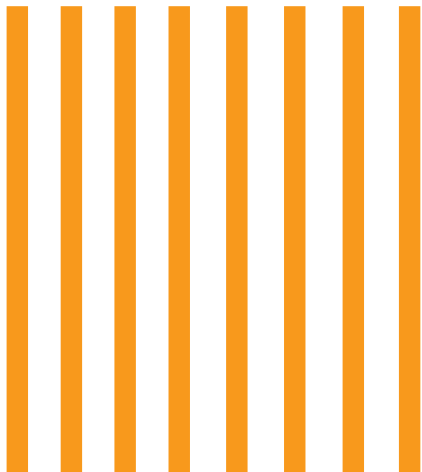




Serving Counties Since 1886

Jail and Prison Reform

COUNTY GOVERNMENT PRIORITIES



Fact Sheet 2008

County jails house as many as 2,500 state-sentenced inmates at an average cost of more than \$50 per day, per inmate. Despite the fact that the cost of housing state-sentenced inmates in county jails drains county budgets and jail space, counties receive no reimbursement or compensation from the state. A statewide taskforce studying county jails has found that half are overcrowded or at an imminent risk of being overcrowded, and these problems are compounded by the placement of inmates in county jails that should be placed in state custody. Counties are also not able to provide the types of services state prisons can provide that have been shown to reduce recidivism, including drug and alcohol treatment or vocational programs that enable offenders to re-assimilate successfully into society upon the completion of their sentence for previous crimes.

State sentencing guidelines require all persons to be committed to the state correctional system for confinement if sentenced to total or partial confinement for maximum terms of five or more years. Those persons with maximum terms of less than two years are committed to the county jail for confinement. The Association focus is on persons sentenced to maximum terms of more than two, but less than five years. These offenders are technically considered state inmates, but are frequently sentenced to serve time in county jails at the discretion of local judges. The practice varies from county to county, but a number of factors play into an offender being sentenced to the county as opposed to the state correctional system, including plea-bargain agreements and misconceptions of the state correctional system.

Pennsylvania is the only state in the nation that allows inmates with longer sentences to serve their time in county jail. Most states require sentences of more than one year to be served in state prisons. In those states where inmates with sentences of up to two years are sentenced to county jails, the state reimburses the county for the costs of incarcerating those inmates.

The Association supports a statutory change requiring all offenders sentenced to more than two years to be committed to the state correctional system for confinement. Such a change provides an alternative to counties, especially those

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considering prison expansion, by alleviating space and budget constraints on their jails, and is fairer to an offender because it eliminates a gray area in the law. In the absence of a statutory change, the Association is calling for state reimbursement to counties for all offenders sentenced to serve more than two years in a county jail.

The Association is also calling for a comprehensive reform of sentencing guidelines and probation and parole practices as a means of easing overcrowding throughout the corrections system at the state and county levels. A package of proposals has been introduced in each chamber, dealing with these issues and creating a recidivism risk reduction initiative. Counties cannot build their way out of the overcrowding problems, and just like the state correctional system, must begin to employ a variety of techniques to gain control over population management challenges. These changes should be considered together, as a comprehensive package, to assure that changes in one part of the system do not unintentionally overstress other parts of the system.

Finally, Pennsylvania must begin to address the challenges resulting from an increasing number of mentally ill inmates who counties are seeing in their jails. In cases where the mental illness is driving repeated commitments to the county jail, the state must address the issue by diverting those inmates to mental health treatment and supportive services.

For more information on correction issues in counties, contact Brinda Carroll Penyak, 717-232-7554 x 3137 or bpenyak@pacounties.org.