121% from 1980 to 1989 (117.9 to 260.9 respectively).

FIGURE 3: 1989 DRUG ARRESTS BY COUNTY



1. Arrests for drug sales now account for 53% of all drug arrests, compared to 36% in 1980.
2. Arrests for marijuana declined 23% since 1980.
3. Cocaine arrests represent 67% of statewide drug arrests.
4. Over 3,200 juveniles were arrested for drug offenses in 1989. Forty-nine percent (49%) of these juveniles were arrested for sale of cocaine.
5. The Pennsylvania UCR does not provide arrest numbers for cocaine and opium separately.

FIG 4: ARRESTS FOR POSSESSION & SALE/MFG OF DRUGS 1980-1989



1. Philadelphia accounted for 38% of drug arrests in 1989, down from 50% in 1988.
2. Six counties (Allegheny, Philadelphia and four counties surrounding Philadelphia) account for 71% of statewide drug arrests.
3. Allegheny County accounted for 17% of all drug arrests in 1989, an increase of 183% over 1988 figures.

FIGURE 5A

MULTI-JURISDICTIONAL TASK FORCES ARRESTS BY DRUG TYPE, 1989

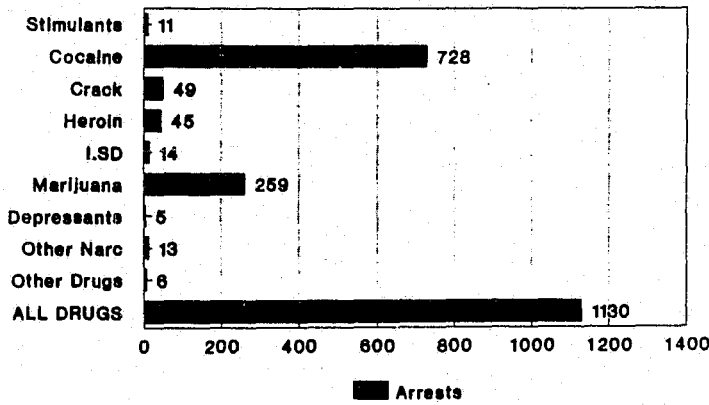
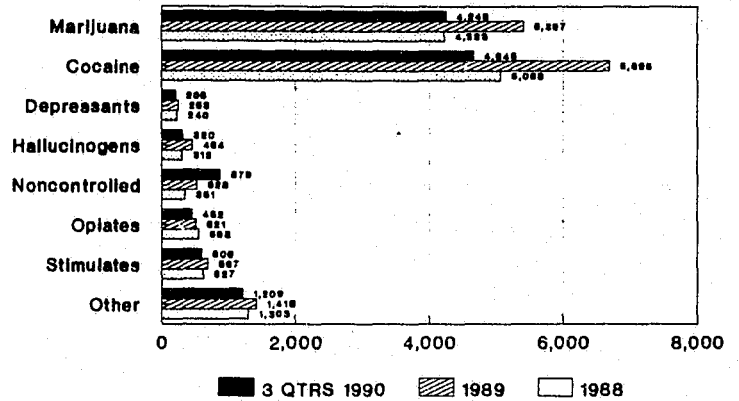


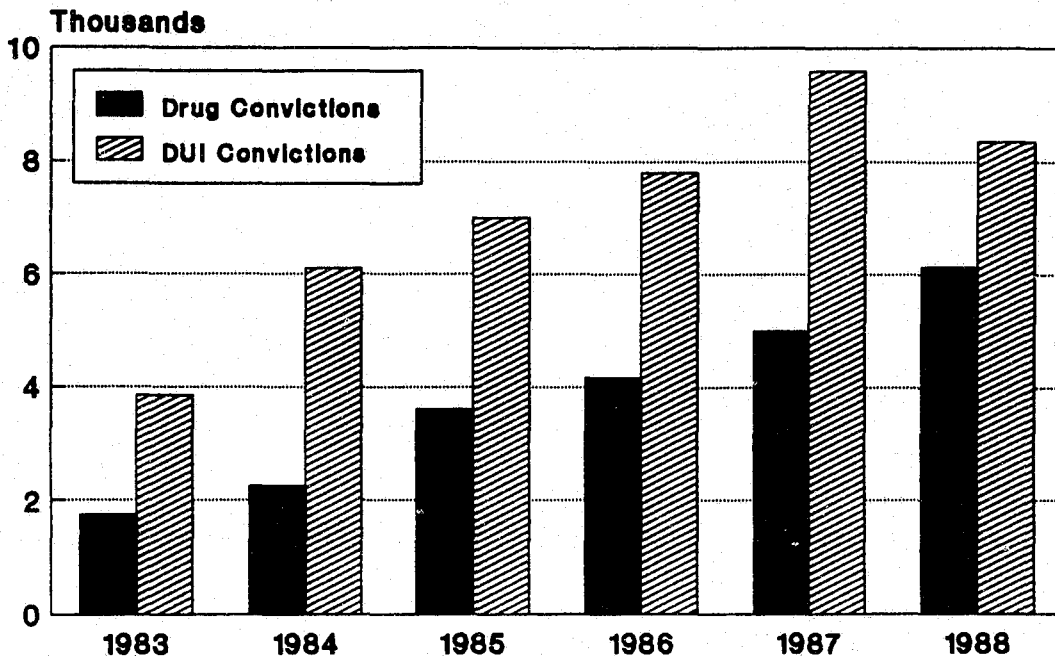
FIGURE 5B

PENNSYLVANIA CRIME LAB ANALYSES BY DRUG TYPE



1. There are 44 Multi-jurisdictional task forces in Pennsylvania.
2. Cocaine arrests accounted for 64% of all task force arrests.
3. The six State Police crime labs analyzed over 15,900 drug samples in 1989. For the first three quarters of 1990, there have been 12,570 analyses. At this rate, the projected total drug analyses for 1990 could surpass 16,700.

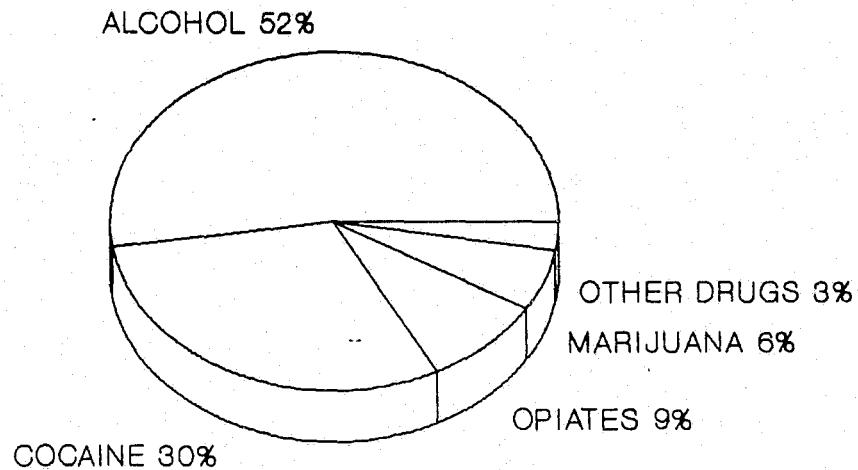
FIGURE 6: SUBSTANCE ABUSE CONVICTIONS 1983-1988



SOURCE: AOPC; 1988 data is the latest and most complete.

1. According to the Administrative Office of Pennsylvania Courts, in 1988, 8,359 DUIs were found guilty (31%).
2. There were 14,180 (53%) DUIs placed on Accelerated Rehabilitative Disposition (ARD).
3. Allegheny County, which includes the City of Pittsburgh, found only 4% of its drug violators guilty. Ninety-six percent (96%) were found not guilty. Two possible reasons could account for this statistic. The first is that Allegheny County may be responding to court orders mandating a reduction in prison overcrowding. The second reason may have to do with data. Allegheny County is more prone to provide court data at the District Justice level rather than the Municipal Court level. It is at the Municipal Court level where most conviction data is recorded.
4. Statewide, 21.5% of drug violators were sent to jails and prisons and 55% were found not guilty.

FIGURE 7: FY 89-90 TREATMENT ADMISSIONS BY SUBSTANCE ABUSED



N=6,7017

1. Clients seeking treatment for alcohol and cocaine abuse comprise over 80% of all treatment admissions.
2. Nearly 50% of treatment admissions for marijuana comprised clients age 19 or younger.

The Pennsylvania State Police participate in a program to eradicate and suppress domestically grown marijuana in the state. In 1990, 49,084 cannabis plants were eradicated through helicopter surveillance operations in 67 counties. The plants were valued at over \$49 million.

TABLE 1: PSP MARIJUANA ERADICATION PROGRAM

Year	Total Flights	Total Plots Eradicated	Number of Plants Eradicated
1983	351	125	8,435
1984	451	391	12,479
1985	633	428	15,996
1986	475	168	5,091
1987	387	297	11,060
1988	321	124	8,276
1989	310	133	14,683
1990	355	114	49,084

Value: 1988 - \$9 million (28 counties); 1989 - \$15 million (30 counties); 1990 - \$49 million (67 counties).

Source: Pennsylvania State Police

Operational Concerns of Enforcement, Correctional, and Treatment Agencies
Related to Substance Abuse and Related Crime.

The following information presents the operational concerns related to the problem posed by substance abuse to criminal justice agencies throughout Pennsylvania. This information was gathered by the Pennsylvania Commission on Crime and Delinquency through a series of meetings with the criminal justice system agencies affected by substance abuse in Pennsylvania, culminating in a hearing before the Commission. The information presented below is broken down into the major segments of the criminal justice effort against substance abuse and related violent crime in the state.

Apprehension:

On the state level, drug enforcement/apprehension within Pennsylvania is the responsibility of the Pennsylvania State Police and the Office of Attorney General with the Pennsylvania Crime Commission providing intelligence information to assist in these efforts. Information from these sources indicate that drug arrests are on the rise for nearly every enforcement agency in the Commonwealth. Although marijuana has traditionally been the drug of choice in Pennsylvania, cocaine sale and use is currently encountered throughout the state and represents the most significant increase among illicit drugs. Along with a rise in the number of cocaine-related arrests, information indicates that cocaine is making an appearance in rural areas of the Commonwealth where it was virtually unheard of a few years ago.

The rise in cocaine abuse has apparently been slowed somewhat by the availability of methamphetamine. Methamphetamine sale and use has been concentrated in the southeastern part of the state, although cocaine has recently become more available in this area and appears to be making inroads on the sale and use of methamphetamine. The Pennsylvania State Police have detected an increase in the number of methamphetamine laboratories in southeastern Pennsylvania with indications that laboratory operations are being moved to the more rural counties with expanses of open farmland which allow labs to operate with less chance of discovery.

Intelligence efforts by the Pennsylvania Crime Commission and the Drug Law Enforcement Division of the Pennsylvania State Police indicate that narcotics trafficking continues to be a major source of income for traditional organized crime and nontraditional organized crime groups such as motorcycle gangs and various ethnic criminal enterprises. A new trend indicated by intelligence information is the production of domestic cocaine from cocaine base imported from Latin America.

Local police efforts against drug abuse/trafficking are hampered by the nature of local police agencies in the Commonwealth of Pennsylvania. In 1989 Pennsylvania had just under 1,000 local police departments employing 20,007 full-time officers. The vast majority of these local police departments are structured to provide routine, traditional police service to the public and do not possess the necessary specialized expertise or resources to effectively combat drug abuse/trafficking and related violent crimes. This can be seen in the size of these departments. In 1989, 92% or 907 of the under 1,000 local police departments employed less than 25

officers. Fifty-two percent (52%) of the local police departments in Pennsylvania employed less than five police officers. The small size of local police departments in Pennsylvania is complicated by an overall decrease in the number of officers over the past nine years. The nature of local police departments in Pennsylvania causes them to rely heavily upon the resources of the Pennsylvania State Police and the Office of Attorney General Narcotics Strike Forces, for assistance in dealing with drug enforcement activities.

In general, the larger local police agencies are concentrated in urban/suburban areas of the state. Because of their size and the resources available to them, these departments are better equipped than the smaller rural departments to become involved in conducting drug investigations utilizing in-house personnel and resources. As can be seen by the data previously presented, the largest portion of Pennsylvania's drug enforcement problem centers in the urban/suburban areas of southeastern Pennsylvania surrounding Philadelphia and in southwestern Pennsylvania, Allegheny County which includes the City of Pittsburgh. In particular, the City of Philadelphia experienced a 129% increase in drug arrests between 1984 and 1989. This increase in overall drug arrests in the Philadelphia area is paralleled by an alarming increase, 56%, in the number of juvenile offenders being arrested for sale and possession of illegal drugs. As compared to the statewide information on drug abuse, cocaine is the fastest growing drug problem within the City of Philadelphia. An indication of this increase is shown by the fact that cocaine admissions to state facilities in FY-1977/78 accounted for only 0.4% of the annual total admissions and 29% of the FY-1989-90 annual total admissions. Philadelphia police report an increase in arrests for trafficking in illegal drugs and attribute this increase to the fact that the city is at the hub of major transportation routes including the New Jersey and Pennsylvania turnpikes, a major international airport and a major seaport.

In summary, the drug enforcement and related violent crime problem faced by Pennsylvania police agencies is an increase in both drug trafficking and abuse and the subsequent strain upon existing and, in some cases, declining resources. The problems related to drug enforcement while traditionally centered around urban areas of the state have become more complicated through their spread to rural areas. The spread of drug trafficking operations is complicated by the increasing sophistication of drug traffickers and their reliance upon modern electronic equipment and the ease and speed with which they can effect necessary transportation.

Prosecution:

Prosecution of drug offenders and those who commit violent crime within the Commonwealth of Pennsylvania is the responsibility of the county district attorneys and the Office of Attorney General. Prosecution efforts and problems related to drug abuse/trafficking mirror those of the enforcement agencies. Prosecution of drug trafficking and related violent offenses are in fact closely tied to enforcement/apprehension efforts. In many cases, the district attorney provides direction to drug enforcement efforts within his county.

As with local police agencies, the 67 district attorneys have limited resources and small staffs. With the exception of Philadelphia and its surrounding suburban counties and Allegheny County, the remainder of Pennsylvania district attorneys operate in counties which can be characterized as largely rural. This acts to severely limit the resources which county government can provide to prosecute drug and related violent crime cases.

As reported by the Pennsylvania District Attorneys Association, in spite of this overall lack of resources, the district attorneys of all counties must confront the same legal complexities and challenges in drug related investigations and prosecutions. Consequently, many of Pennsylvania's prosecutors are significantly under-trained and under-prepared for their role in prosecuting complex drug trafficking cases which further complicates the problems posed by a lack of resources.

In prosecuting major, multi-county drug trafficking cases and in assisting local district attorneys, the Office of Attorney General has experienced much the same problem as local district attorneys' offices. This problem is reflected in the increased number of drug prosecutions/convictions in Pennsylvania over the last five years which has served to strain the resources of this office.

Adjudication:

In the period between 1983 and 1988, the Pennsylvania courts have seen a 193% increase in the number of drug-related convictions and a 250% increase in the sentencing of drug offenders to terms of incarceration. This information provides a basic view of the increased role of drug cases in the Pennsylvania court system and the effect of these cases upon the resources of the court. The courts of Pennsylvania, represented by the Administrative Office of Pennsylvania Courts, view the drug-related adjudication problems as involving all aspects of the network of criminal justice services. In spite of the fact that drug-related cases have led to excessive case loads and increased work load for the courts and related agencies throughout Pennsylvania, particularly in the urban/suburban jurisdictions, the courts recognized a need to increase inter-agency cooperation and coordination in drug control efforts in addition to increasing resources and manpower. In particular, the court system appears to require a number of improvements which may be accomplished through various court management efforts not requiring a massive infusion of funds and resources.

The Juvenile Court Judges' Commission reports that drug related juvenile dispositions increased over the past few years. In 1982 the juvenile drug offenses constituted 3.7% of the cases handled by juvenile court. By 1988 this percentage had increased to 5.9%. The Juvenile Court Judges' Commission believes that their current inability to accurately separate juvenile offenders who use drugs from juvenile offenders arrested for specific drug violations seriously undercuts any attempt to quantify the extent of drug use and dependency among juvenile offenders. Since most self-reporting surveys

of juvenile offenders indicate that as many as 90% of all juvenile offenses are committed by juveniles using either drugs and/or alcohol, the Juvenile Court Judges' Commission views this behavior as a vital interactive factor in the overall current rate of juvenile crime.

Detention, Rehabilitation and Treatment:

In the Pennsylvania criminal justice system the county jail acts as the primary clearinghouse for all individuals passing through the system, including drug related offenders. In addition to detainees, county jails also deal with work release inmates, parole or probation violators and all state sentenced prisoners who must first pass through the local county jail prior to transportation to a diagnostic and classification unit within the state correctional system. Local county jails report that up to 85% of the prisoners incarcerated were under the influence of drugs and/or alcohol at the time of their initial detention. Since pre-trial detainees are received at the jail any time between four and 24 hours after arrest, this coincides with the time that they are beginning to sober up or come down.

County jails have identified the need for proper identification and treatment of detainees upon initial entry to the jail. The vast majority of county jails in Pennsylvania do not have in-house detoxification or treatment capabilities and are forced to transport inmates to nearby facilities. In addition to the paucity of detoxification/treatment capabilities, the difficulty in distinguishing a drug abuser from those experiencing emotional or mental health problems often makes referral difficult. Local mental health units are reluctant to accept individuals under the influence of drugs.

Information received from the Pennsylvania Department of Corrections is similar to that received from county jails in that between 50% and 80% of all inmates who enter the prison system were abusing drugs at the time of their criminal involvement. While an inmate is institutionalized in Department of Corrections, he may or may not receive appropriate treatment and counseling for his addiction. For an inmate to participate in an institutional treatment program, it must first be determined that the inmate has an abuse or addiction problem. This is complicated by a shortage of corrections personnel trained in the identification of drug abusing inmates. The second problem within the state correctional system is the limited availability of drug and alcohol services within the institutions. Because of these two factors, many inmates receive little or no treatment for their abuse or addiction problems while in prison. Further, once an inmate has undergone treatment in an institution for drug and/or alcohol dependency, there is a paucity of follow-up mechanisms to provide support for that inmate when he returns to the community which originally influenced his chemical addiction and criminal behavior. As a result, the Department of Corrections is currently experiencing a return rate of 33% of all inmates released.

The Pennsylvania Board of Probation and Parole is the agency responsible for supervising state-level parolees. The Board estimates that more than 50% of their clients released on parole and under Board supervision have

histories of drug abuse. A recent study of 2,215 parolees revealed that the Board imposed a required drug therapy special condition on 45.7% of its clients as a condition of their release and required urinalysis for 56.4% of parolees.

Information obtained from the Board of Probation and Parole indicates that the largest percentage of their clients identified with drug-related problems come from two major urban areas of Pennsylvania, Philadelphia and Pittsburgh. Twenty-five percent (25%) of the parole case load in the City of Philadelphia (1,457 parolees) have been identified as having various types of drug histories. A total of 511 clients or 20% of the Pittsburgh case load have been similarly identified. These two urban areas account for 21% of the total number of Board parolees who have been identified to have a history of drug abuse.

The Office of Drug and Alcohol Programs of the Pennsylvania Department of Health is responsible for the prevention, treatment, rehabilitation and education in all aspects of drug and alcohol abuse problems. According to this office the drug and/or alcohol abusing criminal offender population continues to represent a significant problem with respect to allocation of limited treatment resources and the resultant limitation on inpatient and outpatient drug and alcohol treatment slots. The Office of Drug and Alcohol Programs echoes the findings of the Department of Corrections and the Board of Probation and Parole in identifying the shortage of drug treatment services in many counties throughout Pennsylvania. This often hinders the counties' efforts to obtain admissions for parolees in need of continuing drug monitoring and treatment programs. To further compound this problem, counties which have developed programs to serve as alternatives to criminal prosecution or sentencing for drug using offenders have, as a result, identified even more individuals in need of some form of treatment and monitoring.

Under the auspices of the Office of Children, Youth and Families, the Pennsylvania Department of Public Welfare operates eight residential facilities across the Commonwealth. These state facilities provide both open residential and secure care programs for youth ranging in age from 12 up to 20 years. The Department of Public Welfare estimates that between 25% and 40% of youth within these facilities need treatment for a drug abuse problem, with a large portion of the remaining youth being considered at risk and needing drug prevention or intervention services.

IV. AREAS OF GREATEST NEED
(GEOGRAPHICAL ANALYSIS OF PENNSYLVANIA'S
SUBSTANCE ABUSE PROBLEM AND CONTROL STRATEGY)

July 1, 1989 population estimates indicate that 12,027,002 people reside in the Commonwealth of Pennsylvania. This section presents an assessment of drug apprehension and prosecution, and drug usage, availability and treatment within Pennsylvania's most populous counties. All counties having populations of 230,000 or more represent Pennsylvania's target jurisdictions. These counties are identified below.

Apprehension and Prosecution

TABLE 1: STATEWIDE SUBSTANCE ABUSE ARRESTS AND PROSECUTIONS

<u>County</u>	<u>% of State Population+</u>	<u>% of State Substance Abuse Arrests</u>	<u>% of State Substance Abuse Convictions*</u>
Philadelphia	14%	28%	16.7%
Allegheny	11%	14%	0.5%
Montgomery	6%	6%	7%
Delaware	5%	5%	7
Bucks	4%	6%	11%
Chester	3%	43%	3%
Lehigh	2%	3%	3%
Dauphin	2%	23%	5%
Lancaster	3%	3%	3%
Erie	2%	2%	3%
Berks	3%	2%	3%
Luzerne	3%	2%	2%
Westmoreland	3%	2%	2%
York	3%	3%	4%
Northampton	2%	3%	3%
Top 15 Counties	66%	75%	73.2%
Other 52 Counties	34%	25%	26%
Statewide	100%	100%	100%

*1988 Figures - Data does not include convictions for drunkenness.

+1989 Figures/Substance abuse arrests are drug violations, DUI and Drunkenness.

SOURCE: Arrest data-UCR

Conviction data - Administrative Office of Pennsylvania Courts

1. Fifteen counties, representing 66% of the state's population, account for 75% of all substance abuse arrests.
2. Seventeen percent (17%) of the state's substance abuse arrests occur in Philadelphia and Allegheny Counties.
3. Philadelphia and its neighboring four counties represent 44% of all substance abuse arrests in the Commonwealth.

Drug Use and Availability

Data from the Pennsylvania State Police Crime Labs are valuable in examining drug use in Pennsylvania.

TABLE 2: PSP DRUG ANALYSIS: January thru June 1990

<u>County</u>	<u>% of all Drug Analysis</u>	<u>% of Heroin Analysis</u>	<u>% of Cocaine Analysis</u>	<u>% of Marijuana Analysis</u>
Philadelphia	0.4%	1.0%	0.5%	0.3%
Allegheny	1.2%	2.0%	1.5%	0.9%
Montgomery	.6%	0.6%	0.5%	0.6%
Delaware	14.2%	7.4%	17.5%	11.2%
Bucks	.7%	0	0.3%	1.0%
Chester	6.5%	4.2%	4.5%	4.6%
Lehigh	6.4%	16.0%	8.2%	5.0%
Dauphin	7.2%	9.3%	8.0%	4.0%
Lancaster	6.3%	13.5%	6.3%	4.4%
Erie	3.4%	0.6%	3.2%	1.6%
Berks	5.3%	11.5%	7.4%	2.3%
Luzerne	3.2%	5.1%	3.0%	4.3%
Westmoreland	2.6%	0.6%	2.5%	2.6%
York	4.6%	10.0%	4.3%	3.7%
Northampton	3.7%	10.0%	4.0%	2.7%
Top 15 Counties	66.3%	91.8%	71.7%	49.2%
Other 52 Counties	33.7%	8.2%	28.3%	50.8%
Statewide	100%	100%	100%	100%

1. Pennsylvania's largest counties account for 66% of all drugs analyzed - 92% of all heroin, 72% of all cocaine and 49% of all marijuana.
2. Lancaster, Berks, Dauphin, Chester and York Counties represent 42% of all heroin analysis.
3. Delaware County accounts for 18% of statewide cocaine analysis.
4. It should be noted that Philadelphia, Bucks, Montgomery and Allegheny Counties perform a significant level of their own drug analysis independent of the Pennsylvania State Police.

Another indicator of drug use and availability are the number of statewide drug confiscations reported by the Pennsylvania State Police Drug Law Enforcement Division. There were approximately 949 incidents of drug confiscations according to the most recent (1989) figures.

TABLE 3: PSP DRUG CONFISCATIONS (1989)

<u>County</u>	<u>% of All Confiscations</u>	<u>% of Heroin Confiscations</u>	<u>% of Cocaine Confiscations</u>	<u>% of Marijuana Confiscations</u>
Philadelphia	7.59%	2.76%	10.61%	2.97
Allegheny	2.95%	1.72	2.75%	1.83%
Montgomery	3.16%	1.03%	3.93%	2.05%
Delaware	1.16%	3.45	1.38%	1.14%
Bucks	1.26%	3.45	.79%	0.91%
Chester	9.17%	0	12.77%	3.88%
Lehigh	3.16%	0	4.13%	2.51%
Dauphin	1.05%	0	1.38%	1.14%
Lancaster	6.32%	0	7.47%	6.16%
Erie	2.53%	0	2.95%	1.60%
Berks	2.85%	3.45%	4.91%	0.91%
Luzerne	2.95%	0	5.30%	0.23%
Westmoreland	3.58%	0	0.79%	7.08%
York	3.06%	6.90%	3.14%	2.97%
Northampton	2.85%	6.90%	3.34%	1.37%
Top 15 Counties	53.64%	79.31%	65.62%	36.76%
Remaining 52 Counties	46.36%	20.69%	34.38%	63.24%
Statewide	100.00%	100.00%	100.00%	100.00%

Confiscations (N=949) amount to separate drug busts

Heroin Confiscations = 29

Cocaine Confiscations = 509

Marijuana Confiscations = 438

Source: Pennsylvania State Police

1. The target counties account for 79% of all heroin confiscations and 65% of all cocaine confiscations.
2. York and Northampton Counties account for 14% of all incidents of confiscated heroin.
3. The percentage of marijuana confiscations within the most populous counties is low compared to the rest of the state. It is likely that marijuana is grown and distributed in the more rural areas of the state.
4. The figures presented above represent all State Police confiscations and do not include confiscations made by local police departments.

Substance Abuse and Treatment

There were 70,530 substance abuse admissions to treatment facilities in Pennsylvania during FY-1989/90. Statistics from the Department of Health indicate there are 6,543 inpatient beds within the state's licensed public and private treatment facilities.

Table 4 shows the percentage of admissions from the most populous counties and the percentage of beds available within those counties. It should be noted that admission figures are not client-based and therefore represent totals only, with no accounting for repeat admissions.

TABLE 4: SUBSTANCE ABUSE TREATMENT: FY-1989/90

<u>County</u>	<u>% of Statewide Admissions</u>		<u>% of Statewide Bed Space</u>	
Philadelphia	18,844	28%	1,091	17%
Allegheny	6,746	10%	457	7%
Montgomery	3,631	5%	509	8%
Delaware	1,876	3%	241	4%
Bucks	2,471	4%	245	4%
Chester	3,219	5%	269	4%
Lehigh	1,782	3%	120	2%
Dauphin	1,505	2%	154	2%
Lancaster	327	0%	226	3%
Erie	1,484	2%	239	4%
Berks	5,007	7%	446	7%
Luzerne	2,033	3%	180	3%
Westmoreland	769	1%	157	2%
York	2,151	3%	187	3%
Northampton	886	1%	105	2%
Top 15 Counties	52,731	79%	4,626	84%
Other 52 Counties	14,286	21%	1,917	16%
Statewide	67,017*	100%	6,543	100%

1. The most populous counties represent 79% of all substance abuse treatment admissions.
2. Philadelphia accounts for 28% of statewide admissions with only 17% of available statewide bed space.

* This total represents all treatment admissions except those that were admitted for receiving counseling for a problem which results from the substance abuse of someone close to them, such as a family member. If included, N=70,530.

TABLE 5: TREATMENT ADMISSIONS BY SUBSTANCE: FY-1989/90

<u>County</u>	<u>% of Heroin Admissions</u>		<u>% of Cocaine Admissions</u>		<u>% of Alcohol Admissions</u>	
Philadelphia	2,283	45.0%	10,795	53%	4,247	12%
Allegheny	734	14.0%	905	4	4,044	12%
Montgomery	403	8%	1,700	8%	1,278	4%
Delaware	88	2%	526	3%	960	3%
Bucks	176	3%	434	2%	1,408	4%
Chester	122	2%	681	3%	1,961	6%
Lehigh	273	5%	480	2%	792	2%
Dauphin	40	1%	467	2%	885	3%
Lancaster	29	1%	92	0	171	0
Erie	22	0	225	1%	887	3%
Berks	228	4%	1,046	5%	3,114	9%
Luzerne	51	1%	265	1%	1,331	4%
Westmoreland	20	0	79	0	507	1%
York	118	2%	316	2%	1,362	4%
Northampton	80	2%	201	1%	437	1%
Top 15 Counties	4,667	92%	18,212	90%	23,384	67%
Other 52 Counties	423	8%	2,066	10%	11,740	33%
Statewide	5,090	100%	20,278	100%	35,124	100%

1. The most populous counties represent 92% of all heroin admissions, 90% of all cocaine admissions and 67% of all alcohol admissions.
2. Philadelphia and Allegheny represent 59% of statewide heroin admissions and over 55% of statewide cocaine admissions.

TABLE 6: SUBSTANCE ABUSE SENTENCES TO
STATE PRISONS AND COUNTY JAILS

<u>County</u>	<u>% of Statewide Prison and Jail Sentences for Substance Abuse</u>
Philadelphia	10.20%
Allegheny	0.40%
Montgomery	7.80%
Delaware	6.70%
Bucks	11.60%
Chester	3.70%
Lehigh	2.90%
Dauphin	5.20%
Lancaster	2.40%
Erie	3.20%
Berks	3.00%
Luzerne	1.90%
Westmoreland	2.60%
York	4.90%
Northampton	3.50%
Top 15 Counties	70.00%
Other 52 Counties	30.00%
Statewide	100.00%

The above 15 counties accounted for 70% of all substance abuse commitments to state and county institutions.

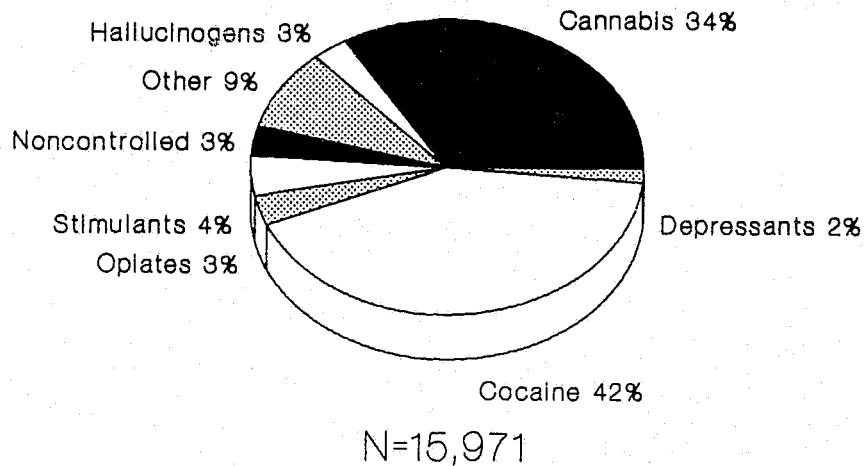
Source: AOPC

STATE POLICE CRIME LABORATORIES

There are six State Police forensic laboratories throughout the state. Most counties in the Commonwealth rely on these labs for crime analysis. Approximately 65% of crime lab work involves the analysis of drugs. Figure 8 shows the distribution of drugs analyzed during 1989.

FIGURE 8

CRIME LAB ANALYSES BY DRUG TYPE 1989



SOURCE: PA State Police Crime Labs

1. Crime labs performed over 15,900 drug analyses; a 26% increase over 1988.
2. Cocaine comprised 42% of all drug analysis.

MULTI-JURISDICTIONAL TASK FORCES

The Anti-Drug Abuse Act of 1986 created funds to be utilized by local law enforcement agencies in their efforts to combat drug trafficking. In October of 1987, a number of task forces, composed of various local jurisdictions, were created. Under the direction of the Attorney General's Office, the task forces have expanded and prioritized their investigation and apprehension efforts aimed at both the street level dealer and those involved in large-scale trafficking.

Since October of 1987, 45 multi-jurisdictional task forces have been or are in the process of being created. These task forces will provide drug control efforts in 43 of Pennsylvania's 67 counties.

Data provided by operational task forces during 1989 indicate that:

- 1,130 arrests were made; approximately 64% for sale or possession of cocaine.
- Over \$248,600 was used for the purchase of evidence and information.
- Over 547,232 in currency assets were seized.
- 41.1 kilograms of cocaine and over 233 lbs. of marijuana were removed through purchase and seizures.

Multi-jurisdictional task forces are or will be operating in the following counties:

Allegheny	Erie	Perry
Armstrong	Franklin	Potter
Beaver	Fayette	Schuylkill
Berks	Juniata	Snyder
Blair	Lackawanna	Somerset
Bradford	Lancaster	Tioga
Butler	Lawrence	Union
Cambria	Lebanon	Venango
Carbon	Luzerne	Warren
Chester	Lycoming	Westmoreland
Clearfield	Mercer	York
Clinton	Mifflin	
Columbia	Monroe	
Crawford	Montgomery	
Cumberland	Northampton	
Dauphin	Northumberland	

Task force drug control efforts supplement the statewide efforts of the Attorney General's Bureau of Narcotics Investigation and the Pennsylvania State Police, Drug Law Division.

V. CURRENT EFFORTS AND PROGRAM ASSESSMENTS

In April 1989, the Pennsylvania Commission on Crime and Delinquency (PCCD) coordinated a two-day seminar that focused on the problems of drug abuse/trafficking and violent crime in Pennsylvania. Presentations were made by agencies, organizations and municipalities having a major interest in controlling drug and violent crime. As a result, it was determined that the major emphasis under the Drug Control and System Improvement (DCSI) Program would be on the area of correctional supervision/treatment approaches that are designed to impact on jail crowding and the provision of drug and alcohol treatment services to drug dependent adult/juvenile offenders. Prior to this decision, the priorities of the drug program included the apprehension and prosecution of major drug offenders, the training of police and prosecutors, the supervision and monitoring of drug dependent inmates/parolees and the development of countywide drug enforcement/treatment plans.

1. PENNFREE Plan

In September 1989 Governor Robert P. Casey unveiled details of a two-year \$90 million plan to fight drug abuse and ease the crisis in county human services programs caused by the alarming spread of addiction. The plan, known as PENNFREE, the Pennsylvania Drug-Free Community Trust Fund, reflected the testimony of more than 237 Pennsylvanians who testified at seven public forums in Reading, Scranton, Pittsburgh, Philadelphia, Erie, Rosemont (Suburban Philadelphia) and Chambersburg. These public forums allowed concerned citizens and local officials to recommend how best to invest these funds in the battle against drugs. This trust fund initiative, which is now in its second year, is in addition to Pennsylvania's anti-drug efforts that are already in place. (Please refer to the following pages for a listing of the agencies and major initiatives which are being supported with PENNFREE and General Fund dollars.)

(Amounts in Dollars)

SUBJECT/PROGRAM NAME	AGENCY	PENNFREE FUNDING		
		1989-90	1990-91	TOTAL
STATE DRUG LAW ENFORCEMENT				
State Police:				
Mobile Narcotics Teams	PSP	2,016,000		2,016,000
Informant/Witness Protection	PSP	425,000	450,000	875,000
Informant Funding	PSP	425,000	450,000	875,000
Confidential "Buy" Fund	PSP	425,000	450,000	875,000
Communications & Surveillance Equipment	PSP	500,000		500,000
Narcotics Analysis Referral Center	PSP	425,000	450,000	875,000
Attorney General:				
Establish OAG Drug Law Division	OAG	151,000		151,000
Expand Statewide Drug Prosecutions	OAG	1,016,000	(a)	1,016,000
Establish 9th Regional Strike Force in Philadelphia	OAG	1,130,000	(a)	1,130,000
Additional Narcotics Agents	OAG	1,291,000	(a)	1,291,000
Establish Zone Offices, Purchase Equipment	OAG	1,190,000	(a)	1,190,000
Administrative Support	OAG	521,000	(a)	521,000
SUBTOTAL		9,515,000	1,800,000	11,315,000
LOCAL DRUG LAW ENFORCEMENT				
Grants to Urban Police Departments	PSP	1,500,000	1,500,000	3,000,000
District Attorney Training	OAG	100,000	100,000	200,000
Local Drug Task Forces:				
Overtime Costs for Local Police	OAG	458,000	800,000	1,258,000
Confidential Case Expenses	OAG	706,000	1,088,000	1,794,000
Investigative Equipment	OAG	200,000	200,000	400,000
OAG Narcotics Agents for Local Task Forces	OAG	989,000	1,260,000	2,249,000
SUBTOTAL		3,953,000	4,948,000	8,901,000
STATE CORRECTIONS				
Farview State Hospital Conversion	DOC	12,000,000		12,000,000
PROBATION AND PAROLE				
Adults:				
Drug Offender Work Program	BPP	120,000		120,000
Intensive Supervision Drug Units (2)	BPP	676,000	268,000 (a)	944,000
County D & A Probation Grants	BPP	869,000	(a)	869,000
Juveniles:				
Specialized Juvenile Probation Services	JCJC	1,585,000	1,585,000	3,170,000
Statewide Urinalysis Testing (juveniles)	JCJC	150,000	130,000	280,000
Statewide Juvenile Probation Training	JCJC	30,000	20,000	50,000
SUBTOTAL		3,430,000	2,003,000	5,433,000
PREVENTION/EDUCATION/INTERVENTION				
School-based Prevention/Education:				
Effective and Existing Education Programs	PDE	1,000,000	1,000,000	2,000,000
Other Drug Curriculum Grants	PDE	500,000	500,000	1,000,000
SUBTOTAL		1,500,000	1,500,000	3,000,000
Community-Based Drug Prevention:				
Grass Roots Organizations	PDE/DPC	1,000,000	1,000,000	2,000,000
Pennsylvanians Aware	PDE/DPC	250,000	250,000	500,000
Single County Authorities	PDE/DPC	250,000	250,000	500,000
SUBTOTAL		1,500,000	1,500,000	3,000,000
Student Assistant Program:				
Drug and Alcohol Consultations/Assessments	DPC/PDE	1,050,000	(a)	1,050,000
Drug and Alcohol Treatment	DOH	1,000,000	2,450,000	3,450,000
Mental Health Consultations/Assessments	DPW	4,986,000	1,014,000 (a)	6,000,000
SUBTOTAL		7,036,000	3,464,000	10,500,000

**(Excerpt from PENNFREE Plan released by
Governor Casey on September 12, 1989)**

(Amounts in Dollars)

SUBJECT/PROGRAM NAME	AGENCY	PENNFREE FUNDING		
		1989-90	1990-91	TOTAL
AIDS/HIV:				
Outreach in Prisons	DOH	100,000	100,000	200,000
Outreach in Medically-based Centers	DOH	150,000	150,000	300,000
Outreach to Hispanics in Central Pennsylvania	DOH	75,000	75,000	150,000
Outreach to High-risk Adolescents	DOH	100,000	100,000	200,000
Outreach for Other Targeted Groups	DOH	75,000	75,000	150,000
Specialized Medical Services for HIV-infected Persons	DOH	500,000	(a)	500,000
Other AIDS Programs	DOH	880,000	(a)	880,000
Foster Care for HIV-infected Infants	DPW	1,000,000	(a)	1,000,000
Health Department Staff (2)	DOH	120,000	(a)	120,000
SUBTOTAL		3,000,000	500,000	3,500,000
TREATMENT				
Local Treatment Needs:				
Provider Staff Salary Increases	DOH	500,000	1,000,000	1,500,000
Local Treatment Needs Grants	DOH	2,000,000	2,500,000	4,500,000
Addicted Women with Children	DOH	1,100,000	2,200,000	3,300,000
SUBTOTAL		3,600,000	5,700,000	9,300,000
Victims of Drug and Alcohol Abuse:				
Child Abuse	DPW	4,000,000	(a)	4,000,000
Family Preservation	DPW	1,900,000	(a)	1,900,000
Domestic Violence	DPW	449,000	(a)	449,000
Homeless — Bridge Housing	DPW	1,900,000	(a)	1,900,000
Homeless — Transition to Permanency	DPW	100,000	(a)	100,000
SUBTOTAL		8,349,000	0	8,349,000
Medical Assistance:				
Nonhospital Residential Treatment — Services	DPW	3,615,940	7,231,881	10,847,821
Nonhospital Residential Treatment — Administration	DPW	134,060	268,119	402,179
Nonhospital Residential Treatment — Evaluation	DPW	83,333	166,667	250,000
Expansion of D & A Clinic Visits and Fees	DPW	625,000	1,875,000	2,500,000
SUBTOTAL		4,458,333	9,541,667	14,000,000
Other Initiatives:				
Drug and Alcohol Treatment Facility (SCI-Cresson)	DOC	212,000		212,000
Capital Improvements for D & A Facilities	DOH	750,000	(a)	750,000
SUBTOTAL		962,000	0	962,000
DRUG LAW ENFORCEMENT TOTAL		28,898,000	8,751,000	37,649,000
PREVENTION/EDUCATION/INTERVENTION TOTAL		13,036,000	6,964,000	20,000,000
TREATMENT TOTAL		17,369,333	15,241,667	32,611,000
GRAND TOTAL		59,303,333	30,956,667	90,260,000

FOOTNOTE:

(a) Costs to fund this program for a full year will be included in the 1990-91 Budget.

