

**REMARKS OF THE HONORABLE ROBERT A. FREEDBERG, P. J. AT THE
DEDICATION OF THE NEW WING OF THE NORTHAMPTON COUNTY PRISON**

JUNE 9, 2006

WE TAKE NO PLEASURE IN DEDICATING A PRISON. WE WOULD PREFER A PARK, A SCHOOL OR A RECREATION CENTER. YET, WE CAN BE PROUD OF MEETING AN IMPORTANT RESPONSIBILITY OF GOOD GOVERNMENT. A MEASURE OF SOCIETY'S DECENCY IS HOW IT TREATS ITS PRISONERS. A GREAT AUTHOR STATED, "THE DEGREE OF CIVILIZATION IN A SOCIETY CAN BE JUDGED BY ENTERING ITS PRISONS." OUR CONSTITUTION REQUIRES PRISONS NOT BE BARBARIC OR BRUTAL. IN ADOPTING THE EIGHTH AMENDMENT PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT, THE FOUNDERS SET THE STANDARD FOR THIS NATION.

OF COURSE, A PRISON IS NOT A HOTEL; CODDLING IS NOT APPROPRIATE. BUT WE MUST NOT LOSE OUR HUMANITY IN THE PROCESS OF INCARCERATING OTHERS. WE HAVE BUILT A DECENT, SAFE FACILITY TO REDUCE OVERCROWDING. THAT WAS THE RIGHT THING TO DO.

HOW WE USE THIS FACILITY WILL BE THE IMPORTANT TEST. IT IS INDISPUTABLE THAT MOST OF THE INMATES WHO WILL ENTER THIS PRISON WILL COME FROM COMMUNITIES IN NORTHAMPTON COUNTY. THEY COME FROM BETHLEHEM, EASTON, NAZARETH, AND NORTHAMPTON. VIRTUALLY ALL OF THEM WILL LEAVE THE PRISON SYSTEM. WHEN THEY DO, THEY WILL

RETURN TO THE SAME COMMUNITIES FROM WHICH THEY CAME. THEY WILL RETURN TO THEIR HOMES IN NORTHAMPTON COUNTY. THE KEY QUESTION IS, "WILL THEY HAVE POSITIVE ALTERNATIVES? WILL THEY BE BETTER PEOPLE? OR WILL THEY BE MORE HARDENED AND EDUCATED IN CRIME?"

WE BUILD PRISONS TO DETER CRIME. UNQUESTIONABLY, PUNISHMENT IS AN IMPORTANT PART OF THAT PROCESS. BUT SO IS REHABILITATION.

YESTERDAY, JUNE 8, 2006, THE NATIONAL COMMISSION ON SAFETY AND ABUSE IN PRISONS ISSUED ITS REPORT. IT IS WORTH READING. THE COMMISSION WAS CHAIRED BY A FORMER ATTORNEY GENERAL OF THE UNITED STATES AND A FORMER APPELLATE COURT JUDGE. MEMBERSHIP INCLUDED REPUBLICANS AND DEMOCRATS, CONSERVATIVES AND LIBERALS, AND PEOPLE FROM VARYING EXPERIENCES IN THE COMMUNITY. AMONG THE FINDINGS ARE SEVERAL THAT SPEAK TO THE ISSUE OF REHABILITATION IN PRISONS.

FIRST, FEW CONDITIONS COMPROMISE SAFETY AND SECURITY IN PRISONS MORE THAN IDLE PRISONERS. PROGRAMMING IS ESSENTIAL. IDLENESS POSES A DANGER WITHIN THE PRISON SETTING. WHEN PRISONERS MERELY SIT IN THEIR CELLS ALL DAY OR WATCH TELEVISION, THERE IS NO EFFECTIVE REHABILITATION. THE POTENTIAL FOR VIOLENCE IN THE PRISON INCREASES. WHEN THOSE PRISONERS ARE RELEASED BACK INTO SOCIETY, THEY ARE MORE OF A DANGER THAN WHEN THEY ENTERED THE PRISON. THESE ARE DYSFUNCTIONAL PEOPLE WITH SERIOUS PROBLEMS. IT DEFIES COMMON SENSE AND HUMAN EXPERIENCE TO THINK THAT THESE BROKEN PEOPLE ARE GOING

