

*Pennsylvania Institutional Law Project's
2015 Annual Report*





A Message From The Executive Director Angus Love



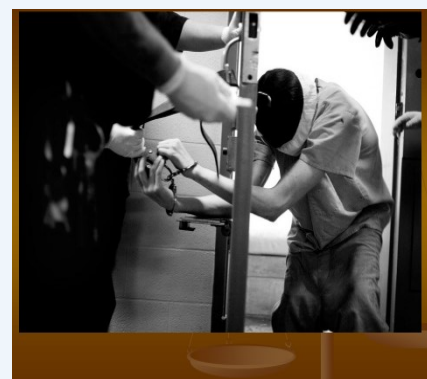
From the Executive Director

The Pennsylvania Institutional Law Project is part of the PLAN Network of legal aid providers in the Commonwealth of Pennsylvania. We would like to thank our prime sponsors, Sam Milkes, the Executive Director of PLAN, Stephanie Libhart, the Executive Director of IOLTA and their respective Boards of Directors for their continuing support. We would also like to thank the Philadelphia Bar Foundation, the Independence Foundation and the Philadelphia Foundation. With regard to the Philadelphia Foundation, we would like to specifically like to thank the Thomas G. Ashworth Memorial Fund, the William J. McCahan 3rd Fund in memory of Thomas McCahan and Florence McCahan and the Shirley and Morrison C. Boyd Fund. I would also like to thank our individual donors especially Cornelia Reddy for their generous and ongoing support. Without your help, we would not exist.

The Pennsylvania Institutional Law Project (PILP) continues to provide thousands of institutionalized Pennsylvanians the legal help they need to adequately prepare themselves for a successful transition back into our communities. We also seek to enforce violations of our client's constitutional rights while confined. We assist them in getting adequate medical and mental health treatment, livable conditions of confinement, suitable vocational and educational opportunities, correcting sentencing mistakes, free from excessive force, sexual abuse, advocating for humane visitation and family communications and resources for reentry.

As with past years, the Pennsylvania institutional population continues to grow despite the best efforts of many well-meaning elected officials, administrators and advocates. The Pennsylvania Department of Corrections budget rose once again, this time by 80 million dollars. When the Appropriations Committee asked Secretary of Corrections John Wetzel why this happened, he said it was because they keep passing harsh laws and sending him more inmates. We hope that Governor Wolf will bring a fresh perspective and new ideas to the criminal justice arena. We are also thrilled that President Barack Obama has made such reform a priority in his final days in office.

The PILP continues to be the only legal program that serves this vulnerable program. We continue to get over 15,000 requests for service each year. Despite cuts in funding we try and answer all inquiries. Self-help materials, brief service and extended legal representation keep our staff extremely busy. We are proud to be part of the Legal Aid network that works to ensure that all persons with legitimate legal claims, regardless of their station in life, have access to our judicial system.



POPE FRANCIS VISIT TO CURRAN FOLD CORRECTIONAL FACILITY



“The Times They Are A Changing”

Bob Dylan uttered these infamous words many years ago and they seem particularly relevant in today’s criminal justice arena.

In the past year, Pope Francis making his first visit to the United States, came to Philadelphia and visited the Curran Fromhold Correctional Facility (CFCF). The PILP has been litigating several individual and class action cases involving overcrowded conditions at CFCF for many years. We are thrilled that the Pope took the time to visit the facility and bring attention to its unfortunate residents. We are also thrilled that he spoke out on sentencing practices decrying sentences without hope and the need for rehabilitation efforts. His unwavering stance against the death penalty is also most welcome in a Commonwealth with over 250 people on death row. Pope Francis has mastered the art of taking the high road in many of the important issues of the day including global warming, the plight of the poor, immigration policy and the embarrassing sex abuse scandal within the Catholic Church. He told the audience at CFCF “This time in your life can only have one purpose: to give you a hand in getting back on the right road, to give you a hand to help you rejoin society. All of us are part of that effort, all of us are invited to encourage, help and enable your rehabilitation. Such work benefits and elevates the morale of the entire community.” His visit had a profound effect on all of us who were moved by his compassion and empathy for the downtrodden.