LEGEND:

BPP: Board of Probation and Parole
 DOC: Department of Corrections
 DOH: Department of Health
 DPC: Drug Policy Council
 DPW: Department of Public Welfare

JCJC: Juvenile Court Judges Commission
 OAG: Office of Attorney General
 PDE: Department of Education
 PSP: Pennsylvania State Police

Prepared by: Bureau of Fiscal Policy Analysis
 Governor's Office of the Budget

Described in the following sections are actions and initiatives to address the drug problem within the Commonwealth. Assessments of the impact of such activities on meeting the needs identified in the Commonwealth's strategy are included, where applicable.

2. Enforcement and Prosecution

Despite success in terms of arrests, convictions and assets seizures, enforcement resources have not kept pace with the level of illicit drug trafficking and use. Urban areas of the state have faced an increase in drug-related violence. Suburban areas have encountered an expansion of large-scale drug trafficking from urban areas. Rural communities are increasingly being used as drug markets and conduits to more populated areas.

Pennsylvania State Police (PSP)

a. Surveillance Equipment. The Pennsylvania State Police (PSP) drug/narcotic investigators devote a substantial portion of their time to conducting surveillance activities. Because the surveillance function is so important to the narcotics investigation process, having ready access to the proper surveillance equipment is essential to ensure the successful completion of the investigation, including the eventual apprehension of the drug offender. However, the PSP found their ground surveillance equipment to be technically inferior to that being employed by the criminals being pursued. The PSP has received Narcotics Control Assistance Program (NCAP) and Drug Control and System Improvement (DCSI) funds to assist in the purchase of nine new state-of-the-art surveillance vans. These vans are assigned to the strategically located regional offices of the PSP's Drug Law Enforcement Division. The use of these vans is available to all law enforcement agencies upon request.

The PSP's Technical Operations Unit provides technical and sophisticated electronic surveillance support. The unit provides the electronic expertise to install and service court-authorized and non-consensual interception and technical surveillance equipment. The Unit is also the sole trainer and certifier for Pennsylvania law enforcement officers in electronic surveillance. The Unit is recognized as the premier electronic surveillance school in the United States. A full-service photography section provides technical training in the use of surveillance cameras and lenses. The section also processes surveillance and drug crime scene photographs, including enlarging them for courtroom presentations.

When available, aircraft have been used to assist in the conduct of investigations. The PSP Aviation Division has four fixed wing aircraft and seven helicopters. The effectiveness of helicopters in the routine conduct of covert surveillance is severely limited due to their noise, fuel and flight limitations. Between October 1, 1987 and March 1, 1988, the Pennsylvania State Police conducted a pilot program to determine the actual need for and value of an airplane dedicated to narcotics investigation. The program was conducted in conjunction with the federal Drug Enforcement Administration, the Office of Attorney General, the Allentown Police Department, Montgomery County detectives, the Philadelphia Police Department, and the Virginia State

Police. This program proved that the addition of an airplane to drug law enforcement would greatly increase the number of successful investigations conducted on narcotics distributors. During this five-month period, the PSP flew 52 missions in support of 22 narcotics investigations. These missions resulted in 10 major arrests, consisting of the seizure of 80 bags of heroin, two gallons of PCP, one pound of methamphetamine, 2.2 pounds of cocaine, one pound of marijuana, various laboratory chemicals and equipment, three vehicles and \$20,000 in cash. The value of drugs and assets seized was \$133,000. Therefore, in September, approval was granted for the State Police to purchase a Cessna 182 airplane that will be dedicated solely to drug investigative work.

b. Narcotic Detector Dog Program. In 1987, PSP did not possess a viable narcotic detector dog program. Larger local police departments and citizens were relied upon if drug detector dogs were required. The goal of the PSP Narcotic Detector Dog Program was to establish one dog/handler detection team in each of the 17 regional troops and one instructor/detection team at the PSP Academy to provide for initial and ongoing in-service training, as well as to provide drug detection services to the southcentral region of Pennsylvania. Now that the goal has been realized, the PSP are able to provide assistance to any local, state or federal enforcement agency. The canine drug detection training program at the State Police Academy is recognized as one of the leading training programs in the country. As of the end of August, the following seizures have been made during 1990: drugs with a street value of \$19,772,240; \$4,176,422 in cash; 106 vehicles valued at \$1,210,690; 46 firearms valued at \$9,300; jewelry valued at \$29,750; 11 pieces of real estate valued at \$1,038,650; one boat valued at \$500,000; and a rare coin seizure valued at \$2,250,000.

c. Operation WhiteLine. This is an aggressive drug interdiction program utilizing uniformed patrol troopers and the PSP's canine units to identify drug couriers using the highways to transport drugs. The program is often coordinated with other eastern seaboard states. Operation WhiteLine is augmented by resources from the drug interdiction teams that are supported by PENNFREE funding.

d. DNA Analysis Program. The implementation of a DNA analysis unit began in the fall of 1989 in the Greensburg Regional Laboratory. Since DNA typing technology in the forensic laboratory has the potential to individualize various body fluids and tissues and will have a significant impact on the outcome of a trial, very stringent guidelines are followed to ensure that the DNA analysis process operates within the established performance criteria in the scientific community. These guidelines have been established by a national Technical Working Group on DNA Analysis Methods. Two experienced forensic serologists and two chemical technicians are assigned to the DNA unit. The Pennsylvania State Police utilize the DNA protocol established by the FBI Research Group. Upon completion of certification, the DNA unit will open for case work. It is projected that 50 cases per month can be analyzed with the staff of two forensic scientists and two chemist technicians. Case requirements will be according to other FBI and state laboratory guidelines. All major pieces of equipment have been received and are in the process of being tested and checked. The first draft of the quality assurance manual is completed and will be used until the procedure is being routinely performed. Also, the training program for the

evidence collection teams is continuing to be prepared. The two individuals assigned to the DNA unit have been gaining experience in working serology cases and preparing cases for presentation in court. Another experienced serologist is being cross-trained in some aspects of DNA Analysis and will be attending the FBI DNA Training Program in January 1991.

e. Regional Crime Laboratories. The PSP operates regional crime laboratories statewide. All are full service laboratories and provide support to the PSP, the local police, and to the Attorney General. A review of the statistics of drug submissions shows that in 1983 there were 6,519 drug cases submitted to the laboratories for analyses. By 1986, the number of requests for analyses had risen to 8,117, an overall increase of 24.5%. The statistics for Fiscal Year 1986-87 indicate that the laboratory system received 9,356 requests for the analysis of drug cases, an additional 10% increase over the previous year. Statistics indicate that 11,389 requests for drug analysis were received in 1988 and, during the first eight months of 1989, drug case submissions in southeastern Pennsylvania increased 73.4% over the same timeframe in 1988. Statewide, the laboratories received the same number of drug cases as were received for all of 1988. The objective of the PSP Laboratory System is to process all requests for drug analysis within ten days of receipt. This objective is predicated upon the need for the lab analysis in order to initiate, or proceed with, court action. The backlog of drug case analysis has forced investigators, district justices and judges across the state to try to function without all the necessary information in drug-related cases. The PSP has achieved the objective of a ten-day turnaround time period in the Harrisburg and Greensburg laboratories and progress towards attaining this goal has been achieved in the other laboratories. Due to overwhelming increases in drug case submissions in the Lima and Bethlehem laboratories, two additional full-time forensic scientists were approved. State-of-the-art equipment and adequate personnel are the necessary ingredients to assure that drug analysis requests are processed quickly. The PSP obtained the necessary equipment during the first year of the project. However, problems arose in hiring the additional positions. Also, case submissions increased at a much greater rate than originally anticipated. This was the result of the large increase in drug cases being submitted to the laboratories by local police departments. As a result, the ten-day processing goal has not yet been achieved. The turnaround time for analysis, which had been averaging 45 days, has been reduced to 21 days. The Laboratory Division also ensures chemists are available to provide expert court testimony and respond to assist in clandestine laboratory cases.

f. Narcotics Analysis Referral Center. The PSP established the first statewide drug intelligence center. The center enables federal, state and local drug investigators to cross-index targets, thus allowing a coordinated effort never before available.

g. Clandestine Laboratory Enforcement. This program provides specially trained and certified chemists and troopers to investigate, respond to, dismantel and dispose of clandestine laboratories.

h. Marine Interdiction Program. The PSP initiated a drug interdiction program on Lake Erie and the Delaware River with the Pennsylvania Fish Commission and the United States Coast Guard.

i. Special Projects. The PSP regularly participates in both short- and long-term special drug enforcement projects. For example, Operation Commodore was a seven-day air and marine interdiction operation on Lake Erie involving the Coast Guard, Customs and the National Guard. Teams of multi-agency investigators in helicopters, airplanes and Coast Guard cutters were assisted by National Guardsmen manning mobile land radar stations in attempting to identify air and marine drug smugglers. An example of a long-term project is Operation NORTHSTAR with U.S. Customs and the Coast Guard on the Canada border. This is a multi-agency intelligence sharing project to assist in identifying and targeting drug violators crossing the U.S./Canada border. More than 200 troopers have received U.S. Customs cross-designation training enabling them to enforce Customs regulations in certain circumstances.

j. National Guard. The PSP are the designated liaison for local police department requests for National Guard assistance in drug law enforcement. The PSP is also integrating the National Guard into a comprehensive, statewide marijuana eradication program.

k. Federal Enforcement Liaison. The PSP maintains liaison with each of the United States Attorneys, the Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), U.S. Customs, Alcohol, Tobacco and Firearms (ATF), Internal Revenue Service (IRS), Immigration and Naturalization Service (INS) and U.S. Marshal Service.

l. Marijuana Eradication Program. The PSP have specially trained troopers throughout the state who fly with Aviation Division pilots to identify and eradicate marijuana fields. The program incorporated DEA, U.S. Soil Conservation Service, U.S. Forest Service, Department of Environmental Resources (Bureau of Soil and Water Conservation and Bureau of Forestry), National Guard, Civil Air Patrol, Game Commission and the Fish Commission into a comprehensive statewide program. Pennsylvania contains nearly two million acres of state forest lands, 1.3 million acres of state game land and 500,000 acres in Allegheny National Forest. Many significant sized plots of marijuana have been found in these areas. Thus far in 1990, law enforcement agencies in Pennsylvania have eradicated nearly 50,000 plants of marijuana.

The PSP not only pursue their own independent detection and enforcement policies, they also supplement and assist local and federal law enforcement agencies. This makes it paramount that comprehensive, modern and reliable equipment and highly trained personnel be available. The PSP routinely pools its resources with other enforcement branches of the police community to increase the effectiveness of investigative operations. In Pennsylvania, excellent cooperation exists among the many law enforcement agencies. Task forces comprised of state and local police agencies provide the needed manpower and resources to target the major dealers and to pursue these dealers' activities until sufficient evidence is collected to initiate prosecution.

Office of the Attorney General (OAG)

The vast majority of drug crimes are investigated and prosecuted by local police and district attorneys. These law enforcement officials on the

front line of the drug war have done a remarkable job with limited resources. Arrest and drug seizure rates have skyrocketed, the use of assets forfeiture provisions has risen dramatically, and crackdowns on street dealing are becoming routine. The OAG works closely with local law enforcement officials and is committed to supporting local efforts through training programs, task force assistance, financial and equipment provisions, and technical assistance when requested.

a. Regional Strike Forces: Regional Strike Forces are comprised of agents from the Office of Attorney General's Bureau of Narcotics Investigation and Drug Control, the State Police and representatives of federal and local law enforcement agencies. There are nine Regional Strike Forces located throughout the state. They concentrate their efforts on drug dealers and emphasize the disruption of higher level drug trafficking organizations and networks. With the exception of Philadelphia, each Strike Force has co-directors, one assigned from the Pennsylvania State Police and one from the Office of Attorney General's Bureau of Narcotics Investigation and Drug Control.

b. Mobile Cooperative Task Force. The purpose of this project is to develop mobile task forces in each of the nine regional Bureau of Narcotics Investigation and Drug Control Offices. An experienced and highly trained narcotics agent in each region functions as the state task force coordinator within that region and works with counties and local municipalities in forming a task force for the conduct of investigations. Overall state operations are coordinated in the Harrisburg Office by an experienced narcotics agent. To date, over 40 municipal drug task forces exist statewide. During the period January 1989 to January 1990, 1,244 investigations were initiated, 928 were completed and 316 are on-going. A total of 1,130 arrests were made (approximately 64% for sale or possession of cocaine); 285 weapons, 135 vehicles, \$547,231 in cash and seven pieces of real estate were seized. Also, 187 law enforcement officers received a one-week (40-hour) intensive drug investigation course that addressed: intelligence gathering; investigations of drug cases; assets seizures; search and seizure; use of confidential informants; use of confidential funds.

Furthermore, as the task forces make assets seizures pursuant to the Pennsylvania Controlled Substance Forfeiture Act, the counties are being awarded cash assets and vehicles which can then be directed into the task force projects at the local level. It is the intention of the Office of Attorney General to hire ten new officers by the last quarter of 1990 in order to supervise the new or expanded drug task forces.

c. Technical Assistance to Local Prosecutors. Under this project a special deputy attorney general was hired to provide technical assistance to local prosecutors in the prosecution of complex drug cases. The position of technical assistant to local prosecutors was created two years ago within the then newly-established Drug Prosecution Section of the OAG in order to provide assistance to the local prosecutors throughout the state with regard to drug prosecutions in their respective counties. Although goals and objectives were created at the outset in order to provide proper direction as well as a measure of effectiveness, the position has also evolved into other areas in order to provide the most effective degree of assistance throughout the Commonwealth in the area of drug investigation and prosecution. With the

tremendous increase in public awareness and perception of the drug problem, both federal and state decision-makers have shown increased willingness to devote greater levels of manpower and tax dollars to help fight the problem. This has created a much greater demand for specialized services directed to the OAG.

The following objectives are the major focus of this project. The last two objectives were added in the second year of this project as a result of the special deputy attorney general responding to telephone requests and making on-site visits to county district attorneys.

- Provide on-site training for local district attorneys.
- Provide newsletters for local district attorneys.
- Provide follow-up assistance and case research to local district attorneys.
- Provide direct assistance in the prosecution of complex drug cases to local district attorneys.
- Provide requested telephone advice to local district attorneys.
- Provide on-site visits as requested.

During the second year, the technical assistant responded to 42 telephone requests for information or direct assistance and/or advice. Several of these concerned questions regarding electronic surveillance, the law of conspiracy, the law of forfeiture in Pennsylvania and liability issues of police officers working with task forces whose operations go beyond the officers' jurisdiction. As a result of the last concern, the technical assistant deputy attorney general has drafted an agreement for future contractual relationships between municipalities and the OAG for participation in drug task forces. A separate contractual agreement has also been drafted by the technical assistant for the cleanup of sites that formerly served as clandestine drug labs.

With regard to training provided during this project year, the technical assistant conducted seven training sessions ranging from recertification information regarding electronic intercept techniques to providing detailed reviews of search and seizure principles for state and local drug law enforcement personnel.

Ten issues of the project's quarterly newsletter, the Drug Prosecution Quarterly, have been published to date. The first issue was a legal review of the law regarding electronic surveillance in Pennsylvania and the most recent addressed forfeiture related matters.

d. Statewide Financial Asset Investigation Unit. The purpose of this project is to enhance the OAG's Financial Investigation Unit's (FIU) ability to increase the number of in-depth investigations and legal forfeitures against drug dealers' assets purchased with drug trafficking profits. FIU

has transferred and trained eight experienced narcotic agents in each of the eight regional offices to pursue asset investigations. Additionally, a new deputy attorney general was hired in the central office to give legal support to the eight special asset investigators in the field. One of the unit's current objectives is to increase investigations and research into property holdings and financial transactions of individuals not involved with street-level distribution of illegal controlled substances. The project has been experiencing some delay during 1990 due to it taking three months to fill the project director's position.

e. Transportation Interdiction Program. This project expands the Office of the Attorney General's drug interdiction efforts. It establishes four drug dog interdiction teams that are located throughout the state and are supported by local task force officers. They will be in close proximity to the major transportation centers and will be available for Bureau of Narcotics Investigations and other task force investigations 24 hours per day, seven days per week. State and local police will also have access to the teams. The teams will work closely with local task force personnel and municipal law enforcement officers and provide them with specialized interdiction training. It is anticipated that approximately 100 local police officers will be trained in interdiction techniques and they will then be available to return to their respective municipalities and train other officers.

f. Statewide Drug Prosecution Program. The purpose of this project is to develop a specialized prosecution section within the OAG to investigate and prosecute complex drug cases. Four new deputy attorneys general were hired, along with four new secretaries, to create this new section. Before this project there was only one deputy who was assigned to do complex drug investigation/prosecution.

g. Clandestine Laboratory Model Enforcement Program. The purpose of this project is to train and equip a specialized unit within the OAG to investigate, dismantle and prosecute illegal drug clandestine laboratory operations in the Commonwealth. The grant allowed for the addition of one full-time deputy attorney general and a project coordinator. The OAG provides the other necessary investigators from its BNI Section. Also, this project has established a viable interagency link with the State Police's clandestine laboratory investigation unit.

h. Community Outreach. A cornerstone of the Attorney General's community outreach is a series of four brochures, produced internally and made available at no charge statewide. Two deal with drugs and alcohol and one each address marijuana and crack specifically. In the first seven months of 1990, 78,000 were distributed to schools, police departments, drug and alcohol agencies, community groups, church organizations and county fairs. A new agreement with the Pennsylvania Association of County Fairs enabled the Office of Attorney General to receive a booth, and personnel to man the booth, at all 112 of this year's fairs at no cost.

i. Drug Enforcement Agreement. An agreement strengthening the cooperative efforts of the State Police and the Attorney General's Office in fighting illegal drug trafficking in Pennsylvania was signed on December 10, 1990.

The agreement sets forth guidelines for the administration and conduct of joint drug investigations, particularly those carried out by anti-drug strike force and task force units composed of personnel from both state agencies. It provides for:

- Specific guidelines for the allocation of money, vehicles and other contraband confiscated in drug investigations in accordance with the degree of each agency's involvement.
- Functions and responsibilities of the two agencies in the nine regional strike forces and the 42 municipal task force operations, which include local police personnel.
- Strike force attorneys from the Attorney General's Office's drug prosecution section to be available 24 hours a day to consult with and advise State Police troopers and narcotics agents, who work for the Attorney General's Office.
- A process for resolving disputes between the two agencies which ultimately could involve the intercession of the state police commissioner and the attorney general.

The two agencies also agreed to develop a uniform system for the exchange of drug intelligence information, a mutual reporting system, a uniform informant management system and uniform statistical reporting procedures.

Pennsylvania Crime Commission (PCC)

As an adjunct to apprehension and prosecution efforts, the Pennsylvania Crime Commission's (PCC) mission is to investigate organized crime and public corruption and to collect, analyze and disseminate intelligence to all aspects of law enforcement and prosecution. The current PCC strategy for narcotics control involves the collection, analysis, and dissemination of both strategic and tactical intelligence concerning organized crime narcotics traffickers. The PCC firmly supports and continues to participate in formal and informal task forces that focus on organized crime narcotics trafficking. The task force approach allows member agencies to share expertise, manpower, and budget resources which encourages a commitment to liaison among all law enforcement agencies.

The PCC continually gathers intelligence data which allows law enforcement to see the "big picture" (strategic intelligence) and aids in the selection of individual and group targets for interdiction, seizure, arrest, and prosecution (tactical intelligence). Intelligence analysis serves as a guide which allows law enforcement to competently assess threats, prioritize targets, and make intelligent choices concerning a method of attack. NCAP funding assisted the PCC in sponsoring an Organized Crime Narcotics Enforcement Symposium which provided criminal justice policymakers with information regarding narcotics control efforts. This information then served as the basis for developing and implementing programs throughout the Commonwealth.

Training

Based on information collected from various state agencies and professional associations involved in providing training to criminal justice practitioners, it has become apparent to the Commission on Crime and Delinquency that existing training resources remain insufficient to meet all of the system's educational needs. While many occupations have entry level and continuing education requirements, others operate with only rudimentary training programs or no formalized training whatsoever. Even in those areas where basic courses are routinely provided, many organizations are unable to offer the specialized programs often required to keep personnel abreast of current developments in their part of the system. Likewise, only limited opportunities are available for training programs which are interdisciplinary in nature. As a result, the state's justice system continues to function with individuals who are, in certain instances, undertrained or untrained. Recognizing this dilemma, PCCD has taken a proactive role within state government to foster coordination, provide direction, and offer financial resources in an effort to assist all components of the system in improving their training capabilities. To encourage an integrated approach to training, PCCD established a Criminal Justice Training Task Force comprised of Commission members and non-Commission representatives possessing practical experience in the various justice system disciplines. Through this mechanism PCCD was able to identify a variety of training needs, support numerous training projects designed to meet these needs, and foster the creation of new or expanded training resources.

a. Training Needs. In August of 1989, PCCD conducted a statewide solicitation for concept papers as a means to identify current and projected training needs within the justice system. This effort generated more than 25 individual projects requesting consideration for funding through the Criminal Justice Training Initiative. Additionally, PCCD obtained the results of a survey of law enforcement executives conducted by the Municipal Police Officers' Education and Training Commission at the 1989 Pennsylvania Chiefs of Police Association's annual conference. When combined, these two needs assessment efforts identified more than 30 general or specific training topics related to either drug control measures or systems improvement activities. Furthermore, analysis of this information indicated that the topical areas identified could be categorized under one of ten program areas within the Drug Control and System Improvement Grant Program. Those ten areas include:

- demand reduction education programs in which law enforcement officers participate;
- efforts to target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories, and cannabis cultivations;
- improving the operational effectiveness of law enforcement through crime analysis techniques, street sales enforcement, gang-related and low-income housing drug control programs;
- financial investigation programs that target the identification of money laundering operations and assets obtained through illegal drug trafficking;

- providing additional public correctional resources and improving the correction system, including treatment in prisons and jails, intensive supervision, and long-range corrections and supervision strategies;
- programs which provide for the identification, assessment, referral to treatment, case management and monitoring of drug dependent offenders;
- criminal and justice information systems to assist law enforcement, prosecution, courts and corrections organizations;
- drug trafficking and illegal manufacture of controlled substance in public housing;
- improving the criminal and juvenile justice systems' response to domestic and family violence, including spouse abuse, child abuse, and abuse of the elderly; and
- strengthening urban enforcement and prosecution efforts targeted at street drug sales.

The Criminal Justice Training Task Force has endorsed a number of training proposals for further consideration. These projects include training activities for drug investigators, state and local parole agents, correctional personnel, prosecutors and local law enforcement officers.

b. Training Coordination. In its continuing efforts to foster more coordination in the provision of training resources within the justice system, the Task Force adopted several guidelines for use in evaluating the merits of proposals seeking DCSI training grant funds. While only general parameters for the Training Initiative's efforts, the guidelines do provide the Task Force with benchmarks against which it can assess the relative merits of various training proposals. Of note is the Task Force's acknowledgement that both Drug Control and System Improvement training needs deserve support through the grant program. The Task Force recognizes that training must continue to address as wide an audience as practical in order to provide all parts of the system with opportunities to seek improvements. The specific guidelines include:

1. The Task Force should direct efforts to provide training which supports the Commission's stated priorities.
2. Training projects which address either drug control or system improvement needs are equally critical.
3. Training projects which support or complement programs funded through state PENNFREE monies should be given a higher priority than non-PENNFREE related proposals.
4. Proposals which provide for statewide impact should receive priority over regional or local initiatives. Training projects which address only local needs should be considered only when circumstances warrant.

5. Proposals which duplicate services or programming available through existing resources should not be considered.
6. Projects which impact on state and/or local agencies and personnel are a higher priority than those directed solely to state-level organizations/employees.
7. Training proposals which provide curricula, resource materials or establish on-going instructional programming are encouraged.

c. Training Projects. Utilizing federal Drug Control and System Improvement grant funds, it is anticipated that PCCD will award a grant directly to itself to provide training projects which meet identified needs consistent with the priorities of the Commission and the areas of eligibility for the DCSI Program. Specific training projects will be contracted to existing state agencies capable of providing the necessary instruction. In those instances where no governmental training resource exists, PCCD will identify and contract with an appropriate non-public organization. Seven training projects have been funded under the Criminal Justice Initiative. A brief synopsis of each project follows.

- Board of Probation and Parole (\$25,817) for presentation of specialized training courses for state and county parole/probation agents. Courses sponsored under the grant provide training for new agents hired as a result of the allocation of PENNFREE funds to the Board and for programs related to supervising substance-abusing clients.

- City of Philadelphia Adult Probation and Parole Unit (\$50,752) for development and presentation of a training curriculum for their agents on the following topics: Drugs and Crime; Pennsylvania Drug Laws; Drug Use Patterns; Street Pharmacology and Psychology; Drug Assessment of New Clients; Supervision Strategies; Treatment Resources; Client Drug Education; Drug Testing and Detection Techniques; and Special Populations.

- City of Philadelphia District Attorney's Office (\$37,108) to provide training opportunities for assistant prosecutors on drug prosecutions. Other training programs will be directed toward litigation of capital cases and specialized training for investigators on electronic equipment utilized in gathering evidence for narcotics prosecutions.

- City of Philadelphia Police Department (\$26,602) for development of an internal training program for police officers to upgrade their ability to recognize clandestine drug laboratories and to teach them to take appropriate safety measures to prevent human or environmental exposure to hazardous materials. The project also provides for training of 160 police officers through a series of two-day Highway Drug Interdiction courses.

- Coalition Against Domestic Violence (\$50,000) to provide training to municipal police organizations throughout the state on recent changes to the Protection From Abuse Act and existing responsibilities under the Probable Cause Arrest statute. Training-of-trainer and technical assistance components are also included in the project.

- Office of Attorney General (\$41,850) for the conduct of specialized training in Advanced Narcotics Investigations and Supervision and Management of Drug Investigations for approximately 180 municipal drug investigators.

- Office of Attorney General (\$52,000) for a training project on procedures for seizing and dismantling clandestine drug manufacturing operations. This project allows the Office of Attorney General to provide the training necessary to comply with federal Drug Enforcement Administration and Environmental Protection Agency requirements for maintaining appropriate safety procedures when seizing, inventorying and dismantling illegal drug manufacturing sites.

Beyond funding specific training applications, the Task Force is also working with the Pennsylvania Economy League's western division and the Pennsylvania State University at Harrisburg to develop a project for exposing law enforcement executives and local government officials to the concept of accreditation. While still in the formative state, this project would, through a combination of state government agencies and non-profit organizations: develop a process for apprising police executives of the benefits and draw-backs of accreditation; provide local government leaders with insights into the financial, time and manpower commitments necessary to pursue accreditation; and examine potential benefits which a community may realize should it successfully accomplish the accreditation process.

d. Crime Prevention Practitioners' Training Courses. As part of a continuing effort to promote crime prevention and enhance the level of expertise among police practitioners and other interested persons, the PCCD conducts annual training in state regions. Two such courses held in 1990 were:

- Northwest Region - A Police Crime Prevention Practitioners' Course for those police agencies located in the northwest region of the state was conducted on September 10-14, 1990. The Erie Police Department hosted this course which received the endorsement of the Northwest Chiefs of Police Association. Course material conformed to established lesson plans and was presented by active crime prevention practitioners drawn from throughout the western regions of the state. All instructors previously underwent workshop training administered by PCCD staff members. The course was attended by state and local police, along with representatives from colleges, medical facilities, and the victim services community.

- Southcentral Region - Police agencies throughout the southcentral region participated in the 1990 Police Crime Prevention Practitioners' Course, conducted at the Upper Allen Township Police Department, Mechanicsburg, on September 24-28, 1990. This course was co-sponsored by the Central Chiefs of Police Association, who paid the tuition costs for each attendee. The training team, comprised of active practitioners, included a total of 18 qualified instructors whose classroom presentations were delivered in accordance with approved lesson plans. A total of 27 students representing state and local police agencies, along with members of universities, the federal government, and the victim services community, completed this 26-hour course and received Certificates of Training.

e. Drug and Alcohol/Crime Prevention Seminars - As an addition to our established community crime prevention training efforts for law enforcement agencies, PCCD has recently undertaken a project designed to increase the awareness of the Commonwealth's police community to the vital role which these agencies can perform in support of community-based drug and alcohol prevention programs. Entitled, "Law Enforcement's Emerging Role in Drug Prevention Education," this one-day seminar is being offered regionally throughout the state. Joining with PCCD in making presentations at the seminars are representatives from the Governor's Drug Policy Council, the Department of Education, and the Department of Health. Invitees include municipal and State Police executives, district attorneys, sheriffs, university and college campus police/security directors, police crime prevention officers, and drug education officers. All agencies attending the seminar will receive a complimentary copy of the National Crime Prevention Council's latest publication entitled, "Challenges and Opportunities in Drug Prevention: A Demand Reduction Resource Guide for Law Enforcement Officers." This loose-leaf manual is designed to enhance the development and implementation of drug and alcohol demand reduction programs at the community level.

f. Drug Abuse Resistance Education (DARE) and Partners In Prevention (PIP) - The Drug Abuse Resistance Education (DARE) Program is a substance abuse prevention education program designed to equip elementary school children with the skills necessary for resisting peer pressure to experiment with drugs and alcohol. As a result of the combined training efforts of the Philadelphia and Pittsburgh Police and PCCD, the DARE Program continues to expand within the state. Statewide figures note that:

- There are 196 trained DARE Officers.
- One hundred local law enforcement agencies, three sheriffs' offices and the State Police have DARE trained staff.
- Eighty-nine public school districts are served by police agencies with DARE officers, including 33 school districts participating in the PENNFREE Program.
- Approximately 28,000 elementary school children were exposed to the DARE curriculum during the 1989-90 school year.

Recently, PCCD co-sponsored with the Drug Policy Council, the Allegheny County District Attorney's Office, and the Pittsburgh Bureau of Police, an 80-hour DARE Officers Training Seminar for agencies from the western region of the state. The seminar resulted in the certification of 28 officers from 24 local police agencies as DARE officers. Plans are currently underway with the Maryland DARE Program to conduct a joint training seminar serving officers from both states.

Beyond work in the DARE Program, PCCD has contracted with the Human Organization Science Institute (HOSI) of Villanova University to conduct three regional sessions of the Partners In Prevention (PIP) seminar which HOSI created under contract with the state Department and Education and this agency. PIP is a two-day training seminar which prepares the law enforcement officer to join with school officials in developing and presenting effective

alcohol and other drug prevention programs for elementary school children. The course exposes the officer to a variety of prevention strategies, steps for building a working partnership with schools, and basic instructional techniques for elementary grade students.

As part of its statewide coordinating function for training, PCCD continues to coordinate with those agencies in the state operating prevention education pilot projects funded through the U.S. Department of Education. Included in this category are Indiana University of Pennsylvania's project entitled, "Police Officers and Drug-Free Schools: A Partnership in the Three R's" and Shippensburg University's "Model for Drug and Alcohol Prevention Training" project. Both projects offer training activities which could complement PCCD's existing efforts with DARE and PIP. In that regard, PCCD is working with both agencies to explore appropriate methods for integrating these programs into our statewide effort.

g. Clandestine Laboratory Safety Training Program. Two State Police chemists, ten Pennsylvania State Police troopers, and 11 Bureau of Narcotics Investigation and Drug Control agents received training and have been certified. Instructors from various law enforcement agencies present courses in their respective areas of expertise. These certified officers will continue to receive updated training and medical surveillance in conformance with federal EPA standards.

County Drug Suppression Efforts

NCAP and DCSI funding have assisted in the initiation of the following county-level drug-suppression projects:

a. Wiretapping and Electronic Surveillance Equipment. Early in the planning stage, law enforcement agencies recognized the need for state-of-the-art wiretapping and electronic surveillance equipment. Much of the equipment available in 1987 was not suitable for surveillance activities because of its state of repair and/or outmoded technology. Approximately 11 years ago, through the Pennsylvania District Attorneys Association, three statewide repositories were established for hard wire (wiretap) equipment and an additional five repositories were established for consensual eavesdropping equipment. Since that time, the need for electronic surveillance, both hard wires and consensual, has markedly increased in the Commonwealth. The goal of this project was to provide as many counties as possible with access to state-of-the-art wiretapping and electronic surveillance equipment that could be used to support investigations directed against major drug offenders. This goal was accomplished by refurbishing and replenishing the wiretapping and electronic surveillance equipment of seven existing regional repositories and by establishing two new repositories in Chester and Centre Counties. This effort provides counties with access to wiretapping and/or electronic surveillance equipment without having to incur the great and duplicative expense of adequately equipping each district attorney's office in the Commonwealth. Also, the equipment purchased is of uniform design in order to reduce operator error. Chester County served as the project coordinator and purchased and distributed all of the requested equipment according to the provisions of a specific allocation plan and an intergovernmental agreement. Only that equipment required on a full-time basis and that can be shared with

surrounding counties was purchased. All equipment is being used in strict compliance with applicable federal and state law.

b. Pennsylvania Law Enforcement Management Information System (PA-LEMIS). Small and medium-sized police departments throughout the Commonwealth of Pennsylvania are today predominantly non-automated. Although many departments are entering the early stages of automation, few have sufficient experience in determining their needs, assessing the adequacy of the software and hardware that is presently available, or in selecting systems that will effectively address their many responsibilities. In order to provide assistance to departments seeking to automate their records management systems, the Pennsylvania Commission on Crime and Delinquency (PCCD) funded SEARCH Group, Inc. to develop a public domain, microcomputer-based management information system. The system (known as PA-LEMIS) encompasses the principal administrative and management responsibilities typically facing law enforcement agencies throughout the state. It runs on a variety of microcomputers, in both single-user and multi-user configurations. The system was developed with the guidance and direction of a Project Advisory Committee (PAC), which is comprised of state and local law enforcement officials and computer experts. In addition, the PAC also includes five police departments within the state who agreed to participate as beta test sites, evaluating and testing the system in an operational setting as it was developed.

The PA-LEMIS is now nearly complete, tested and ready for implementation. This project will fund the statewide implementation, training and support for the completed system. This project funds the dissemination of both software and system documentation to Pennsylvania police departments, the provision of three hours of toll-free telephone technical assistance to each police department, attendance of one person from each department at a four-day training seminar designed to teach the proper installation, maintenance and use of the system, and encourages the voluntary participation by departments in a PA-LEMIS users' group. It is expected by the end of the second year of this project that at least 100 Pennsylvania departments will have obtained, installed and will be operating PA-LEMIS. This effort will be a significant start in the Commonwealth's efforts to improve and standardize law enforcement data. More specifically, this project enables PCCD to meet its legislative mandate to collect and analyze crime data and will be of direct benefit to its planning and administrative functions.

c. Berks County. During the first two years of the grant, Berks County Narcotics Information Center (BCNIC) was able to implement a computerized means of collecting criminal/drug offender information. The collection of such information was done in accordance with state and federal guidelines. BCNIC serves as Berks County's local investigative and coordinating unit in the apprehension of drug offenders. As this is a central office, it is a natural recipient of an abundance of drug investigative information and serves as a "clearinghouse" of sorts for information requested by local, state and federal law enforcement departments. Prior to the grant, information received by BCNIC was stored through the use of a contact file and/or a field interrogation card. The contact file was a compendium of persons with whom member police agencies have contact with relative to drug offenses. The field interrogation report was basically a card intended for

use by the officer on patrol as well as the submittal of information gained in the course of an investigative interrogation. Access to drug offender entries was gained through a cumbersome card file system. Retrieving information was slow, cross-indexing was slower and analysis was virtually impossible.

Through the use of a computer, BCNIC now has rapid access to information, as do numerous police departments throughout Berks County. The awareness of the police departments that they can access such information has led to an almost doubling of police department contacts with BCNIC.

Specific objectives relating to this project are as follows:

- Develop and have available standardized offenders profiles for use in the investigation and prosecution of drug offenders.
- Based upon arrest during the 1988-89 calendar year, increase the number of individuals being arrested by 15% during calendar year.
- Develop a more efficient means of logging and storing intelligence data related to drug offenders and link into the county's proposed central repository of drug enforcement information, when and if that system is established.
- Continue to provide assistance to local law enforcement agencies as measured through a maintenance of effort in the number of calls/contacts made by such agencies to/with BCNIC.
- Placement of BCNIC under direct control of county or District Attorney's Office.

d. Blair County. It is known in Blair County that persons who violate the Controlled Substance Act (drug offenders) operate within a patterned geographical area. Prior to this project there were approximately 13 separate police departments that comprised the law enforcement agencies in the county. As a result of this project, a total of 17 participating law enforcement agencies are now united to engage in the fight against drug trafficking in the county. The situation which existed prior to the project was such that a criminal, in committing a drug offense, would be apprehended by one police department and prosecuted through that particular department. There existed no mechanism to tie that criminal to other drug offenses that he may have committed elsewhere in the county. The reason for this was because the majority of police departments are rural in nature and were incapable of performing drug offense analysis on their own. Each police department operated under its own set of priorities and standards with respect to filing, processing and completing various reports in regard to these drug offenders. The reports were neither uniform nor consistent in the type or location of the information collected. This lack of uniformity prevented adequate accumulation of data and the sharing of information among various police agencies in an efficient manner for compilation of criminal statistics, crime trends and modus operandi was virtually non-existent. To correct this situation, a Drug Offense Analysis Unit was established in the District Attorney's Office. This unit acts as a central clearinghouse of information for all police departments within the county. This unit receives

a copy of a standardized report when a drug offense is investigated by a county police department. The content of this report is then entered into a computer by county support personnel, where correlation of both open and closed cases is performed. This information is then carefully reviewed and transmitted back to the individual police departments in the form of police bulletins and telephone conferences. Agencies are informed on all matters that are relevant to their jurisdiction. The district attorney is working to expand the capability of this project to serve neighboring counties and sees this effort working in close coordination with existing drug enforcement efforts, such as the Attorney General's Task Force. The Unit is comprised of one county detective, one data input clerk and a Deputy District Attorney who focuses upon seizures and forfeitures of items related to or connected to drug transactions. The most immediate result of the establishment of the Drug Analysis Unit with its automated law enforcement tracking system (computer) has been the creation of a permanent drug task force that is currently operating effectively throughout the county.

The Unit operates in accordance with a procedural manual developed by the Unit's staff. Presently 11 municipal police departments, Penn State's Altoona Campus Security, Altoona Hospital Police and State Police Troop G are participating in this project and sharing information through the county detective. More recently, the Office of Attorney General's BNI regional office in State College has established a countywide drug task force coordinated through the county detective funded by this project. With the addition of the deputy district attorney position to the project, it permits emphasis to be placed upon the timely seizure and forfeiture of assets. It is anticipated that sufficient forfeiture funds will be obtained to continue the project after this third and last year of federal assistance.

e. Bucks County. The District Attorney's Office implemented a Narcotics Investigation Assistance Program which provides a consistent flow of funds to police departments in the form of reimbursement for overtime expenses incurred while investigating narcotics activities within their own jurisdictions. As a result, Bucks County has been able to increase the number of in-depth investigations conducted into narcotics trafficking. Some of the investigations have also provided reimbursement for police officers working in geographic areas outside their own jurisdiction. As many of the police departments are small, officers are well known in their own municipalities and this makes undercover narcotics work virtually impossible to perform. An officer from another part of Bucks County, however, can be utilized effectively as an undercover agent. This program is now being fully funded by the county.

f. Centre County. Although Centre County has always been recognized as the hub of significant drug activity, as evidenced by the presence of the Attorney General's Region IV Drug Task Force located in State College, the area is continuing to grow into a major drug trafficking center. Drug cases handled by the District Attorney's Office have increased by 67% between 1984 and 1986. As a proportion of the District Attorney's workload, drug cases continue to increase and 1989 reflected a 90% increase over 1984 levels.

The devotion of increased resources to the investigation of drug activity by the independent police agencies in the county and the significant increase in cooperation between these agencies have resulted in a decided

increase in the resolution of drug cases and an increase in the proportion of cases resulting in arrest. Cooperative investigations by county agencies, particularly State College Bureau of Police Services, Penn State University Police, the Pennsylvania State Police, and Ferguson Township Police resulted in 68 criminal prosecutions for drug offenses. The proportion of drug investigation cases resulting in arrests has increased from 7% in 1979 to 52% in 1986.

The Drug Enforcement Assistance Network Project was established January 1, 1988. During the initial grant period, a County Detective was hired and assigned to conduct and coordinate countywide investigations of major drug offenders. The project has also supported the Drug Dog Detection Program operated by the Pennsylvania State University, Department of University Safety. The microcomputer and software purchased during the initial grant period were brought on-line during the second grant period and, since Centre County became one of the State Regional Repositories for electronic surveillance and wiretapping equipment, some accessory equipment was purchased. Throughout these prior two grant periods, Centre County has expressed the desire to formulate procedures and institute new programs that will enhance the effectiveness of drug enforcement operations throughout the county. During this third year of the project, efforts will continue within the above areas, to include focusing on new programs and procedures.

The Project Director, who has overall responsibility for the implementation of this project, is the Centre County District Attorney. Working through the county's police administrators, primarily in the State College Bureau of Police Services, Penn State University Police Services, Ferguson Township Police and Patton Township Police, the District Attorney directs the implementation of activities described in this project. Specifically, this includes the supervision of personnel and all administrative grant-related duties.