TO BE BETTER CITIZENS WHEN THEY RETURN TO THE COMMUNITY WITHOUT EXPERIENCING EFFECTIVE REHABILITATIVE PROGRAMMING IN THE PRISON.

SECOND, THE COMMISSION FOUND THAT "WHILE PRISON POPULATIONS GREW ASTRONOMICALLY, FUNDING FOR EDUCATION, VOCATIONAL TRAINING AND REHABILITATIVE PROGRAMMING HAS NOT KEPT PACE." REGRETTABLY, THAT STATEMENT IS VERY DESCRIPTIVE OF WHAT HAS HAPPENED IN NORTHAMPTON COUNTY. TWENTY YEARS AGO, NORTHAMPTON COUNTY PRISON HAD A REPUTATION FOR FOCUSING ON PRISONER REHABILITATION. THERE WERE EDUCATIONAL, VOCATIONAL AND COUNSELING PROGRAMS AVAILABLE, AND THEY MADE A SIGNIFICANT IMPACT. NORTHAMPTON COUNTY PRISON WAS A MODEL FOR OTHER INSTITUTIONS AROUND THE STATE IN PROVIDING EFFECTIVE REHABILITATIVE PROGRAMMING. UNFORTUNATELY, COUNTY OFFICIALS DISMANTLED THOSE REHABILITATIVE PROGRAMS. I AM NOT HERE TODAY TO POINT A FINGER AT ANYONE OR TO JUDGE THEIR MOTIVATIONS; I ASSUME THAT, FOR THE MOST PART, THEIR CONCERNS WERE FINANCIAL. BUT IT WAS PENNY-WISE AND POUND-FOOLISH. CERTAINLY DOLLARS WERE SAVED BY ELIMINATING THE PROGRAMS. BUT WHEN PRISONERS WHO DID NOT RECEIVE REHABILITATIVE PROGRAMMING WERE RETURNED TO THE COMMUNITY, THERE WAS A COST TO PAY IN TERMS OF FURTHER CRIMINAL BEHAVIOR.

THIRD, THE COMMISSION FOUND THAT PESSIMISM ABOUT THE EFFECTIVENESS OF REHABILITATION IS MISGUIDED. TARGETED INTERVENTIONS WORK. EDUCATION REDUCES RULE BREAKING. IT WAS POPULAR FIFTEEN OR TWENTY YEARS AGO TO SUGGEST THAT PRISON REHABILITATION WAS NOT SUCCESSFUL. ACCORDING TO THE COMMISSION, STUDIES DEMONSTRATE TO THE CONTRARY THAT REHABILITATIVE PROGRAMMING IS OFTEN EFFECTIVE. CAREFUL SELECTION OF THE KINDS AND PROVIDERS OF PROGRAMS FOR REHABILITATION CAN MAKE A POSITIVE IMPACT IN NORTHAMPTON COUNTY PRISON.