President Barack Obama became the first United States President to visit a prison when he went to the El Reno Federal Prison in Oklahoma this past July. Obama commented that “I think the criminal justice system interacts with broader patterns of society in a way that results in injustice and unfairness” as he met with a group of inmates. He also gave an important policy speech on criminal justice issues at the NAACP convention in Philadelphia just prior to visiting the El Reno facility. He spoke passionately about mass incarceration, that there are too many low level non-violent offenders in prison, that some sentences are disproportionate to the crimes, that Afro American and Latinos seem to bear the brunt of the criminal justice system in disproportionate numbers, the Ban the Box campaign and the need to commit to rehabilitation. He also mentioned some of the progressive reforms that are being considered. He said “I’m going to shine a spotlight on this issue, because while the people in our prisons made mistakes—and sometimes big mistakes—they are also Americans, and we have to make sure that as they do their time and pay back their debt to society that we are increasing the possibility that they can turn their lives around.”

If we need any further proof that the times are indeed changing we need go no further than seeing Bob Dylan, the poet laureate of a rebellious generation, conversing on TV with the talking computer Watson, of the corporate giant IBM.

Public Justice Foundation Recognizes PILP Case

The Public Justice Foundation nominated [DRN V. Wetzel](#) for their annual Case of the Year Award. The Pennsylvania Institutional Law Project is proud to be part of the outstanding litigation team that led to a successful settlement in the case. The case challenged the Pennsylvania Department of Corrections [DOC] policies regarding the seriously mentally ill and their prolonged confinement in isolation. The DOC agreed to settle the case and implement major reforms. These include recognizing mental illness as a defense to misconduct charges, limitations on disciplinary confinement for seriously mentally ill inmates, transfer to a treatment setting after 30 days disciplinary confinement and 20 hours out of cell time per week with 10 hours being professional. Bob Meek of the Disability Rights Network headed the legal team that included the PILP, ACLU of Pa., Kairys and Rudovsky, and Covington and Burling. A monitoring period follows the settlement agreement. Although we were finalists, the grand prize went to the Southern Poverty Law Center and Morris Dees for their work in [David v. Signal](#) which held Hurricane Katrina contractors to account for their use and exploitation of Indian workers.

PILP LEGAL HIGHLIGHTS FOR 2015

DRN v Wetzel-The case has been settled and major revisions have been made to the delivery of mental health to inmates housed in the Pennsylvania Department of Corrections, [Pa. DOC]. 30 day limits have been placed on the time persons with mental illness can be housed on the restricted housing units for disciplinary reasons. They will then be transferred to a treatment facility. They are guaranteed 20 hours of out of cell time per week with 10 hours being professional assistance. Seriously mentally ill inmates have been moved to 4 facilities so that the necessary units and professional services will be available. The disciplinary rules have been amended to allow for mental illness to be a mitigating factor in disciplinary actions. A monitoring period is currently underway to ensure compliance with the aforementioned terms. The legal team is headed by the Disability Rights Network and assisted by the PILP, ACLU of Pa., Kairys and Rudovsky and Covington and Burling. The case was nominated for case of the year by the Public Justice Foundation.

Hollihan v. Pa. DOC-This case challenges the ‘One Good Eye’ policy of the Pa. DOC. The policy states that an inmate who has had successful cataract surgery on one eye need not have surgery on the other eye even if it is deteriorating and in need of cataract surgery. They claim that they are not obligated to provide binocular vision. A class action has been filed alleging that such a policy exhibits a deliberate indifference to a serious medical need which violates the Eight Amendment prohibition against cruel and unusual punishment. Legal team includes the PILP, Pepper Hamilton and Kairys and Rudovsky.

Chimenti v. Pa. DOC- This class action seeks to provide a new miracle drug, Harvoni to inmate infected by Hepatitis C. It is estimated that as many as 20% of the PA. DOC population has Hepatitis C. The new drug has a 99% cure rate and only takes 12 weeks as opposed to the old treatment that took 6 months and had a much lower cure rate. It is also very expensive. The federal system and New York as well as Medicare are providing Harvoni. Similar litigation is pending in Massachusetts and Minnesota. Legal team is PILP, Dechert and Kairys and Rudovsky.

Richardson v. BOP- This action challenges the double celling policy at the super max prison at Lewisburg. Incoming inmates are forced to double cell or get put in restraints for extended periods of time which can last for weeks. A companion case, Shelton v BOP challenges the policy for those that accept the assignment and are assaulted. Richardson represents those that refuse and are put in restraints. Legal team for Richardson is the PILP and Dechert is representing Shelton.