The County Detective is the primary staff person responsible for conducting and coordinating grant activities. Specifically, this includes initiating new investigations into illicit drug activity; coordination of new and ongoing investigations; allocation of grant-funded resources; and the collection and dissemination of intelligence information. The County Detective also serves as liaison between local drug enforcement activities and those of other state and federal agencies, including the U.S. Attorney's Office, Internal Revenue Service, Drug Enforcement Administration, Pennsylvania Attorney General's Office, federal Department of Justice, State Police, etc. With the addition of the equipment received during the first and second grant periods and that requested for this period, the District Attorney will have the equipment necessary to conduct both audio and visual surveillances and also be able to establish a mobile Task Force anywhere in Centre County. The County Detective will continue in his role as coordinator of the Task Force, as well as perform investigative and administrative functions. In addition, he will supervise the toll-free Drug Tip Hot Line that is planned to be installed during this continuation period. This line will give the public the ability to provide law enforcement with information regarding suspected drug activities.

g. Delaware County. This project has created a more structured and coordinated approach among the 52 police departments within Delaware County

toward drug enforcement, and has targeted particular individuals for apprehension and particular geographic areas for more successful drug enforcement activities. Prior to the project, Delaware County's many law enforcement agencies were often unable, because of their modest individual size, to devote even marginally adequate resources and manpower to drug enforcement activities. As a result, the number of law enforcement agencies totaled less than a dozen. Therefore, known drug kingpins and problem areas were not frequently targeted by local drug enforcement personnel. Delaware County's drug traffic problem has historically been, in part, a product of its geographic characteristics. Delaware County is immediately contiguous to the City of Philadelphia, and in particular to poverty-stricken West and Southwest Philadelphia, a geographic fact which causes this county to suffer a spillover of the problems created in such an urban environment. Finally, Delaware County borders or encompasses three significant transportation routes or facilities which present particular difficulties to drug enforcement; i.e., Interstate I-95, the Philadelphia International Airport, and the Delaware River. The goal of this project is to create a more structured and coordinated approach to drug law enforcement among enforcement agencies in Delaware County. The project has been broken down into three general categories: sectoring, targeting and transport route surveillance.

(1) Sectoring: It has historically been difficult for each municipality to devote adequate manpower to drug enforcement activity. The project has divided Delaware County into four drug enforcement sectors based upon geographic and drug enforcement problems. Each sector is coordinated by a drug enforcement detective of the Criminal Investigation Division (CID) of the Delaware County District Attorney's Office, and other CID and municipal officers are assigned to each sector. Forty-eight of the 52 police departments participate on an as-needed basis, with four departments providing an investigator half-time on a daily basis.

(2) Targeting: Prior to the initiation of the current grant, the few full-time drug enforcement personnel active in Delaware County had identified mid- to upper-level drug distribution kingpins in Delaware County. However, inasmuch as these kingpins are careful to insulate their drug distribution activities and manpower limitations in drug enforcement in Delaware County precluded adequate surveillance of such individuals, successful prosecution of significant drug distributors was less frequent than at present.

(3) Transport Route Surveillance and Apprehension: Initially, project officials believed the utilization of trained drug enforcement personnel with specific duties for surveillance and interception of drug traffic along Interstate I-95, which traverses the southern portion of Delaware County, had the potential to bear substantial benefits. Therefore, this was made a major component of the funded project during the first and second year of the grant. However, because the State Police have been conducting "Operation WhiteLine" on Interstate I-95 on a continuous basis, this component of the project has been scaled down to random activity and as an augmentation to "Operation WhiteLine." To date, the project has coordinated drug enforcement activities throughout the county and has allowed the numerous local law enforcement agencies to dedicate some resources to drug enforcement where previously few had been allocated. Moreover, the project has permitted targeting of individuals and problem areas within

municipalities which have been unable to engage in such ongoing drug enforcement investigations. Further, project staff anticipate that any apprehension of large-scale drug dealers will enhance local support for continued activities in the drug enforcement field areas by the District Attorney's Office.

h. York County. Prior to the beginning of the York County Drug Abuse Strike Force on January 1, 1988, coordination of drug enforcement efforts in the county was haphazard and ineffective. Existing drug enforcement agencies operated virtually independently of one another. No one person or entity exerted influence on the effort as a whole to coordinate activities. In addition, as drug use and drug trafficking spread into areas of York County not previously affected, local municipal police were ill-equipped and ill-informed on methods of dealing with the problem. At the county level, the incidence of drug offenses was increasing at an alarming rate. Unfortunately, the level of enforcement activities and the number of enforcement personnel did not keep pace with the rate of increase of offenses. Prior to the beginning of this project, there were only two full-time drug investigators working in York County. They were supplemented by the Vice Unit of the Pennsylvania State Police Troop H, a total of six troopers who cover, in addition to York County, all of the remaining counties which comprise Troop H (Dauphin, Cumberland, Adams, Franklin, and Perry Counties). The York County Drug Abuse Task Force's primary responsibilities continue to be to handle drug-related prosecutions; maintain a data network regarding drug offenders; maintain a communication network for police departments and other law enforcement organizations; and to further increase the number of arrests, convictions, seizures and forfeitures related to drug traffickers in York County. The Task Force's specialized unit within the District Attorney's Office includes a Deputy Prosecutor, a Drug Law Enforcement Coordinator and a Paralegal. As a result of working with the police departments in York County, the Task Force now has a total of 80 municipal police from throughout the county's 31 departments, who have been sworn as special county detectives. These personnel are used as additional manpower when necessary for the service of search warrants, surveillance activities, major "round-ups" of drug offenders and related drug enforcement activities.

Drug trafficking and drug-related arrests have increased significantly since the inception of the project. During 1988, a total of 503 cases were docketed and prosecuted, an increase of 25% over 1987. Seizures of street drugs, forfeitures of cash, vehicles and other property have also increased since the beginning of the grant. For example, cash in the amount of \$80,499, 16 vehicles valued at \$57,360 and other property valued at \$6,860 were forfeited during 1988. From these proceeds, funds have been provided to state and local police agencies for drug investigative purposes and six vehicles are being supplied for undercover investigations. Additionally, drugs with an estimated street value in excess of \$1 million were confiscated during 1988. The Assistant District Attorney, paid with grant funds, continues to handle drug-related prosecutions. Project officials report that the conviction rate for drug cases continues to be above 95%. The special prosecutor also provides police departments with updated information regarding prosecution policies and procedures. For example, during the second quarter of this year, an analysis of the Pennsylvania Supreme Court

decision Commonwealth vs. Ionata involving drug investigations was mailed to local police departments. The analysis provided guidance to law enforcement officers conducting drug investigations where a vehicle is involved.

i. Philadelphia. Philadelphia is the largest urban area in the Commonwealth and is the site of Pennsylvania's most severe drug problem. Over the past several years, drug abuse and trafficking in Philadelphia have grown to epidemic proportions. More people are using drugs and seeking treatment than ever before, while the drug trade is more violent than it has been in the past. A major factor in the acceleration of the drug crisis has been the introduction of crack, a cheap and highly addictive form of cocaine. Dealers and users are appearing in younger age groups. It is no longer unusual to have youth in their early teens deeply involved in drug dealing. Violence associated with drugs sharply increased during the summer of 1988. Both the human service and law enforcement communities are experiencing demands unprecedented in nature and scope.

Perhaps the most devastating statistic to date, demonstrating the epidemic proportions of the drug problem in Philadelphia, is that through a random urinalysis testing program conducted in August of 1988, approximately 80% of all persons arrested for any crime tested positive for drug use, with 70% of all those arrested testing positive for cocaine use alone.

It is estimated that each major drug trafficker in the Philadelphia area conducts \$7.5 million to \$10 million in drug-related business annually. These drug violators are often highly organized and their drug sales and distribution networks usually impact on the larger Philadelphia and southeastern Pennsylvania region. Enforcement efforts for these types of cases involve prolonged and costly investigations and prosecutions. The number of open street drug markets and "gate houses" is growing, causing neighborhood disruption and increased citizen complaints about street drug trafficking. The criminal justice system faces a problem that is increasingly demanding more attention, effort and resources. Narcotics arrests in Philadelphia have continued to grow significantly since 1980. In 1986, Philadelphia's drug arrests constituted 45.7% of the total statewide drug arrests and 72.6% of the total metropolitan southeastern Pennsylvania drug arrests. It is expected that Philadelphia will continue to account for a significant majority of total statewide and regional drug arrests. The city sits as a multi-state and metropolitan "hub" with major international and national air, rail, bus and highway traffic. These factors make Philadelphia a major regional drug market for trafficking and sales in the surrounding counties, statewide and in the three-state area.

The dramatic increase in drug arrests and cases has an impact on the existing operations of the police, district attorney, public defender, courts, probation, pretrial services, sheriff and Clerk of Quarter Sessions. These increases strain current levels of operation for those agencies and inhibit their ability to function in an effective manner. Clearly, the significant increases in both Philadelphia drug arrests and court caseloads threaten to strangle the city's criminal justice system and thwart efforts aimed at enforcing the law, deterring the drug offender and providing treatment alternatives to offenders.

Law enforcement faces the challenge of restoring the quality of life in the communities by working to reduce drug activity and the negative and too often violent environment that surrounds it, while still providing other essential and expected justice services. The problems involved in meeting this challenge are complicated by the current demand for illegal drugs, the enormous resources of drug dealers and a network of supply which is well organized, well funded and motivated by greed and huge profit. It is clear that the problem of addressing the drug situation is impacting upon the justice system's ability to deliver other needed services.

Currently funded enforcement and prosecution efforts include:

Police

(1) Juvenile and Organized Crime Drug Traffickers. The intent of this project during its first year was to purchase needed equipment and hire additional police personnel to enhance the activities of the Philadelphia Police Department's Narcotics Unit. The Narcotics Unit is increasing its enforcement activities directed toward the investigation and apprehension of those involved in organized crime, neighborhood organized groups, street pushers and juveniles. These offenders are committing at least 50% of the crime in the city in order to support their own drug habits.

Project funds are being used to continue the 33 police officers which have been transferred to the Narcotics Unit from various police districts/units within the city. These veteran officers were replaced by 33 new recruit police officers. Furthermore, project funds are being used to continue the chemist position added by a project modification during the initial year of the grant and for two police sergeants to continue to provide additional supervision for the 33 narcotics police officers. The two sergeant positions were added by a project expansion during the second year of the grant.

Thirteen of the police officers are assigned narcotics duties in the Hispanic community. They concentrate on notorious and well publicized locations where there is a large amount of illegal drug activities. The other 20 police officers are assigned narcotics duties in and around the schools and recreation centers. They work in two-officer teams and make arrests of people selling drugs to children. The two sergeants will continue to provide close supervision of the 33 narcotics police officers by guiding and directing their daily activities. The chemist will continue to provide drug analysis for the Narcotics Unit at the Philadelphia Police Laboratory.

To date, most of the arrests generated by this project have been in the schools and recreation centers. While the project provides services to the entire city, the area with the most activity to date continues to be the East End of Philadelphia. According to project officials, this area has a significant problem with illegal drug activity among the Hispanic community.

(2) Clandestine Labs and Highway Drug Interdiction Training.

(a) The Philadelphia Police Department will establish a training program to train personnel in the proper safety measures and procedures when an illegal clandestine drug laboratory is encountered. A police captain

experienced in narcotics investigations, clandestine drug laboratories operations, and environmental contamination cleanups will develop a curriculum for a four-hour course. The objective of the course will be to have police personnel responding to routine investigations recognize conditions that indicate the presence of a clandestine drug lab. These personnel will then be able to evaluate the situation, prevent the destruction of evidence, and limit further environmental contamination and human exposure to hazardous materials until specially trained personnel can respond. The course will be taught by the experienced police captain as part of the normal advance training programs administered by the Philadelphia Police Academy Training Command Staff. The course will be first presented to 500 sergeants and 300 lieutenants, who serve as line supervisors. These supervisors will be expected to instruct their subordinates on how to respond to these incidents. After all supervisors have been trained, the course will then be presented to the department's 5,500 police officers.

(b) Highway Drug Interdiction Training. Drug trafficking in Philadelphia presents a challenge to the Police Department. The drug problem could increase unless the law enforcement agencies improve their ability to stop drug trafficking. Because of intensified efforts by the New Jersey State Police to stop the transportation of drugs through roads known as "Cocaine Alley," Philadelphia has become the recommended route for drug traffickers. In addition to the two major interstates, I-76 and I-95, Philadelphia has alternate routes through city streets that can be used by drug traffickers. The Philadelphia Police Department needs to have narcotics officers, narcotics strike force officers, patrol officers and special patrol officers trained in interdicting the flow of illegal narcotics through the city. While the Police Department has been able to train 350 narcotics, strike force, special and district patrol officers using state-provided federal funds, still more officers have indicated that they could use training in highway drug interdiction, especially district patrol officers. The officers that have received the training have indicated that they believe they have benefitted from the training. The Philadelphia Police Department will conduct four two-day seminars focusing on Highway Drug Interdiction. Forty officers will attend each two-day seminar. A total of 160 police officers will be trained. The seminars will be conducted by the University of Delaware Continuing Education Division. The topics will include: court decisions; techniques and tips-offs when dealing with potential drug couriers; field interviewing: conversation techniques and developing probable cause; behavior analysis (body language); crack and cocaine; follow-up investigations on arrests that are made as a result of a vehicle stop; intelligence information gathering; and methods of concealment (hidden compartments) in motor vehicles.

District Attorney

(1) Dangerous Drug Offender Unit. Until the creation of the Dangerous Drug Offender Unit a void existed in the ability of Philadelphia's law enforcement community to eradicate upper level narcotics conspiracies. Given the changing profile of the drug trade, the limited judicial resources at hand and the impact on the juvenile population, it was necessary to apply appropriate techniques to interrupt the drug business in Philadelphia. This problem demanded proven, efficient methods of investigative and prosecutorial case management which would result in the District Attorney processing cases

in court which are solidly based and well prepared. This is possible only if prosecutors are involved with the case at its inception so the investigation may be guided by the prosecutorial merit of the resulting case, while avoiding legal pitfalls.

The intent of this project is to concentrate investigative efforts on high-level drug traffickers. Currently, most drug arrests in Philadelphia involve street sellers and low-level dealers due to the magnitude of the problem and increasing public outcry. These dealers, however, either return to the street soon after arrest or are easily replaced. In addition, the targeting of high-level dealers requires experienced investigators, sophisticated surveillance equipment and a great deal of time. The Dangerous Drug Offender Unit utilizes these elements to investigate cases involving significant drug sources in Philadelphia. The structure of the unit revolves around three investigative/prosecutorial teams, each comprising one attorney and two detectives. These teams are assisted by support personnel which include a technical specialist, a forensic accountant, a supervising detective (sergeant), a paralegal and a clerk. The unit chief assigns cases to the team. The teams in turn are responsible for conducting all facets of assigned investigations including, but not limited to, pre-investigation work-ups (to determine worthiness of collected evidence and case feasibility); utilization of support personnel to collect information; employment of electronic and other surveillance procedures; preparation of information for grand jury appearances and all court-related procedures.

The function of the assistant district attorney is to guide each investigation and to ensure that cases against targeted offenders are supported by evidence. Although the chief assistant district attorney makes the original assignment of cases to the teams, the attorneys advise the chief and investigators on the targets to be selected, the methods and techniques to be implemented, and provide ongoing legal advice throughout the course of the investigation. Because of the intimate involvement of an attorney on each case, the unit is uniquely able to employ the corrupt organizations (RICO) statute, where appropriate.

The teams make use of the resources at their disposal to effect a successful investigation. Each team, at times, requires the assistance of another team when serving warrants or making arrests. In some cases, narcotics police officers assist. The forensic accountant serves as an effective investigator in tracing the financial operations of a drug conspiracy or organization, in addition to his responsibility for preparing and testifying in forfeiture proceedings. The technical specialist assists each team with his electronic surveillance expertise and is required to train the detectives on the use of the equipment.

Since the District Attorney's Office is located on a public thoroughfare in the central business district of the city, much of the undercover activity is planned and executed at a secure facility located outside the District Attorney's Office. This remote location provides the necessary environment for investigators to move freely and safely without being recognized, to plan operations, centralize surveillance and interview informants. This facility also houses the undercover vehicles which play a crucial role in all investigations. An integral function of each investigation is to trace the proceeds of drug transactions, locate hidden assets, identify the financiers

of drug operations and confiscate their profits through court forfeiture proceedings. A forensic accountant specializing in investigative accounting is employed to direct this operation. He works in concert with the team. The prosecutors assigned to each team assist in the identification and seizure of assets subject to forfeiture under the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act (Drug Act). They review seizure warrants, subpoena bank records, and conduct the forfeiture hearings. All funds generated by these proceedings are used to further drug enforcement as designated under the Drug Act. In the post-investigative stage, the team's priority is prosecution. To that end, the assistant district attorney assumes the lead and expeditiously prosecutes the cases developed in the investigative stage. After an arrest, the prosecutor assigned to the investigation handles each stage of the case from preliminary hearing to sentencing.

(2) Drug Offender Profile Effort. This project continues a unit of three law clerks who prepare drug defendant profiles for trial attorneys to better prepare the attorney for trial and to achieve more effective sentencing by recommending certain cases for the Intensive Supervision Probation Program and/or the Accelerated Presentence Investigation Drug Program. This Unit's purpose is to handle the increase in drug arrests which occur in Philadelphia as a result of conducting intensive drug suppression operations.

Criminal Justice Coordinating Commission Support

This project allowed the Criminal Justice Coordinating Commission to maintain a reduced staffing level of two full-time persons, in addition to the Director, who is paid by city funds. These personnel staffed several critical projects during the FY-1990 "one time" transitional year from July 1, 1989 to June 30, 1990. After that time, the city was to absorb the full cost of the Commission. The projects supported included staffing the Commission's non-grant projects (e.g. Prison Overcrowding; Justice Reform and Victims Services); coordinating the city's criminal justice grants planning, management, and representation activities; and supporting the Leadership Anti-Drug Council and Special Assistant's Office for all criminal justice and anti-drug related matters.

j. Pittsburgh. The Pittsburgh Department of Public Safety is one of five sites participating in the National Institute of Justice's Drug Market Analysis Program. This program is to identify drug markets quickly, implement drug enforcement strategies, and then determine accurately and on a "real-time" basis where the markets move. The police and researchers will use an already existing computerized mapping system, the Pittsburgh-Allegheny Geographic Information System (PAGIS), as its basis. This system will allow for tracking the locations of activities and offenders involved in drug trafficking, as well as the street-level enforcement activities of the Pittsburgh police. Computerize workstations and a sophisticated geographic information system package will be used by the police in this effort. Drug enforcement strategies in six police zones will be monitored through the use of the computerized program.

3. Adjudication.

Adjudication of drug offenders in Pennsylvania is the responsibility of the Courts of Common Pleas. The 67 counties are divided into 60 judicial districts which handle cases at the trial level. Common Pleas Courts currently employ 390 judges. In addition, Philadelphia has a Municipal Court employing 22 judges. The Commonwealth also has a minor judiciary, the District Magistrate Court, which conducts arraignments and preliminary hearings in all criminal cases. There are approximately 550 District Magistrates in Pennsylvania.

Pennsylvania Board of Probation and Parole (PBPP)

a. State Parole Services Project. Past data from the PBPP cohort follow-up studies of supervision effectiveness have demonstrated that parolees who are assessed as frequent abusers of drugs have a higher rate of recidivism (29%) after 12 months of supervision, in comparison with clients who are assessed as having no interference with functioning (19%). The effects of drug abuse are even more dramatic among probationers who, although less likely to be frequent drug abusers, had significantly higher recidivism rates (26% failures) after one year of supervision than those who were judged to have no drug abuse interference (8% failures).

A predominant characteristic in the Board's client population is drug abuse, particularly in the metropolitan areas of Philadelphia. Due to recent funding, the Board has been able to address this problem by providing more intensive supervision to drug dependent clients through the use of urinalysis. In Philadelphia, 1,457 clients (nearly 25% of the caseload) have been identified as having various types of drug histories. These 1,457 clients represent about 30% of an estimated 6,600 Board clients statewide who have been identified with drug problems. The Board has attempted to impact on this drug population within its limited resources. In March 1987, approximately 375 high-risk drug offenders were being supervised in Philadelphia by seven agents. This specialized drug unit has an average caseload size of 54, while the remaining pool of around 1,180 drug cases was being supervised in general caseloads averaging 100 cases per agent in other units in Philadelphia.

During January 1988, the Board established an Intensive Supervision Drug Unit in the Haddington Sub-Office of the Philadelphia District Office and the East End Sub-Office of the Pittsburgh District Office, through a grant from PCCD. The reduction of caseloads to 30 cases per agent within these units, combined with high impact services and drug abuse controls, have a demonstrable effect on drug abuse and potential crime. The continuing goal of this project is to demonstrate the cost-effectiveness of a high impact drug control service.

PENNFREE funding has allowed the Board to implement two additional Intensive Supervision Drug Units in the Central Philadelphia Area. These units have absorbed an additional 360 Board clients into intensive supervision to further impact on illegal drug usage in the Philadelphia area and provide services to a greater population of drug offenders. The goals which have been the foundation of this project from its beginning

continue--to increase supervision control and impact on drug abuse; to reduce crime caused by drug abuse; and have drug-free lives. Specific objectives include the following:

(1) Maintain the rate of convicted violation recommitments to less than one-sixth of total recommitments during the project continuation period. (Rationale: The first half year of 1989 reduced the percent of new crime failures among total recommitments to 36% in the control group and 12% in the intensive drug units. This impact is projected into 1990.)

(2) Reduce the crime rate among Special Intensive Drug clientele to half the rate of the control group when the number of new crime recommitments are compared to the total served. (Rationale: The first six months of 1989 had a 2.8% recommitment rate for new crimes in the project group in comparison to 5.5% in the control group.)

(3) Intervene with technical arrests in greater proportion than new charge arrests in the Special Intensive Drug Project in comparison with the control group during the continuation period. (Rationale: The percentage of technical arrests to total arrests has been over two times higher in the project group than the control group during the first year.)

(4) Impact upon high-risk drug clientele by electronic monitoring with a 25% reduction in arrests for those monitored in comparison with the remainder of the Intensive Supervision Drug Unit cases. (Rationale: It is expected that electronic monitoring will improve control over those subjected to it.)

(5) Improve the rehabilitative program completion rate by 25% of those referred from the Special Intensive Drug Program in comparison with the control group. (Rationale: The drug and alcohol treatment agreement is expected to increase the proportion of those referred who complete.)

The Board's two newly established Philadelphia Intensive Supervision Drug Units will be used for the project. These two new units in Central Philadelphia cover an area of approximately six square miles where many clients live who have been identified as having drug abuse histories.

The approximately 360 clients to be supervised in this project reside in these densely populated areas of Philadelphia where neighborhood drug usage is high and:

- have completed an inpatient treatment program to which they were paroled;
- have a history of drug dependency; and
- are found to be high-risk clients through the use of the Board's client assessment and reassessment process.

Clients remain in these units until they demonstrate their ability to overcome their drug dependency. At such time as it is determined that these clients no longer need this intensive supervision, they will be transferred to the Board's other supervision units, making room for other clients from the Department of Health contracted inpatient programs, and the referrals

from general caseload units. The agent caseloads will be maintained at 30 clients per agent to provide more structured and stringent supervision than the Board's maximum grade of supervision, which requires a minimum of two client and two collateral contacts in the community each month.

Supervision requirements for the clients under active supervision in the project will continue as follows:

- a minimum of one unannounced weekly field contact with the parolee, or four per month, one of which will be a curfew check;
- a minimum of one collateral field contact weekly;
- two office contacts per week, or a monthly total of 16 contacts;
- a minimum of six urine samples from each parolee each month;
- the imposition of curfews and stringent travel restrictions; and
- the selective use of electronic monitoring equipment.

In addition, agent contacts with clients are made at various times of the day and night, weekends, holidays, etc., to provide the Board with accurate information about the client's activities. Intensive supervision and extensive use of urinalysis of clients allow the staff to more adequately detect the need for drug treatment programs for a larger population. Outpatient and inpatient treatment provided by the Department of Health contracted services are used liberally in the supervision process for clients who regress into drug dependency. This provides an avenue for the Board's staff to return clients to these Department of Health contracted programs for additional treatment services. A close working relationship between the Board's supervision staff and the treatment staff has been established since the beginning of the project and such cooperative efforts have been most beneficial in assisting these clients to live drug- and crime-free lives. An example of these positive relationships is that some of the treatment providers are sending their staff to the Haddington Sub-Office and conducting counseling/treatment sessions there. Supervision staff have also made efforts to develop and maintain close relationships with the law enforcement units and other treatment programs in these sub-office areas. Police districts/stations in the areas have named a liaison officer to work closely with the Board's staff in their surveillance of these clients. The police units are regularly provided with current information on the clients being supervised and any special parole conditions imposed on the clients. After work hours and during weekends and holidays, the staff is contacted through the use of the Board's toll-free number. Drug education programs have been developed and staff members are making speeches to school and other community groups about drug abuse and its debilitating effect on the user.

b. Statewide Urinalysis Testing Program. According to a report on a study by a National Research Council panel, it was found that criminals who are drug abusers commit crimes at least twice as often as other offenders and may commit as many as six times more crimes during periods of heavy use. The report urged the criminal justice system to rely more heavily on evidence of drug use to pinpoint career criminals. The experience of the Board confirms

the findings of the report and therefore urinalysis has been used as one of the important tools in supervising clients. However, prior to the first-year establishment of the Statewide Urinalysis Testing Program, funding limitations prevented the Board from using urinalysis to the extent needed as a tool to control drug abuse among its client population. When urinalysis contracts were exhausted in past years, urinalysis testing was stopped until the next fiscal cycle.

During 1988-89, the staff of the Pennsylvania Board of Probation and Parole took 46,121 urine samples for drug screening by a contracted laboratory. This was an increase of more than 30,000 tests taken during the 12-month period prior to the implementation of the program. Without the continuation of this funding, under-utilization of urinalysis testing will again become the norm.

The goal of the Pennsylvania Board of Probation and Parole is to exert maximum control on drug abuse and, consequently, impact on potential crime among drug dependent offenders. The continued effective implementation of this project is expected to bring about numerous beneficial outcomes. Increased urinalysis testing of clients will more adequately detect the need for client participation in drug treatment programs. Through the close working relationships with these programs, it is expected that more services (inpatient and outpatient) will be secured for clients needing treatment.

The implementation of the project should bring about increased technical parole violation recommitments which should result in a decrease in new crimes by the drug dependent client. The impact of the higher rate of technical parole violation recommitments will be fewer investigations and arrests for new crimes by the police; district attorneys will have fewer cases to prosecute; and the courts' caseloads will be reduced.

Specific objectives include:

- further impact on new crime recommitments by increasing technical parole violations to 60% of all recommitments by the end of the project;
- provision of one urine test each month to 95% of those clients who are assessed as frequent drug abusers and are being actively supervised but are not in treatment; and
- provision of a minimum of five urinalysis tests per month for 98% of clients in the Special Intensive Supervision Drug Project.

During the course of this project, the Pennsylvania Board of Probation and Parole was allotted PENNFREE funds to establish two additional Special Intensive Supervision Drug Units in Philadelphia. Urinalysis requirements per month for the unit are as follows: Phase I, six samples; Phase II, four samples; Phase III, two samples. There are presently 690 Board parolees assigned to the four Special Intensive Supervision Drug Units. The establishment of these units has significantly impacted on available urinalysis program funds.

Additionally, during 1989, Act 97-1989 amended the Probation and Parole Act, Section 21, by adding the following:

The Board may not release a person on parole unless the person achieves a negative result within one week prior to the date of release in a screening test approved by the Department of Health for the detection of the presence of controlled substances or designer drugs under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act." The Board shall establish, as a condition of continued parole for a parolee who, as an inmate, tested positive for the presence of a controlled substance or designer drug or who was paroled from a sentence arising from a conviction under "The Controlled Substance, Drug, Device and Cosmetic Act," or from a drug-related crime, the parolee's achievement of negative results in such screening tests randomly applied. The random screening tests shall be performed at the discretion of the Board, and the parolee undergoing the tests shall be responsible for the costs of the tests. The funds collected for the tests shall be applied against the contract for such testing between the Board and a testing laboratory approved by the Department of Health.

Regular and frequent urinalysis for clients suspected of using illicit drugs provides the Board with a vehicle to prevent the client from committing new crimes through various intervention means, including recommitment to prison. This project will continue to provide the funds for frequent urinalysis screening for this high-risk, drug-dependent client population.

Board studies have found that the frequent drug abuser has a high rate of recidivism and, therefore, frequent urinalysis will enable the Board to more adequately control the drug-dependent client. This frequent screening will enable the supervising parole agent to readily determine when the client returns to drug usage, before the usage accelerates to a drug dependency status. Early detection of drug usage will allow the parole agent to take steps to secure out-patient or in-patient treatment for the client and/or impose needed sanctions such as curfew, house arrest and electronic monitoring. The use of these alternatives (treatment and sanctions) is intended to deter these clients from committing new crimes to support their drug dependency and to reduce recommitments as parole violators. However, when treatment and the various sanction alternatives do not eliminate drug usage by these high-risk clients, urinalysis screening records will provide the evidence for the agent to charge these clients with technical parole violations. This can lead to recommitment to prison by the Board as a means of removing the clients from the community, thereby preventing further crime and more adequately ensuring public safety. This project will provide the funds to supplement the Board's general operating funds to provide a total of more than 46,000 urinalysis screenings annually for the targeted 3,425 frequent drug abuser clients under supervision, as defined below.

(1) Target Population. The target population for drug control purposes is defined as offenders under active supervision who are evaluated, using the risk assessment instrument, as being a frequent drug abuser with serious impairment to functioning in the community. These are individuals who are evaluated as needing treatment by normal clinical standards. The drug

testing program will increase both the quality and quantity of supervision efforts of drug dependent clientele in order to impact on drug abuse.

(2) Special Intensive Supervision Drug Program. This project consists of a target population of approximately 690 high-risk drug abusers who were paroled to inpatient or outpatient drug treatment programs or are already under supervision in the Board's Haddington Sub-Office area and Intensive Supervision Drug Center located in West Philadelphia, and the East End Sub-Office, located in Pittsburgh. Based upon the unavailability rate of 34%, 456 clients of the 690 targeted clients would require urinalysis. For these clients under active supervision in this project, urinalysis screenings required each month are: six for Phase I, four for Phase II, and two for Phase III. Based on an average of five urine screenings each month, this project will provide the necessary funds to secure the more than 27,000 urinalysis screenings annually for the high risk clients in these four supervision units.

(3) Statewide Urinalysis. Once the 690 clients in the special intensive supervision project are subtracted from the estimated target need group of 3,772, there remains a population of 3,082 frequent abusers statewide who need increased urinalysis. Based upon an unavailability rate of 19.5%, an estimated balance of 2,481 of the targeted 3,082 frequent drug abusers would be available statewide for increased urinalysis.

(4) Section 21 of the Probation and Parole Act. This Section of the Act requires pre-release drug screening of all parolees prior to release. During Fiscal Year 1988-89, the Board paroled 4,382 parolees. This section of the Act will impact on future urinalysis usage.

This project will provide monthly urinalysis testing for those drug abusers under active supervision in the target population located in metropolitan, suburban and rural areas of the Board's 10 district offices throughout the state.

c. County Probation/Parole Drug/Alcohol Program Services. In 1988, 55,310 adult offenders (48.3% of the total county caseload) were under the supervision of county adult probation/parole agencies for drug and alcohol offenses. This does not include offenses such as burglary, assault, etc. that were committed while under the influence of drugs and/or alcohol. Of the number of probation sentences reported to the Pennsylvania Commission on Sentencing in 1988, about 11.3% had special conditions attached to the sentence relating to drugs and alcohol. Excluding driving under the influence sentences, 1988 conditions of probation included drug treatment in 42.9% of the cases and alcohol therapy for another 10.6% of the sentences. Over the past three years, county adult probation/parole caseloads in Pennsylvania have increased by 18%, attributable to two primary factors: 1) increased supervision needs of offenders and 2) jail and prison crowding. When approximately 50% of caseloads include clients who abuse drugs and/or alcohol, there is a need to provide specialized services to this offender population. There is a need to continue those programs developed in 1990 with PENNFREE funds and there is a need to add more staff to meet the demands of increased workloads.

This project provides funds which will be awarded by the Board as grants-in-aid to county probation/parole departments to reduce drug and alcohol usage by county adult probationers/parolees and to reduce criminal behavior of program participants. The specific objectives and their impacts are as follows:

(1) Continue special drug/alcohol offenders probation/parole programs initiated with one-time funding under PENNFREE. The addition of 26.5 new probation officers in 20 counties in 1990 will allow for continued implementation of special drug/alcohol programs started in May 1990.

(2) Add 76 new county adult probation/parole positions for drug and alcohol probation/parole programs by December 31, 1991. Increased workload demands created by increased offender population and prison crowding require additional staff to provide effective services; to reduce workloads to more manageable levels; and to provide protection to the community.

County Probation and Parole

The following projects have been supported in an effort to impact upon the increased workload being borne by probation and parole agencies as the prison crowding situation worsens.

a. Allegheny County. The "Alcohol/Drug Intervention Unit" goals are to reduce criminal behavior and increase referrals for treatment. Three hundred drug and alcohol offenders, who would not usually receive close supervision because of previously high caseloads, receive close supervision due to caseloads being limited to a maximum of 50.

b. Chester County. The county's "Intensive Drug and Alcohol Supervision Program" employs two adult probation officers to supervise chronic drug and alcohol offenders. The officers utilize intensive supervision techniques to monitor behavior and control substance abuse. Techniques include risk assessment, frequent contact, drug and alcohol testing, electronic home monitoring and treatment. Caseloads are limited to 50 clients per officer.

c. Erie County. The county's "Institutional Probation Officer" project places an institutional probation officer in the county prison. This individual conducts all pre-sentence investigations that are ordered on inmates and completes them within four weeks.

d. Franklin County. This project provides intense supervision for drug and alcohol abusers who have been sentenced and screens, via urinalysis, incoming inmates in order to direct them to pre-disposition treatment programs. The project created the position of institutional officer who does urine testing on all incoming inmates, inmate evaluations, and pre-release/treatment recommendations, pre-sentence reports, and early parole recommendations. These all lead to reducing the overcrowding at the Franklin County Prison.

e. Lehigh County. The "Lehigh County Comprehensive Drug Initiative" project provides early identification, intervention, supervision and treatment of defendants who abuse drugs. Through this comprehensive approach,

the project's goal is to reduce criminal activity and drug abuse in the community in addition to impacting on prison overcrowding. At least 500 clients will be served during this year.

f. Luzerne County. The "Court Advocate Program" provides diagnostic work-ups and treatment planning for individuals referred by the county where a pre-sentence or pre-parole situation exists. The purpose of these diagnostic evaluations is to assist the criminal justice system in Luzerne County in decision-making with regard to special conditions that will be imposed on defendants/parolees with drug and alcohol history. The primary goal of this project continues to be reducing the number of clients who are placed on waiting lists by providing assessments and treatment plans in a more timely manner.

g. Philadelphia.

Philadelphia Court of Common Pleas

The following projects are operating within the Philadelphia Court of Common Pleas:

(1) Pretrial Services Special Release and Monitoring Program. The project's targeted population is those defendants presently incarcerated solely on bailable matters with numerous prior failures to appear and open cases of a non-serious nature, and those defendants arrested on more serious charges (not presently considered for Conditional Bail Release through Pretrial Services Division) with minor criminal records. Special attention is given to those defendants arrested on drug-related offenses with minor prior criminal records, i.e., high-risk defendants. The project excludes from consideration sentenced prisoners, defendants held on violations of probation or parole and those defendants charged with murder, rape, involuntary deviate sexual intercourse, arson and the attempts thereof.

The Pretrial Services Special Release Monitoring Program (SRMP) targets a select group of candidates. Each candidate has an in-depth, face-to-face interview at the prison with a representative from Pretrial Services. During the interviewing process, the defendant is asked about his/her community ties, employment history, prior arrest record and whether he/she has a drug/alcohol abuse history or psychiatric problem. All defendants are carefully informed by the court representative of the conditions to which they must comply, should they be released. The defendant is required to call the program twice per week and to report in person at least once per week. The defendant must appear for all scheduled court dates and must not be rearrested. The defendant is informed that any failure to cooperate with the program will lead to his/her reincarceration. The in-person interviewing procedure enables the court representative to determine more effectively which defendant is most likely to benefit from release. The court representative also reviews the defendant's prison record for additional information which might prove useful.

Those defendants accepted by the program have a conditional bail reduction petition presented by the court representative before the bail master in conjunction with the Jackson vs. Hendrick Bail Review hearings. This is done on a bi-weekly basis. The program petitions approximately 120

defendants per quarter. Those released defendants in need of treatment and counseling are referred to the appropriate facilities. At the time of release, the court representative again reminds the defendant of the conditions of release and processes the necessary paperwork for the release. In addition, the court representative subpoenas the defendant for all open court dates. Since the SRMP involves the "high-risk" offender, in addition to the above stated-conditions, the program assigns a court representative to monitor, track and to assist the defendant. The court representative contacts the defendant prior to his/her scheduled court dates to assure the defendant's appearance in court. On a weekly basis, the court representative runs a computer check of the defendant to determine if the defendant failed to appear or was rearrested. Any failures to appear or rearrests result in the immediate issuance of a non-compliance warrant.

In addition to the above-stated monitoring procedures, the SRMP has a designated team of field investigators who make unannounced home visits on a random basis. These visits are not only made during working hours but also during evening and weekends. During these visits the field investigator also reminds the defendant of his/her court date and reduces the potential for rearrest. The field investigators also report to the SRMP any special problems which may arise in the defendant's home environment during the period of release. In the event the defendant violates the program, the field investigators, who are empowered with the authority to arrest, immediately arrest the defendant. This intensive monitoring process is designed to reduce the failure to appear rate and the recidivist rate of those defendants supervised by the SRMP.

(2) Accelerated Bench Warrant Service on Drug Defendants. This project is designed to address the long delay between the issuance of a Failure to Appear (FTA) bench warrant and the service on the drug defendant. At the present time, there are 7,200 such defendants in Philadelphia. A substantial number of these defendants commit additional drug-related crimes while in fugitive status. Currently, general warrant investigators cannot make a focused effort to apprehend drug defendants due to a backlog of 42,750 warrants related to all types of crime. Failing to secure voluntary surrenders, two special teams of warrant investigators extend their efforts so as to apprehend the defendants within 90 days. Cases are prioritized as to the type of drug offenses, histories of violence, robberies committed and prior histories of failures to appear.

Probation and Parole

(1) Drug Abuse Program. The increase in arrests and adjudications of drug cases had increased the caseloads in the Adult Probation and Parole Department's (APPD) Addiction Services Division from approximately 80 cases per officer in 1984 to 159 cases per officer in 1989. In the first six months of 1989, the APPD received an average of 261 cases per month with a court imposed condition for drug treatment. The result of the ever-increasing caseloads was an inability to provide the necessary intensive supervision, drug monitoring, and attention to treatment to those other than the high-risk drug addict. With over 5,000 clients with drug treatment stipulations and triple that amount with drug involvement but no stipulations, the APPD had to develop a comprehensive approach to the supervision and treatment of drug abusers. The result of this effort was the Drug Abuse Program. The situation

in Philadelphia which provided the impetus for the development of the Drug Abuse Program continues. In 1989, the Philadelphia Police Department recorded 11,996 arrests on drug charges, representing 16.7% of all arrests. During the same period the Philadelphia court system disposed of 6,008 drug cases, with 3,336 cases resulting in a conviction. Projections based on the first six months of this year indicate there will be over 7,700 drug dispositions in 1990, with 5,380 resulting in a conviction--a 61.3% increase in convictions. The increase in convictions will sharply impact the drug supervision workload of the Adult Probation and Parole Department (APPD). In 1989, 18% of convicted drug offenders received probation, while 57.7% were sentenced to county prison and, ultimately, county parole. With approximately 75% of all county drug convictions eventually coming under the supervision of the APPD, the Department is expecting an intake of approximately 4,000 drug cases as a result of 1990 convictions versus 2,500 for 1989 convictions. The APPD's current caseload includes 5,311 probationers/parolees, or 17% of the caseload, with a court imposed stipulation for drug treatment. Projections for 1990 indicate that 20% of all cases entering the APPD will involve drug charges. However, these figures do not reflect the total drug involvement of APPD clients. The APPD estimates that approximately 60% of its 31,759 probationers/parolees have some involvement with drug usage.

The goal of the program is to provide an intensive level of probation/parole supervision which will ensure community safety and facilitate treatment of the client's drug addiction and, beginning in 1991, alcohol abuse problem. The smaller, specialized caseloads enable the probation officer to develop a greater understanding of and rapport with the individual client, which will assist in evaluating the substance abuse problem, obtaining the most appropriate services, and maintaining the client in treatment.

The Drug Abuse Program, which will begin its second year in April 1991, contains three components.

- Drug Home Monitoring Unit (DHMU): The purpose of this component is to provide a supervision setting which stresses accountability and stability. Through electronic monitoring, officer contacts, and outpatient treatment, the component will provide client supervision similar to an inpatient treatment program, but without the expense and delay in gaining admission.

Forty electronic monitors will be available for use with the drug offenders who are considered high risk either in terms of their addiction or their criminal behavior. Two probation officers are responsible for coordinating the drug treatment, providing referrals to other agencies, counseling, and handling all court-related activities of DHMU clients. Four officers will install monitors and make regular home visits to DHMU clients and curfew checks on DIS clients.

Component I of the Program lasts up to 90 days. Offenders in DHMU are enrolled in an intensive outpatient drug treatment program. The DHMU officers will ensure that clients are either attending a drug treatment program, in transit, or at home at all times. Any violation of the home detention or absence from daytime commitments will result in an immediate response from the unit, which will provide 24-hour-per-day,

seven-days-per-week monitoring of the offender. A minimum of two face-to-face and three telephone or collateral contacts are made on each client each week. At least one drug test per client is conducted each week.

