



PENNSYLVANIA: SECOND CHANCES AGENDA: EXPAND MEDICAL RELEASE AND CREATE GERIATRIC RELEASE MECHANISMS



THE PROBLEM – Too many low risk, high cost people incarcerated

Pennsylvania's laws keep thousands of people in prison for decades with no chance of release, even after rehabilitation. As a result, the number of people age 50 or over in Pennsylvania's prisons is 30 times larger than it was in 1979, and a quarter of the people in prison in Pennsylvania are now 50 or older. Many of these individuals are there for crimes committed decades ago and are very different people today.

The vast majority of people who commit crimes – even very serious crimes – naturally grow out of criminal behavior as they mature. Older individuals are therefore very unlikely to reoffend. For example, as of 2005, of the 99 Pennsylvania lifers over age 50 who had their sentences commuted and were released on parole, only one had returned to prison for a new crime.

Unnecessary incarceration costs Pennsylvanians hundreds of millions of dollars each year. Incarceration costs increase dramatically as people get older because of their increased need for medical care. The average cost for incarcerated individuals in skilled or personal care units is \$500 per day (or \$182,625 per year), more than three times the cost for the general population.

Old and sick people are the lowest risk population in terms of public safety and the highest cost to incarcerate. While Pennsylvania has a mechanism to release people who are terminally ill and have less than a year to live, the law is so narrow and cumbersome that it is almost never used. Pennsylvania has no legal provision at all to permit the release of geriatric people who are no longer any risk to the community.

THE SOLUTION – Expand medical release and create geriatric release

Pennsylvania can address these problems by:

- Expanding its existing medical release provision to include individuals who are very sick or medically incapacitated but not terminally ill, and streamlining the process to make it more accessible and efficient.
- Creating a geriatric release mechanism, which would allow people over a certain age who have served a minimum number of years to demonstrate their rehabilitation and earn the opportunity for release. The Pennsylvania Dept. Corrections considers people over age 50 as "geriatric" because incarcerated people have a physiological age 5 to 10 years older than their chronological age.

For more information, please contact FAMM Pennsylvania State Policy Director [Maria Goellner](mailto:mgoellner@famm.org) at mgoellner@famm.org or (717) 945-9089. Read FAMM's report *Time for Justice: The Urgent Need for Second Chances in Pennsylvania's Sentencing System*, available at FAMM.org