Mikell v. Thompson- Damien Mikell was housed with another inmate with an extremely violent history and was assaulted. Prison officials were held responsible and the matter was confidentially settled including \$2,000 in fees for PILP-Attorney- Alexandra Morgan-Kurtz

Thompson v PA DOC- Thompson sued on behalf of Christians that wanted a congregate meal during Christian holidays. A settlement was reached that allows for such a meal at Christmas. Attorney fees of \$29,000 were awarded to the PILP. -Attorney- Alexandra Morgan-Kurtz and ACLU of PA.

PILP Board of Directors

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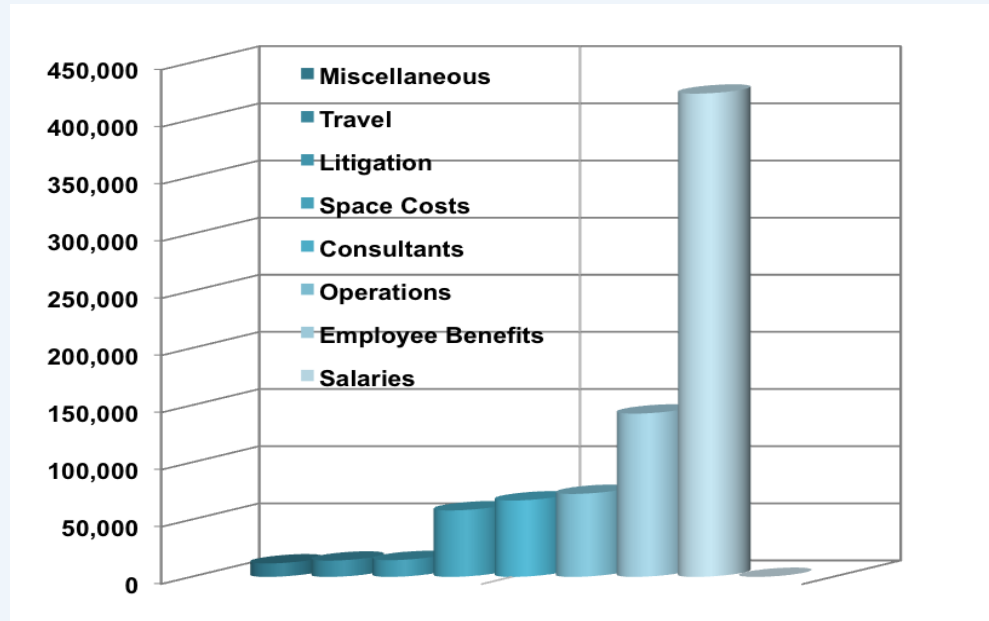
Mary Walsh

Rick Beaton

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PILP Expenditures

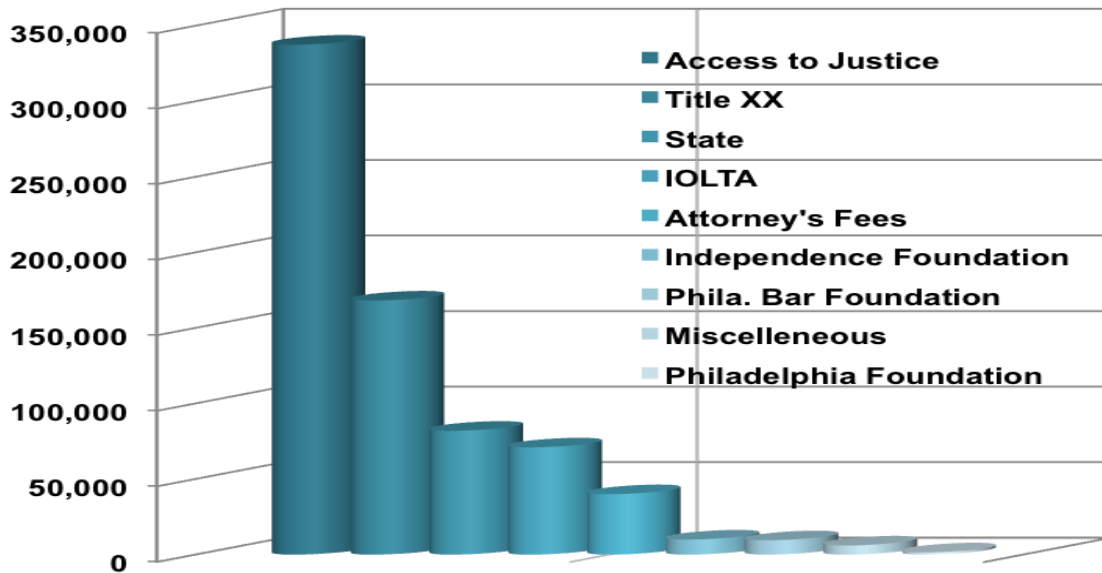
Fiscal Year 2014-2015 (projected)