- Drug Intensive Supervision (DIS): Eighty probationers/parolees which require a high level of attention and structure are supervised by four DIS officers. Supervision in this component lasts up to six months and requires five probation officer/client contacts per week. A 7:00 p.m. curfew is enforced through both evening phone contacts or home visits. A minimum of one drug test per week will be conducted on each client. Agencies providing treatment are asked to notify DIS officers if the client fails to appear for treatment so that officers can immediately intervene.

- Addiction Services: The 27 probation officers of this division each maintain caseloads of approximately 75 clients. Officers make two face-to-face and six telephone or collateral contacts per month for each high-risk client. A minimum of one drug test will be conducted each month. Officers may relax supervision requirements on stabilized clients for a period before transferring them to general supervision.

Addiction treatment is the major focus of all three components. For those clients whose addiction is under control, education, training, and/or employment issues will be addressed. Consequently, networking with treatment agencies and service providers will continue to be an essential activity of the Drug Abuse Program.

(2) Drug Supervision Training Program. This project establishes a core team of department staff with expertise in drug and/or intensive supervision to develop a drug training curriculum and to provide training in 11 identified topic areas of drug supervision. The project target population is the staff of the agency's new Drug Abuse Program and, as resources permit, other department personnel.

h. Susquehanna County. The county's "Drug and Alcohol Supervision Unit" utilizes a full-time drug and alcohol specialist to work intensively with targeted parolees and probationers. Other officers in the department assist in the group process. Education and treatment are emphasized. This individual works closely with other officers who have caseloads of clients needing education and are developing drug and alcohol dependencies. This individual sees a maximum of 30 clients, with half requiring intensive supervision. All clients seen have committed their crime while under the influence of drugs or alcohol, or have committed a drug or alcohol offense, excluding ARD cases. This program helps probationers and parolees reduce usage, reduce criminal behavior, provide treatment and education, and makes clients accountable.

i. York County.

(1) The objectives of the "Prison Population Management Unit" include: a) reviews of 50% of new admissions to the prison for consideration for possible placement into alternative housing, treatment, pre-trial or other diversionary programs; b) bail review, investigation and recommendations; c) computerized inmate case tracking and monitoring; and d) statistical analysis. The unit works with the Inmate Case Review Committee,

the Confinement Options and Alternatives Advisory Group, and the Jail Overcrowding Policy Board to develop and implement programs and policy and procedural changes to reduce overcrowding.

(2) The purpose of the "Pre-trial Supervision/Drug Treatment Program" is to initiate a strategy to deal with offender drug abuse and jail overcrowding. The project complements the range of activities already in place to combat these problems. It initiates a supervised bail program targeting prison admissions, strengthens TASC services, and begins an In-house Drug and Alcohol Day Treatment Program within the county prison.

(3) The "Drug Offender Supervision and Jail Treatment Administration" project combats jail overcrowding and drug abuse through a dual approach. York County added three probation officers to more effectively supervise drug-abusing offenders. The project adds two of these officers to its ALPHA Unit, which works with high-need, high-risk female offenders, and one Intensive Officer to the Inner City Unit. The project also creates a new position in the York County Jail for an Assistant Deputy Warden for Treatment and Program Services in order to coordinate and increase treatment programs for all inmates housed in the prison complex.

4. Corrections and Treatment

State Corrections

a. Expansion of the Department of Corrections (DOC) Therapeutic Communities. The Department of Corrections has long recognized the relationship between substance abuse and criminal behavior. A large number of inmates are sentenced to the Department for criminal acts conducted while under the influence of drugs and alcohol. Not only are inmates initially received with actual problems of substance abuse, they are also more frequently returned to prison after release because of the cycle of chemical addiction and criminal behavior.

The Department has been taking steps to assist those inmates who have long histories of addiction. A continuum of drug and alcohol treatment services had been planned and is now implemented that includes:

- screening and diagnosing all inmates who are received by the Department;
- providing a video tape, drug and alcohol orientation/education program for all DOC employees and inmates;
- establishing two new therapeutic communities (TCs) for inmates who need a structured treatment environment prior to their release;
- expanding the community treatment options for inmates/parolees who need additional support to remain drug- and alcohol-free when they re-enter their home communities; and

- implementing the "State Correctional Institution (SCI)/Treatment Alternatives to Street Crime (TASC)" project that will utilize the existing TASC sites around the state to provide screening, evaluation, treatment, placement, escort and urine monitoring for inmates released on parole.

The TC concept is viewed by the Department of Corrections' administrators as an essential element of the institutional drug and alcohol treatment process. There is sufficient evidence to suggest that certain inmates must have a structured, treatment-intensive, and isolated environment to change their past life style, behavior, and habits. This must occur before they can be expected to successfully re-enter their home communities.

Aside from the demonstrated need for substance abuse treatment, it is important to recognize that the female offender population is increasing at a faster rate than the male population. From 1980 to 1989, the female population has grown by 245%, while the male population has grown by 135%. Collectively, the identified need for treatment and the population growth suggest the need to include intensive programming as offered in a TC in the treatment continuum for the female offender.

Therefore, a third TC is being developed at the Muncy Institution as part of the Department's expansion of the therapeutic concept and continuum of drug and alcohol treatment services. Since 1973, the Department has been operating a drug and alcohol TC at the Camp Hill Institution. Unfortunately, due to the inmate disturbance in October 1989, the Camp Hill community is not operating. However, through funding support from PCCD and the Department of Health over the past two years, two new TCs have been implemented at the Graterford and Cresson Institutions. Both are now operational and are serving approximately 100 inmates at any given time.

It is the goal of the Department of Corrections to provide every inmate who desires treatment for chemical dependence an opportunity to receive appropriate services.

In implementing the new TC at Muncy, the Department of Corrections anticipates the following:

- At least 50 inmates with extensive drug histories will be placed in each program during the first year.
- Many of the inmates successfully completing the TC program will enter the TASC program and other supervised community treatment programs upon release, insuring a continuum of services for this population.
- The return rate of inmates successfully completing the TC program and participating in community treatment and counseling will be lower than those drug dependent inmates who do not participate in institutional and/or community drug treatment programs.

The TC concept is not new in Pennsylvania. The New Values Therapeutic Community was founded at the Camp Hill Institution in 1973. The program operates much like the other institutional TCs in other states. There is a

predesigned admission criteria. For the New Values program, the admission criteria is as follows:

- The referral (inmate) must have a substantial drug/alcohol history.
- The referral must indicate a willingness to participate in treatment.
- The referral must have no less than one year or more than two years remaining on his minimum sentence.
- All detainers should be cleared.
- The referral must be removed from psychotropic medication(s).
- In some instances, a psychiatric/psychological evaluation may be requested prior to admission.

After admission, the inmates begin an orientation of the TC program. During the orientation, the guidelines and certain practices and rationale for operating the program are explained and the expectations of the inmate are clearly defined. After the orientation phase there are four stages that the resident must pass through. Each stage is progressive. In each stage, residents must complete a treatment plan before progressing to the next stage. The passage through each stage is an educational/treatment process in itself. The resident is assigned a staff member and other residents to review his progress and the attainment of his treatment goals. The resident must satisfy the entire group that goals have been achieved before moving on to the next stage. In each stage, the treatment goals become more defined and structured, hence, difficult to achieve. In the final stage, the resident must work toward parole by writing his parole plan, finding a residence, locating a job and usually locating a local drug and alcohol outpatient program.

The TC concept has been shown to be an effective and successful means of treatment for the drug and alcohol dependent criminal offender during incarceration. Evaluation results of New York's correctional TC named "Stay 'N Out" demonstrate the effectiveness of the TC concept. The evaluation of the "Stay 'N Out" program found that TCs have been shown to be effective with clients who have extensive criminal histories. It was also found that the overall pattern of results indicated that the "Stay 'N Out" prison TC is effective in reducing recidivism rates and that the time spent in the program was positively related to increases in time until arrest for those who recidivate and to a greater likelihood of positive parole outcome (Wesler, Lipton and Foster 1985) as published in the Journal of Psychoactive Drugs, July-September 1986.

Through this project, the Department of Corrections will purchase a modular unit and will have the unit and staff in place to accept inmates by June 1991. Continued support of the Department of Health, Office of Drug and Alcohol Programs (ODAP), is critical if adequate staff support is to be provided for the new unit.

It is anticipated that once the unit and staff are in place, the unit will begin immediately to accept female participants who are in need of intensive substance abuse treatment. As the Department does not currently offer intensive treatment services to the female population, the unit should be at capacity as soon as it is staffed and operational and will enable the Department to accept approximately 50 to 65 chemically-addicted female offenders in the TC per year. The short- and long-term impact of this TC at the Muncy Institution will be the provision of intensive treatment services to the drug addicted female offenders.

b. Treatment Alternatives to Street Crime (TASC)/State Correctional Institutions (SCIs). Current estimates of the inmates received into federal, state and local correctional facilities who have either drug or alcohol dependence, range from between 70% and 80%. The National Institute of Justice and the Rand Corporation have conducted exhaustive studies on the level of drug consumption and the time between drug consumption and arrest in order to determine the cause/effect relationship between substance abuse and criminal behavior. The studies demonstrate that there is a significant relationship between drug use and criminal activity.

In light of these findings, the Pennsylvania Department of Corrections is conducting an evaluation of newly committed inmates to determine the extent of substance abuse within the inmate population. A preliminary random sample consisting of 10% of the inmates received since March 1, 1987 yielded summary information on specific problems areas concerning drug and alcohol abuse. The findings revealed that of the 968 inmates sampled, 436 or 45% had a serious alcohol problem and that 610 or 63% had a serious drug problem. These figures are within the national average for all correctional institutions and indicate a significant need for programs addressing the drug and alcohol problem.

Further, the high proportion of substance abusing individuals who are being received into the correctional system are placing a strain on already over-crowded state and county facilities. On September 30, 1990, the Department of Corrections' inmate population was 22,232. These inmates are being confined within facilities which were originally constructed to accommodate 13,500 individuals. Additionally, predictive trends indicate that the inmate population will continue to increase during the foreseeable future.

Of fundamental concern in examining prison overpopulation is the rate of recidivism or numbers of inmates who return to the system after being paroled. As stated above, current figures indicate that between 70% and 80% of all those incarcerated have a history of drug or alcohol abuse. Extrapolating this to the problem of recidivism, it is not unreasonable to argue that a large number of parolees who return to the system do so because of drug or alcohol related reasons. This would suggest that programs aimed at substance abusing inmates and parolees may have a significant effect in reducing recidivism rates and, by extension, prison overcrowding.

Philadelphia County accounts for 8,296 inmates or 38% of the total population. In calendar year 1989, 1,505 were released to Philadelphia County as state parolees. Of this number 1,150 were tracked for a 12-month period and it was found that 105 parolees were recommitted, 95 directly to an

SCI. Also, during this same time frame, 195 parolees were detained for a variety of reasons. Furthermore, as a result of the major emphasis on drug intervention in Philadelphia during 1989/1990, 743 parolees were recommitted: 238 for committing criminal violations and 505 for technical parole violations. Severe overcrowding is the result.

At any given time, there are approximately 5,000 parolees being supervised in Philadelphia County. For instance, in May 1990, Philadelphia County supervisory parole agents were supervising 4,033 male and 191 female state parolees, plus over 750 interstate offenders who were incarcerated in Pennsylvania state correctional institutions and subsequently released on parole.

The TASC/SCI Project is a joint effort between the Department of Corrections (DOC), the Pennsylvania Board of Probation and Parole (PBPP), and the Department of Health (DOH), that is intended to reduce the number of substance abusing parolees who reenter SCIs as a result of violating their parole conditions or committing new crimes. This reduction in parolee recidivism will subsequently help to reduce prison overcrowding.

The TASC program is administered under a two-phase approach. Phase one involves the screening of pre-release status inmates through drug and alcohol evaluations conducted by TASC/SCI program personnel in cooperation with the DOC and PBPP. TASC personnel from the six TASC sites statewide conduct the evaluations upon request. Inmates with drug and alcohol problems who are about to be released, either by parole or into a Community Service Center, are selected for TASC eligibility. Those inmates found to be eligible for program participation are then mandated through their parole plan to be under TASC supervision. In order to remain in the program and, ultimately, on parole, inmates must consent to the release of information and adhere to all TASC requirements, including treatment if necessary.

During this third year of the project, the focus is Philadelphia County. The purpose is to reduce the county's parole violation recidivism and thereby reduce prison overcrowding. Presently, the county is not a TASC/SCI county but produces the most offenders and parole violators within the Commonwealth. The DOC will contract with a recognized treatment program to evaluate Philadelphia County inmates at SCI Graterford, as well as those inmates housed in the five Community Corrections Centers in Philadelphia. Those found to be good candidates for the TASC/SCI project will have participation in TASC/SCI programming included as a "special condition of parole." The treatment program will also perform the TASC functions of monitoring, urine screening, and referral for either outpatient, intensive outpatient or inpatient treatment.

c. Motivational Boot Camp. Since 1980, the Pennsylvania Department of Corrections' (DOC) population has exceeded the capacity available to house that population. As of September 30, 1990, the DOC's population was 22,232 or 157% of its capacity. The DOC has found it necessary to house inmates in dormitories and to place two or more inmates in cells originally intended to house only one. Over three-quarters of the present population is housed in these situations. Additionally, the October 1989 disturbance at Camp Hill resulted in a loss of housing capacity and forced the DOC to house prisoners in federal institutions.

The DOC has been exploring many solutions to overcrowding. In particular, the DOC worked with PCCD's Corrections Overcrowding Committee. Given Pennsylvania's increased reliance on incarceration to effect public safety, the DOC and the Committee agreed that part of the solution is to build more capacity, but more importantly, that the use of limited prison space must be restructured. The Corrections Overcrowding Committee published its final report, "Containing Pennsylvania Offenders," in March 1990. That report provided 11 recommendations to alleviate correctional overcrowding in the state. Though some of these recommendations are beyond the control of the DOC, the DOC supports those recommendations and has made efforts to implement the recommendations that it can. A report developed by the DOC and the Board of Probation and Parole has resulted in some policy changes that have addressed two of the recommendations in that report regarding parole. The DOC has already launched an expansion program that will add some 10,000 beds to capacity and continues to explore possibilities for low-risk offender housing. This project addresses yet another of those recommendations which calls for the DOC to establish "Motivational Boot Camps" for selected low-risk offenders.

This project is aimed at younger (35 or under) offenders committed to the DOC with minimum sentences of two years or less and maximum sentences of five years or less, especially those non-violent offenders with drug or alcohol problems. Specifically excluded are offenders convicted of homicide, rape, kidnapping, involuntary deviate sexual intercourse, or felony one robbery. Data provided by the Pennsylvania Commission on Sentencing indicates that there were over 1,100 eligible candidates sentenced to the DOC in 1989. The objectives of the project are:

- Remove the targeted offenders from the general institutional population and thereby decrease that population by 180 to 200 offenders.
- Decrease the length of incarceration for these offenders, further reducing DOC population by about 330 offenders.
- Provide a more productive environment for these offenders through regimentation, physical activity, and work on public projects.
- Provide more treatment, counseling, and educational services to these offenders.
- Evaluate this project as a means of curbing recidivism for certain offenders.

The project will require the establishment of a new and separate facility for the Motivational Boot Camp. This process has already begun and the DOC has negotiated for the use of existing state property that can currently house 60 program participants. Other existing buildings on site will be converted for use in housing up to another 140 participants as well as for administrative, program, and recreational space. Negotiations are underway with the Department of Environmental Resources' Bureau of Forestry to develop work projects for participants in the surrounding area. Custodial, administrative, and full-time program staff positions will be

filled through Civil Service and collective bargaining agreement procedures. Some programming needs will be met through contract with private providers. Project staff will develop the final project design and schedules but will be directed to develop a plan based closely on the New York Department of Correctional Services' Shock Incarceration Program.

Participants will be placed in the program in groups of 30 to 35 offenders. A new group will begin the program each month. The program will have the capacity to house 180 to 200 participants at any one time and will serve over 400 offenders a year. Placement group size will depend on dropout/expulsion rates experienced in the program. Existing programs have experienced dropout/expulsion rates between 5% and 20%.

Legislation recently signed into law by the Governor outlines the preferred design of this program and specifically excludes certain violent offenders. It requires the DOC to develop selection criteria and selection committees within its Diagnostic and Classification Centers. It also requires the Pennsylvania Commission on Sentencing, through its guidelines, to employ a definition for an eligible offender for this program and the Board of Probation and Parole to immediately release to intensive supervision participants who have successfully completed this six-month program, notwithstanding the original minimum sentence.

County Corrections

Detention of persons arrested for criminal offenses in Pennsylvania is the responsibility of county jails. Jails are currently operated by 64 of the 67 counties. Counties without jails utilize neighboring facilities. In Philadelphia, the enhanced enforcement and prosecution efforts continue to increase the number of persons requiring housing and treatment in its prisons. This enhanced effort is coming at a time that the federally-mandated prison population cap is in effect. Therefore, it is evident that as apprehension and prosecution efforts are improved, adequate facilities for pretrial detention and incarceration after conviction must be made available.

In 1985, a Jail Overcrowding Technical Assistance Program was begun with federal funds allocated by the Justice Assistance Act. The major components of jail technical assistance are: organizing key officials into a policy team; setting up data collection on jail admissions and analyzing and presenting this data to the team; developing possible strategies; obtaining consensus; and then developing the implementation plan. In 1989, an electronic monitoring users group was formed. This group, coupled with an ongoing data collection effort, provides information on the use of electronic monitoring and provides the basis for making evaluations. This group will impact on further development of electronic monitoring programs. Based upon the information that is currently available, it appears that these programs can be effective in reducing jail crowding.

During the last half of 1989, when it was determined that emphasis would be placed on the area of correctional supervision/treatment approaches designed to impact on jail crowding by providing drug and alcohol treatment services to drug dependent criminal offenders, assistance began to be provided to Venango, Westmoreland, Franklin, Erie, Elk, Cumberland, Centre, Berks, and York Counties as they developed substance abuse programs targeted

at their correctional populations. Workshops were held in September 1989 for six counties and in December 1989 for five counties to provide assistance regarding project development, integration of systems agencies, and grant and fiscal management. The workshops included assistance from the Pennsylvania Board of Probation and Parole in tying in the Board's Grant-in-Aid assistance. This new initiative by the Board will provide support for an additional 70 probation/parole officer positions throughout the Commonwealth targeted to the substance-abusing offender. The dollars to support these additional positions are included in the Governor's PENNFREE Program.

As a result of these efforts the following county projects have been supported:

a. Allegheny County.

(1) Intensive Supervision. This is a joint project of the Allegheny Court of Common Pleas and the County Jail aimed at reducing jail crowding and offender rehabilitation. It integrates and expands house arrest with work release supervision to form an Intensive Supervision Project serving up to 90 participants on electronic monitoring and an additional 20 to 45 participants on Intensive Supervision only. This expansion has resulted in increased client contacts and treatment. The strengthened supervision component results in increased referrals and increased capacity to monitor offenders in the community, to include 24-hour coverage.

(2) Homestead Renewal Center. This project provides a residential center and treatment/rehabilitative services for 25-34 non-violent sentenced male offenders on work release, with emphasis on the DUI population. The facility is operated by Renewal, Inc., an affiliate of THE PROGRAM for Female Offenders. The project is aimed at assisting the county in the reduction of emergency unsupervised releases from the county jail that result from crowding and a court-mandated population ceiling. As of June 1990, an average daily population of 30 was being maintained.

b. Armstrong County. In its "Criminal Offenders Program," a case manager was hired to perform alcohol and drug assessments of offenders referred by the county jail, probation department and the parole agency. This person is responsible for facilitating treatment referrals, arranging supportive services, coordinating information exchange between the criminal justice system and social service agencies and tracking offender progress through the use of drug screens.

c. Berks County. Phase I of Berks County's concurrent program "Intensified Approach to Intervention and Treatment of Drug Offenders/Abusers in the Criminal Justice System" - (Phase I) primarily focused on identifying, evaluating, and referring individuals who became involved with the criminal justice system and were found to be using drugs. This program provided several points whereby such people could be identified and "leveraged" into drug evaluation. The points of leverage were primarily at the pretrial level through conditions of bail and during sentencing. Additionally, a small probation caseload of drug offenders was intensively supervised to assist them in remaining drug and crime free. The incentives to get their involvement were clear: freedom from jail and/or a reduction in sentence if the person followed treatment recommendations. However, with the passage of

mandatory sentencing legislation, the incentives of the first two points of leverage have greatly diminished. Inmates now know that a mandatory period of time follows particular crimes and incarceration is seen as inevitable whether or not they enter drug education and/or treatment programs. There are three goals for the Phase II project: 1) establish a means whereby individuals with problems relating to drug abuse can receive help while incarcerated at Berks County Prison; 2) significantly impact upon the overcrowding situation at the prison; and 3) establish a means whereby individuals with problems relating to drug abuse can receive help at the parole level.

d. Blair County. Blair County's plan to deal with prison overcrowding combines a comprehensive array of criminal justice intervention and drug and alcohol treatment modalities designed specifically for the criminal justice population. Some approaches are expansions of services that already exist for the general population, such as the intensive outpatient program and transitional living services. Others are new programs offering service alternatives and additional staff not presently available for the courts, such as the Community Services/Treatment Coordinator Program, the Institutional Probation Officer and the implementation of court procedures to offer treatment options instead of prison.

e. Bucks County. This is Part I of a comprehensive program designed to reduce the county jail population and reduce a return to substance abuse and addiction, and thus crime and return to incarceration. Components include a pretrial release program, enhancement of evaluation and referral capabilities within the jail, the development of an intensive treatment module in the minimum security facility with an accelerated release program (after minimum sentence served), an Intensive Supervision Parole program expansion, and the development of a specialized community-based treatment approach to the non-violent repeat, substance abusing offender. Part I encompasses only the Pretrial Release Program.

f. Centre County. Centre County established a countywide pretrial release program through subcontract to Community Alternatives in Criminal Justice, the Centre County Bail Agency. The program will reduce jail overcrowding while fulfilling two purposes: 1) providing a safe, cost-effective alternative to incarceration for pre-trial individuals charged with bailable offenses; and 2) providing those individuals and their families referrals to Centre County human services agencies for needed services. The Bail Agency provides interview and recommendation services to referred defendants and subsequent supervision of those defendants placed by the courts until the disposition of their cases. This project has exceeded the number of defendants anticipated for placement.

g. Chester County. The county's "Treatment Alternatives to Prison (TAP)" project will combine intensive treatment programming and vocational training in a new pre-release/work release building. The pre-release/work release facility will be a 13,300 square foot, 100-bed modular unit with a capacity for doubling the bed space. Each quadrant will be physically divided with separate entrances and a large common dayroom. One of the 25-bed quadrants will house men with pre-release status. The utilization of this quadrant will free 25 beds which are presently filled in the minimum security section of the prison. Two other 25-bed quadrants in the new

building will house men on work release. These quadrants will expand the existing men's work release program from 36 beds to 50. The fourth quadrant of the new facility will house both women's pre-release and work release. The use of this expanded space will allow for immediate relief in the existing women's division. This new bed space will also allow for the first establishment of a work release program for women. In addition to the housing areas, a modular unit will be purchased so as to provide space for individual and group counseling. Drug treatment programming will be provided through the coordinated efforts of the Single County Authority for Drug and Alcohol Services and the county Mental Health/Mental Retardation Department.

Aftercare planning will be a team effort involving intervention and treatment staff and criminal justice officials. Depending upon individual client needs, community-based services will be prescribed, and designated clinical or county medical assistance case management staff will ensure that clients engage in services.

h. Cumberland County. The Drug and Alcohol Commission, as the lead agency and point of coordination for the Cumberland County DCSI Policy Team and the DCSI Project Management Team, analyzes the information gathered from the district attorney, the prison, probation and the drug and alcohol system to improve the process of screening, evaluating, placing, and monitoring offenders with drug and alcohol-related problems. As a second outcome, it is expected that it will lay a foundation for system strategies that can be applied to offenders prior to incarceration.

i. Dauphin County. The Dauphin County Pre-Release Center Program is a case management system that focuses on specific inmate goals and provides for drug and alcohol recovery, plus provides for the involvement of other social services. The project anticipates that participation in this program will increase an inmate's chance for successful readjustment and a longer crime-free stay in the community. The Pre-Release Center will be in the new modular unit located inside the perimeter fence behind the Dauphin County Prison. It will consist of two housing modules (104 beds each) plus a program and all-purpose area. The connecting program module will have office space, classrooms, counseling rooms, and a dining/all-purpose room.

The center is designed to bring together the prison's Education and Treatment Department, a pre-release case management system, probation and parole, and drug and alcohol services in an environment that is designed for a successful transition to work release and parole. This team approach to the pre-release plan will insure that parole will be contingent upon an inmate's performance in terms of preparation for release. The team staff will consist of counselors, caseworkers, correctional officers, TASC specialists and probation and parole officers. This system brings the correctional officers and probation/parole officers into a decision-making process with treatment staff. The team staff will administer the program and make decisions regarding disciplinary actions, reclassification, treatment programs, work release and eligibility for parole.

j. Delaware County. This "Substance Abuse Monitoring and Treatment Diversion Project" develops new services to fill gaps in the system for addressing the increasing number of substance abuse offenders in Delaware County. Specifically, the project: 1) adds staff to develop a pre-trial

monitoring unit to supplement the existing diversion program and add case management services for coordination; 2) funds support the administrative costs for implementing a prison treatment program; and 3) funds the support cost for a new probation officer position that has been requested from the Pennsylvania Board of Probation and Parole.

k. Elk County. The county developed a work release/pre-release facility for 12 male drug and alcohol offenders. The facility serves to eliminate or significantly reduce the need to house inmates in out-of-county prisons and increases the work release space for males. During the coming months, meetings will be held with interested officials from contiguous counties to discuss the feasibility of establishing a female facility.

l. Lehigh County. The "Women's Community Corrections Center (WCC)" offers an alternative to incarceration for 22 women and eases overcrowding at the Lehigh County Women's Facility. Candidates for the WCC include women who are eligible for work release, sentenced DUI offenders, and sentenced offenders eligible for pre-release. An Addiction Awareness Program is offered to all residents. Also, those with addiction problems are required to participate in community programs. Other programs, such as life skills and parenting classes, are an integral part of the process leading to release on parole.

m. Lycoming County. "Prison Treatment Alternatives" improves the operation of inmate work crews and provides training and education on drug and alcohol issues for staff and inmates of Lycoming County Prison. Benefits of this project are a better coordinated work crew program and identification and referral of all classified inmates for substance abuse education prior to release. This project serves approximately 35-45 inmates at the minimum security facility.

n. Mercer County. The "Minimum Security Work Release Center" has doubled female inmate capacity and has established a work-release program. In addition to continuing the work-release program, Mercer County is channelling the inmates' idle time to constructive use by providing speakers, books and videos on job search, interviewing techniques, job counseling, family enrichment and hazards of drugs. The county has instituted a delayed sentencing program which guarantees 100% occupancy of the center at all times.

o. Philadelphia.

(1) "Philadelphia Prisons' Security Improvement and Treatment Program." This project completes the renovation that improves the security level at Laurel Hall, the Pretrial Release Program facility. On-site urinalysis testing is planned and drug treatment and counselling capabilities will be improved.

(2) "Prisons' Computerized Reporting Project." Prison overcrowding is one of the major criminal justice problems facing Philadelphia. The past decade of the eighties has seen the average daily population in Philadelphia Prisons more than double from 2,337 in January 1980 to 5,150 in November 1989. Recognizing the difficulty in managing such increasing numbers, the Philadelphia Prisons procured a computerized inmate record-keeping system in

1985 with full implementation of the system by 1987. The system is JAILTRAC, which is a product of INSLAW in Washington, D.C.

Rather than managing inmates on an admission-by-admission basis as was the previous system, JAILTRAC allows for a one-time entry of custodial and descriptive information on an offender which can be reactivated upon admission. This immediately provides background about previous custodial episodes and eliminates the need for additional data entry in some instances. Presently, JAILTRAC has over 50,000 inmate records along with the various related juvenile records. The main problem is the need to utilize the large amounts of data collected in the most effective means possible. Presently, much of this information can be distributed to individuals and many reports can be generated to look at specific groups presently in custody. However, data collected previously on persons no longer in custody is very difficult to organize into useable reports, and without this capability, it is difficult for the prison system to perform long-term studies and reports and to make projections. Although the JAILTRAC system has reporting and indexing capabilities, they are slow, less specific than required, and limited by the software design. Also, there presently exists a great deal of valuable relevant information in the system that could be utilized and distributed if the resources were available. Therefore, the prison system is not limited by the data collected but by the lack of technical staff to design outputs needed by administration to manage the system more effectively.

The specific objective of this project is to hire an application programmer who will be part of the Prison Research and Development Unit. Under the supervision of the Director of Research and Development and in conjunction with research staff members, the programmer will design operational relationships between JAILTRAC and other computer systems in the Philadelphia criminal justice system. Further, the programmer will work with the Population Manager, Classification Coordinator, Director of Professional Services, Director of Addictive Disease Treatment Programs, as well as the courts and other units of the criminal justice system to develop output reports which will identify certain groups and categories of inmates who require specialized services or who may be eligible for release. Other reports will be developed to examine behavior treatment, as well as commitment and custodial patterns which will be helpful in programs and facility planning.

In the past, many of the reports needed were produced on an "ad hoc" basis. The ability to produce, modify and distribute needed reports in regular intervals will greatly enhance population management and movement capabilities.

(3) "Community Resource Center for Women." In March 1989 the Philadelphia Prisons contracted with THE PROGRAM for Female Offenders of the Delaware Valley Inc. for a Community Residential Center for Female Offenders. After a difficult start-up period the program is operating at full capacity and could take many more residents if space were available. The Philadelphia Prisons is currently under federal court order to reduce inmate population. However, during the period when population reduction efforts were the greatest in the prisons' history, the average daily population of female inmates grew from 235 in FY-1988 to 275 in FY-1989. THE PROGRAM is one of the most successful efforts ever undertaken by the Philadelphia Prisons for the

female population. For this reason, and because of the continuing overcrowding situation, the Philadelphia Prisons propose to quadruple the available program space. The overall goal of the project is to operate an alternative correctional center for 75 women which will reduce the female jail population through the transfer of women to the facility.

THE PROGRAM's existing center provides a productive alternative to incarceration for women. Programming is provided which provides residents to participate in responsible and legitimate life roles which will provide the learning and adjustment experience necessary for successful resocialization and reintegration into the community. It is a residential facility that provides structure and control, yet enables the resident the opportunity to work daily in the community; to participate in alcohol or drug counseling groups, in personal psychotherapy and/or a variety of educational opportunities available in the community; and to reassess her goals and life style with an immediate opportunity available to change the direction of her life.

During the first six months of operations, THE PROGRAM initially encountered difficulty in the placement of selected women in the facility. However, the Community Service Program of the Pennsylvania Prison Society and the Defender's Association have been making referrals from the sentenced population. Approved candidates are then sent to the District Attorney for approval. Then the Intensive Supervision Program of the Adult Probation Department petitions the court for the candidate's early release. All work release residents, as well as weekend residents, are housed in this program.

During the first year of operation, THE PROGRAM Center had made contacts and established relationships with the various criminal justice agencies, courts, probation, sheriff's department, etc., to familiarize them with the program and to ensure the smooth referral and transfer of appropriate applicants into the center. The Prisons' Population Management Unit also reviews on a daily basis the female prison population for new admissions, newly sentenced prisoners, bail changes and status changes.

Women in the following status with the courts, which meet other program criteria (for example, charge, bail amount, criminal history, length and type of sentence, etc.) may be eligible for transfer to THE PROGRAM Center from the prison:

- those women who are approved for the program by a sentencing; and
- those approved by the courts to be detained at THE PROGRAM Center while awaiting hearings for parole and probation technical violations.

p. Venango County. The position of "Community Release Coordinator (CRC)" on the staff of the Common Pleas Court was created in order to have a direct impact on jail overcrowding through that person's efforts to reduce unnecessary delays in admissions to bail, release to other authorities, and transfer to drug/alcohol and mental health programs. The average length of stay for these detentioners is anticipated to be reduced by 25%-50%. The CRC, along with the Jail Policy Team, is to develop and implement structured

programs as alternatives to continued incarceration (e.g., House Arrest and Community Service). Early release into these programs is expected to reduce the average length of stay for summary and non-violent misdemeanor offenders by 20%-40%.

q. Washington County. The "Electronic Monitoring/Home Detention" project is designed to provide in-home detention for work release prisoners for the purpose of helping to relieve a critical overcrowding problem in the county prison. The selection of prisoners is made by prison personnel in conjunction with the district attorney and the president judge. Five prisoners have been selected with the expectation that others will be added as the program matures. Minimums will be five in 1990; ten in 1991; and 20 in 1992. A bid has been awarded to American Monitoring Sales Corporation to provide the monitoring portion of the program.

r. Westmoreland County.

(1) The "Work Release/DUI Center." This project targets the following areas: a) easing overcrowding in the main prison; b) reducing the likelihood of the work release/DUI inmates smuggling contraband into the main prison; c) resuming normal prison operations by reducing population in the main prison; d) increasing availability of rehabilitative programs for those in the work release/DUI category; e) reducing tension and the likelihood of violence in the main prison; and f) removing weekenders from the main prison.

(2) "Prison Population Monitor Program." Targets incarcerated individuals in the pre-sentence status in an effort to alleviate jail overcrowding. The major objectives are to reduce the delay in processing detainees, expedite the release process, and, in general, enhance management of the prison population.

s. York County. "Pre-Release Center" project provides short-term detention for low-risk inmates. The Center also provides inmates with a supportive environment which helps prepare them to re-enter community life while continuing to meet their sentencing requirements.

Office of Drug and Alcohol Programs (ODAP)

Both federal and state law mandate that drug and alcohol abuse services be provided in Pennsylvania. Public funding for drug and alcohol treatment has increased dramatically in Pennsylvania over the past four years. In state Fiscal Year 1986-87, a total of \$45.4 million in state and federal funds was spent on drug and alcohol treatment programs. During 1990-91, funding levels increased by 200% to \$136.5 million. In the criminal justice system, the Department of Corrections, the Board of Probation and Parole and the Pennsylvania Commission on Crime and Delinquency will spend a total of \$4.2 million on treatment and intervention programs that include individual and group therapy for inmates, intensive supervision of drug dependent offenders on parole and the Treatment Alternatives to Street Crime (TASC) Program.

The Pennsylvania Drug and Alcohol Abuse Control Act of 1972 and Amendments mandate that the Department of Health develop and adopt a state plan for the control, prevention, treatment, rehabilitation, research,

education, and training aspects of drug and alcohol abuse and dependence problems. The Act established the Office of Drug and Alcohol Programs (ODAP) to implement its provisions. When it was established, the Office of Drug and Alcohol Programs determined that the problems of drug and alcohol abuse and dependence were community problems, that a central authority could not adequately determine what services were needed in each of the Commonwealth's 67 counties and that the emphasis should be on community-based drug and alcohol services. Therefore, a system of Single County Authorities (SCAs) was developed. During the past decade, the Office of Drug and Alcohol Programs has worked in the development of various criminal justice related programs either administered directly by ODAP or through one or more of its SCAs. The drug and/or alcohol abusing criminal offender population (especially those offenders supervised in the community) continues to represent a significant problem with respect to allocation of limited treatment resources and the resultant limitation on in-patient and out-patient drug and alcohol treatment slots. As noted by the Department of Corrections and the Board of Probation and Parole, the shortage of drug treatment services in some counties often hinders their efforts to obtain admissions for parolees in need of continued drug monitoring and treatment. To further compound this problem, counties which have developed programs to serve as alternatives to criminal prosecution or sentencing for drug-using offenders have identified even more individuals in need of some form of treatment and monitoring. ODAP agrees that Pennsylvania's present drug and alcohol treatment system is overburdened and that this situation often puts a disproportionate strain on the criminal/juvenile justice system. Often times, when treatment resources are limited at the local level, the criminal/juvenile justice clients simply do not receive the services. ODAP is particularly concerned about the lack of juvenile treatment and counseling services. ODAP has taken steps to work cooperatively with counties and state agencies involved in the provision of services to the criminal and juvenile offender population. Although some of these programs have proven successful in the identification and referral of justice system clients to needed treatment programs, this new program activity has significantly increased the demand for county and local drug treatment services. In some cases, criminal justice clients are not admitted to the program best suited for their needs or they may have to be placed on a waiting list until other individuals are discharged from the program. Based on the strong relationship between drug use and criminal activity, it is evident that Pennsylvania's current community-based drug services system cannot handle the needs of the criminal and juvenile offender population.

Current efforts of the Office of Drug and Alcohol Programs related to drug offenders include:

a. Student Assistance Programs. Designed to: 1) identify high-risk students who are having school problems due to alcohol or drug use, depression or other mental health problems; and 2) intervene and refer these students to appropriate community services.

b. Police School Partnerships. Police officers are invited into the classroom to deliver lessons within the curriculum (DARE, etc.).

c. How to Stop the Slaughter. Educational campaign featuring five pamphlets aimed to encourage the public to intervene into potential DUI situations as a prevention measure.

d. DUI Coordinators - Classes for Offenders. DUI coordinators in all counties provide a 12 1/2 hour education experience for DUI offenders mandated by state law.

e. Scared Stiff. A comprehensive two-phased alcohol and drug-related accident prevention and behavior modification program designed to educate teenage drivers so as to reduce or prevent their involvement in alcohol and drug-related vehicle accidents. The Department has 45 members trained as "Scared Stiff Instructors." Since its September 1988 inception, 7,812 students have been presented the program.

f. Court Reporting. Evaluators conduct assessment of all DUI offenders. Results are merged with the offender's driving history and are used for sentencing and possible referral for drug and alcohol treatment.

g. Training in Sobriety Testing. Police attend a three-day program to identify intoxicated motorists quickly and more accurately and better equip them to perform sobriety testing.

h. Drug Abuse Resistance Education (DARE). A 17-week school-based curriculum focused on teaching students skills for resisting peer pressure to experiment with drugs and alcohol.

i. Partners in Prevention (PIP). Seminar for law enforcement personnel presenting strategies for joining with schools to develop and present substance abuse prevention education programming for elementary school children.

j. Treatment Alternatives to Street Crime (TASC). TASC is a catalyst between the criminal justice agencies and the treatment agencies. With the assistance of criminal justice agencies, clients are identified for eligibility to the program, which provides assessment, monitoring, urine screens and treatment referral. During the time the TASC clients stay in the program, they must participate in intervention services provided by the TASC program.

k. Camp Cadet. A law enforcement officer operated summer camp for boys and girls between 12 and 15 years of age and one week in length. It is designed to promote a better understanding of law enforcement by youths. It is not fashioned as a drug abuse prevention program. However, it does tend to develop positive qualities within the attendees such as responsibility, confidence, self-reliance, friendliness, self-esteem and diligence. These qualities, it is said, are the building blocks for preventing substance abuse. During 1989, camps were held at 18 locations throughout the state with 1,211 participants. Department personnel provided the hands-on operation of these camps. However, they are directed and funded through a civilian board of directors. The camp is attended by the youngsters at no cost to them.

l. Youth Development Center/Youth Forestry Camps. ODAP provides funding through the Single County Authorities for prevention/intervention services for delinquent youth, which includes assessment and consultant services. In addition, a drug and alcohol curriculum is provided.

m. Children and Youth/Drug and Alcohol Services, Priority Drug and Alcohol Treatment for Child Abusers/Victims. Grants to county agencies for priority drug and alcohol treatment through SCAs for child abusers or their victims who are also substance abusers.

n. Youth Development Center (YDC) Drug and Alcohol Prevention Activities. Program at YDCs run and funded through ODAP to address drug and alcohol needs of youth.

Department of Public Welfare (DPW)

The Pennsylvania Department of Public Welfare's Bureau of State Children and Youth Programs operates eight residential facilities across the Commonwealth of Pennsylvania with a total capacity of 615 beds. The state facilities provide both open residential and secure care programs with a wide range of services. Services within these programs are provided by counselors, houseparents, social workers, recreational specialists, teachers, and psychologists. Youth committed to a secure care program are violent and/or serious offenders and most have had prior institutional placements. Secure care programs are highly structured and exercise substantial external control of individual student behavior. The students in the YCDs/YFCs range in age from 12 up to 20 years with an average age of over 16 years. The average length of placement is approximately seven months in the open residential program and over 15 months in the secure residential program. Depending upon the facility, 65% to 95% of these youths have experienced one or more prior institutional placements. Estimates based on facility surveys indicate that a majority of youths have had drug involvement prior to their admission. It is estimated that between 25% to 40% of these students need treatment, with the remaining drug involved youths being considered "at risk" and needing drug prevention or intervention services. All facilities in the Youth Development Center/Youth Forestry Camp (YDC/YPC) system provide drug and alcohol services. However, four facilities have diverse but highly structured intense drug and alcohol programs for court committed youth.

- . Bensalem - Has a 14-bed drug and alcohol program in their secure care unit. The cost for the program comes directly from the facility budget. The program has benefitted from a PCCD grant that offered a variety of staff training, consultation, program assessment and an opportunity for staff to earn credits toward certification.

- . Youth Forestry Camp #3 - Has a 12-bed, short-term drug and alcohol open residential program. The cost for the program comes directly from the facility budget. A large percentage of the treatment programming is provided by private vendors under contract with the facility.

- . North Central Secure Treatment Unit - Has a 29-bed drug and alcohol secure care program. The cost for the program comes directly from the facility budget. Contracts with local substance abuse professionals are utilized to supplement and enhance in-house services and programs.
- . New Castle Youth Development Center - Has a 16-bed drug and alcohol open residential program. The cost for the program comes directly from the facility budget. The program has benefitted from grants that permitted them to intensify their staff training efforts and strengthen their overall program.