FOURTH, THE COMMISSION FOUND THAT PROGRAMS ARE NEEDED WHICH CULTIVATE LIFE SKILLS, ANGER MANAGEMENT, PERSONAL GROWTH AND FAITH, DEVELOPMENT OF FAMILY RELATIONSHIPS AND VICTIM AWARENESS. DRAWING ON MY TWENTY-SEVEN YEARS ON THE BENCH, I WILL ADD TO THOSE THE URGENT NEED FOR DRUG TREATMENT PROGRAMMING IN THE PRISON. IT IS ABSOLUTELY ESSENTIAL. WE ARE DECEIVING OURSELVES IF WE THINK THAT PRISON SENTENCES ALONE WILL REFORM DRUG ABUSERS. I BELIEVE THAT THERE CAN BE EFFECTIVE DRUG REHABILITATION WITHIN THE PRISON SETTING. I HAVE VISITED THE GANDER HILL PENITENTIARY IN DELAWARE AND SEEN THE OUTSTANDING PROGRAM IN EFFECT THERE. THEIR RECIDIVISM FIGURES SUPPORT WHAT THEY ARE DOING. A SIMILAR TYPE PROGRAM CAN BE IMPLEMENTED IN THIS PRISON. I AM PLEASED THAT THERE IS A TREATMENT COMMUNITY PLANNED FOR THE NORTHAMPTON COUNTY PRISON IN THIS NEW

ADDITION.

JUST TODAY, A REPRESENTATIVE OF THE ADULT PROBATION DEPARTMENT SPOKE WITH ME ABOUT THE URGENT NEED FOR SEX OFFENDER COUNSELING. WHILE MOST SEX OFFENDERS ARE TRANSFERRED TO STATE CORRECTIONAL INSTITUTIONS, SOME WHO HAVE ENGAGED IN LESS SERIOUS OFFENSES ARE HOUSED IN NORTHAMPTON COUNTY PRISON. DOES IT MAKE SENSE FOR THEM TO BE RELEASED TO THE STREET WITHOUT PRIOR COUNSELING OR SHOULD THEY HAVE COUNSELING AND REHABILITATIVE PROGRAMMING WHILE THEY ARE IN THE PRISON SO THAT THEY POSE LESS OF A RISK WHEN THEY ARE RELEASED? THE ANSWER IS OBVIOUS. WE NEED AN EFFECTIVE SEX OFFENDER COUNSELING PROGRAM FOR INMATES IN THE PRISON RATHER THAN DEFERRING TREATMENT UNTIL THEY ARE RELEASED ON PAROLE.

THE COMMISSION CONCLUDED “WE NEED A STRONG INVESTMENT IN EDUCATION, VOCATIONAL TRAINING, AND COGNITIVE BEHAVIORAL PROGRAMS THAT HAVE BEEN DEMONSTRATED TO PROMOTE SAFETY IN THE SHORT AND LONG TERM.”

SENATOR TOM COBURN, CHAIR OF THE UNITED STATES SENATE JUDICIARY COMMITTEE ON CORRECTIONS AND REHABILITATION, A REPUBLICAN FROM OKLAHOMA, SAID IT WELL:

FOR THE VAST MAJORITY OF INMATES, PRISON IS A TEMPORARY, NOT A FINAL DESTINATION. THE EXPERIENCES INMATES HAVE IN PRISON — WHETHER VIOLENT OR REDEMPTIVE — DO NOT STAY WITHIN PRISON WALLS, BUT SPILL OVER INTO THE REST OF

SOCIETY. FEDERAL, STATE AND LOCAL GOVERNMENTS MUST ADDRESS THE PROBLEMS FACED BY THEIR RESPECTIVE INSTITUTIONS AND DEVELOP TANGIBLE AND ATTAINABLE SOLUTIONS.

WE MUST FORMULATE EFFECTIVE PROGRAMMING FOR THIS INSTITUTION.

I URGE THE COUNTY EXECUTIVE AND COUNTY COUNCIL TO WORK WITH THE COURT TO DEVELOP THESE PROGRAMS. WE WILL BE MAKING PROPOSALS FOR IMPLEMENTATION OF EFFECTIVE REHABILITATION PROGRAMMING IN NORTHAMPTON COUNTY PRISON, AND WE HOPE THAT THE OTHER BRANCHES OF GOVERNMENT WILL SUPPORT THEM. BUILDING THIS FACILITY WAS AN IMPORTANT FIRST STEP. NOW WE MUST USE IT WISELY. THANK YOU.