Salaries	\$410,261
Employee Benefits	\$134,421
Consultants	\$44,082
Travel	\$16,590
Space Costs	\$62,250
Consumable Supplies	\$13,780
Furniture & Equipment	\$10,609
Printing, Copying & Postage	\$20,050
Law Library	\$10,373
Telephone	\$4,417
Court Costs	\$3,500
Insurance & Bonding	\$2,900
Depositions & Transcripts	\$2,200
Dues Professional Orgs	\$4,751
Tuition & Seminar Fees	\$3,675
Connectivity	\$844
Miscellaneous	\$4,524
TOTAL EXPENDITURES	\$749,227

PILP Revenues

Fiscal Year 2015—2016 (projected)



Projected Expenses:

\$747,027.00

Revenues

Access to Justice

\$364,750.00

Title XX

\$196,125.00

State

\$95,596.00

IOLTA

\$13,867.00

Attorney's Fees

37,400.00

Independence Foundation

\$10,000

Philadelphia Bar Foundation

\$9,000.00

Interest Income & Contributions

\$5,031.50

TOTAL OPERATING REVENUES

\$731,769.50

Re-Entry & Self-Help

PILP considers it crucial that prisoners are prepared for their eventual re-entry to society, and PILP is proud to be deeply involved in efforts to ensure that our clients have the tools and resources needed to become productive citizens and avoid the risk of recidivism.

Family Visitation and Custody

By advocating for incarcerated parents, we help strengthen the support networks that newly released prisoners often rely on.

Immigration and Work Status

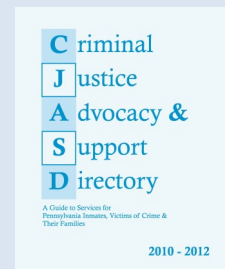
When an individual is deported or unnecessarily detained, the impact on their family and community can be devastating, emotionally and financially.

Self-Help Materials

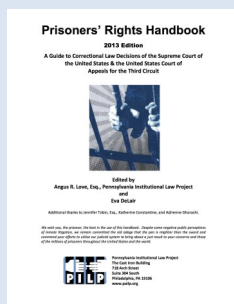
In addition to litigation, PILP assists thousands of prisoners every year by providing self-help materials that empower the individual in an alienating system. Among our publications offered at no charge are:

Criminal Justice Advocacy & Support Directory

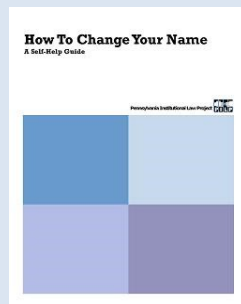
Published in conjunction with CenterPeace, Inc., this re-entry guide provides a comprehensive listing of organizations and agencies that assist ex-offenders in their transition to public life.



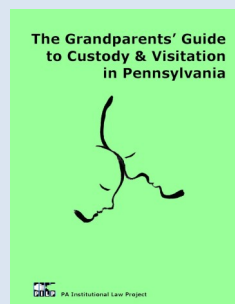
Prisoners' Rights Handbook



How To Change Your Name



Grandparents' Guide To Custody & Visitation In PA



Compassionate Release In Pennsylvania 2014





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You Can Make a Difference

Please contribute to the PA Institutional Law Project. Your tax-deductible donation will help ensure that **all** Pennsylvanians' rights are honored.

Send donations to:

PA Institutional Law Project
718 Arch Street, Suite 304 S
Philadelphia, PA 19106

Or go to **pailp.org** to make a donation via *PayPal*.



The PA Institutional Law Project
would like to extend special thanks to the
following organizations for their financial contributions to our efforts:



Access To Justice
The Philadelphia Foundation
The Independence Foundation
The Philadelphia Bar Foundation

"The degree of civilization in a society can be judged by entering its prisons."

-Fyodor Dostoyevsky