5. National Guard.

The FY-1990 Defense Authorization Act established the mission for the National Guard to support counter-narcotics operations conducted by civil law enforcement agencies. Congress further authorized the Secretary of Defense to provide funds for states to implement their approved plans. Pennsylvania has received \$1,223,000 for FY-1990.

Funding from the FY-1990 Defense Authorization Act can be used for personnel pay and allowances and for equipment operation and maintenance expenses relating to counter-narcotics support operations. Pennsylvania National Guard (PNG) personnel have been deployed to assist with drug interdiction, eradication and law enforcement support for local, state and federal law enforcement agencies throughout the Commonwealth. The following are some of the agencies that received support from the PNG during FY-1990: various local agencies (cities of Harrisburg and Philadelphia); Pennsylvania Office of Attorney General; Pennsylvania State Police; Drug Enforcement Administration; the U.S. Customs Services; the U.S. Forest Services; and the U.S. Immigration and Naturalization Service.

The following counter-narcotics support operations were approved for Pennsylvania by the Secretary of Defense and have been funded from the special Congressional appropriation created for that purpose for FY-1990.

a. Ground Surveillance. Based on a request for support from a law enforcement agency, Guardsmen help maintain surveillance on isolated air strips, drop zones, border crossing points, shore landing points, or other locations suspected of being sites for drug operations. Law enforcement officers accompany each surveillance element.

b. Ground Transportation of Law Enforcement Personnel. Based on a request for support from a law enforcement agency, Guardsmen use off-road vehicles to transport law enforcement officers to/from remote sites for anti-drug operations.

c. Aerial Reconnaissance. Based on a request for support from a law enforcement agency, Guardsmen help search an area for cultivated marijuana or suspicious watercraft, aircraft, or motor vehicles.

d. Aerial Surveillance. Based on a request for support from a law enforcement agency, Guardsmen help maintain surveillance on isolated air

strips, drop zones, the international borders, coastal waterways, or other activities or locations suspected of being drug operation sites.

e. Aerial Transportation of Law Enforcement Personnel. Based on a request for support from a law enforcement agency, Guardsmen transport law enforcement officers by air to targets in remote locations or because speed is essential.

f. Ground Radar Monitoring. Based on a request for support from a law enforcement agency (which also provides and flies intercept aircraft), airmen establish and man radar sites.

g. Cargo Inspection and Search at Border Entry Points. Based on a request from U.S. Customs Service, Guardsmen help search cargo at border entry points. Customs officers are present at each search location and make all necessary seizures. Customs officers maintain custody of all evidence.

h. Training Program For Soldiers or Airmen. In order to provide support requested by law enforcement agencies, Guardsmen receive training in the aerial identification of cultivated marijuana, on the legal aspects of drug enforcement support, and other related topics. If the National Guard presents the training, a complete Program of Instruction is prepared.

i. Liaison, Planning, Coordination and Reporting. The state establishes liaison with supported law enforcement agencies, plans/coordinates anti-drug operations, provides manpower and equipment for those operations, and gathers and submits required reports.

j. Engineer Support. Provide engineer support to law enforcement agencies for the purpose of sealing or razing "Crack Houses," transporting abandoned/seized vehicles, and assisting with other engineer-related projects which are associated with municipal or community anti-drug programs.

Requests for Pennsylvania National Guard (PNG) support of drug interdiction and eradication operations originating with any federal agency, the Pennsylvania State Police, or the Office of Attorney General are submitted to the PNG's Department of Military Affairs, Military Support Office. Requests from law enforcement divisions of other Commonwealth agencies or from county or local law enforcement agencies within the Commonwealth are submitted through the Pennsylvania State Police (PSP). Once the request for support has been submitted to the PSP, further coordination and planning are accomplished directly between the PNG and the supported Commonwealth, county or local agency.

6. Discretionary Grants.

The following grants are currently being funded by the Bureau of Justice Assistance:

a. The City of Harrisburg's "Clandestine Laboratory Model Enforcement Program." The Commonwealth of Pennsylvania is funded to develop and implement centrally coordinated multi-jurisdictional activities to investigate clandestine laboratories and prosecute the perpetrators

responsible for the manufacture of illicit drugs. Emphasis will be on establishment of an interdisciplinary response to clandestine laboratories throughout Pennsylvania and a formal mechanism whereby investigative (including forensic chemists) and prosecutorial resources can be allocated, trained, equipped, focused, and managed to achieve maximum criminal and civil remedies with maximum safety. An appropriate representative of the Drug Enforcement Administration must be among the intergovernmental law enforcement members of each project.

b. The City of Philadelphia's:

(1) "Expedited Drug Case Management." This award provides initial funding under the Expedited Drug Case Management (EDCM) Program to permit formal coordination of resources among those agencies engaged in the adjudicative process (prosecutor, public defender, pretrial agencies, probation office and the courts) to ensure that drug cases receive timely and appropriate disposition. Management tracks are established dependent upon the characteristics of each case so that simple, routine cases can proceed quickly and unaffected by complex cases which are accorded more intensive supervision and management.

(2) "Community Mobilization Resource Management Project". This project is designed to develop and implement a combined police/community response to Philadelphia's drug trafficking and abuse problems. The focus of this effort is to go beyond the delivery of police services and to provide a centralized delivery of essential city services. Those services will include, but are not limited to, the removal of abandoned cars; the rehabilitation of abandoned housing stock; and the strict enforcement of city housing codes. These resources will be mobilized in conjunction with highly mobile enforcement efforts with the aim of not only interrupting narcotics trafficking but also improving the quality of life in the affected jurisdictions.

(3) "Longitudinal Evaluation of Here's Looking at You 2000". This project continues the evaluation of the "Here's Looking at You 2000 (HLAY 2000)" program in Philadelphia. The program and its evaluation are sponsored by the Corporate Alliance for Drug Education (CADE). The evaluation is being contracted with Data Base, in State College. During this second-phase longitudinal evaluation, BJA support will provide the funds needed for data entry and analysis of the data. With the help of this award, results of the evaluation are expected as early as March 1991, since it was undertaken beginning in spring 1990.

c. City of Wynnewood's "National Night Out 1990". Now in its seventh year, this year-long campaign of coalition and partnership building will continue to involve citizens, community organizations, churches, and public and private agencies in all 50 states, U.S. territories and military bases around the world. Communities take to their front porches and yards and participate in a variety of events to promote crime and drug prevention awareness, police/community relations and strengthen neighborhood camaraderie.

7. User Accountability Initiatives.

a. Assets Seizure and Forfeiture. Pennsylvania has a drug forfeiture law which provides for an in rem action in which the property is named as the defendant. A civil petition for forfeiture is filed against the property and served on the owner of the property to contest the forfeiture. The litigation is conducted in front of a judge without a jury, and preponderance of the evidence is the burden of proof. A conviction in the criminal case is not a prerequisite to forfeiture of the property. Recently, many claimants have tried to demand a jury trial instead of the hearing to slow the seizure process. However, a recent appellate court decision held that no right to a jury trial exists under the Controlled Substances Forfeiture Act.

The first Pennsylvania drug forfeiture statute was passed in 1972 and was contained in a criminal statute. The only forfeitable items were the drugs themselves, the equipment for manufacturing the drugs, the containers for the drugs, and the conveyances transporting the drugs. In 1985, the law was amended to provide for the forfeiture of money and items of value used in the exchange for drugs or items purchased with drug money. This office began keeping statistics of forfeited property after the law was amended. In 1988, the law was again amended. It provides for the forfeiture of real estate and also allows a conveyance to be forfeited simply for possession of a drug in the vehicle. Proof of a sale or possession with the intent to sell a drug was required before forfeiture of the conveyance was possible under the old act. Now the only limitation is that there must be more than 30 grams of marijuana or more than eight grams of hashish in the conveyance. There is no weight limit for other drugs.

The law allows for the forfeiture of any property that can be connected to a drug crime or shown to have been bought with drug proceeds. Items which have been forfeited, in addition to vehicles, include electronic equipment, portable phones, pager devices, computers, jewelry, coins and equipment used to make or grow drugs. The equipment category includes all the glassware in laboratories and farming equipment in marijuana fields. Cash awards for 1989-90 were in excess of \$800,000. Eight properties have been forfeited with nine more in litigation. Additionally, each county district attorney's office is empowered to litigate its own local forfeiture cases. The Attorney General's Office provides legal and technical support to district attorneys upon request.

b. Legislation which:

(1) Provides for enhanced penalties when "a person less than 21 years of age attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports alcohol." When a person is convicted or adjudicated delinquent for this offenses, his/her operating (driving) privilege shall be suspended.

(2) Requires school districts to adopt and enforce rules against the use of steroids. Students using steroids would be suspended from athletics for the entire season for a first offense, for two seasons for a second offense, and permanently for a third offense.

(3) Provides for the suspension of driver's licenses of those convicted of drug offenses, including possession, selling or giving away drugs. Licenses will be suspended for 90 days for a first offense, one year for a second, and two years for subsequent violations.

(4) Provides for a civil cause of action by parents or guardians for damages against the person who sold or transferred drugs to a child. Damages shall include the cost of treatment and rehabilitation.

(5) Requires the courts to report the names of people convicted of crimes involving at least \$1,000 worth of drugs to the state Department of Revenue for a tax audit.

c. Department of State.

The Professional and Occupational Licensing Boards of the Commonwealth hold drug users, diverters and dealers accountable in several ways.

- For the health-related professions, any conviction, guilty plea or plea of nolo contendere to a felony under the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act results in an automatic suspension of license for a period of ten years. Conviction, guilty plea or plea of nolo contendere to a violation of a federal or another state's law which would be a felony under Pennsylvania law also results in an automatic suspension of license for a period of ten years.

- For the Business Boards, conviction, guilty plea or plea of nolo contendere for either a drug-related felony or misdemeanor triggers disciplinary action in the form of a revocation, suspension and/or civil penalty.

- Substance abuse and criminal record are also taken into account when reviewing applications for licensure for either business or health boards.

- Eleven of the Bureau's health boards have a provision which allows a licensed practitioner who is chemically dependent to participate in the Bureau's Impaired Professional Program. The Program recognizes substance abuse as a disease and presents the licensee with an alternative to disciplinary action if the individual is making a serious attempt to solve the problem and does not represent a serious threat to the public. To participate, the licensee:

(1) May not have been convicted of, pled guilty to, or pled nolo contendere to a felony under the Controlled Substance, Drug, Device and Cosmetic Act.

(2) May not have medical practice problems involving death or significant harm to a patient.

(3) May not have any evidence of diversion of controlled substances for the purpose of sale or distribution.

8. Legislative Actions.

a. On December 22, 1989, Governor Casey signed into law a package of anti-drug abuse bills. These bills contained the following measures:

- (1) Bans the use of telephone pagers or beeper on school grounds and at school activities.
- (2) Prohibits physicians from prescribing steroids to enhance athletic performance.
- (3) Changes the provision of contraband to a confined person from a misdemeanor of the first degree to a felony of the second degree.
- (4) Provides for a definition for "designer drugs."
- (5) Establishes a new crime (felony one) of dealing in proceeds of unlawful activities. The penalty is a fine of the greater of \$100,000 or twice the value of the property or imprisonment up to 20 years or both.
- (6) Defines the offense of drug delivery resulting in death as murder of the third degree with a mandatory five-year sentence.
- (7) Classifies Methaqualone as a Schedule I (rather than Schedule II) drug.
- (8) The Board of Probation and Parole may not release a person on parole unless the person achieves a negative result on a drug test within one week prior to release date. Additionally, parolees must submit to random drug testing at their own expense.
- (9) Adds additional aggravating circumstances which may be considered by a jury in death penalty cases, including murders involving judges or other officials, informants, drug-related killings, etc.
- (10) Provides for statewide police jurisdiction. Whenever a municipal police officer is responding to a request for and/or assistance (such as a drug task force) from a state law enforcement officer, for purposes of worker's compensation and liability issues, he shall be considered an employee of the Commonwealth.
- (11) The User Accountability Initiatives described in paragraphs 6b(2), 6b(3), 6b(4) and 6b(5) are also part of this anti-drug abuse legislative package.

b. Legislation was also signed into law that addressed the development, implementation and operation of county Intermediate Punishment Programs for the following purposes:

- (1) Protect society and promote efficiency and economy in the delivery of corrections services.
- (2) Promote accountability of offenders to their local community.

(3) Fill gaps in local correctional systems and address local needs through expansion of punishment and services available to the court.

(4) Provide opportunities for offenders who demonstrate special needs to receive services which enhance their ability to become contributing members of the community.

c. Legislation authorizing the Department of General Services to enter into lease/purchase agreements for prison space; providing for the issuance of bonds; making appropriations; authorizing indebtedness, with the approval of the electors, to make grants to counties for county or multi-county regional prison facilities; and authorizing the Department of Corrections to contract with county or regional prison facilities for the housing of state inmates was signed into law.

d. The Insurance Company Law was amended in December to provide for health insurance benefits for treatment of drug abuse and dependency.

e. Legislation was enacted in December which removes the prohibition on the automated maintenance of criminal justice intelligence, investigatory information and treatment information which had existed in the Criminal History Record Information Act.

VI. RESOURCE NEEDS

This section of the Pennsylvania Strategy identifies gaps in services and those areas requiring additional resources in order to improve the capability to wage the Drug War successfully in Pennsylvania. The resource needs of enforcement and prosecution, corrections and treatment, juvenile, training and legislation are addressed.

1. Enforcement and Prosecution

Pennsylvania State Police

There is a need to obtain additional laboratory positions and equipment. The Pennsylvania State Police crime laboratories are continuing to provide vital support to all of Pennsylvania's state and local law enforcement agencies. As described in the previous section, substantial gains have been made in reducing the severe backlog problem. However, additional positions and equipment are necessary to achieve a turnaround time of ten days.

Office of Attorney General (OAG)

There is a need to:

a. Increase Interagency Cooperation. There are many levels of law enforcement within the Commonwealth of Pennsylvania, all working to address the drug law enforcement problem. A well-coordinated effort between and among these agencies is necessary if the Commonwealth is to efficiently and effectively use its resources toward the common goal. Actions required to be taken include: ensuring every county in Pennsylvania has a multi-jurisdictional, interdisciplinary task force; increasing cross-designation of state, local and federal prosecutors; improving coordination and communication between police and prosecutorial offices; encouraging federal law enforcement coordinating committees to continue to provide assistance to state and local officers; and providing settings for mutual discussion and coordination by combined meetings with all levels of Pennsylvania law enforcement officers.

b. Fully Utilize Complex Drug Investigation and Prosecutorial Resources Made Available by the Legislature in Pennsylvania. Although Pennsylvania has a number of sophisticated crime-fighting statutes passed by the Legislature, many investigative and prosecutorial agencies do not make full use of these resources. The use of crime-fighting resources is important to achieve the overall goal of effectively fighting drugs in Pennsylvania. Actions required to be taken include: increasing use of charging corrupt organizations in appropriate cases; increasing use of complex conspiracy cases in appropriate cases; continued and expanded use, when appropriate, of wiretapping and electronic surveillance and increased funding; and encouraging state and local use of the Statewide Investigating Grand Jury; and increasing funding.

c. Use the Assets Seized from Drug Dealers to Finance Drug Law Enforcement Efforts. Because one of the main purposes of the sale of drugs is the fast accumulation of vast amounts of wealth, this money can be

redirected into solving the problem from which it comes and thereby assisting law enforcement in softening the tax impact on the community. This goal also provides an economic disincentive to drug crime. Actions required to be taken include: encouraging the passage and use of the civil and criminal forfeiture RICO statutes to pursue drug traffickers; fully utilizing Pennsylvania's assets forfeiture law by not only processing assets seized but also conducting complicated asset forfeiture investigations of drug dealers; and analyzing complex money laundering techniques in Pennsylvania and encouraging better statutory provisions for money laundering in Pennsylvania.

d. Focus on the Delivery of Drugs Within Pennsylvania by a Comprehensive Interdiction Program. Focusing on the interdiction sites in Pennsylvania is an efficient use of police resources because of the large amounts of drugs that are frequently shipped and their vulnerability in transit. Actions required to be taken include: emphasizing and developing state and local interdiction task forces to target highways, port facilities, train stations, bus stations, and local and international airfields; detailed training in specialized interdiction techniques for state and local law enforcement officers; and placing special emphasis on cooperation and coordination between other states and federal agencies targeting drugs enroute.

e. Statewide Training in Specialized Drug Enforcement and Pprosecutorial Techniques. The link often neglected between legislation and actual investigations and prosecutions in complex cases is the specialized training required. State law enforcement agencies are particularly disposed to coordinate with federal agencies and provide specialized training in these areas to other state and local agencies. Actions required to be taken include: providing systematic training in a broad spectrum of complex drug enforcement and prosecution techniques; providing for on-the-job training through municipal police task forces and cross-designations of prosecutors to allow local and other state law enforcement officers to utilize complex drug investigating techniques; coordinating with federal authorities to make federal training programs available to state and local law enforcement agencies; and continuing to seek grants from federal or even private agencies to expand training capabilities.

f. Have Law Enforcement Agencies Within Pennsylvania Share Criminal Intelligence Information. As observed from the federal model El Paso Intelligence Center (EPIIC), drug enforcement is a multi-jurisdictional problem. All levels of law enforcement can benefit from information developed outside of their jurisdiction that may impact upon their local area. Actions required to be taken include: creating uniform drug intelligence reporting forms and dissemination through state and local agencies and creating electronic access to a common source of intelligence.

g. Establish Uniform Statistical Reporting of Drug Violations Within Pennsylvania. Presently federal, state and local officers within Pennsylvania have inconsistent and sometimes conflicting reporting formats. These conflicting formats sometimes provide for incomplete or inconsistent reporting that distorts the view of law enforcement planners. Actions required to be taken include: creating a uniform format for reporting of drug violations within Pennsylvania; computerizing uniform statistical reporting

so that all levels of law enforcement in Pennsylvania can have access to it; and coordination among local, state and federal agencies to make the system as inclusive as possible.

h. Expand Investigation and Prosecution of Diversion of Pharmaceutical Drugs. Although much of the drug problem comes from illicitly created and imported drugs, a significant aspect of the drug problem is the purposeful and criminal diversion of pharmaceutical drugs into illicit channels. These investigations differ in scope and technique from normal criminal investigations and require special training and prosecutorial skills. Actions required to be taken include: providing training for state, local and federal law enforcement officers concerning specialized diversion investigation and prosecution techniques; developing formal coordination between criminal prosecutor's office and that of the licensing boards of the Department of State; and fostering coordination between medical associations and prosecutors.

i. Continue to Expand the Technical Capabilities of Law Enforcement Within the State. As the technology of electronic surveillance and the techniques of investigation and prosecution continue to develop, it is essential that law enforcement continues to have the most updated equipment in order to counteract the greater technical resources of criminals. Actions required to be taken include: continuing research and development into new technical areas; assuring a continued budgetary concern for technical developments; providing sufficient training so that other state and local agencies may have access to the latest technology in crime fighting; and assuring that legislation does not prevent the reasonable use of current crime fighting technology.

Department of State

There is a need to increase the exchange of information between government agencies relating to drug use and diversion. Such a program would establish a formal exchange of data involving health professionals troubled by alcohol and other drug-related problems, including criminal actions.

Various agencies within government inventory information related to drug use and distribution by professionals. This may provide a basis to investigate or prosecute such professionals who pose a threat to the public health, safety, and welfare by their improper use, distribution or dispensation of drugs. Such coordination would establish a system of cooperation in order to more effectively disseminate information for interagency use. Department of State licensure disciplinary actions would provide an effective means to terminate the licensee's accessibility to drugs, as well as provide a serious deterrent, based upon the threat of the loss of one's livelihood.

Criminal activity by licensed professionals may be a violation of the law governing their license for which an investigation may be commenced and disciplinary action taken against them. Presently, no law exists which requires prompt reporting to the Bureau of Professional and Occupational Affairs of the initiation of criminal action against Pennsylvania licensees.

Bureau action against such licensees may be the most effective deterrent in terminating the licensee's misuse of alcohol and other drugs.

Actions to be taken include:

a. Drafting a memorandum of understanding between the Pennsylvania State Police, the Attorney General's Office, the Department of Health, the Department of Public Welfare and the Department of State that establishes an exchange of information that includes the following:

- sharing investigation results;
- informing agencies of departmental action against a professional;
- cooperating and assisting with other agencies' investigations;
- supplying witnesses for testimonial purposes;
- sharing expertise;
- sharing witness statements;
- providing certified copies of agency actions; and
- sharing statistical data.

b. Introducing a bill into the General Assembly which would require mandatory reporting by district attorneys of criminal charges against licensed professionals.

Electronic Surveillance and Communications

Technical advances in electronic surveillance and communications still render most of the equipment available to Pennsylvania law enforcement agencies obsolete. Furthermore, the communications systems utilized by local and state agencies continue to pose security deficiencies. As a result of NCAP funding, significant improvements in surveillance capabilities have been achieved but efforts must continue to improve this valuable tool. Reliable vehicles and equipment are essential components of the investigative effort. The Office of the Attorney General still strongly supports efforts of state and other law enforcement agencies to obtain modern equipment, such as secure radio capability and undercover vehicles. Also, efforts will continue at the state level to ensure that a sharing of equipment among agencies is accomplished.

2. Adjudication.

Reliable data on the growth of drug usage is not available, but it is suggested that the heavy increase in drug cases now coming before the courts stems from concerted efforts by police to widen the net and make enforcement more strict. Some police departments consider no drug offense too minor to

warrant an arrest. The practice of police "sweeps" involving multiple arrests to displace trafficking activities is common. It must be noted that while demand reduction arrests can be increased readily, sometimes on a wholesale basis, all court dispositions still require the same careful individual attention and processing. By their nature, these procedures are expensive and time consuming and, while some efficiencies can be gained, most of this caseload increase must be met through expansion of court resources.

In the past, many prosecutors employed their discretionary authority to screen and divert cases away from judges and out of the court system. In doing so, they functioned as gatekeepers to keep prosecutorial demands in line with court capacity. Prosecutors now exhibit much greater reluctance to serve in that role with regard to drug cases. As a result, the overload causes backlog; the backlog feeds delay; delay, along with lack of prison space, undermines deterrence and breeds contempt for the law. Speedy trial programs based upon the psychological expectation of firm trial dates and the court's control of its calendar have been devastated. Defendants now play the system to avoid consequences they regard as overly harsh. As trial lists grow longer and jails fill up, more defendants are placed on bail, largely unsupervised, for longer periods of time. Courts are trying hard to adjust. They are diverting judges from civil to criminal calendars, further stretching already strained resources. They are also taking other internal management steps to improve productivity. However, the scope of the new drug control initiatives is so sweeping that judicial self-help measures, while necessary and desirable, fall far short of actual requirements. Courts do not have the capacity to deal with a volume of this magnitude.

Under these conditions, overflow is inevitable. Since the drug problem is expected to continue for the foreseeable future, permanent enlargement of the judiciary is essential if courts are to do their job. More judges, court staff, probation officers, prosecutors, public defenders and support staff are required if courts are to continue to perform effectively. There is also the awareness that the call for additional resources goes hand-in-hand with the judiciary demonstrating that existing resources are being effectively used. However, it is believed that additional productivity, by itself, will not be sufficient to meet the large increase in drug cases. Therefore, unless steps to add resources are taken soon, constitutional values and community safety could be jeopardized.

There is also concern related to the impact on civil justice. Resources are now being diverted to meet the drug emergency. Some observers predict if nothing is done to remedy the present crisis within the next few years, civil jury calendars in the nation will be shut down for all practical purposes. Already, civil litigants who can afford to pay are beginning to resort to private courts.

While additional resources are seen as the single most important need in order to restore proper functioning to the courts, it is acknowledged that some additional capacity can be found through measures to improve productivity. Training in modern court management methods for more judges and investigation into better ways to manage drug cases are needed. Also, agreement upon case flow methods which fix responsibility for case movement

with the judiciary from arrest to termination of criminal cases is seen as essential.

Furthermore, congested courts inevitably mean that disposition will be delayed. Yet, the longer bailed defendants stay on the street without supervision, the greater the chance that they will ignore their court date or perhaps commit another crime. Judges are frustrated by their lack of effective control over these bailed defendants during the pretrial period and urge that more supervised bail programs be established.

There is also much concern about the lack of realistic sentencing options and the scarcity of drug treatment facilities. Prisons are overcrowded, probation is underfunded, adequate alternatives to incarceration do not exist and treatment programs are largely unavailable. Judges often see the same people appear in court over and over again. They want a court process that produces effective sentences and does deter. Adequate prison space is required for those who must be incarcerated. Meaningful punishment must also be available for those offenders who are convicted but will not go to prison. There is a dire need for programs that provide for strict control and treatment of offenders in the community.

Along with a broader range of sentencing alternatives, judges are anxious to identify programs that work so they can be matched with offender needs. Therefore, in addition to more alternative sentencing programs, additional research on how to sentence drug offenders effectively is necessary.

Pennsylvania Board of Probation and Parole (PBPP)

The PBPP's major operational concerns in regard to dealing with drug abuse problems of parolees/probationers lie in direct supervision service and treatment areas. Eight of PBPP's districts do not have any specialized and/or intensive drug supervision programs and simultaneously have high caseloads/workloads. In these districts, it is not practical to establish intensive supervision units similar to those which PBPP has in Philadelphia and Pittsburgh. However, there is an urgent need for additional parole agents in many of these districts to enable each parole agent to adequately deal with those offenders with drug and alcohol abuse problems. These PBPP clients tend to be more dangerous and difficult to redirect toward more positive and law abiding behavior.

Parole agents with lower caseloads/workloads will be able to be more effective in early intervention with these clients and prevent further abuse and recommitment to a state or county correctional facility. Along with the additional parole agents, there is the need to provide the equipment that they need to properly perform their duties (e.g., weapons, protective vests, automobiles).

In addition to the need for more parole officers, there is also the need for greater accessibility to treatment services, particularly in the districts besides Philadelphia and Pittsburgh. Most of the recent initiatives for halfway-back beds and drug and alcohol treatment beds are

also focused in the larger metropolitan areas. However, there are similar needs throughout the state in urban and rural areas.

Besides treatment services, there is also a need for on-site drug testing equipment for use by parole agents in dealing more quickly with offenders who are using drugs and then directing them to treatment services when needed. Furthermore, efforts should be directed toward developing and implementing a uniform drug testing program for all offenders, including all related state agencies and interested county agencies. At the present time, the various criminal justice agencies in the Commonwealth set different standards for urinalysis and many contract for testing services with a number of different laboratories. As a result, an offender moving through the system can test positive by one agency and negative by another agency for the same quantity of drugs in the offender's system.

There is a similar need for additional county adult probation officers to supervise the growing number of offenders under county jurisdiction. Although additional funding has been provided for 146 officers to service only drug and alcohol offenders, there are drug and alcohol offenders in every officer's caseload. Since these caseloads are excessively high, the officers are unable to provide the necessary services to these offenders. Additional officers are needed to reduce the overall county probation caseload/workload so that each officer throughout the state can deal more effectively with those offenders having drug and alcohol abuse problems. Hopefully, this will deter them from more serious involvement with the criminal justice system. Likewise, efforts should be undertaken to expand the cooperative efforts of various criminal justice agencies with the Department of Health in order to provide adequate drug and alcohol treatment opportunities for offenders. Many times criminal justice agencies experience difficulty in securing drug and alcohol treatment for offenders under their jurisdiction because of the nature of the offenses and the offenders' inability to pay for such services. Actions to be taken should include: clearly defining the roles of all state and county agencies in providing treatment services; conducting a realistic assessment of the real need for treatment services among the offender population at all levels in Pennsylvania; and developing and implementing a statewide plan to meet these assessed drug and alcohol treatment needs of offenders in Pennsylvania.

3. Corrections and Treatment

Department of Corrections

Pennsylvania's state prison system is currently housing inmates at nearly 160% of its design capacity. In fact, from 1980 to 1990, the number of persons confined in the state prisons increased from 8,243 in 1980 to 22,232 as of September 30, 1990. Although a number of factors contribute to the unprecedented increase in Pennsylvania's incarcerated population, in large part the growth is a reflection of the criminal justice system's reliance on incarceration--specifically, the incarceration of individuals convicted of using, selling and/or producing illegal drugs.

The Department of Corrections recognizes that the relationship between public safety, recidivism, and drug abuse is significant and that drug abuse

is a major contributor to the current level of crowding in the state correctional system. As it is the role of the Department of Corrections and the Board of Probation and Parole to ensure public safety by managing offenders in a safe, secure, and humane manner, it is critical to develop intervention strategies aimed at reducing recidivism by eliminating or, at least, reducing drug use among the offenders in order to increase their likelihood for success upon release.

a. Need for Substance Abuse Treatment. Currently, our nation's prisons and jails contain a growing number of inmates who commit crimes due to their psychological and physical dependence on drugs. A study conducted in 1986 by the National Institute of Justice found that 43% of state prison inmates were using illegal drugs on a daily or near daily basis before their arrest and conviction. Additionally, the study revealed that 35% of the state prison inmates reported that they were under the influence of drugs at the time that they committed the offense for which they were currently incarcerated (U.S. Department of Justice, Bureau of Justice Statistics: Special Report, "Drug Use and Crime," July 1988).

Data collected by the Department of Corrections supports the national trend regarding inmate substance abuse. In fact, data collected since March 1987 indicates that over 64% of all offenders entering the system report a current or past problem with drug abuse, while 48% report a current or past problem with alcohol abuse. As these numbers do not measure problem overlap, it is estimated that 70% to 75% of all offenders, or approximately 16,000 inmates in the state prison system, have some type of substance abuse problem and, thereby, require treatment interventions.

b. Need for Expanded Drug and Alcohol Treatment Continuum. Although the Department of Corrections has developed a range of drug and alcohol treatment services, (e.g., self-help, support groups, group counseling, and intensive treatment in a therapeutic community), the present programs only serve 4,500 inmates at any given time. While these figures represent the delivery of services to approximately 20% of the total population and 30% of the identified target population, service delivery still falls short of the need.

Despite Pennsylvania's well-developed drug and alcohol treatment programs for the criminal justice client, the growing number of drug-related arrests coupled with the 12,000 persons who presently do not receive treatment suggests that the existing program should be enhanced via additional funding. Until a larger percentage of the population is treated, it is likely that a growing number of individuals who remain addicted to drugs and alcohol will eventually return to the correctional setting. Furthermore, a review of the existing treatment process identified a number of treatment or programming gaps which reduce program effectiveness.

Based on these observations, the Department of Corrections recognizes the importance of developing a continuum of treatment services. This continuum would provide the chemically addicted offender with a range of treatment modalities from the point of intake into and movement through the state correctional system to community placement and release.

c. Incarcerated Population. The Department of Corrections has long understood the need to include drug and alcohol treatment as part of the inmate's prescriptive rehabilitation plan. Presently, the Department offers a wide variety of treatment services which range from self-help/educational efforts to intensive treatment modalities which offer 24-hour a day, seven-day-per-week supervision in a therapeutic community. In 1973, the Department opened its first therapeutic community at the State Correctional Institution at Camp Hill. The impact of this type of treatment program on shaping values and curbing criminal behavior was observed during the inmate riots in October 1989 when program participants, choosing not to take part in the riot, surrounded their housing unit and doused it with water to prevent its destruction. In 1988, the Department of Corrections opened two additional therapeutic communities at the State Correctional Facilities at Cresson and Graterford. Funding for treatment staff was received from the Office of Drug and Alcohol Programs, Department of Health. Capital costs were assumed by the Pennsylvania Commission on Crime and Delinquency.

Under Governor Casey's PENNFREE initiative designed to provide increased funding for enforcement, incarceration, and treatment of drug offenders, the Department of Corrections received approval to create two new therapeutic communities at the State Correctional Institution at Waymart, a therapeutic community at the female institution at Muncy, and a new 600-cell correctional facility in Chester, located just outside of Philadelphia. Recognizing the increasing number of inmates with substance abuse problems, the facilities at Waymart and Chester will be targeted for use as treatment facilities for drug and alcohol offenders. In 1989, the Department of Corrections created a separate Drug and Alcohol Treatment Division within the Bureau of Treatment Services. This unit is responsible for developing, implementing, and evaluating drug and alcohol treatment programs and is charged to ensure that the Department's treatment efforts are meeting the needs of the drug-addicted offender. In addition to a range of treatment modalities, the Department received funding from the Bureau of Justice Assistance to conduct an inventory and analysis of the effectiveness of prison drug and alcohol treatment programs. Based on the findings of this project, the Department is currently developing an intake instrument to more accurately identify the severity and type of substance abuse problem presented by the offender. Finally, the Department has implemented a TASC Program aimed at providing a bridge between institutional treatment and follow-up treatment once the inmate is paroled.

d. Short-Term Drug and Alcohol Treatment Priorities.

(1) Diagnostic Intake Instrument - Pursuant to the findings of a recent review of existing drug and alcohol treatment programs sponsored by the Bureau of Justice Assistance, the Department is seeking the development of a comprehensive Drug and Alcohol Intake Assessment Instrument through the state's Request for Proposal process. The instrument will objectively derive the individual's type and severity of addiction. This information will assist treatment staff in developing a prescriptive program plan which places the inmate in the level of treatment most appropriate for his or her rehabilitation needs. The plan may include a range of treatment options from self-help to intensive therapeutic community participation as well as individual and group sessions.

(2) Therapeutic Community for Females - Departmental statistics on inmate program needs, collected since 1987, indicate that approximately 70% of the women housed in the Department are in need of substance abuse treatment. Recognizing the substance abuse treatment needs of female offenders, the Department is establishing a therapeutic community for female offenders at the State Correctional Institution at Muncy.

(3) TASC Program - The Department is developing a TASC program for chemically addicted inmates who are returning to Philadelphia County, primarily from the State Correctional Institution at Graterford.

(4) Increased Staffing - Recognizing the relationship between intensive treatment staff and client interaction and effective treatment outcomes, the Department has requested additional Drug and Alcohol Treatment Specialist positions through the budgetary process. These positions, if funded, will be dedicated to providing a full range of drug and alcohol services at the institutional level.

(5) Program Standardization - Pursuant to a recent research project funded by the Bureau of Justice Assistance, the Department is developing standardized program descriptions for the existing substance abuse treatment efforts. This standardization will enable the Department to ensure uniformity in treatment program between institutions.

(6) Drug Interdiction Training - In order to interdict the flow of drug and alcohol contraband into the state correctional facilities, the Department received PCCD funding to develop a standardized drug detection curriculum for the correctional officers. As the curriculum was recently developed, institutional staff will now receive training in drug interdiction techniques. The Department expects that this training will enable security staff to better identify the means by which drug contraband can enter correctional facilities and, ultimately, to deter the flow of such contraband in the institutions.

e. Long-Term Drug and Alcohol Treatment Priorities

(1) Educational and Vocational Programs - Departmental treatment reports suggest that only 27% of the population participates in educational and/or vocational training and less than 20% is enrolled in drug and alcohol treatment programs. Therefore, so as to extend these services to a larger portion of the population, the Department should expand educational and vocational programs and develop strategies to increase inmate participation. This goal recognizes the importance of targeting drug addicted offenders for programming which will provide them with positive life skills that will facilitate their transition from their drug addicted and incarcerated life style to their new position as a contributing member of the community.

(2) Transitional Programs - In addition to expanding treatment, educational, and vocational efforts during incarceration, the Department recognizes the need to expand transitional programming so as to create a bridge between incarceration and release. Integral to the success of any transitional effort is the development of a "Halfway Out" program. The "Halfway Out" concept would create a structured drug and alcohol treatment

program within a Community Service Center setting. Placement in a "Halfway Out" facility would be contingent on the individual's successful participation in and completion of institutional drug and alcohol programming. Additionally, this effort would target individuals who are near the completion of their sentences. The "Halfway Out" option would move individuals into a community-type placement for one to three months. The facility would be structured to assist the individuals with community re-entry, life skills development (e.g., finding housing, employment, transportation, etc.) and continuing their education. Attending outside self-help meetings and participating in all aspects of the "Halfway Out" community functioning would be required. Participants would also be required to continue group and individual therapy and comply with compliance screenings.

(3) Aftercare Services - In addition to expanding transitional programs, the Department would support the expansion of existing drug and alcohol aftercare services for the criminal justice client, including intensive parole supervision, TASC efforts, and the creation of a "Halfway Back" option. Expansion or the development of these aftercare services would provide parolees with ongoing support and motivation to remain drug free upon release. Additionally, the creation of a "Halfway Back" option would provide the Board of Probation and Parole with a housing and treatment option between parole and incarceration. The "Halfway Back" option would allow officials to provide substance abuse treatment to those individuals who lapse into drug use without returning them to prison.

(4) Program and Staff Certification - The Department seeks to implement several steps to increase treatment program and staff compliance with established treatment standards. First, the Department intends to seek licensure for the therapeutic communities through the Department of Health, Office of Drug and Alcohol Treatment Programs. Second, the Department intends to seek certification of drug and alcohol treatment specialists and therapeutic communities counselors through the Drug Abuse Counselor Certification Program.

(5) Increased Program Monitoring - Finally, in order to ensure that chemically addicted individuals move smoothly through the criminal justice process, the criminal justice and treatment agencies should cooperatively develop a procedure to track inmate movement through each phase of treatment continuum. The Department believes that development of a monitoring process--preferably an automated data system--would permit the respective criminal justice and treatment agencies to better monitor the population's treatment needs, program placement, compliance, etc. Furthermore, development of a computerized database of chemically addicted criminal justice clients would enable the agencies to identify correlations between the substance abuse needs and treatment effectiveness. Such information, in turn, would assist agencies to better target treatment programs to inmates with specific characteristics or needs.

f. Additional initiatives include:

(1) Continuous Videotaping of Visiting Rooms. The Department is proposing the implementation of several pilot projects where the activities

and individuals within the visiting rooms would be recorded. It is believed that in addition to the natural deterrence effect that cameras would have on the inmates and visitors, there would be the additional benefit of a permanent record of the individuals with whom the inmate visited or had contact. If the inmate is later searched and found to have illegal substances, a visual file can be viewed to determine when and where the substance may have been exchanged. Also, this visual record can be used in the prosecution of the inmate and the visitor.

(2) Coordination With the Regional Drug Strike Forces. The Department believes that it is imperative that information about the sophisticated drug trade be made available to all those who can utilize the intelligence. It is proposed that an official organizational linkage be made between the Department of Corrections and the Regional Strike Forces which are composed of personnel from the Pennsylvania State Police and the Office of Attorney General. A staff member from each institution would be assigned to provide information to and receive information from the Strike Forces. Also, a member of the Department's Central Office staff would be assigned to coordinate the activities of all institutions.

County Corrections

Correctional intermediate punishment initiatives for criminal offenders at the county level should continue. Projects to be supported include both correctional facility and community supervision approaches which are designed to help alleviate current prison crowding conditions while at the same time providing close supervision of substance abusing offenders. It is apparent that as a result of increased apprehension and prosecution of drug offenders, county correctional facilities are going to continue to become more crowded. In order to make enhanced apprehension and prosecution initiatives as effective as possible, units of government must have the ability to house and treat those who enter the correctional system. With a significant portion of the Governor's PENNFREE dollars going to new enforcement and prosecution efforts, combined with additional dollars available for enforcement activities through district attorney forfeiture funds, demand for additional corrections and community supervision space will continue to increase. Eligible project activities should include all of the following:

(1) Noncustodial programs which involve close supervision, but not housing, of the offender in a facility, including but not limited to: a) intensive probation supervision; b) victim restitution or mediation; c) alcohol or drug outpatient treatment; d) house arrest and electronic monitoring; e) psychiatric counseling; and f) community service.

(2) Residential inpatient drug and alcohol programs based on objective assessments that an offender is dependent on alcohol or drugs.

(3) Individualized services which evaluate and treat offenders, including psychological and medical services, education, vocational training, drug and alcohol screening and counseling, individual and family counseling and transportation subsidies.

(4) Partial confinement programs, such as work release, work camps and halfway facilities.

Furthermore, it is believed that the most effective means for assisting counties with these problems is through a combination of DCSI funds and treatment dollars available through ODAP. Counties experiencing significant problems with prison crowding and a lack of adequate supervision and treatment services for substance abusing offenders should be encouraged to develop a full range of activities from the pretrial stages through post-incarceration. As counties develop these programs, additional demands will be placed on the local drug and alcohol service delivery system. With ODAP's continued commitment of dollars for counties which develop multi-faceted correctional supervision approaches, it is believed that a number of counties will be able to develop initiatives which will have a real impact on crowding as well as positive outcomes for offenders moving through the criminal justice system.

Office of Drug and Alcohol Programs (ODAP)

The Office of Drug and Alcohol Programs agrees that the direct connection between crime and addiction is the single greatest cause of the severe prison overcrowding situation confronting Pennsylvania at the state and local levels. ODAP believes two out of every three inmates need drug and alcohol treatment and it should be noted that the majority are repeat offenders. Policymakers must decide whether to build more prisons or release convicted offenders, the majority of which are drug dependent and who will return to their drug and crime related activities. ODAP believes the need exists to develop and implement a full range of drug and alcohol treatment services for the criminal and juvenile offender populations. Sufficient resources are not currently available for counties to provide needed drug and alcohol treatment services for substance abusing offenders. The majority of county correctional facilities have little or nothing to offer in the area of drug treatment services for the incarcerated population. Further, very few counties have adequate treatment programs for offenders under community supervision at both the pretrial and post-incarceration levels. Actions to be taken to address this situation include:

- providing statewide technical assistance to counties in the development of intermediate punishment initiatives for drug dependent offenders;
- providing statewide technical assistance to counties in the development of drug and alcohol treatment services within county correctional facilities; and
- expanding the current cooperative effort between PCCD and ODAP which provides funding for comprehensive criminal justice/drug and alcohol treatment initiatives at the county level.

Additional initiatives include:

(1) Standardized Drug and Alcohol Assessment Tool. With respect to the current problems related to identifying offenders with drug and/or alcohol

abuse histories, ODAP supports the development of a reliable assessment instrument. This instrument would be administered to those individuals entering the criminal justice system. The purpose of the instrument would be to identify and evaluate treatment needs of all offenders with substance abuse problems. The results of the assessment would be part of the offender's record, and would be used in determining supervision and treatment needs.

(2) Additional Services Within the State Correctional System. ODAP believes that the expansion of the Therapeutic Community model within the state prison will be very beneficial. However, ODAP also suggests that consideration be given to further expansion of this model and the placement of at least one Drug and Alcohol Treatment Specialist within each of the state correctional facilities in order to meet the drug and alcohol treatment needs of inmates and to prepare them for dealing with their addictions once released to the community.

(3) Increased Community Supervision and Monitoring. ODAP believes a logical extension to correctional drug and alcohol treatment is the provision of community supervision and monitoring services for drug-dependent offenders. While a number of approaches can be considered, ODAP specifically recommends the further expansion of TASC to provide services to those offenders exiting the state correctional system. Treatment and counseling in the community combined with frequent drug testing have proven to be logical and successful methods of deterring future drug usage and related criminal behavior.

(4) Alternative Sites for Convicted DUI Offenders. ODAP supports the creation of specialized facilities for the DUI offender population. They point to the fact that the majority of Pennsylvania's county jails are overcrowded and that alternative DUI facilities represent one possible approach in helping to alleviate crowded conditions and, at the same time, provide specialized counseling and education to the DUI offender population.

4. Juvenile.

a. Scope of the Problem. The issue of illegal drug use among juveniles, especially those involved with the juvenile justice system, demands immediate attention. Additional resources are needed within the juvenile justice system to enable juvenile courts to respond to the ever-increasing workload which has resulted, and will continue to result, from enhanced arrest and prosecution efforts involving juvenile drug offenses and related crimes. Juvenile courts must be able to provide a swift and certain response to the drug-involved juvenile offender in order to effectively address the juvenile drug abuse problem. This will not be possible unless the full range of dispositional programs necessary to meet this challenge is available.

In March 1989, the Department of Public Welfare was forced to close intake to every secure Youth Development Center (YDC) in the Commonwealth because the populations at these centers exceeded 110% of capacity. At present, intake remains closed. The 21 local juvenile detention centers in Pennsylvania are also overcrowded, in part because of the unavailability of

space in the state-operated residential treatment system. In addition, the juvenile courts of the Commonwealth are experiencing long waiting lists for the private sector programs which provide the majority of treatment services to our juvenile justice system.

The available data regarding the issue of juvenile drug offenders is alarming, from both the arrest and juvenile court referral perspectives. Available UCR data on juveniles charged with drug offenses indicate that during the period 1984 through 1988, statewide juvenile arrests for possession of opium and cocaine, or derivatives thereof, increased from 72 to 587, an increase of 715%. During the same period, juvenile arrests for sale of opium and cocaine, or derivatives thereof, increased from 50 to 1,363, an increase of 2,626%.

Juvenile court referral data indicates that for the period 1984 through 1988, there was an increase of 213% in the number of drug cases referred. In 1984, 1,293 drug cases were referred to Pennsylvania juvenile courts; in 1988, this figure rose to 4,058 cases. It should also be noted that the number of drug cases referred increased by 76.2% from the 1987 figure of 2,303. However, drug use among juvenile offenders cannot be accurately measured by using drug offense arrest or referral data alone, since many juvenile drug offenders do not get arrested for drug offenses but are involved in a variety of criminal activities which are related to, and affected by, the use of drugs. For example, the Survey of Youth in Custody (1987) conducted by the United States Department of Justice, Bureau of Justice Statistics, indicated that only 5.6% of the juveniles held in the nation's long-term state-operated juvenile institutions were being held for drug offenses. However, over 75% of the juveniles in custody reported drinking alcohol in the year prior to the offense for which they were committed to these facilities. Additionally, nearly 83% reported the use of an illegal drug in the past and more than 63% had used an illegal drug on a regular basis in the past. More than one-third of the juveniles began using drugs between the ages of 12 and 13, while nearly 20% used drugs for the first time when they were less than 10 years of age. The first regular use of drugs (defined as once a week or more for at least a month) occurred most frequently with offenders between the ages of 12 and 13 (34.9%). Approximately 50% of these juveniles were under the influence of either drugs or alcohol at the time of the commission of the offense for which they were committed. Almost 60% of the offenders committed for a drug offense and 45% of those committed for a violent offense were under the influence of either drugs or alcohol at the time of the offense.

A survey of Pennsylvania's Chief Juvenile Probation Officers completed in April 1989 indicated that of the nearly 17,210 juvenile offenders under the supervision of county juvenile probation departments at that time, 7,572 (44%) would, because of drug or alcohol use, be referred to a specialized drug unit or probation specialist within the juvenile probation department, if such were available. Further, these probation officers estimated that if resources were available, they would be requesting regular urinalysis screening for nearly 4,300.

b. Current Service Gaps. Efforts to provide treatment and other services to juvenile offenders involved in drug offenses include a number of

state and local, public and private agencies. In each delinquency case, the juvenile court judge selects from the dispositional alternatives available under the Juvenile Act and enters an order setting forth the conditions of that disposition. The agencies of primary importance to the success of these dispositions are the local juvenile probation departments, which are responsible for carrying out and monitoring every dispositional order entered by the court.

Most of the services provided to juveniles who have been adjudicated delinquent, but permitted to remain in their communities, are provided directly by juvenile probation officers. When residential placement is deemed necessary, the juvenile court judge determines which of the state-operated or state-approved programs appears best able to meet the needs of the juvenile and attempts to match the strengths of the various programs to the needs of each juvenile. However, where juvenile drug offenders are concerned, this is becoming increasingly difficult due to the lack of appropriate available services. Additional resources must be made available within the juvenile justice system to strengthen juvenile probation services, as well as detention/shelter care services and residential treatment services provided by public and private agencies operated or approved by the Department of Public Welfare in response to dispositional orders entered under the Juvenile Act.

The potential for thousands of juveniles to succeed in meeting the conditions of their probation supervision is greatly diminished by the unavailability of the drug/alcohol services. Adjunct community-based drug/alcohol focused services are needed to complement and reinforce the juvenile probation system. Also, for juveniles ordered into placement who require drug/alcohol treatment services, additional specialized treatment beds plus aftercare and re-entry services must be developed if the juvenile justice system is to have the ability to prevent the recidivism of these youths.

In the face of limited juvenile drug/alcohol treatment resources, the ability to plan effectively for the use of these resources is essential. Accordingly, drug/alcohol assessment services must be developed or enhanced in order to enable juvenile justice professionals to determine the treatment resources which are needed. The magnitude of the juvenile drug/alcohol treatment service needs dictates that these services must be provided in treatment agencies operated or licensed by the Department of Public Welfare, as opposed to attempting to create a juvenile service delivery system within drug/alcohol treatment agencies licensed by the Department of Health.

c. There is a need to:

(1) Continue to provide specialized intensive probation and aftercare services to juvenile offenders whose delinquent activity is related to drug and alcohol. Intensive probation and aftercare programs developed and monitored by the Juvenile Court Judges' Commission have proven to be successful with regard to their cost-effectiveness and reduced recidivism rates. However, it is imperative that the specialized juvenile probation officers receive appropriate training to effectively supervise their caseloads.

(2) Subject juveniles being supervised by county juvenile probation departments to random drug testing to ensure they remain drug free. Random drug testing gives juvenile probation officers a valuable tool to determine if juveniles under their supervision are using drugs and/or alcohol.

(3) Develop a standardized assessment tool to determine levels of drug and/or alcohol use, and risk of use, among juvenile offenders. A standardized assessment tool, available to county juvenile probation departments, would more fairly and accurately determine levels of drug and/or alcohol use, and risk of use among juvenile offenders. This tool would also give juvenile probation departments the ability to assess other related problems experienced by juveniles which are legal in nature, or involve family relationships, school, work, health, psychological status and personal relationships.

(4) Provide county juvenile probation departments with the ability to develop community-based programs that provide services to high-risk youth. Juvenile probation departments throughout the Commonwealth experience a wide variety of problems and have various needs regarding services to high-risk youth. Giving counties the flexibility to develop programs to meet these needs is essential to providing these needed services.

(5) Extend effective juvenile aftercare programs to include all counties. Effective aftercare programs presently exist within the juvenile system. However, all committing counties do not benefit from these programs. Aftercare providers now involve themselves in release planning for potential clients. In most instances, they are introduced to their clients two or three months prior to discharge. This offers the client a continuum of treatment and support services from the facility level to his home and community. Once discharged, the aftercare provider then begins to execute his clients' discharge plans.

(6) Coordinate staff development and training programs conducted by facilities treating drug and alcohol abusers on both juvenile and adult levels. Several state juvenile and adult facilities have drug and alcohol oriented treatment programs. While each of these programs is striving to provide the best service possible, there exists an ongoing need to update and further develop the skills of those individuals involved in direct service. Training resources are often sought independently. Coordination of staff development and training programs would strengthen existing treatment efforts and ensure more effective and consistent service delivery.

(7) Revise Certified Addiction Counselor requirements to include Youth Development Center/Youth Forestry Camp (YDC/YFC) staff. Staff employed at the YDCs/YFCs are confronted with barriers that make it difficult for them to receive drug and alcohol counselor certification. While some staff persons have the experience and background necessary to be certified, others are desirous of receiving certification but are being discouraged because the YDCs/YFCs are not licensed drug and alcohol programs and they do not have a sufficient number of certified staff to provide the required supervision. It is critical that the certification issue be resolved so that drug and alcohol program staff at the YDCs/YFCs can be certified.

(8) Develop curriculum geared toward the drug and alcohol service delivery system targeted to juvenile and adult facilities. In many instances, curriculum is developed for various individual programs. However, numerous other programs have similar kinds of needs, but may not have their needs fulfilled because of funding problems. Others may have their needs met through individual contracts, often with the same provider. It appears that it would be more cost effective if curriculum development was geared toward the service delivery system as a whole. It would significantly reduce the need for multiple contracts with the same provider while ensuring that quality and high standards are consistent among all facilities.

(9) Coordinate all drug- and alcohol-related services to the adult and juvenile offender populations at both the private and public levels. There presently exists a void as to the capacity of the system to identify specific drug and alcohol programs and services, areas of specialization and program uniqueness that are offered throughout the state. Consequently, clients may not receive the level of treatment or service that is needed. If drug and alcohol treatment and services were coordinated among the private and public providers, clients could be more appropriately placed and a more realistic continuum of service provided.

(10) Establish new and expand existing programs which involve law enforcement in the delivery of alcohol and other drug abuse prevention education efforts directed toward school-aged youths. Law enforcement's responsibilities to the community are experiencing dramatic changes. No longer do police wait for a criminal incident to occur before directing resources to a problem area. The age of proactive policing, taking action prior to the commission of a crime and working with all segments of the community to create an environment in which criminal activity is not tolerated, has clearly dawned in Pennsylvania. No one disputes the relationship between drugs and crime. Likewise, there should be no dispute that police must be a vital partner with schools in developing and implementing prevention education programming for students. Law enforcement agencies are uniquely positioned in the community to provide a wealth of knowledge and experience regarding local drug and alcohol problems. As guardians of the law, police can speak plainly to students that drugs are wrong and illegal and that using or selling them is a crime.

5. Training.

It is expected that the needs and requests related to training will continue beyond the level of available resources. PCCD continues to be seen as a credible resource in the development and coordination of criminal justice training projects at both the state and local levels.

a. Training opportunities for local law enforcement agencies throughout the Commonwealth continue to be extremely limited and special attention must be given to the training needs of the rural and less populated suburban areas of the state where the necessary drug investigation expertise and experience are lacking. These local police officers who are assigned to conduct drug investigations still need to acquire the specialized training that is essential to the successful resolution of these cases (e.g., proper conduct of undercover operations). Although training opportunities have increased

and the Pennsylvania State Police and the Office of Attorney General are continuing to conduct training related to the investigation and apprehension of drug offenders, most police departments have not yet been able to participate in these training endeavors.

Based upon an analysis of training needs identified by PCCD's Criminal Justice Training Task Force and the results of a survey of police executives conducted by the Municipal Police Officers' Education and Training Commission at the 1989 Pennsylvania Chiefs of Police Association's annual conference, the following 32 eligible general topics under DCSI were identified:

1. Drug Activity in Public Housing
2. Money Laundering
3. Supervising Drug Offenders on Probation or Parole
4. Clandestine Laboratory Identification/Investigation
5. Highway Drug Interdiction
6. Domestic and Family Violence
7. Prosecuting Drug Cases Seminar
8. Career Prosecutor Training
9. Technical Investigators Training
10. Child Abuse and Exploitation Seminar
11. Prosecuting Violent Crimes Seminar
12. Trial of the Juvenile Offenders Seminar
13. Homicide Litigation Seminar
14. Improving Local Police Agency Management of Drug Enforcement Activities
15. Training to Implement Intake Screening Instrument for Prisons
16. Staff Development Training for Therapeutic Community Employees
17. Drug Detection, Deterrence and Apprehension Training
18. Identifying Training Needs Related to Drug Enforcement
19. Crime Prevention for the Disabled
20. Drug and Alcohol Abuse in Sex Offenders
21. Advanced Narcotics Enforcement Training
22. Managing/Supervising a Drug Unit
23. Computers for Prison Administrators
24. Accreditation of Police Agencies
25. Computerizing the Treatment Alternatives to Street Crime (TASC) Program
26. Crime Prevention Support for State Police
27. Suicide Prevention in Jails and Lock-Ups
28. Drug and Gang Issues
29. Conducting Drug-Sting Operations
30. Elderly Crimes
31. Police Corruption
32. Executive Development for Mid-Level Managers.

Within the area of adjudication, proven methods of court delay reduction are continuing to be examined. Efforts will be made to encourage appropriate personnel to receive training, addressing such areas as new case processing methods and standards, and the development of delay reduction plans.

Among the areas where future efforts should be directed are: conducting systemwide assessments which identify component specific and cross-component training needs; promoting increased exchanges of training curricula and instructors among training providers; developing a standardized basic orientation curriculum applicable to all criminal justice occupations; developing an annual criminal justice training calendar covering all parts of the system; and exploring the potential for standardized management training.

Training is a critical issue for the criminal justice system as it enters the new decade. Competent practitioners and managers will be essential to every agency and organization as they struggle with the challenges of the future. Training is an area where small improvements will play a major role in preparing the justice system to meet what lies ahead.

6. Legislation.

Legislative changes in several areas are necessary if Pennsylvania's statewide drug strategy is to obtain optimum effectiveness.

a. Pennsylvania's Racketeering (RICO) Statute, the "Corrupt Organizations Act" (18 C.S.A. §911), has no forfeiture section to allow for use of confiscated contraband, property, or cash in law enforcement. To alleviate the constraints placed upon law enforcement by these limitations, the federal RICO forfeiture provisions of 18 U.S.C. §1963(a)(1) - (m)(7) and the Pennsylvania Drug Forfeiture Statute, 35 P.S. §786-178, should be utilized as a guide to develop a RICO forfeiture section for the Pennsylvania Statute. Legislation was introduced in the last session of the General Assembly to amend the statute and provide for asset forfeiture but was not enacted.

b. At the present time, law enforcement officers who are members of multi-jurisdictional drug task forces and who are not state employees are not specifically authorized to operate state-owned vehicles. The Administrative Code, 71 P.S. §§249 and 637, and regulations at 4 Pa. Code §§39.91-39.99, provide that state-owned vehicles can be operated only by authorized employees or officers of the Commonwealth. If it confirmed that this current restriction is valid, legislation is needed to amend the law to permit the use of state vehicles by these task force members.

c. The following legislation was considered during the 1989-1990 session of the General Assembly but was not acted upon. It is anticipated that these pieces of legislation will be re-introduced during the next session.

(1) Earned time for offenders serving a maximum term of two years or more who participate in educational, treatment and vocational programs. Earned time may accrue up to 52 days per calendar year in accordance with regulations to be issued by the Commissioner of the Department of Corrections. Offenders serving mandatory minimum sentences would not be eligible for earned time. Offenders serving life sentences would be eligible unless the sentence is reduced by commutation.

(2) Amendment of the Pennsylvania Board of Probation and Parole to allow for parolees to earn five days of credit for each calendar month without violations of parole toward the reduction of active supervision on parole. The Board can also award credit in an amount to be established by the Board to an individual who has earned a high school diploma or its equivalent while in prison or on parole.

(3) An electronic surveillance program for the final 60 days of the minimum sentence being served by persons confined in Department of Corrections' Pre-Release Centers. Persons sentenced for convictions of "The Controlled Substance, Drug, Device and Cosmetic Act" would not be eligible to participate in the program.

(4) The Pennsylvania Commission on Crime and Delinquency being required to prepare and present to the Governor and the General Assembly an analysis of any bill that would have an impact on prison and jail systems as well as on state and local probation and parole populations and systems. Responsibility for preparing these impact analyses would be given to the interagency committee which is currently functioning under PCCD's auspices and consists of representatives from the Department of Corrections, the Board of Probation and Parole, the Pennsylvania Sentencing Commission, the Governor's Office of the Budget and PCCD.

(5) Creating a Public Housing Anti-Drug Fund to be administered by PCCD. The program would provide matching grants to public housing authorities for drug education programs, security systems, rehabilitation programs, counseling and recreation programs.

(6) Establishment of a "Drug-Free Zone Enforcement Funds." PCCD would administer a program to establish drug-free zones within 1,000 feet of schools and colleges with grants utilized to coordinate efforts of community, school and law enforcement officials and to provide training for drug law enforcement personnel for these efforts. An amount of \$2.5 million would be appropriated as start-up funding with additional revenue to be derived from the imposition of a \$100 surcharge upon defendants convicted of various drug and liquor offenses.

(7) Establishment of a Municipal Drug Strike Force Fund and provision for a grant program to be administered by PCCD. PCCD would establish the grant eligibility criteria to identify municipalities that are "at risk" through the trafficking of drugs. If eligibility requirements are met, a grant could be awarded to the local law enforcement agency serving that municipality for the purpose of enhancing law enforcement protection.

(8) Creates the Substance Abuse Testing Act to specify bases for employer drug testing as well as procedures and safeguards. This legislation would also provide a civil remedy for abuse of the substance abuse testing program.

VII. STRATEGY FOR ADDRESSING THE DRUG AND RELATED VIOLENT CRIME PROBLEMS IN THE COMMONWEALTH

Since the passage of the federal Anti-Drug Abuse Act, major funding has been provided to the Commonwealth for the purpose of responding to the drug problem. Under the federal Omnibus Act, funds have been used to create and enhance a full range of services in the criminal justice, treatment, and drug prevention/education areas. The Governor's Drug Policy Council (DPC) serves as the coordinating agency to insure that programs and policies developed at the state level maximize available resources and provide needed services at the state and local levels. In addition to the federal funds coming into the Commonwealth under the federal anti-drug legislation, Governor Casey's PENNFREE Program is providing \$90 million in state funds to a wide range of drug prevention, drug treatment and law enforcement initiatives over a two-year period.

A review of expenditures and new project activities over the past four years indicates that the Commonwealth's priority on the criminal justice side has been the apprehension and prosecution of drug offenders. Major new initiatives have been started at both the state and local levels to identify those involved in the illegal drug trade and to follow up with investigations leading to the successful prosecution of these individuals. Some examples of new activities begun during the past few years include a mobile cooperative task force and an asset seizure and forfeiture unit within the Pennsylvania Office of Attorney General. Additionally, the Pennsylvania State Police has formed a narcotics detector dog unit and enhanced its drug analysis capabilities to provide services across the Commonwealth. Other new enforcement activities at the state level include an interdiction program at major transportation centers, including airports, and tactical narcotics teams specially trained in conducting large scale drug enforcement operations.

In addition to the new drug enforcement activities at the state level, local units of government have also begun many new projects as well. Nine district attorneys received funding to expand regional surveillance equipment and wiretapping resources for use by all counties throughout the Commonwealth. The Philadelphia Police Department, using federal DCSI funds, expanded their narcotics unit by 33 specialized officers to work the drug infested areas of Philadelphia. The Philadelphia District Attorney began a Dangerous Drug Offender Unit to provide the necessary resources to conduct complicated and sophisticated drug investigations on high echelon drug dealers. Other counties throughout the Commonwealth received funding support to begin countywide task forces to crack down on drug-related crime.

Although these efforts represent only a small portion of the major new drug enforcement activities implemented in recent years, they indicate the direction and focus of the Commonwealth in its fight against illegal drug use. As a result of recent increased apprehension and prosecution of drug offenders, state and county correctional facilities continue to experience serious overcrowding problems and an inability to provide needed services to drug dependent offenders.

With a significant portion of the Governor's PENNFREE dollars going to new apprehension and prosecution efforts during 1990 and 1991, combined with additional dollars available for enforcement activities through district attorney forfeiture funds, demand for additional corrections and community supervision space will continue to increase. In order to make enhanced apprehension and prosecution initiatives as effective as possible, state and local governments must have the ability to house and treat those who enter the correctional system.

While the apprehension and prosecution of drug offenders has been the primary criminal justice focus during the past few years, a number of correctional initiatives have been implemented in an attempt to impact on correctional facility crowding and a lack of treatment and supervision services for drug and alcohol abusing offenders. At the state level, three new therapeutic community programs have been implemented at different institutions and plans are underway to implement a "motivational boot camp" for young non-violent offenders. The Pennsylvania Board of Probation and Parole is running intensive parole supervision programs for individuals discharged from state institutions and is also overseeing a program which provides intensive supervision services run by county probation and parole units. Additionally, the Board has greatly expanded its use of client drug testing and is using this tool on both general supervision and intensive supervision caseloads.

At the local level, it was determined that the most effective means for assisting counties with their overcrowding problems and lack of treatment and supervision services for substance abusing offenders is through an interagency effort involving the PCCD and the Commonwealth's Office of Drug and Alcohol Programs (ODAP). During 1990, PCCD and ODAP selected five counties to participate in the development of multi-faceted projects to address their problems related to crowding, specifically related to drug dependent offenders. ODAP set aside \$1.5 million in FFY-1990 Anti-Drug Abuse Treatment funds for counties which were selected to participate in this intensive effort. These funds are being used to provide drug and alcohol treatment services for counties which receive DCSI funds to develop comprehensive corrections initiatives. These five counties are currently in the process of implementing a full range of activities from the pretrial stage through post-incarceration which will ultimately place additional demands on the local drug and alcohol treatment delivery system. With ODAP's commitment of dollars for counties which develop multi-faceted correctional supervision approaches, it is believed that a number of counties will be able to develop initiatives which will have a real impact on crowding as well as positive outcomes for offenders moving through the criminal justice system. As various strategies are developed, implemented and tested in the selected counties, models will be available for other counties to consider as they attempt to address their own problems.

The remainder of this section identifies and discusses the major components of the statewide drug law enforcement and violent crime strategy. The components of the FFY-1991 strategy include the following: continued support for programs at the state level within the Pennsylvania State Police, Office of Attorney General, Board of Probation and Parole and Department of Corrections; and continuation of existing county corrections

projects including the five comprehensive corrections initiatives funded jointly with ODAP.

FFY-1990 funds were used to support two initiatives within the Office of Attorney General, including a "drug transportation interdiction" effort and a "local drug task force" program. Both of these efforts will be continued using FFY-1991 funds. The drug transportation interdiction teams are assigned to work major transportation areas throughout the Commonwealth while the task force program provides support to local municipalities to join together in the investigation of drug related crime.

FFY-1991 funds will also be used to continue two separate initiatives within the Department of Corrections, which were began with FFY-1990 dollars. The Department is currently in the process of implementing a "motivational boot camp" for young non-violent offenders. It is anticipated that this effort will provide some degree of relief to current crowding problems and will have a positive impact with respect to the reintegration of offenders back into the community. Continuation of the therapeutic community program at the Muncy State Correctional Institution for women is also planned. This program is the third therapeutic community supported under federal Anti-Drug Abuse funds and the Department of Corrections believes the structured treatment regime offers inmates a higher likelihood of successful reintegration into the community upon release.

The Pennsylvania State Police will receive continued support for two programs, one focused at the state level and the other at the local level. The state initiative will continue existing mobile narcotics teams, upgrade analysis of drugs and drug-related evidence and materials and provide for the purchase of additional drug investigation vehicles. The Pennsylvania State Police are increasingly being called on to investigate drug-related matters for which they need additional manpower and equipment. The continued support of this effort will provide the State Police with the ability to more effectively respond to drug-related crime and process drug related evidence in a timely manner.

FFY-1991 funds will also be used to continue the "municipal police drug law enforcement" program run by the State Police. While this program is not yet operational, it is anticipated that the State Police will establish a grant program for municipal police departments to receive funding support for drug-related investigation costs.

And lastly, under continuation of state administered projects, the Board of Probation and Parole will receive funding support to continue its intensive parole units and to continue county drug and alcohol probation programs. The intensive supervision programs run by the Board have proven to be effective in providing treatment and supervision services for offenders in parole status. These programs have been successful in reducing offender drug use and reinvolvement in criminal activity. The county programs are similar to the state effort but provide services to county offenders through county probation and parole units. During the past two years, the Board of Probation and Parole has provided funding support for an additional 140 county probation/parole officer positions which supervise drug and alcohol dependent clients.

FFY-1991 funds will be reserved to continue all ongoing county corrections projects including the five comprehensive county models funded jointly with the Office of Drug and Alcohol Programs during 1990. DCSI funds have been used to develop much needed programs and program space at county correctional facilities throughout the Commonwealth. All projects funded by PCCD are designed to minimally aid in reducing jail crowding and provide increased levels of drug and alcohol treatment and supervision services at both the correctional facility and community supervision levels. As mentioned previously in the strategy, PCCD has worked closely with Pennsylvania's Office of Drug and Alcohol Programs in developing multi-faceted criminal justice/drug and alcohol treatment models in five counties. PCCD will provide continued funding for these counties and ODAP will provide needed treatment dollars to support services for offenders referred through these new programs.

Planning for new projects utilizing FFY-1991 DCSI dollars is currently in process, as explained in the Introduction. State law requires legislative appropriation of all federal funds. PCCD is working closely with the Governor's Drug Policy Council and the Governor's Budget Office. The Governor will submit the 1991-1992 Budget to the Legislature on February 5, 1991 and the General Assembly will act on or before June 30, 1991. At that time, PCCD will amend the strategy section of the plan document and forward same to BJA (including a revised Attachment "A").

VIII. COORDINATION OF DRUG AND VIOLENT CRIME CONTROL EFFORTS

PCCD continues to recognize the need for cooperation between federal, state and local criminal justice education and treatment agencies in the development of strategies designed to positively impact on the demand and supply sides of the drug problem. Efforts have been underway in Pennsylvania to insure that a coordinated response to the state's drug problem is developed and implemented. The Governor's Office, through creation and operation of the Governor's Drug Policy Council, has taken a lead role in coordinating the activities of the various state agencies that are responsible for planning and implementing anti-drug abuse programs. The Governor's Drug Policy Council plays a major role in insuring the coordination and effective implementation of the three major funding streams under the federal Anti-Drug Abuse Act. Extensive interagency planning and coordination were conducted during 1989, when the Governor was in the process of formulating his PENNFREE Program. The new state dollars committed to drug and alcohol abuse programs under PENNFREE complement the federal funds coming into the Commonwealth under the federal Anti-Drug Abuse Act. Currently the Drug Policy Council is developing a multi-year anti-drug abuse strategy which should be finalized early in 1991. This plan will establish long-range direction for the Commonwealth in its fight against drug abuse.

Significant interagency planning referenced above has occurred since enactment of the Anti-Drug Abuse Acts of 1986 and 1988, although the genesis for such interagency cooperation can be traced to 1985. In that year, the PCCD, Pennsylvania Department of Education and the Pennsylvania Department of Health, Office of Drug and Alcohol Abuse Programs (ODAP), formed an interagency team to develop and implement a comprehensive drug and alcohol prevention/intervention project in five school districts throughout the Commonwealth. This project has received funding support with Justice Assistance Act dollars and funds from ODAP. As a result of the extensive interagency work required to develop this project, the PCCD has enjoyed a close working relationship with these other state agencies. Based on our experience in working with these agencies on the school project, we were well prepared to expand our interagency planning efforts relative to the Anti-Drug Abuse Act of 1986.

In addition to the pilot school project described above, the PCCD has also conducted interagency planning and combined financial resources with ODAP in expanding available treatment programs for incarcerated offenders as well as those under community supervision. One example of this interagency cooperation is the expansion of the existing Treatment Alternatives to Street Crime (TASC) Program to supervise and conduct urinalysis on parolees with drug abuse histories. A unique component of this interagency project is the support groups which provide regular group counseling for those parolees participating in the program. Another example of this cooperation is the mutual funding support between PCCD and ODAP for the purpose of creating three additional therapeutic communities in Pennsylvania's state corrections system. Drug law enforcement funds are being used to purchase and install the necessary modular units, while Emergency Substance Abuse Treatment and Rehabilitation Block Grant funds are being used to support the treatment

component of the project, including all needed treatment personnel. Yet another example of this interagency cooperation is the Intensive Supervision Project operated by the Pennsylvania Board of Probation and Parole. This initiative provides intense supervision and monitoring of state parolees in the Pittsburgh and Philadelphia areas. All of the parolees participating in the program have drug histories and may be required to participate in inpatient or outpatient treatment, depending on their individual status. The Intensive Supervision Project is jointly funded by PCCD and ODAP, which provides resources for needed treatment slots in the two cities. Using a portion of its FFY-1990 DCSI allocation, the PCCD awarded funds to five counties to begin comprehensive correctional initiatives aimed at reducing jail crowding and providing needed treatment services for offenders. ODAP in turn used a portion of its FFY-1990 federal treatment funds to establish needed treatment services in these counties.

In addition to the interagency work being conducted by these state and local agencies, the PCCD has identified the need for a unified training program for police and prosecutors, especially at the local level. During our planning process leading to the development of the statewide strategy, a consensus was formed by law enforcement officials that adequate training was not available in the drug law enforcement field. To alleviate this situation, PCCD formulated an interagency planning team comprised of all state and local law enforcement agencies and associations. During 1988, this team identified major gaps in the training area and developed a unified training strategy to address the needs of police and prosecutors across the state. This cooperative effort is the first of its kind in Pennsylvania. It is anticipated that this cooperative effort will continue throughout 1991 and be expanded to provide additional training opportunities in the drug and violent crime areas.

Efforts continue in the area of coordinating activities under the statewide strategy with ongoing federal efforts in the Commonwealth, specifically with the Law Enforcement Coordinating Committees (LECC). PCCD staff have met with the LECC Coordinator in the U. S. Attorney's Office of the Middle District of Pennsylvania to discuss the relationship between the federally funded drug program and the efforts of the LECC. Based on preliminary discussions with the LECC Coordinator for the Middle District, three areas of cooperation will be examined during the upcoming year, including drug prevention activities which involve law enforcement officers, cross-training for federal, state and local enforcement agencies and witness security/protection initiatives in the Commonwealth. PCCD will meet with the U. S. Attorneys' Offices in the western and eastern districts during 1991 to discuss issues similar to those discussed in the Middle District. PCCD has also conducted meetings with the Federal Bureau of Investigation (FBI) regarding school-based drug prevention/education activities. PCCD is currently in the process of discussing roles and relationships with the FBI's Drug Demand Reduction Coordinators to ensure that state and federal efforts in this area are coordinated and not duplicative. PCCD will sponsor follow-up meetings which will include local, state and federal (FBI and DEA) officials for the purpose of developing stronger working relationships in the demand reduction area.

As referenced earlier in the strategy, PCCD is currently coordinating efforts with the Pennsylvania Department of Health, Office of Drug and Alcohol Programs (ODAP) in providing needed treatment and supervision services for criminal offenders at the county level. ODAP has awarded a portion of its federal treatment funds to provide needed treatment services to the counties which are receiving DCSI funds from PCCD for new or enhanced corrections initiatives. Counties are currently developing comprehensive approaches to their problems related to prison crowding and lack of treatment services for offenders.

Efforts are currently underway with the Governor's Drug Policy Council to provide follow-up training to law enforcement officers in the area of conducting prevention and education activities within schools and other community settings. During 1990, a number of regional training sessions were offered to police throughout the Commonwealth. It is anticipated that additional training opportunities will be made available during 1991.

Pennsylvania will continue to support existing and new initiatives which are consistent with the National Drug Control Strategy. Pennsylvania has taken steps to provide severe sanctions against users of illegal drugs. For example, current statutes allow for the seizure and forfeiture of vehicles in possession of illegal drug cases. This law allows law enforcement agencies to seize and forfeit vehicles in all drug-related cases, which, in turn, provides additional resources for drug enforcement agencies. The National Drug Strategy calls for states to develop stronger sanctions directed to users of illegal drugs.

The National Drug Strategy also calls for states to plan, develop, and implement alternative sentencing programs for non-violent drug offenders. Pennsylvania's updated strategy focuses heavily on these types of activities, particularly at the county level. With a portion of the FFY-1991 dollars committed to the continuation of county corrections projects, new alternative sentencing programs will be encouraged for non-violent drug offenders.

The National Drug Strategy also calls for the states to adopt drug testing programs throughout their criminal justice system. Pennsylvania currently utilizes the tool of drug testing at all levels of criminal justice supervision from pretrial supervision through parole. Extensive use of urinalysis is employed at both the state and county levels and PCCD will encourage all correctional projects to include drug testing as a fundamental component of their overall approach.

The National Drug Strategy also identifies street level drug enforcement as a "crucial component" of an effective drug strategy. Pennsylvania has significantly increased its street level efforts during the past three years and the Commission will set aside a portion of its FFY-1991 funds for continuation of apprehension and prosecution initiatives within the Office of Attorney General and the Pennsylvania State Police.

The National Drug Strategy supports a multi-faceted comprehensive approach in dealing with the nation's drug problem. PCCD believes that such an approach, focusing on both the demand and supply sides, involving the cooperation of local, state and federal agencies and the active participation of community groups, is the key to decreasing the use of illegal drugs and related criminal activity in Pennsylvania.

IX. ASSESSMENT AND EVALUATION

Since the passage of the Anti-Drug Abuse Act of 1986, PCCD has made 180 grant awards (including second and/or third year continuation awards through December 1990) to units of state and local government for the purpose of developing programs/projects which are consistent with Pennsylvania's Drug Control and System Improvement Strategy. The PCCD, realizes the importance of monitoring the effectiveness and efficiency of programs in order to assure that citizens receive a fair return on their investment.

The PCCD continues to participate in the Consortium for Drug Strategy Impact Assessment coordinated by the Criminal Justice Statistics Association. As a result, the PCCD has established a quantified database relative to the activities to our Multi-Jurisdictional Task Forces and six regional Crime Laboratories. These task forces reduce the problem of "turf wars" between law enforcement agencies and facilitate greater cooperation and intelligence gathering.

Although these assessment and evaluation efforts are ongoing, an integrated evaluation strategy will be advanced in the following areas:

1. **Drug Law Enforcement:** Drug arrests and prosecutions continue to rise for nearly every law enforcement agency in the state. Enforcement resources have not kept pace with the level of drug trafficking and use. Several activities are in progress which will supply us with valuable information in the drug law enforcement area.

The Legislative Budget and Finance Committee has completed a study of drug law enforcement efforts in the Commonwealth which focuses on an assessment of the effectiveness of current efforts and the identification of problems which may currently be hampering these efforts. The study will be completed this year.

2. In addition to the report on drug law enforcement activities, the Legislative Budget and Finance Committee recently completed a Performance Audit of Management Controls for Select Commonwealth Drug Treatment and Prevention Programs. This study was adopted by the Committee in response to recent major increases in federal and state funding of drug and alcohol treatment and prevention programs and the increasing number of providers seeking a license to deliver drug and alcohol treatment services in the Commonwealth.

3. **Supervision and monitoring of substance abuse dependent repeat violators:** During the past decade, the number of drug and alcohol offenders in our correctional facilities has grown dramatically; for example, drug offenders in DOC facilities have risen 539% and drunk driving offenders in county jails have risen 770%. We also know that many of these offenders are recirculating through the system in that a significant portion of the growth is attributable to probation and parole violators.

PCCD staff, in cooperation with a few local probation departments such as Delaware and Lehigh, would evaluate the effectiveness and impact of electronic home monitoring programs for substance abuse offenders.

PCCD staff, in cooperation with the Pennsylvania Board of Probation and Parole (PBPP), would evaluate the impact and effectiveness of the Board's intensive parole supervision units for drug offenders in Pittsburgh and Philadelphia.

PCCD, in conjunction with the PBPP and several counties such as Delaware and Bucks, would evaluate the substance abuse monitoring and treatment diversion programs operating in the counties. These programs are designed to reduce the county jail population and reduce recidivism due to substance abuse. These programs entail a coordinated effort between jail and follow-up supervision and treatment.

4. Effectiveness of coordination in the state's drug control efforts; In cooperation with the Office of Drug and Alcohol Programs, the PCCD will be supporting projects in in which counties propose to address their substance abuse problems through a systemwide plan similar to a project which has been implemented in Berks County. We will evaluate the process which has brought about these projects and the impact, efficiency and effectiveness of the methods used by the participating counties in dealing with their substance abuse problems.

Among many other means, some county programs include community-based options to prison, intensive supervision, random urine tests, improvement of interagency management coordination of parolees with drug and alcohol related problems and expanded work release programs. If successful, it is hoped that these programs can be replicated elsewhere.

APPENDICES

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ATTACHMENT A PROGRAM LIST WORKPLAN

FISCAL YEAR 91 FUNDING.

OMB No. 1121-0151
Expires 09-30-93

STATE: Pennsylvania

PAGE NO. 1

PURPOSE	PROGRAM TITLE	BJA APPROVED PROGRAM PROGRAM BRIEF TITLE OR DATE	NUMBER OF AWARDS (Inclusive)	AMOUNT OF FEDERAL FUNDS		MATCH AMOUNT	PASS-THROUGH AMOUNT
				STATE AGENCIES	LOCAL AGENCIES		
00	Administration of State Drug Control and System Improvement Program	*	5	925,000			
11	Philadelphia Pretrial Services Special Release and Monitoring Program		3		40,200	120,600	40,200
11	Philadelphia Drug Abuse Program		3		154,900	464,700	154,900
11	Delaware County Substance Abuse Monitoring and Treatment Diversion Program		2		117,400	352,200	117,400
11	Lehigh County Women's Community Corrections Center		3		45,500	136,500	45,500
11	Luzerne County Court Advocate Program Enhancement		3		8,400	25,000	8,400
11	Berks County Intervention and Treatment of Drug Offenders/ Abusers and Prison Population Management (PHASE II)		3		61,300	183,900	61,300
11	York County Drug Offender Supervision and Jail Treatment Administration		3		36,000	108,000	36,000

APPENDIX A

*All of the following projects were certified by BJA prior to their first-year awards.

ATTACHMENT A PROGRAM LIST WORKPLAN

FISCAL YEAR 91 FUNDING.

OMB No. 1121-0151
Expires 09-30-93

PAGE NO. 2

STATE: Pennsylvania

PURPOSE	PROGRAM TITLE	BJA APPROVED PROGRAM PROGRAM BRIEF TITLE OR DATE	NUMBER OF AWARDS	AMOUNT OF FEDERAL FUNDS		MATCH AMOUNT	PASS-THROUGH AMOUNT
				STATE AGENCIES	LOCAL AGENCIES		
11	Franklin County Intensive Supervision Program		3		29,700	89,100	29,700
11	Dauphin County Pre-Release Center Program		2		351,153	351,153	351,153
11	Chester County Intensive Drug and Alcohol Supervision		2		24,000	24,000	24,000
11	Bucks County Comprehensive Substance Abuse Response		2		204,500	204,500	204,500
11	Allegheny County Alcohol/Drug Intervention Unit		2		226,000	226,000	226,000
15B	Philadelphia County Prison Computerized Reporting Project		2		20,000	20,000	20,000
11	Philadelphia County Community Resource Center for Female Offenders		2		120,500	120,500	120,500
11	Susquehanna County Drug and Alcohol Supervision Unit		2		22,500	22,500	22,500
11	Lycoming County Prison Treatment Alternatives		2		16,000	16,000	16,000

ATTACHMENT A PROGRAM LIST WORKPLAN

FISCAL YEAR 91 FUNDING

OMB No. 1121-0151
Expires 09-30-93

STATE: Pennsylvania

PAGE NO. 3

PURPOSE	PROGRAM TITLE	BJA APPROVED PROGRAM PROGRAM BREF TITLE OR DATE	NUMBER OF AWARDS	AMOUNT OF FEDERAL FUNDS		MATCH AMOUNT	PASS-THROUGH AMOUNT
				STATE AGENCIES	LOCAL AGENCIES		
11	Armstrong County Criminal Offender Program		2		26,000	26,000	26,000
11	Washington County Electronic Monitoring		2		14,000	14,000	14,000
11	Chester County Treatment Alternatives to Prison		2		124,500	124,500	124,500
11	York County Pre-Trial Supervision/Drug Treatment Program		2		16,500	16,500	16,500
11	Lehigh County Comprehensive Drug Initiative		2		63,500	63,500	63,500
11	Cumberland County Intervention and Treatment Initiative		2		39,500	39,500	39,500
11	Blair County Prison Overcrowding Intervention Project		2		85,000	85,000	85,000
16	PA State Police Drug Law Enforcement		2	985,000		985,000	

ATTACHMENT A PROGRAM LIST WORKPLAN

FISCAL YEAR 91 FUNDING.

OMB No. 1121-0151
Expires 09-30-93

STATE: Pennsylvania

PAGE NO. 4

PURPOSE	PROGRAM TITLE	BJA APPROVED PROGRAM PROGRAM BRIEF TITLE OR DATE	NUMBER OF AWARDS	AMOUNT OF FEDERAL FUNDS		MATCH AMOUNT	PASS-THROUGH AMOUNT
				STATE AGENCIES	LOCAL AGENCIES		
16	Office of Attorney General Drug Transportation/ Interdiction		2	364,500		364,500	
02	Office of Attorney General Expansion of Local Drug Task Forces		2	680,500		680,500	680,500
11	PA Board of Probation and Parole - Local Services to County Probation Departments		2	951,000		951,000	951,000
11	PA Board of Probation and Parole - Treatment/Supervision Services		2	172,500		172,500	
11	Department of Corrections Expansion of Therapeutic Communities and Motivational Camps		2	1,098,000		1,098,000	
16	PA State Police Municipal Drug Enforcement		2	1,334,000		1,334,000	1,334,000
	To Be Determined**	\$10,142,447					
	Total	\$18,500,000					

**Funding for new projects is dependent on the future action of the Governor's Budget Office, General Assembly and the Commission.

APPLICATION FOR FEDERAL ASSISTANCE

2. DATE SUBMITTED January 4, 1991	Applicant Identifier
3. DATE RECEIVED BY STATE	State Application Identifier
4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

1. TYPE OF SUBMISSION: <i>Application</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction
--	---

5. APPLICANT INFORMATION

Legal Name: Pennsylvania Commission on Crime and Delinquency	Organizational Unit:
Address (give city, county, state, and zip code): P.O. Box 1167, Federal Square Station Harrisburg, PA 17108-1167 Dauphin County	Name and telephone number of the person to be contacted on matters involving this application (give area code) James Thomas, Executive Director (717) 787-2040

6. EMPLOYER IDENTIFICATION NUMBER (EIN):
 -

7. TYPE OF APPLICANT: (enter appropriate letter in box) A

A. State	H. Independent School Dist.
B. County	I. State Controlled Institution of Higher Learning
C. Municipal	J. Private University
D. Township	K. Indian Tribe
E. Interstate	L. Individual
F. Intermunicipal	M. Profit Organization
G. Special District	N. Other (Specify): _____

8. TYPE OF APPLICATION:

New Continuation Revision

If Revision, enter appropriate letter(s) in box(es):

A. Increase Award B. Decrease Award C. Increase Duration
 D. Decrease Duration Other (specify): _____

9. NAME OF FEDERAL AGENCY:
Department of Justice, Bureau of Justice Assistance

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:
Drug Control and System Improvement Program

12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):
Commonwealth of Pennsylvania

13. PROPOSED PROJECT:

Start Date	Ending Date
------------	-------------

14. CONGRESSIONAL DISTRICTS OF:

a. Applicant	b. Project
All	All

15. ESTIMATED FUNDING:	
a. Federal	\$ 18,500,000 .00
b. Applicant	\$.00
c. State	\$.00
d. Local	\$.00
e. Other MATCH	\$ 6,166,667 .00
f. Program Income	\$.00
g TOTAL	\$ 24,666,667 .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

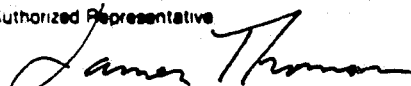
a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:
 DATE January 1991

b. NO. PROGRAM IS NOT COVERED BY E.O. 12372
 OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

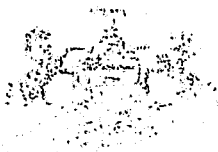
17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

Yes If "Yes," attach an explanation. No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED

a. Typed Name of Authorized Representative James Thomas	b. Title Executive Director	c. Telephone number (717) 787-2040
d. Signature of Authorized Representative 		e. Date Signed 1-4-91

Commonwealth of Pennsylvania



PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Rep. Kevin Blaum
Chairman

January 4, 1991

James Thomas
Executive Director

Mr. Laine Heltebridle
Project Coordinator
Intergovernment Review Process
Pennsylvania Intergovernment Council
P.O. Box 11880
Harrisburg, PA 17108-1880

Dear Mr. Heltebridle:

Enclosed for your information, please find Pennsylvania's FY-1991 Statewide Drug Control and System Improvement Strategy. This application has been prepared in accordance with requirements of the federal, state and local Drug Control and System Improvement Formula Grant Program of the Anti-Drug Abuse Act of 1988. The application will be submitted to the State and Local Assistance Division, Bureau of Justice Assistance, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

If you have any questions regarding the enclosed materials, please contact Mr. James Strader at (717) 787-2040.

Sincerely yours,

A handwritten signature in cursive script that reads 'James Thomas'.

James Thomas
Executive Director

Enclosure

OMB No. 1121-0151
Expires 09-30-93

Audit Requirements (Suggested Format)

1. Date of the last audit: June 1990
2. Dates covered by last audit: July 1, 1988 to June 30, 1989
3. Date of the next audit: June 1991
4. Dates to be covered by the next audit: July 1, 1989 to June 30, 1990
5. Date next audit will be forwarded to cognizant
audit agency: September 1991
6. Designated Federal cognizant agency: U.S. Department of Agriculture

PUBLIC REPORTING BURDEN FOR THIS INSTRUMENT FOR COLLECTION OF INFORMATION IS ESTIMATED TO AVERAGE 10 MINUTES PER RESPONSE, INCLUDING THE TIME FOR REVIEWING INSTRUCTIONS, SEARCHING EXISTING DATA SOURCES, GATHERING AND MAINTAINING THE DATA NEEDED, AND COMPLETING AND REVIEWING THE COLLECTION OF INFORMATION. SEND COMMENTS REGARDING THIS BURDEN ESTIMATE OR ANY OTHER ASPECTS OF THIS COLLECTION OF INFORMATION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO THE BUREAU OF JUSTICE ASSISTANCE; AND TO THE PUBLIC USE REPORTS PROJECT, 1121-0151, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, D.C. 20503.

Civil Rights Requirements (Suggested Format)

1. Civil Rights Contact Person: Emmanuel C. Patel, Director
Bureau of Administration and Finance

2. Title/Address: Pa. Commission on Crime and Delinquency
P.O. Box 1167, Federal Square Station
Harrisburg, PA 17108-1167

3. Telephone Number: (717) 787-8077

4. Number of persons employed by the organizational unit responsible for administering this grant. 6

PUBLIC REPORTING BURDEN FOR THIS INSTRUMENT FOR COLLECTION OF INFORMATION IS ESTIMATED TO AVERAGE 10 MINUTES PER RESPONSE, INCLUDING THE TIME FOR REVIEWING INSTRUCTIONS, SEARCHING EXISTING DATA SOURCES, GATHERING AND MAINTAINING THE DATA NEEDED, AND COMPLETING AND REVIEWING THE COLLECTION OF INFORMATION. SEND COMMENTS REGARDING THIS BURDEN ESTIMATE OR ANY OTHER ASPECTS OF THIS COLLECTION OF INFORMATION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO THE BUREAU OF JUSTICE ASSISTANCE; AND TO THE PUBLIC USE REPORTS PROJECT, 1121-0151, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, D.C. 20503.

Questions regarding the EEOP compliance requirements in connection with funding under this program should be addressed directly to the Office of Civil Rights Compliance, Office of Justice Programs, 633 Indiana Avenue, N.W., Washington, D.C. 20531. That Office may be reached at 202/724-7681.

APPENDIX F

LEGISLATIVE APPROVAL OF FFY-1991 DRUG CONTROL AND
SYSTEM IMPROVEMENT STRATEGY

By Pennsylvania statute, all federal funds must be appropriated by the Pennsylvania General Assembly (Act 117 of 1976, 72 P.S. §4615 (1990 Supp.)). Pennsylvania's FFY-1991 DCSI allocation will be presented in the Governor's 1991-1992 Executive Budget, which will be delivered to the Legislature on February 5, 1991. The General Assembly will enact an appropriations law on or before June 30, 1991.

Certified Assurances FY-1991

OMB No. 1121-0151
Expires 09-30-93

(Drug Control and System Improvement Formula Grant Program) FY - 1991

- (1) The applicant assures that Federal funds made available under this formula grant will not be used to supplant state or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
- (2) The applicant assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for law enforcement by the recipients of grant funds and shall be provided on a project-by-project basis. (However, the state may request BJA to approve exceptions such as match on a program-by-program basis, statewide basis, unit of government basis or a combination of the above. The state must include any requests for approval of other than project-by-project match in its application to BJA.)
- (3) The applicant assures that the state application, and any amendment thereto, has been submitted for review to the state legislature or its designated body. (For purposes of this section, such application or amendment shall be deemed to be reviewed if the state legislature, or its designated body, does not review such application or amendment within the 30-day period beginning on the date such application or amendment is submitted thereto.)
- (4) The applicant assures that the state application and any amendment thereto are made public before submission to BJA and, to the extent provided under state law or established procedure, an opportunity to comment thereon was provided to citizens and to neighborhood and community groups
- (5) The applicant assures that following the first fiscal year covered by an application and each fiscal year thereafter, a performance evaluation and assessment report will be submitted to BJA.
- (6) The applicant assures that fund accounting, auditing, monitoring, evaluation procedures and such records as BJA shall prescribe shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.
- (7) The applicant assures that it shall maintain such data and information and submit such reports in such form at such times and containing such data and information as BJA may reasonably require to administer the program.
- (8) The applicant certifies that the programs contained in this application meet all the requirements of the Act and guidelines, that all information contained in the application is correct, that there has been appropriate coordination with affected agencies and that the applicant will comply with all provisions of the Act and all other applicable Federal laws, regulations and guidelines.
- (9) The applicant assures that the state is undertaking initiatives to reduce, through the enactment of innovative penalties or increasing law enforcement efforts, the demand for controlled substances by holding accountable those who unlawfully possess or use such substances.
- (10) The applicant assures that it will comply with Title V of the Anti-Drug Abuse Act of 1988 and regulations promulgated by the Federal Government to maintain a drug-free workplace.
- (11) The applicant assures that it will comply, and all its subgrantees and contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Subparts C, D, E and G; and Executive Order 11246, as amended by Executive Order 11375, and their implementing regulations, 41 CFR Part 60.1 *et seq.*, as applicable to construction contracts.
- (12) The applicant assures that in the event a Federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, OJP.

(13) The applicant assures that if required to formulate an Equal Employment Opportunity Program (EEOP), in accordance with 28 CFR 42.301 et seq., it will maintain a current one on file. Further, the applicant will require every fund recipient required to formulate an EEOP, in accordance with the previously cited regulation, to submit a certification to the applicant that it has a current EEOP on file which meets the applicable requirements.

(14) The applicant assures that if required to maintain an EEOP and the applicant agency will directly utilize \$500,000 or more in grant funds, it will submit a copy of the subject EEOP at the same time as the application submission, with the understanding that the statewide application for funds may not be awarded prior to approval of the applicant's EEOP by the Office for Civil Rights, OJP. Further, in those instances where a subgrantee is required to maintain an EEOP, the applicant will provide BJA a copy of said EEOP if the proposed subgrant is for \$500,000 or more and not award a subgrant until the subgrantee's EEOP has been approved by the Office for Civil Rights, OJP.

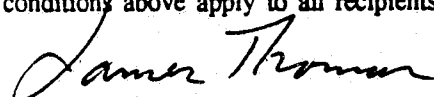
(15) The applicant assures that it will comply with the provisions of OJP's M7100.1 Financial and Administrative Guide for Grants.

(16) The applicant assures that it will comply with the provisions of 28 CFR applicable to grants and cooperative agreements, including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information Systems; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures.

(17) The applicant assures that it will submit for review and approval amendments to the application if, as a result of compliance with Executive Order 12372, Intergovernmental Review of Federal Programs, and/or Sec. 503 (a)(5) of the Act (Certified Assurance 4), comments are submitted to the applicant which the applicant feels are sufficiently valid to warrant such change.

CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Anti-Drug Abuse Act of 1988, Subtitle C, State and Local Narcotics Control and Justice Assistance Improvements of 1988, Pub. L. 100-690 (Nov. 18, 1988), that all the information presented is correct, that there has been appropriate coordination with affected agencies and that the application will comply with the provisions of the Act and all other Federal laws, regulations and guidelines. By appropriate language incorporated in each grant, subgrant or other document under which funds are to be disbursed, the undersigned shall assure the applicable conditions above apply to all recipients of assistance.



Authorized Official

1-4-91

Date

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Report Period _____

ESTIMATE OF AVAILABILITY OF DRUGS IN THE STATE

Please describe the availability of drugs in the state and the level and type of production, importation and transshipment within the state. Indicate the type of drugs, source of the drugs and any observed changes in availability. Estimates may be derived from a variety of sources, such as a survey of law enforcement agencies, crime laboratory data, DEA Domestic Monitoring and Heroin/Marijuana Signature Programs, household and school surveys, Community Epidemiological Work Group studies, etc. Please indicate the sources of information and the methods used to make the estimates.

According to Pennsylvania State Police Crime Labs, in 1989, cocaine accounted for 42% of all drug analyses (N=15,971) up by 3% from 1988 (N=12,667).

Marijuana analyses remained constant at 33%

PATTERNS OF DRUG TRAFFICKING AND DRUG USE IN THE STATE

Please describe the role of organized crime, motorcycle gangs or other groups in the drug problem in the state. Please distinguish between traditional organized crime (Mafia, La Cosa Nostra, Mob) and non-traditional organized crime (racial or ethnic organized groups).

The Mafia continues to profit from drug trafficking. The Junior Black Mafia and Jamaican gangs are heavily involved and have increased their power base, particularly in Philadelphia. The Pagan Motorcycle Gang continues to hold a major market share from Methamphetamine and PCP distribution.

Please describe any changes in drug use over the past several years, including changes in the drug of preference, such as crack or designer drugs, or changes in age groups using specific drugs.

Drug arrests peaked at 31,377 in 1989, up 17% from 1988 arrest figures. In 1989, cocaine accounted for 67% of all drug arrests, while marijuana accounted for 23%. Compared with 1988, cocaine arrests dropped by 3%, while the percentage of marijuana arrests remained constant.

Most alarming, minors arrested for cocaine-opium violations accounted for 7.1% of all drug arrests in 1989, compared to only 0.9% in 1980.

Since 1988, more arrests have been made for the sale or manufacturing of drugs than for possession.

Please describe patterns for drug use across the state (e.g., does the type and level of drug use vary in different parts of the state).

In 1989, Philadelphia and its four surrounding counties comprised 55% of all drug arrests, down from 66% in 1988.

Report Period 1988

DRUG-RELATED INCIDENTS

Please indicate the number of drug-related deaths, accidents and emergency room incidents. For emergency room incidents, please show the number of drug mentions within the chart and indicate the total number of episodes (drug-related visits to an emergency room) in the space provided below the chart. The drug mentions may exceed the number of episodes, as more than one drug may be mentioned.

INCIDENT	MAJOR DRUG INVOLVED							TOTAL
	OPLATES	COCAINE	CANNABIS	HALLU-CINOGENS	STIMULANTS	DEPRES-SANTS	UNKNOWN/OTHER	
Death	225	267	21	7	14		582	1116
Emergency Rm. Incident	1658	7854	824	155	269		12187	22947
Fatal Traffic Accident								
Non-Fatal Traffic Accident								
Drug-Exposed Births								
Total								24063
Total Emergency Room Episodes _____				Number of Agencies Reporting Deaths _____				
Number of Agencies Reporting Emer. Rm. Incidents _____				Percent of Population Served _____				
Number of Agencies Reporting Drug-Exposed Births _____								

Report Period _____

DRUG-RELATED SCHOOL INCIDENTS

Please indicate the number of drug-related disciplinary actions reported by the schools.

ACTION FOR DRUG USE	TYPE OF DRUG							TOTAL
	OPLATES	COCAINE	CANNABIS	HALLU-CINOGENS	STIMULANTS	DEPRES-SANTS	UNKNOWN/OTHER	
Suspension								
Expulsion								
ACTION FOR SELLING DRUGS								
Suspension								
Expulsion								
Total								
Number of Agencies Reporting _____				Percent of Population Served _____				

STATE AND LOCAL DRUG ARRESTS

Please indicate the total number of drug-related arrests made by state and local law enforcement agencies in the state during the report period.

1989 UCR

OFFENSE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	Synthetic STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Buying/ Receiving								
Cultivation/ Manufacture	Cocaine and opiate arrests are not separated by the UCR. These arrests appear in the cocaine category.							
Distribution/ Sale		13311	2220		663		443	16637
Operation/ Promoting/ Assisting								
Possession/ Concealing		7884	5013		1098		754	14740
Transportation/ Importation								
Consuming/ Using								
Other								
Total		21195	7233		1761		1188	31377
Number of Agencies Reporting		<u>984</u>		Percent of Population Served		<u>100%</u>		

Report Period _____

STATE AND LOCAL DRUG ARRESTS MADE WITH FEDERAL COOPERATION

Please indicate the number of arrests (also include above) which were made in cooperation with Federal agencies.

OFFENSE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Buying/ Receiving								
Cultivation/ Manufacture								
Distribution/ Sale								
Operation/ Promoting/ Assisting								
Possession/ Concealing								
Transportation/ Importation								
Consuming/ Using								
Other								
Total								
Number of Agencies Reporting		_____		Percent of Population Served		_____		

STATE AND LOCAL DRUG DISPOSITIONS

Please indicate the results, by defendant, of cases reaching disposition during the report period. Because of the time lag between arrest and disposition, the arrests reported in the previous chart and the dispositions reported in this chart may refer to different cases.

DISPOSITION	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Convicted								6137
Acquitted								281
Dismissed								2044
Declined Noile								1866
Unknown							ARD LNK	2190 1191
Total								13709
Number of Agencies Reporting _____				Percent of Population Served _____				

STATE AND LOCAL DRUG CONVICTIONS

Please indicate the number of drug-related convictions within the state during the report period.

OFFENSE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Buying/ Receiving								
Cultivation/ Manufacture								
Distribution/ Sale								
Operation/ Promoting/ Assisting								
Possession/ Concealing								
Transportation/ Importation								
Consuming/ Using								
Other								
Total								
Number of Agencies Reporting _____				Percent of Population Served _____				

STATE AND LOCAL DRUG SENTENCES

Please indicate the type of sentence for those convicted of drug-related offenses during the report period. If the sentence includes a combination of sentencing alternatives, show the conviction as receiving the most serious sentence. Alternatives are listed in order of seriousness, with prison being the most serious.

ALTERNATIVE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Prison								
Local Jail								
Probation and Jail								
Community Corrections								
Probation								
Fine								
Suspended Sentence								
Deferred Judgement								
Other								
Total								

Number of Agencies Reporting _____ Percent of Population Served _____

SENTENCE LENGTH FOR DRUG-RELATED OFFENSES

Please indicate the average sentence length for offenders convicted of drug-related offenses who were sentenced to prison during the report period. Please show the average sentence length in months.

OFFENSE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Buying/ Receiving					County Jail		Felony	7.2
Cultivation/ Manufacture							Mis.	3.2
Distribution/ Sale					State Prison		Felony	21.7
Operation/ Promoting/ Assisting							Mis.	9.1
Possession/ Concealing								
Transportation/ Importation								
Consuming/ Using								
Other								
Total								

Number of Agencies Reporting _____ Percent of Population Served _____

STATE AND LOCAL TREATMENT RESOURCES

Please indicate the total public drug treatment resources (government operated or contracted) available within the state and resources available to drug offenders during the report period. Also indicate the number of clients served, the average waiting period for admission, and the number of individuals on a waiting list on September 30.

TOTAL DRUG TREATMENT	BED SPACE/SLOTS AVAILABLE	... CLIENTS SERVED	AVERAGE WAIT FOR ADMISSION	NUMBER ON WAITING LIST
Self-help				
Inpatient/Hospital-based	13,238			
Therapeutic Community				
Residential				
Day Care Other	20,735			
Methadone	1,666			
Outpatient Drug-free	34,892			
Other	70,531			

DRUG TREATMENT RESOURCES DEDICATED TO CRIMINAL JUSTICE CLIENTS	BED SPACE/SLOTS AVAILABLE	CLIENTS SERVED	AVERAGE WAIT FOR ADMISSION
Self-help			
Inpatient/Hospital-based			
Therapeutic Community			
Residential			
Day Care			
Methadone			
Outpatient Drug-free			
Other			
Number of Agencies Reporting _____		Percent of Population Served _____	

FY-1989/90

DRUG TREATMENT PROGRAMS WITHIN CORRECTIONAL FACILITIES	CLIENTS SERVED IN ADULT FACILITIES	CLIENTS SERVED IN JUVENILE FACILITIES
Self-help Total	773	
Education		
Special Programming (eg., therapeutic communities, ethnic programs) <i>Please describe the types of programs on a separate page.</i>		
Number of Agencies Reporting _____		Percent of Population Served _____

Report Period 1989/90

STATE AND LOCAL DRUG SEIZURES
1989 Multi-Jurisdictional

Please indicate the total amount of drugs seized by state and local agencies during the report period. Report opiates and cocaine in kilograms, cannabis in pounds and other drugs in dosages.

TYPE OF DRUG	AMOUNT OF SEIZURE
OPIATES	
Heroin	216.86 GM
Opium	
Morphine	
COCAINE	41,140.98 GM or 41.14 KG
Crack	275.66 GM and 7 DU
CANNABIS	
Marijuana	233.1 LBS
Hashish	
Hash Oil	
OTHER DRUGS	
Methamphetamines/Amphetamines	320.2 GM and 25 DU
Other Stimulants	
Barbiturates	
Other Depressants	565 DU
PCP	42 DU
LSD	1729 DU
Other Hallucinogens	
UNKNOWN/OTHER	2737 DU
Number of Agencies Reporting <u>44 Task Forces</u> Percent of Population Served _____	

Report Period 1990

STATE AND LOCAL DRUG ERADICATION

Please indicate the amount of marijuana eradicated within the state through state and local efforts. The size of the plot and the means of destruction determine the common method of reporting the amount of drugs eradicated. Please report the number of plants destroyed or the number of acres of marijuana destroyed. Both methods may be used for different plots.

TYPE OF MARIJUANA DESTROYED	AMOUNT OF MARIJUANA DESTROYED
Cultivated	49,084 plants destroyed
Wild (Ditchweed)	
Number of Agencies Reporting _____ Percent of Population Served _____	

Report Period _____

NON-DRUG ASSETS SEIZURES AND FORFEITURES

Please indicate the number of non-drug assets seized or forfeited involving state and local agencies during the report period and estimated dollar amount of the assets. Please provide the same information for seizures and forfeitures (also included in state and local figures) in which there was Federal assistance.

STATE AND LOCAL AGENCIES	ASSET SEIZURES		ASSET FORFEITURES	
	NUMBER OF SEIZURES	DOLLAR AMOUNT	NUMBER OF FORFEITURES	DOLLAR AMOUNT
Vehicles	94			
Vessels				
Aircraft				
Currency		5,345,042		
Other Financial Instruments				
Real Property	2			
Weapons				
Other				
WITH FEDERAL ASSISTANCE				
Vehicles				
Vessels				
Aircraft				
Currency				
Other Financial Instruments				
Real Property				
Weapons				
Other				
Number of Agencies Reporting <u>40</u> Counties Percent of Population Served _____				

Report Period 11/90

STATE AND LOCAL DRUG CONTROL UNITS

Please indicate the number of agencies in the state which have drug control units and the number of full-time equivalent employees (FTE) assigned to the unit.

TYPE OF AGENCY	NUMBER OF AGENCIES WITH DRUG UNITS	FTE ASSIGNED
State Law Enforcement Agency		200
Statewide Drug Enforcement Task Force		
Local Law Enforcement Agencies		
Local Drug Enforcement Task Force		
State Prosecutors		19
Local Prosecutors BNI		190
Number of Agencies Reporting _____ Percent of Population Served _____		

Report Period _____

STATE AND LOCAL ARRESTS AND DISPOSITIONS FOR VIOLENT CRIMES

Please indicate the total number of arrests for violent crimes made by state and local law enforcement agencies in the state during the report period. Also indicate the results, by defendant, of cases reaching disposition during the report period and the type of sentence for those convicted of violent crimes during the report period. If the sentence includes a combination of sentencing alternatives, show the conviction under the most severe sentence. Alternatives are listed in order of seriousness, with prison being the most severe. Because of the time lag between arrest, disposition and sentencing, the total arrest, dispositions and sentences may refer to different cases.

	MURDER AND NON-NEGLIGENT MANSLAUGHTER	FORCIBLE RAPE	ROBBERY	AGGRAVATED ASSAULT	BURGLARY
ARRESTS	733	1557	7326	14620	15042
DISPOSITIONS					
Convicted	472	251	1794	1368	2970
Acquitted	74	121	211	549	274
Dismissed	77	166	1368	3243	1870
Declined	86	474	1124	3170	2060
Unknown	ARD 8 UNK 3	4 10	32 27	397 189	206 72
Total	720	1026	4556	8916	7452
SENTENCES FOR THOSE CONVICTED					
Prison	317	202	678	349	861
Local Jail	81	30	756	523	1349
Community Corrections					
Probation	45	15	323	435	669
Fine					
Suspended Sentence	2	1	13	14	33
Deferred Judgement					
Other	18 UNK 9	1 2	13 11	29 18	38 20
Total	472	251	1794	1368	2970
Number of Agencies Reporting Arrests _____	Percent of Population Served _____				
Number of Agencies Reporting Dispositions _____	Percent of Population Served _____				
Number of Agencies Reporting Sentences _____	Percent of Population Served _____				

RECOMMENDATIONS FOR THE STATE AND LOCAL DRUG ENFORCEMENT COMPONENT OF THE NATIONAL DRUG CONTROL STRATEGY

Please outline recommendations on Federal level or multi-level (Federal, state and local) cooperative activities which should be implemented, enhanced or changed to assist the drug control efforts in your state. These recommendations will be provided to the Office of National Drug Control Policy for consideration in the development of the National Drug Control Strategy.

- Continued emphasis should be placed on the interdiction of illegal drugs at airports throughout the country. A pilot project in Pennsylvania has resulted in the successful identification of drug traffickers and the seizure of illegal substances. It is believed that a substantial amount of narcotics is transported via commercial aircraft and that increased efforts in this area need to occur.
- State and local police departments should continue to be encouraged to work cooperatively with their communities in the development of school-based drug policies and prevention education initiatives aimed at reducing the demand for drugs. A clear "no-use" message should be communicated in all policies and curriculum materials.
- Increase the sanctions and penalties for those convicted of possessing and using small amounts of illegal drugs. User-accountability initiatives represent an important effort along with strong demand reduction and major drug trafficking efforts. It is believed that strong sanctions for use of illegal drugs will deter drug use among a segment of the population.
- Call for an increase in the level of federal dollars available for state and local prison initiatives. State and local units of government cannot effectively wage the war on drugs without sufficient resources for correctional programs.

TRAINING AND TECHNICAL ASSISTANCE PRIORITIES

Please identify specific training and technical assistance needed to improve the functioning of the criminal justice system or to enhance the state's drug control efforts, which are not available within the state. Identify the type of training or technical assistance requested, the agency or agencies which would receive the assistance and problem to be addressed.

Type - Tracking of financial assets related to drug trafficking.

Agencies - Pennsylvania Office of Attorney General and county district attorneys.

Problem - Need to move beyond seizure of assets incidental to arrest and into other more lucrative hidden assets.

Type - Development of a comprehensive assessment/treatment program for drug-abusing offenders entering and exiting state and county correctional facilities.

Agencies - Pennsylvania Department of Corrections, county prisons and courts, and Pennsylvania Board of Program and Parole.

Problem - Lack of treatment plans and a continuum of residential corrections and community supervision programs for drug dependent offenders.

Type - Interstate drug enforcement strategies aimed at lessening the distribution of narcotics between and among states.

Agencies - Pennsylvania State Police, Pennsylvania Office of Attorney General, and local police and prosecutors.

Problem - Lack of a systemized approach to investigating and prosecuting highly mobile drug traffickers who transact business in more than one state.

Type - Improved coordination of state and local drug law enforcement by developing statewide centralized resources.

Agencies - Pennsylvania State Police, Pennsylvania Office of Attorney General, Pennsylvania Commission on Crime and Delinquency, and Governor's Drug Policy Council.

Problem - Improvements are needed in such areas as uniform statistical reporting, computerized criminal intelligence analysis and dissemination and training in specialized drug enforcement and prosecution techniques.

RESEARCH PRIORITIES

Please identify issues or areas of dilemma impeding the state's drug control efforts or the functioning of the criminal justice system which require research, development of models or other guidance. Please describe each issue and the type of response which would be of assistance to the state.

- Drug use among school-aged children and the general population.

An accurate and detailed assessment of the level and type of drug use among both school-aged children and the general population in Pennsylvania is needed. This type of data is essential not only to the demand-reduction planning process but also vital to evaluating the impact and progress in addressing the problem of drug and alcohol abuse in the Commonwealth.

One possible solution to this research dilemma would be the creation of a survey instrument designed to generate information relative to the extent of drug and alcohol abuse in Pennsylvania. Such an instrument would also be utilized by other states through a BJA sponsored project.

- Success rates of different treatment programs/methods.

A need exists to determine success rates for various treatment modalities in terms of continued drug use and reinvolvement of clients with the criminal justice system. In order to most effectively allocate limited treatment dollars, it is essential to determine which treatment programs/methods enable clients to return to society without using drugs or committing crimes.

This type of research need not be duplicated on a state-by-state basis. BJA could function as the sponsor for research comparing the success rates of treatment programs/methods that are in use in many states.

- Effects of urinalysis on those persons under community-based supervision.

Urinalysis is an increasingly prevalent tool used in the community-based supervision of probationers, parolees, etc. There exists a need to determine if the use of urinalysis can affect control of drug abuse and, consequently, impact on potential crime committed by drug dependent offenders.

In order to obtain data reflecting the effects of urinalysis, those agencies in Pennsylvania using urinalysis as a supervision tool would need to be contacted. These agencies would then be requested to maintain records for such factors as drug abuse and recommitment rates for offenders monitored by urinalysis.

- Impact of increased apprehension/prosecution on other parts of the criminal justice system.

The majority of Pennsylvania's federal drug law enforcement funds have been used to support apprehension and prosecution efforts within the Commonwealth. Obviously the success of these initiatives places stress on the other components of the criminal justice system. Pennsylvania now must confront the issue of determining how limited funds can best be utilized to improve this situation.

- Any solution to the above dilemma must include the involvement of representatives from all parts of Pennsylvania's criminal justice system. Research is needed to determine which components of the system are in the greatest need of assistance due to increased apprehension and prosecution efforts. This assistance should also be the result of systemwide input, not a narrow focus on individual aspects of the criminal justice process.

APPENDIX L

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

PCCD CHAIRMAN

Honorable Kevin Blaum
House of Representatives
Room 331, Main Capitol Building
Harrisburg, Pennsylvania 17120
(717) 783-2580

PCCD EXECUTIVE DIRECTOR

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Honorable D. Michael Fisher
Senate of Pennsylvania
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(717) 787-5839

December 1990

Honorable Lois Sherman Hagarty
House of Representatives
Room 143E, East Wing, Main Capitol
Harrisburg, Pennsylvania 17120
(717) 783-2063

Mr. Fred W. Jacobs
Chairman
Board of Probation and Parole
3101 North Front Street
Harrisburg, Pennsylvania 17120
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Warden Gary Lucht
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Honorable Joseph D. Lehman
Commissioner
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Camp Hill, Pennsylvania 17011
(717) 975-4860

Mr. Ian H. Lennox
President, Citizens Crime Commission
of the Delaware Valley
1518 Walnut Street, Suite 307
Philadelphia, Pennsylvania 19102
(215) 546-0800

Honorable David J. Mayernik
House of Representatives
Room 225A, South Office Building
Harrisburg, Pennsylvania 17120
(717) 783-1654

Honorable Robert N. C. Nix, Sr.
Chief Justice, Supreme Court of Pennsylvania
Room 3162 Federal Building
Ninth and Chestnut Streets
Philadelphia, Pennsylvania 19107-5111
(215) 560-3071

John D. O'Brien, Esquire
Karlowitz and O'Brien
Suite 800
USX Tower
600 Grant Street
Pittsburgh, Pennsylvania 15219
(412) 288-9179

Honorable Michael A. O'Pake
Senate of Pennsylvania
Room 543, Main Capitol Building
Harrisburg, Pennsylvania 17120
(717) 787-8925

Honorable Ernest D. Preate, Jr.
Attorney General
Strawberry Square - 16th Floor
Harrisburg, Pennsylvania 17120
(717) 787-3391

Colonel Ronald M. Sharpe
Commissioner
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17109
(717) 783-5558

Honorable Nancy M. Sobolevitch
State Court Administrator
1414 Three Penn Center Plaza
Philadelphia, Pennsylvania 19102
(215) 560-6337

Honorable Janice C. Stork
Mayor, City of Lancaster
City Hall
120 North Duke Street
P.O. Box 1599
Lancaster, Pennsylvania 17603
(717) 291-4702

Honorable John F. White, Jr.
Secretary
Department of Public Welfare
Room 333, Health and Welfare Building
Harrisburg, Pennsylvania 17120
(717) 787-2600

Commissioner Willie L. Williams
Philadelphia Police Department
Police Administration Building - Franklin Square
Room 304
Eighth and Race Streets
Philadelphia, Pennsylvania 19106
(215) 592-5874, or 5875



Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER

Subject <p style="text-align: center;">Drug Policy Council</p>		Number <p style="text-align: center;">1987-13 Amended</p>
Date <p style="text-align: center;">February 16, 1989</p>	Distribution <p style="text-align: center;">B</p>	By Direction of <p style="text-align: center;"><i>Robert P. Casey</i> Robert P. Casey, Governor</p>

- WHEREAS, drug and alcohol abuse are responsible for numerous tragedies of contemporary society, including street crime, organized crime, school dropouts, mental illness, suicide, physical illness, unemployment, family breakups, highway injuries, and fatalities; and
- WHEREAS, alcohol-related fatalities are the number one cause of death among teenagers in Pennsylvania; and at least 33 percent of all suicides and approximately 50 percent of all child and spouse abuse cases are related to substance abuse; and
- WHEREAS, national and state studies have identified a strong link between drug and alcohol abuse and criminal behavior; and at least 50 percent of the prisoners in the Commonwealth's jails and prisons need treatment for drug and alcohol abuse; and
- WHEREAS, drug and alcohol abuse costs Pennsylvania an estimated \$5.3 billion annually in lost productivity and absenteeism; and
- WHEREAS, the Congress of the United States has appropriated to the Commonwealth funds under the Federal Anti-Drug Abuse Act of 1986, which act encourages each state to develop a comprehensive and coordinated plan to implement a broad-based attack on the problems of drug and alcohol abuse; and
- WHEREAS, the Congress of the United States has provided for increased drug education, treatment and law enforcement programs in the Omnibus Drug Initiative Act of 1988, Pub. L. 100-690; and
- WHEREAS, to avoid duplication of effort and to enhance coordination the Commonwealth must develop a comprehensive, coordinated strategy to combat illegal drug use and drug and alcohol abuse, and such a strategy should combine the elements of prevention, education, treatment, and enforcement in a more effective manner.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order as follows:

1. Creation of Drug Policy Council. There is hereby created within the Executive Offices of the Governor an agency to be known as the Drug Policy Council. The Drug Policy Council is designated as the state coordinating agency for purposes of formulating, implementing, and evaluating state-wide strategies to combat illegal drug use and drug and alcohol abuse in the Commonwealth. The Council is authorized to receive and direct the distribution of any and all federal funds previously or hereafter designated for drug and alcohol programs to be identified or selected by the Governor, or categorical funds to be administered by executive branch agencies.

2. Membership.

a. The Drug Policy Council shall consist of the following individuals or their designees:

- (1) The Governor, who shall serve as Chairman.
- (2) The Secretary of Public Welfare.
- (3) The Secretary of Health.
- (4) The Secretary of Education.
- (5) The Secretary of Corrections
- (6) The Commissioner of State Police.
- (7) The Executive Director of the Pennsylvania Commission on Crime and Delinquency.

b. Other state officials may be invited, from time to time, at the discretion of the Chairman, to attend meetings of the Drug Policy Council when such attendance is deemed necessary.

c. The Governor may appoint from among the membership a Vice Chairman, who shall perform the duties of the Chairman in the case of the Chairman's absence, or in other instances as directed by the Chairman.

3. Powers and Duties. The Drug Policy Council shall have the following powers and duties:

a. To implement a state-wide strategy for the prevention and eradication of illegal drug use and drug and alcohol abuse and related problems by:

- (1) expanding resources for law enforcement, prosecutorial, correctional and related functions;
- (2) promoting coordination of federal, state, and local efforts to focus on particular drugs of abuse such as cocaine and "crack," methamphetamine, "designer drugs," PCP, and prescription drugs;
- (3) ensuring that drug and alcohol abuse education programs are carried out in the schools state-wide, and expanding the use of programs that identify and assist students at risk of drug and alcohol abuse;
- (4) promoting coordinated delivery of drug and alcohol abuse treatment and rehabilitation services;
- (5) encouraging integration of drug and alcohol treatment and rehabilitation services with other human service delivery systems;
- (6) establishing policies and priorities for the allocation of federal and state funds to support prevention, education, treatment and enforcement programs administered by state departments, boards, and commissions; and
- (7) using such other means as the Council deems appropriate.

b. To evaluate existing drug and alcohol abuse prevention, education, treatment and enforcement programs and strategies, and direct appropriate changes in such programs and strategies.

c. To conduct hearings at such locations as the Council shall determine.



Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER

Subject		Number
Drug Policy Council - Revision No. 1		1987-13 Amended
Date	Distribution	By Direction of
May 22, 1989	B	<i>Robert P. Casey</i> Robert P. Casey, Governor

Executive Order 1987-13, paragraph 2a, is hereby revised as follows:

2. Membership.

a. The Drug Policy Council shall consist of the following individuals or their designees:

- (1) The Governor, who shall serve as Chairman.
- (2) The Secretary of Public Welfare.
- (3) The Secretary of Health.
- (4) The Secretary of Education.
- (5) The Commissioner of Corrections.
- (6) The Commissioner of State Police.
- (7) The Executive Director of the Pennsylvania Commission on Crime and Delinquency.
- (8) The Attorney General.
- (9) The Secretary of Community Affairs.



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions
(Direct Recipient)**

91-DB-CX0042

Application Number

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

James Thomas, Executive Director

Signature

James Thomas

Date

January 4, 1991

Name and Address of Organization

Pennsylvania Commission on Crime and Delinquency
P.C. Box 1167, Federal Square Station, Harrisburg, PA 17108-1167



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

Certification Regarding Drug-Free Workplace Requirements Grantees Other Than Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 28 CFR Part 67, Subpart F. The regulations, published in the January 31, 1989 *Federal Register*, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment (see 28 CFR Part 67, Sections 67.615 and 67.620).

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about —
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will —
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Place(s) of Performance: The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (street address, city, county, state, zip code):

Pennsylvania Commission on Crime and Delinquency

P.O. Box 1167, Federal Square Station

Harrisburg PA 17108-1167

Organization Name

Pennsylvania Commission on Crime and Delinquency

Application Number

91-DB-CX0042

Name and Title of Authorized Representative

James Thomas, Executive Director

Signature

James Thomas

Date

January 4, 1991



**Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER**

Subject		Number
Commonwealth of Pennsylvania Policy on Substance Abuse in the Work Place		1989-6
Date	Distribution	By Direction of
July 18, 1989	B	<i>Robert P. Casey</i> Robert P. Casey, Governor

- WHEREAS, illegal or inappropriate use of alcohol and other controlled drugs by Commonwealth employes impairs the efficiency and effectiveness of the work force, compromises public health and safety, and undermines attainment of the missions of government agencies, thereby increasing the operating costs of state government; and
- WHEREAS, the Commonwealth is concerned with the well-being of its employes and the general public, attainment of agency missions, and maintenance of employe productivity, and safe work environments; and
- WHEREAS, as the state's largest employer, the Commonwealth should promote a model work place substance abuse policy to foster the development of drug-free work places and encourage creation and use of employe assistance programs.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the following policies:

1. The unlawful manufacture, distribution, dispensation, possession or use of alcohol and other controlled drugs by a state employe, either while on duty or in any Commonwealth work place, is prohibited. Such conduct shall subject the employe to appropriate disciplinary action.
2. Any employe who is convicted of violating any statute governing the unlawful manufacture, distribution, dispensation, possession or use of alcohol or other controlled drugs in any Commonwealth work place shall notify his or her supervisor of such conviction no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere, disposition in lieu of trial, probation without verdict or accelerated rehabilitative disposition) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of the federal or state criminal drug statutes.
3. Any employe having or suspected of having a problem with alcohol or other controlled drugs, as may be evidenced by poor or diminished work performance, shall be referred to the State Employe Assistance Program.
 - a. Employes convicted of drug abuse violations occurring in the work place must satisfactorily participate in the State Employe Assistance Program or other rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Any employe convicted of drug abuse violations occurring in the work place who refuses to participate in the State Employe Assistance Program shall be subject to appropriate disciplinary action.
 - b. Employes are also encouraged to voluntarily seek help from the State Employe Assistance Program.

4. Education and training about the inappropriate use of alcohol and other controlled drugs are important components of this policy. The Office of Administration, in cooperation with the Department of Health, shall provide for and initiate such education and training programs in state agencies. Education and training programs shall be consistent with this Executive Order, the Management Directive creating the State Employee Assistance Program, and the Governor's Code of Conduct.

5. The Office of Administration is responsible for assuring that the **Commonwealth's Policy on Substance Abuse in the Work Place** and information about the State Employee Assistance Program are furnished to all employees.

6. The Office of Administration, with the assistance of the Governor's Drug Policy Council, shall:

a. monitor and review the implementation of this policy and assure compliance with state and federal statutes and regulations; and

b. coordinate the implementation and revision of this policy with representatives of state labor organizations.

7. **Effective Date.** March 18, 1989.

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

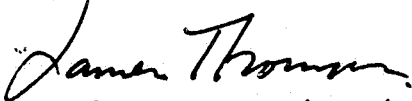
The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here _____ and complete and submit Standard Form # LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

Pa. Commission on Crime and Delinquency
P.O. Box 1167, Federal Square Station
Harrisburg, PA 17108-1167
Name and Address of Organization


James Thomas, Executive Director
Name of Authorized Individual
Signature and date

91-DB-CS0042
Application No.

Bureau of Justice Assistance
Name of OJP Agency

APPENDIX Q

ACTS RELATED TO
THE PENNSYLVANIA COMMISSION ON
CRIME AND DELINQUENCY

Act No. 1978-274

(Includes All Amendments Through January 1991)

Establishing the Pennsylvania Commission
on Crime and Delinquency

and

Act 2 of 1984

Establishing the Deputy Sheriffs' Education
and Training Board Within the Pennsylvania
Commission on Crime and Delinquency

and

Act 96 of 1984
(Excerpts)

Establishing a Technical Assistance and
Grant Program for Crime Victims' Services

and

Act 1990-193

Providing for County Intermediate Punishment Programs

December 1991

(Act of November 22, 1978, P.L. 1166)

The General Assembly finds and declares that:

- (a) crime and delinquency are essentially state and local problems;
- (b) crime and delinquency are complex social phenomena requiring the attention and efforts of the criminal justice system, state and local governments, and private citizens alike;
- (c) the establishment of appropriate goals, objectives and standards for the reduction of crime and delinquency and for the administration of justice must be a priority concern;
- (d) the functions of the criminal justice system must be coordinated more efficiently and effectively;
- (e) the full and effective use of resources affecting state and local criminal justice systems requires the complete cooperation of state and local government agencies; and
- (f) training, research, evaluation, technical assistance and public education activities must be encouraged and focused on the improvement of the criminal justice system and the generation of new methods for the prevention and reduction of crime and delinquency.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"Private Citizen." An individual who is not an elected or appointed official in a branch of government of the United States, the Commonwealth or a political subdivision.

Section 2. Pennsylvania Commission on Crime and Delinquency.

(a) Establishment.--There is hereby established the Pennsylvania Commission on Crime and Delinquency as an administrative commission in the Governor's Office.

(b) Composition.--The commission shall consist of the following members:

- (1) The Attorney General.
- (2) The Chief Justice of Pennsylvania.
- (3) The Court Administrator of Pennsylvania.
- (4) A judge of a court of common pleas.
- (5) Commissioner of State Police.
- (6) The chairmen of the House and Senate Majority Appropriations Committees.
- (7) The chairman of the Juvenile Advisory Committee.
- (8) Four members of the General Assembly, of whom one shall be designated by, and serve at the pleasure of the President pro tempore of the Senate, one by the Minority Leader of the Senate, one by the Speaker of the House of Representatives and one by the Minority Leader of the House of Representatives.
- (9) Four members appointed by the Governor, one representative

of local law enforcement agencies, one representative of adult correctional rehabilitative agencies, one representative of local elected officials and one district attorney representative.

(10) Seven private citizens appointed by the Governor, at least two of which serve on the Juvenile Advisory Committee.

(11) Secretary of Corrections.

(12) Such additional members appointed by the Governor as are necessary to implement programs authorized by state and federal law.

(c) Judicial appointment.--The judge of a court of common pleas shall be appointed by the Governor from a list of no less than three nominees for each position submitted by the Chief Justice. If the Chief Justice cannot or does not choose to serve, an Associate Justice of the Supreme Court of Pennsylvania shall be appointed by the Governor from a list of no less than three nominees submitted by the Chief Justice. If the Court Administrator cannot or does not choose to serve, another appropriate judicial administrative officer of the state shall be appointed by the Governor from a list of no less than three nominees submitted by the Chief Justice.

(c.1) Appropriations chairmen alternates.--The chairman of the House Majority Appropriations Committee and the chairman of the Senate Majority Appropriations Committee may authorize, in writing, a named member of the committee to serve in his stead on the commission.

(d) Term of office.--Except for the Attorney General, the Chief Justice, Court Administrator of Pennsylvania courts and Commissioner of the Pennsylvania State Police, Commissioner of Correction, the chairmen of the House and Senate Majority Appropriations Committees and the four other members of the General Assembly, members shall serve for a four-year term, and may be appointed for no more than one additional consecutive term. The terms of those members who serve by virtue of the public office they hold shall be concurrent with their service in the office from which they derive their membership. The term of the chairman of the Juvenile Advisory Committee shall be concurrent with his service as chairman of that committee.

(e) Vacancies.--Should any member cease to be an officer or employee of the agency he is appointed to represent or cease to be a private citizen, his membership in the commission shall terminate immediately and a new member shall be appointed in the same manner as his predecessor to fill the unexpired portion of a term. Other vacancies occurring, except those by the expiration of a term, shall be filled for the balance of the unexpired term in the same manner as the original appointment.

(f) Chairman.--The chairman shall be chosen by the Governor and shall serve at the pleasure of the Governor. A vice chairman shall be designated by the chairman and shall preside at meetings in the absence of the chairman.

(g) Quorum.--A majority of the members shall constitute a quorum and a vote of the majority of the members present shall be sufficient for all actions.

(h) Termination of appointment.--Three consecutive unexcused absences from regular meetings, except for temporary illness, or failure to attend at least 50% of the regularly called meetings in any calendar year shall be considered cause for termination of appointment.

(i) Compensation and expenses.--Members who are not Commonwealth officers or state, county, or municipal employees shall be paid \$75 a day for attendance at any official meeting. Reasonable expenses incurred by members shall be allowed and paid upon the presentation of itemized vouchers therefor.

(j) Executive director.--An executive director shall be appointed by the Governor after consultation with the members of the commission. The executive director shall be paid such compensation as the Executive Board may determine.

(k) Employees.--The executive director may employ such personnel and contract for such consulting services as may be necessary and authorized to carry out the purposes of this act. Staff of the commission, other than the executive director, shall be employed in accordance with and subject to the provisions of the act of August 5, 1941 (P.L. 752, No. 286), known as the "Civil Service Act."

(l) Advisory committees.--The commission may establish such advisory committees, in addition to those provided for in this act, as it deems advisable but only the commission may set policy or take other official action. Members of advisory committees shall serve without compensation but may be reimbursed for necessary travel and other expenses in accordance with applicable law and regulations.

(m) Meetings.--All meetings of the commission and of its advisory committees, at which formal action is taken, shall conform to the act of July 19, 1974 (P.L. 486, No. 175), referred to as the Public Agency Open Meeting Law.

(n) Records.--The commission and any advisory committee established for the purposes of this act shall provide for public access to all records relating to its functions under this act, except such records as are required to be kept confidential by any provision of state or federal law.

(o) State Criminal Justice Council.--The commission is hereby designated as the State Criminal Justice Council for the purposes of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351), as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415), as amended.

Section 3. Powers and duties of the commission.

The Commission shall have the power and its duty shall be:

(1) To prepare and periodically update a comprehensive juvenile justice plan on behalf of the Commonwealth based on an analysis of the Commonwealth's needs and problems, including juvenile delinquency prevention.

(2) To apply for, contract for, receive, allocate, disburse and account for funds, grants-in-aid, grants of service and property, real and personal, particularly those funds made available pursuant to the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351), as amended, and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415), as amended.

(3) To receive applications for financial assistance from state agencies, units of general local government and combinations thereof, private nonprofit organizations and other proper applicants, and to disburse available federal and state funds to such applicants in accordance with the provisions of applicable statutes and regulations and in conformity with the comprehensive plan.

(4) To establish such fund accounting, auditing, monitoring and evaluation procedures as may be necessary to assure fiscal control, proper management and disbursement of grant funds, including the requirements of supporting papers being submitted to the disbursing agency by persons requiring reimbursement, and to establish such procedures as may be necessary to assure compliance with nondiscrimination requirements.

(5) To audit the books and records of recipients of financial assistance and of their contractors and, for the purpose of such audits, to have access to all pertinent books and records required to be kept by recipients of financial assistance and by their contractors. The commission shall have the power to subpoena witnesses, books, records and papers in the execution of its auditing responsibilities and, upon certification of it of failure to obey such subpoena, the Commonwealth Court is empowered after hearing to enter, when proper, an adjudication of contempt and such other order as the circumstances require.

(6) To monitor and evaluate program effectiveness, funded in whole or in part by the Commonwealth through the commission aimed at reducing or preventing crime and delinquency and improving the administration of justice as deemed appropriate.

(7) To define, develop and correlate programs and projects and establish priorities for crime prevention and for improvement in law enforcement and criminal justice, including juvenile justice and delinquency prevention, throughout the Commonwealth.

(8) Provide for a periodic forum in which leaders and recognized professionals of juvenile and criminal justice programs for both the public and private sectors to discuss major issues and philosophical concerns confronting the Commonwealth's justice system. The forum shall serve to promote communications and coordination between the agencies, but shall not be involved in the direct disposition nor management of applications for state or federal assistance. The chairman of the Pennsylvania Commission on Crime and Delinquency shall serve as the chairman of the forum and shall appoint no more than 30 members to serve on this forum. The forum shall meet at the call of the chairman but not less than four times a year.

(9) To cooperate with and render technical assistance to the General Assembly or a standing committee of the General Assembly, state agencies, units of general local government and public and private agencies relating to the improvement of the criminal and juvenile justice system, including the implementation of special conferences or workshops relating to special issues or professional improvement of criminal justice organizations.

(10) To establish, and the chairman of the commission appoint, such subcommittees as it deems proper.

(11) To submit an annual report to the Governor and the General Assembly concerning its work during the preceding fiscal year. Other studies, evaluations and reports may be submitted to the Governor or the General Assembly as deemed appropriate.

(12) To promulgate such rules and regulations as the commission deems necessary for the proper administration of this act.

(13) To review criminal justice plans developed by other state agencies so as to promote coordination in the development and

implementation of programs to improve criminal justice and juvenile justice services throughout the Commonwealth.

(14) Upon request advise and assist the executive and legislative branches of state government in developing policies, plans, programs and budgets for improving the coordination, administration and effectiveness of the criminal and juvenile justice system.

(15) To prepare special reports and studies of criminal justice issues upon the request of the Governor or the General Assembly or a standing committee of the General Assembly.

(16) To design and to coordinate the development and oversee the implementation of an information system to record transactions and to analyze trends within the Commonwealth's criminal justice system.

Section 4. Duties of the commission relative to criminal statistics.

The commission shall have the power and its duty shall be:

(1) To obtain data necessary from all persons and agencies listed in section 5 and from any other appropriate source.

(2) To prepare and distribute to all such persons and agencies, cards or other forms used in reporting data to the commission. Such cards or forms may, in addition to other items, include items of information needed by federal bureaus or departments engaged in the development of national and uniform criminal statistics.

(3) To request the form and content of records which must be kept by such persons and agencies in order to insure the correct reporting of data to the commission.

(4) To instruct such persons and agencies in the installation, maintenance and use of such records and in the reporting of data to the commission.

(5) To process, tabulate, analyze and interpret the data obtained from such persons and agencies.

(6) To supply, at their request, to federal bureaus or departments engaged in the collection of national criminal statistics data they need from this Commonwealth.

(7) To present to the Governor and the members of the General Assembly each year a report containing the criminal statistics of the preceding calendar year and to present at such other times as the commission deems necessary reports on the special aspects of criminal and juvenile statistics. This report need not duplicate information contained in reports of other administrative agencies unless a specific purpose exists.

(8) The commission, at the request of any of the following, may assist or advise in a statistical and research capacity the Bureau of Correction, the Pennsylvania Board of Probation and Parole, the Pennsylvania State Police, the Juvenile Court Judges' Commission and the State Court Administrator.

(9) It shall be the duty of the commission to give adequate interpretation of such statistics and so to present the information that it may be of value in guiding the policies of the commission and of those in charge of the apprehension, prosecution and treatment of the criminals and delinquents, or concerned with the present state of crime and delinquency. The report shall include also statistics which are comparable with national uniform criminal statistics which are comparable with national uniform criminal statistics published by federal bureaus or departments heretofore mentioned.

(10) The ~~commission~~ shall take advantage of all available federal funds and establish new programs as well as undertake a continuous analysis of future date needs.

Section 5. Duties of public agencies and officers in reporting criminal statistics.

It shall be the duty of every constable, chief of police, county police force, sheriff, coroner, district attorney, chief probation officer and of the Bureau of Correction in the Department of Justice, the Pennsylvania Board of Probation and Parole, the Pennsylvania State Police, the State Court Administrator, the Juvenile Court Judges' Commission, the Department of Public Welfare, State Fire Marshal, Pennsylvania Liquor Control Board, the Philadelphia Municipal and Traffic Courts, justices of the peace, county prison wardens, and every other person or agency dealing with crimes or criminals or with delinquency or delinquents, when requested by the commission:

(1) To install and maintain records and recording systems needed for the correct reporting of statistical data required by the commission.

(2) To report statistical data to the commission at such times and in such manner as the commission prescribes.

(3) To give to the staff of the commission access to statistical data for the purpose of carrying out the duties of the commission relative to criminal statistics.

Section 6. Juvenile Advisory Committee.

(a) Establishment and membership.--There is hereby established the Juvenile Advisory Committee within the commission. The members of the committee shall be appointed by the Governor and shall include representation of units of local government, law enforcement and juvenile justice agency probation personnel, juvenile court judges, public and private agencies and organizations concerned with delinquency prevention or treatment and services to dependent children, community-based prevention in-treatment programs, organizations concerned with the quality of juvenile justice or that utilize volunteers to work with delinquent or dependent children, businesses employing youth, youth workers involved with alternative youth programs, persons with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities and representatives of public agencies concerned with special education. Members shall serve for a four-year term, and may be appointed for no more than one additional consecutive term.

(b) Number and qualifications.--The committee shall consist of no less than 15 members or more than 33 members, all of whom shall have had training or experience in juvenile justice. A majority of the members shall not be full-time employees of the federal, state or local governments. At least one-fifth of the membership shall be under the age of 24 at the time of appointment. At least three of those members of the committee under 24 years of age at the time of appointment shall have been or are currently under the jurisdiction of the juvenile justice system.

(c) Conditions of appointment.--The committee and its members are subject to the same limitations and conditions imposed upon the commission as prescribed in section 2(d), (e), (h), (i), (m) and (n).

(d) Quorum.--A majority of the members shall constitute a quorum and a vote of the majority of the members present shall be sufficient for all actions.

(e) Chairman.--The Governor shall appoint a chairman from among the members of the committee who shall serve at the pleasure of the Governor. A vice chairman shall be designated by the chairman and preside at meetings in the absence of the chairman. The committee shall meet at the call of the chairman, but not less than four times a year.

Section 7. Powers and duties of the Juvenile Advisory Committee.

The Juvenile Advisory Committee shall have the power, and its duty shall be:

(1) Serve in an advisory capacity to the commission through the committee's participation in the development of that part of the commission's comprehensive plan relating to juvenile justice and delinquency prevention.

(2) Those functions related to the direct approval and disbursement of financial assistance shall be in an advisory capacity only, but the advisory committee shall have the opportunity to review and comment on such applications within 30 days after receipt of the application from the commission.

(3) To advise the commission on the definition, development and correlation of programs and projects and the establishment of priorities for juvenile justice and delinquency prevention.

(4) To develop standards, methods and procedures for evaluating and monitoring services for delinquent and dependent children.

(5) Upon request provide whatever assistance and advice to the commission on any other matters relating to juvenile justice and delinquency prevention.

(6) Staff support shall be made available to the Juvenile Advisory Committee by the executive director in order to adequately perform the duties provided for in this section.

(7) Submit to the Governor and the General Assembly such reports as may be required by federal law.

Section 8. Local Criminal Justice Planning Agencies.

(a) Local planning agency staff.--No unit of general local government or combination of such units shall be eligible to receive funds for the establishment and operation of a criminal justice planning agency unless the staff of such agency is hired and retained on merit principles.

(b) Cities of the first class.--Whenever any city of the first class shall establish a local criminal justice planning agency which complies with federal requirements, such agency shall be the advisory committee to the commission for that city and, in such instances, the chief executive of the city shall appoint the members of the agency.

Section 9. Cooperation by other departments.

It shall be the duty of the various administrative departments, boards and commissions to cooperate so far as practicable with the commission in the performance of its duties under this act, except as provided in sections 4 and 5.

Section 10. Transfer of personnel, assets and appropriations.

All personnel, allocations, appropriations, equipment, files, records, contracts, agreements, obligations, and other materials which are used, employed or expended by the Governor's Justice Commission in connection with the powers, duties or functions exercised under this act by the commission are hereby transferred to the commission with the same force and effect as if the appropriations had been made to and said items had been the property of the commission in the first instance and as if said contracts, agreements and obligations had been incurred or entered into by said commission.

Section 11. Abolition of Justice Commission.

The Governor's Justice Commission is hereby abolished.

Section 12. (Repealed)

Section 13. Repealer.

Sections 924 and 925, act of April 9, 1929 (P.L. 177, No. 175), known as "The Administrative Code of 1929," are repealed.

Section 14.

This act, with respect to the Pennsylvania Commission on Crime and Delinquency, constitutes the legislation required to reestablish an agency under the act of December 22, 1981 (P.L. 508, No. 142), known as the Sunset Act.[The effective date of this provision was April 30, 1986, thus reauthorizing the PCCD through April 30, 1996.]

Section 15.

The members of the Pennsylvania Commission on Crime and Delinquency, as of the effective date of this act, shall continue to serve as commission members until their present terms of office expire, provided that any present commission member whose term has expired on or before the effective date of this act shall serve until a successor has been appointed and qualified, but no longer than six months after the effective date of this act.

Section 16.

Each rule and regulation of the Pennsylvania Commission on Crime and Delinquency in effect on the effective date of this act and not inconsistent with this act shall remain in effect after such date until repealed or amended by the commission, provided that the commission shall immediately initiate the repeal or amendment of any rule or regulation which is inconsistent with the provisions of this act.

Act 2 of 1984

(Act of February 9, 1984, P.L. 3)

Providing for the education and training of deputy sheriffs; creating the Deputy Sheriffs' Education and Training Board under the PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY; providing for the powers and duties of the Board and the Attorney General; establishing the Deputy Sheriffs' Education and Training Account; providing for a surcharge on sheriffs' fees; and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Deputy Sheriffs' Education and Training Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Account." The Deputy Sheriffs' Education and Training Account.

"Board." The Deputy Sheriffs' Education and Training Board.

"Commission." The Pennsylvania Commission on Crime and Delinquency.

Section 3. The Deputy Sheriffs' Education and Training Board.

(a) Establishment.--There is hereby established within the Commission an advisory board to be known as the Deputy Sheriffs' Education and Training Board.

(b) Composition.--The Board shall be composed of nine members as follows:

(1) The Attorney General.

(2) Two judges of the courts of common pleas from different counties.

(3) Two sheriffs from different counties with a minimum of six years experience as a sheriff.

(4) Three individuals from different counties with a minimum of eight years experience each as a deputy sheriff, to be appointed by the Governor.

(5) One educator qualified in the field of curriculum design.

(c) Appointments and terms.--All members of the Board, other than the Attorney General, who shall be a permanent member, shall be appointed by the Governor for a period of three years except that upon the effective date of this act the Governor shall appoint one judge for a period of two years, one sheriff for a period of two years and one deputy sheriff for a period of one year. Any member of the Board shall cease to be a member of said Board, immediately upon termination of service in the position by which that person was eligible for membership or appointed as a member of the Board.

(d) Vacancies.--A member appointed to fill a vacancy created by any reason other than expiration of a term shall be appointed for the unexpired term of the member whom he is to succeed in the same manner as the original appointment.

(e) Expenses.--The members of the Board shall serve without compensation but shall be reimbursed the necessary and actual expenses incurred in attending the meetings of the Board and in the performance of their duties under this Act.

(f) Removal.--Members of the Board, other than the Attorney General, may be removed by the Governor for good cause upon written notice from the Governor specifically setting forth the cause for removal.

(g) Chairman.--The members of the Board shall elect a chairman from among the members to serve for a period of one year. A chairman may be elected to serve successive terms. The Governor shall designate the first chairman for organizational purposes only.

(h) Meetings and quorum.--The chairman shall summon the members of the Board to the first meeting within 120 days of the effective date of this act. The Board shall meet at least four times each year. Special meetings may be called by the chairman of the Board or upon written request of three members. A quorum shall consist of five members.

Section 4. Powers and duties of the Board.

The Board with the review and approval of the Commission shall:

(1) Establish, implement and administer the Deputy Sheriffs' Education and Training Program according to the minimum requirements set forth in this act.

(2) Establish, implement and administer requirements for the minimum courses of study and training for deputy sheriffs.

(3) Establish, implement and administer requirements for courses of study and in-service training for deputy sheriffs appointed prior to the effective date of this act.

(4) Establish, implement and administer requirements for a continuing education program for all deputy sheriffs concerning subjects the Board may deem necessary and appropriate for the continued education and training of deputy sheriffs.

(5) Approve or revoke the approval of any school which may be utilized to comply with the educational and training requirements of this act.

(6) Establish the minimum qualifications for instructors and certify instructors.

(7) Consult and cooperate with universities, colleges, law schools, community colleges and institutes for the development of specialized courses for deputy sheriffs.

(8) Promote the most efficient and economical program for deputy sheriff training by utilizing existing facilities, programs and qualified state and local personnel.

(9) Certify deputy sheriffs who have satisfactorily completed the basic education and training requirements of this act and issue appropriate certificates to them.

(10) Makes rules and regulations and perform other duties as may be reasonably necessary or appropriate to administer the education and training program for deputy sheriffs.

(11) Make an annual report to the Governor and to the General Assembly concerning:

(i) The administration of the Deputy Sheriffs' Education and Training Program.

(ii) The activities of the Board.

(iii) The costs of the program.

Section 5. Training Program.

The Deputy Sheriffs' Education and Training Program shall include appropriate training for a total of 160 hours which content shall be determined by regulation.

Section 6. Continuing education.

The Board with the review and approval of the commission shall establish a continuing education program for all deputy sheriffs, which shall include not less than 16 nor more than 20 hours of continuing education every two years, concerning subjects the Board may deem necessary and appropriate for the continued education and training of deputy sheriffs.

Section 7. Training requirement.

(a) Application of act.--Every sheriff of this Commonwealth shall assure that each full-time or part-time deputy employed by him who has less than five years of experience on the effective date of this act receives the training provided for in sections 5 and 6.

(b) Prior education, training or experience.--The Board with the review and approval of the Commission shall have the authority and the discretion to reduce the hours of education and training required in section 5 of those deputy sheriffs required to receive education and training who, because of prior education, training or experience, have acquired knowledge or skill equivalent to that provided by the program.

(c) Certification requirement for continued compensation.--Any person hired as a full-time or part-time deputy sheriff who has less than five years of experience on the effective date of this act shall, at the end of two years from the effective date of this act shall, be ineligible to receive any salary, compensation or other consideration or thing of value for the performance of his duties as a deputy sheriff unless he has met all of the requirements established pursuant to this act and has been duly certified as having met those requirements by the Board with the review and approval of the Commission, unless the deputy sheriff is granted additional time to complete his training by the Board with the review and approval of the Commission. Any new deputy hired by the sheriff after July 1, 1985 shall have one year in which to complete his or her training.

(d) Continuing education.--Any full-time or part-time deputy sheriff who fails to meet and fails to be certified as having met the requirements for continuing education established by the Board with the review and approval of the Commission shall be ineligible to receive any salary, compensation or other consideration or thing of value for the performance of his duties as a deputy sheriff.

(e) Penalty.--Any official of any county who orders, authorizes or pays a salary or compensation or other consideration or thing of value to any person in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a maximum fine of \$500 or to imprisonment for a term not to exceed 30 days.

Section 8. Deputy Sheriffs' Education and Training Account.

(a) Establishment.--There is hereby established a special restricted receipts account within the general fund of the state treasury, which shall be known as the Deputy Sheriffs' Education and Training Account, for the purpose of financing training program expenses, the costs of administering the program, reimbursements to counties and all other costs associated with the activities of the Board and the implementation of this act.

(b) Surcharge.--There is hereby assessed a surcharge of \$2 on each fee collected by the sheriff of every county upon acceptance for each service required for any complaint, summons, writ or other legal paper required to be served or posted by the sheriff.

(c) Disposition of moneys collected.--The moneys collected under subsection (b) shall be forwarded semiannually by the sheriff of an individual county to the State Treasurer for deposit into the account. All moneys received by the treasurer in excess of the amount necessary to cover the costs and expenses of the training program shall be transferred from the special restricted receipts account to the General Fund of the Commonwealth on an annual basis with such reserve maintained as will be adequate to assure the continued operation of the Deputy Sheriffs' Education and Training Program.

(d) Disbursements.--Disbursements from the account shall be made by the Commission.

(e) Audit.--The Auditor General shall conduct an audit of the account as he may deem necessary or advisable from time to time but no less often than once every three years.

Section 9. Reimbursement to counties.

The Commission shall provide for reimbursement to each county of 100% of the allowable tuition and the ordinary and necessary living and travel expenses incurred by their deputy sheriffs while attending certified deputy sheriffs' basic training or continuing education schools if the county adheres to the training standards set forth in this act and established by the Board with the review and approval of the Commission. The regular salary of deputy sheriffs while attending approved schools shall be paid by the employing county. Fifty percent of the regular salaries of deputy sheriffs while attending approved schools shall be reimbursed to the employing county.

Section 10. Effective date.

(a) Section 8 of this Act shall take effect in 60 days.

(b) The remainder of this Act shall take effect in six months or July 1, 1984, whichever later occurs.

Excerpts of

Act 96 of 1984

(Act of June 30, 1984, P.O. 458)

Amending the act of April 9, 1929 (P.L. 177, No. 175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," changing provisions relating to crime victim's compensation; reestablishing and continuing the Crime Victim's Compensation Board; further providing for the Crime Victim's Compensation Fund; changing provisions relating to the rights of victims of crime; making an editorial change; and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

* * *

Section 8. The act is amended by adding sections to read:

Section 479. Legislative Intent -- In recognition of the civic and moral duty of victims of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of victim cooperation to State and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this Commonwealth, the General Assembly declares its intent, in this section, to ensure that all victims of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended in sections 479.1 through 479.5 to victims of crime are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants.

Section 479.1. Definitions -- The following words and phrases when used in sections 479 through 479.5 shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commission" means the Pennsylvania Commission on Crime and Delinquency.

"Crime" means an act committed in this Commonwealth which, if committed by a mentally competent, criminally responsible adult, who had no legal exemption or defense, would constitute a crime as defined in and proscribed by Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses) or enumerated in the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act. No act involving the operation of a motor vehicle which results in injury shall constitute a crime for the purpose of this act unless the injury was intentionally inflicted through the use of a motor vehicle.

"Family" means when used in reference to a person:

- 1) anyone related to that person within the third degree of consanguinity or affinity;
- 2) anyone maintaining a common-law relationship with that person;
or
- 3) anyone residing in the same household with that person.

"Feloniously assaultive crime" means an act committed in this Commonwealth which, if it had been committed by a mentally competent, criminally responsible adult, who had no legal exemption or defense, would constitute a felony as defined in and proscribed by Chapter 25, 27, 29, 31 or 37 of Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses). No act involving the operation of a motor vehicle which results in injury shall constitute a feloniously assaultive crime for the purpose of this act unless the injury was intentionally inflicted through the use of a motor vehicle.

"Victim" means a person against whom a crime is being or has been perpetrated or attempted.

Section 479.2. Eligibility of Victims -- A victim has the rights and is eligible for the services under sections 479.3 and 479.4 only if the victim reported the crime to law enforcement authorities without unreasonable delay after its occurrence or discovery, unless the victim had a reasonable excuse not to do so.

Section 479.3. Basic Bill of Rights for Victims -- Victims of crime have the following rights:

- 1) To have included in any pre-sentence report information concerning the effect that the crime committed by the defendant

has had upon the victim, including any physical or psychological harm or financial loss suffered by the victim, to the extent that such information is available from the victim or other sources.

- 2) To have restitution ordered as a condition of probation whenever feasible.
- 3) Upon request of the victim of a feloniously assaultive crime, to be promptly informed by the district attorney whenever the assailant is to be released on parole, furlough or any other form of supervised or unsupervised release from full incarceration.

Section 479.4. Establishment of Basic Services for Victims of Crime
-- The commission shall provide technical assistance to and make grants to district attorneys and other criminal justice agencies which provide crime victims with the following services:

- 1) Notification services, including:
 - (i) information concerning financial assistance and other social services available as a result of being a victim of crime;
 - (ii) notification that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the victim an unnecessary trip to court; and
 - (iii) notification of the final disposition of the case.
- 2) Protection services, including:
 - (i) protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts; and
 - (ii) a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families and friends of defendants.
- 3) Procedures for the expedited return by law enforcement officials of that personal property of victims which is held for prosecutorial purposes.
- 4) Services related to the rights of victims under section 479.3.
- 5) Other services as defined by the commission.

Section 479.5. Grant Program for Services:

a) The commission shall have the authority to make grants to district attorneys and other criminal justice agencies for the provision of the services under section 479.4.

b) The commission shall promulgate such guidelines and regulations as are necessary to ensure the cost-effective delivery of victim services or victim and witness services consistent with section 479.4.

c) In determining grant awards, the commission shall promote broad-based participation by a maximum number of criminal justice agencies Statewide.

d) All agencies which make application for awards under this section shall provide such data in support of their request as the commission shall require. Those agencies which receive awards shall provide the commission with such reports as the commission may determine are necessary to assess the agency's progress in the development of victim services.

e) The commission shall submit an annual report to the General Assembly on the progress of services provided for in section 479.4. The report shall include:

- 1) The number of participating agencies and population served.
- 2) The extent of services provided.
- 3) Any impediments to the progress of the program.
- 4) Recommendations for reform.

f) In the allocation of funds for services under section 479.4, the commission shall consider the revenue collected by potential grant recipients under the penalty assessments authorized in section 477.15 of this act and section 1203 of the act of June 13, 1967 (P.L. 31, No. 21), known as the "Public Welfare Code," pertaining to domestic violence and rape crisis services.

Providing for county intermediate punishment programs; and conferring powers and duties on the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania Commission on Sentencing.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.

This act shall be known and may be cited as the County Intermediate Punishment Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Board." A county prison board, in counties of the first and second class, the Criminal Justice Coordinating Commission or its successor agency.

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"County Intermediate Punishment Plan." A document which describes a proposed intermediate punishment program.

"County Intermediate Punishment Program." A residential or nonresidential program provided in a community for eligible offenders.

"Court." The trial judge exercising sentencing jurisdiction over an eligible offender under this act.

"Eligible Offender." A person convicted of an offense who would otherwise be sentenced to a county correctional facility, who does not demonstrate a present or past pattern of violent behavior and who would otherwise be sentenced to partial confinement pursuant to 42 Pa. C.S. §9724 (relating to partial confinement) or total confinement pursuant to 42 Pa. C.S. §9725 (relating to total confinement). The term does not include any offender convicted of murder, voluntary manslaughter, rape, statutory rape, aggravated assault, robbery, burglary of the first degree as provided in 18 Pa. C.S. §3502 (relating to burglary), involuntary deviate sexual intercourse, arson, extortion accompanied by threats of violence, assault by prisoner, assault by life prisoner, kidnapping, aggravated indecent assault or escape or a violation of 18 Pa. C.S. §7508 (relating to drug trafficking sentencing and penalties).

"Nonprofit Agency." A not-for-profit human service organization which provides treatment, guidance, counseling, training or rehabilitation services to individuals, families or groups.

Section 3. Purpose.

County intermediate punishment programs shall be developed, implemented and operated for the following purposes:

- (1) To protect society and promote efficiency and economy in the delivery of corrections services.
- (2) To promote accountability of offenders to their local community.
- (3) To fill gaps in local correctional systems and address local needs through expansion of punishment and services available to the court.
- (4) To provide opportunities for offenders who demonstrate special needs to receive services which enhance their ability to become contributing members of the community.

Section 4. County Intermediate Punishment Program.

(A) Description.--County intermediate punishment program options include all of the following:

- (1) Noncustodial programs which involve close supervision, but not housing, of the offender in a facility, including but not limited to:
 - (I) Intensive probation supervision.
 - (II) Victim restitution or mediation.
 - (III) Alcohol or drug outpatient treatment.
 - (IV) House arrest and electronic monitoring.
 - (V) Psychiatric counseling.
 - (VI) Community service.
- (2) Residential inpatient drug and alcohol programs based on objective assessments that an offender is dependent on alcohol or drugs or a residential rehabilitative center.
- (3) Individualized services which evaluate and treat offenders, including psychological and medical services, education, vocational training, drug and alcohol screening and counseling, individual and family counseling and transportation subsidies.
- (4) Partial confinement programs, such as work release, work camps and halfway facilities.

(B) Eligibility.--

(1) No person other than the "eligible offender" shall be sentenced to a county intermediate punishment program.

(2) The Pennsylvania Commission on Sentencing shall employ the definition of "eligible offender" under Section 732 to further identify offenders who would be appropriate for participation in county intermediate punishment programs. In developing the guidelines, the Commission shall give primary consideration to protection of the public safety.

(3) Any person receiving a penalty imposed pursuant to 75 Pa. C.S. §3731(E) (relating to driving under the influence of alcohol or a controlled substance) may only be sentenced to intermediate punishment program in:

(I) a residential inpatient program or a residential rehabilitative center; or

(II) house arrest or electronic surveillance combined with drug and alcohol treatment.

Section 5. Boards.

(A) Duty of Board.--To qualify for funding under this act, a board must develop a county intermediate punishment program plan to be submitted to the Commission.

(B) Joint judicial districts.--Where two counties comprise a joint judicial district, the counties may jointly submit a plan, which shall require the concurrence of a majority of members from the boards of each county. The president judge of the judicial district shall chair the meetings of both boards for actions necessary pursuant to this act.

(C) Counties with no board.--If a county of the sixth, seventh or eighth class does not have a prison board for the purpose of complying with the requirements of this act, the intermediate punishment board shall consist of the president judge of the court of common pleas or his designee, the district attorney, the sheriff, the controller and the county commissioners.

(D) Power and duties.--A Board has the following powers and duties:

(1) To assess available countywide correctional services and future needs.

(2) To work with the county office of probation and parole in developing the county intermediate punishment plan.

(3) To adopt a county intermediate punishment plan, including program policies for administration.

(4) to make recommendations to the board of county commissioners, or chief executive officer in counties of the first class, on contracts with private providers or nonprofit agencies for the provision of intermediate punishment programs.

(5) To monitor the effectiveness of county correctional services and identify needed modifications.

(6) To make recommendations to the board of county commissioners, or chief executive officer in counties of the first class, regarding the purchase, lease or transfer of lands, buildings and equipment necessary to carry out the intermediate punishment plan.

(7) To designate the appropriate county office to maintain a case record for each individual admitted to a county intermediate punishment program within the county.

(8) To make an annual report on the program to the governing body of the county, the Pennsylvania Commission on Sentencing and the Commission.

(9) To develop the county intermediate punishment plan under Section 6.

Section 6. County Intermediate Punishment Plan.

(A) Requirement.--The board may develop a plan for the implementation and operation of intermediate punishment programs in the county. The plan shall provide for all of the following:

(1) Training programs for the board and staff.

(2) Public information and education programs.

(3) Designation of an entity or county government office with overall responsibility for supervision of fiscal affairs of the program.

(4) Use of existing community agencies and organizations whenever possible.

(5) A mechanism to advise the courts of the extent and availability of services and programs provided under the plan.

(6) All costs associated with the county intermediate punishment program.

(7) For joint judicial districts, an agreement as to each county's responsibilities.

(B) Technical Assistance.--The Commission shall provide technical assistance to develop community corrections plans.

(C) Review and Approval.--The plan shall be submitted to the Commission for review and approval in the format designated by the Commission. The Commission shall complete its review within 90 days of submission. Failure to disapprove or recommend amendment within 90 days shall constitute approval.

(D) Formal submission.--The plan and any proposed changes thereto shall be submitted on an annual basis.

Section 7. Commission.

(A) Power and Duties.--The Commission shall have the following powers and duties:

(1) Subject to the provisions of subsection (B), to adopt rules and regulations pursuant to this act regarding:

(I) The submission, review and approval of county intermediate punishment plans.

(II) Standards for the development, operation and evaluation of programs and services. In promulgating regulations under this subparagraph, the Commission shall consider comments submitted by the counties.

(III) The administration and disbursement of funds under this act.

(2) To provide training and technical assistance to boards and program staff.

(3) To ensure that all programs are in compliance with applicable federal, state and local law.

(4) To monitor county intermediate punishment programs to determine their impact on offenders.

(5) To remit funds as provided for under Section 8.

(B) Interim Regulations.--Pending adoption and publication of final rules and regulations, the Commission shall have the power and authority to promulgate, adopt, publish and use interim regulations for the implementation of this act for a period of one year immediately following the effective date of the remainder of this act or until the effective date of final rules and regulations, whichever first occurs. Notwithstanding any other provision of law to the contrary, the interim regulations proposed under the authority of this section shall be subject to review by the General Counsel and the Attorney General in the manner provided for the review of proposed rules and regulations pursuant to the act of October 15, 1980 (P.L. 950, No. 164), known as the Commonwealth Attorneys Act, and shall not be subject to review pursuant to the act of June 25, 1982 (P.L. 633, No. 181), known as the Regulatory Review Act.

Section 8. Funding and Audits.

(A) Eligibility.--Subject to the availability of funding, counties submitting plans to the Commission shall be eligible for direct funding 50% to 80% of the total cost of the program as determined by the Commission. This act shall not prohibit the use of federal funds.

(B) Audit.--Annual reports and all financial records shall be subject to annual audit by the Auditor General.

(C) Funding.--Funding under this act shall be reviewed on an annual basis. Funding shall be granted on the basis of local need, the quality of the county intermediate punishment program, consideration of whether the plan is consistent with the goals of this act, the extent of the county served and funding availability. Funding shall be made in a manner to provide the equal geographic development of county intermediate punishment programs. In addition, the Commission shall consider the following criteria pertaining to the jurisdiction in question:

(1) Number of nonviolent commitments to the county correctional facilities.

(2) Population and existing conditions at the county correctional institution.

(3) Population of the county and percentage of population between 18 and 29 years of age.

(4) Sufficient local service capability to support the community corrections programs.

(5) Demonstrated involvement and support of the judiciary, criminal justice and correctional officials and local government.

Section 9. Prohibitions.

(A) General Rule.--Recipients may not use funds granted under this act to supplant existing funds from the state or local government for existing correctional programs or for the construction, renovation or operation of a state, county or municipal incarceration facility except as provided by Section 714 of the act of July 1, 1990 (P.L. 315, No. 71), known as the Prison Facilities Improvement Act.

(B) Administrative Costs.--Administrative costs connected with the expenditure of county intermediate punishment funds under this act may not exceed a percentage amount established by the Commission.

Section 10. Continued Eligibility.

(A) Evaluation.--In order to remain eligible for continued grant funding, a county must comply with Commission standards and regulations and participate in an evaluation to determine program effectiveness. The form of the evaluation will be determined by the Commission.

(B) Suspension of Funding.--If the Commission determines that there are reasonable grounds to believe that a county is not complying with its plan or minimum standards, the Commission shall give 30 days' written notice to the board. If the Commission finds noncompliance, it shall require the board to provide a written agreement as to how and when the specific deficiencies identified will be corrected. If no agreement is submitted to the Commission within the time limit or if the deficiencies are not corrected within 45 days after an agreement has been approved by the Commission, the Commission may suspend part or all of the funding until compliance is achieved.

Section 11. Application of Act to Certain Grants.

(A) Limitations.--No grant shall be awarded to any county under Section 714 of the act of July 1, 1990 (P.L. 315, No. 71), known as the Prison Facilities Improvement Act, until the applicant county shall have submitted an intermediate punishment plan under this act.

(B) Matching Funds.--Any county funds expended or committed for the development of an intermediate punishment plan and for the operation of intermediate punishment programs pursuant to this act shall also qualify for local matching funds for purposes of Section 714 of the act of July 1, 1990 (P.L. 315, No. 71), known as the Prison Facilities Improvement Act.

Section 12. Use of Federal Funds.

Nothing in this act shall prohibit the use of federal funds for the funding of community intermediate punishment programs. The General Assembly directs the Commission to examine the availability of federal funds for the implementation of this act.

Section 13. Nonapplication of certain provisions.

The provisions of the act of July 12, 1972 (P.L. 762, No. 180), referred to as the Intergovernmental Cooperation Law, shall not apply to counties which jointly submit a plan under the provisions of this act.

Section 14. Construction of Act.

Nothing in this act shall create an enforceable right in any person to participate in an intermediate punishment program in lieu of incarceration. Nothing in this act shall require any county to appropriate funds for the implementation of an intermediate punishment program except as may be necessary to qualify for funds under this act or under the act of July 1, 1990 (P.L. 315, No. 71), known as the Prison Facilities Improvement Act.

Section 15. Effective date.

This act shall take effect immediately.