

## **United Methodist Advocacy in Pennsylvania**

### **April 30, 2018**

This was a busy month for United Methodist Advocacy in PA: I met with the Pennsylvania Council of Churches Commission on Public Witness, testified at a Dept. Environmental Protection hearing, served as vice president at the Board of Directors meeting of the Pennsylvania Council of Churches, attended the Holocaust Remembrance Ceremony at the Governor's reception room, met with the Interfaith Justice Coalition in Harrisburg, manned a UM Advocacy resource table at a Poverty workshop, lobbied on behalf of legislative redistricting reform, and preached at three Western PA UM churches.

In the progression of the legislative year, April tends to be an active time for all kinds of legislation, at all stages. It was certainly true this year. However, in response to recent shootings, attention on potential firearms legislation was front and center.

Below is a briefing on political issues from this past month that might interest United Methodists:

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- **PA Highest Probation Rate**
- **Criminal Justice Overhauls**
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### **Testimony Against Shell Pipeline**

On April 5, I testified at a Pennsylvania Department of Environment Protection public hearing held in Allegheny County regarding an earth displacement and water encroachment permit for a planned Shell ethane pipeline, proposed for Western Pennsylvania.

I spoke in opposition to the plan based on three points from the United Methodist Social Principles as delineated in our *Book of Resolutions 2016*:

- Care for the natural environment as an ecosystem.
- Care for the environment as it affects the health and wellbeing of human beings.
- Usage of the “Precautionary Principle.”

(The Precautionary Principle says that it is not the responsibility of the public sector to prove that industrial processes are harmful. It is the responsibility of industry to prove that their processes are *not* harmful.)

### **Redistricting Reform Bill Gutted**

On April 11, state Rep. Daryl Metcalfe (R-Butler) led an effort to gut House Bill 722, a measure to reform the legislative redistricting process that takes place after each U.S. census. HB722 would have created an independent commission of citizens to draw electoral maps, instead of leaving the process to legislators. In the hands of lawmakers the process typically becomes an exercise in gerrymandering. Metcalfe’s amendment completely changed the original intent of the bill.

House Bill 722 had been stalled in the House State Government Committee for 11 months. Metcalfe is the chair of the committee. He called a surprise morning meeting and introduced an amendment to the bill after he had heard that Democrats would try a parliamentary maneuver called a discharge resolution, to get the bill out of committee and in front of the full House.

Originally, the bill would have removed lawmakers from the process of forming legislative districts and replaced it with an independent commission of citizens. But, Metcalfe said, “There is no greater citizens’ commission than the General Assembly of this state.” Metcalfe’s amendment to the bill essentially creates a similar process to the one already in existence, but with less oversight. The committee voted along party lines 15-11 to support Metcalfe’s amendment, with Republicans in the majority.

The vote, however, does not move the bill out of committee and Metcalfe did not say when he plans to have the committee vote to send the bill to the House floor.

Governor Tom Wolf almost immediately released a statement criticizing the action.

A Senate version of the bill, Senate Bill 22, remains without amendment and could potentially be sent over to the House, if passed in the Senate. HB722, in its original form, had 109 cosponsors, more than any other bill introduced in this 2017-2018 session. Senate Bill 22 has been steadily gaining co-sponsorship from both parties and now has 18 cosponsors (out of 50 senators).

### **Redistricting Reform Rally**

On April 16, hundreds of voters gathered at the Capitol to call for the Legislature to enact legislative redistricting reform. The redistricting reform—anti-gerrymandering—movement has maintained strong grassroots support for over a year in Pennsylvania. Its most significant action was the lawsuit that resulted in the state Supreme Court ruling, in January, that the current congressional districts map violated the state Constitution.

Demonstrators filled the rotunda and were standing along the stairs leading up to the second floor and in the overlooking galleries. The rally was organized by Fair Districts PA. Fair Districts PA has been at the forefront of the movement. It is an offshoot of the Pennsylvania League of Women Voters.

The group seeks legislation to replace the existing politically-driven method of drawings legislative district maps with a process that would be under the control of an independent commission.

## **Scarnati Ordered to Pay in Gerrymandering Case**

On April 13, U.S. District Judge Michael Baylson ordered Pennsylvania Senate Pro Tempore, Joe Scarnati, to personally pay more than \$29,300 to reimburse lawyers who successfully challenged the state's congressional districts as being unconstitutionally gerrymandered. Mr. Scarnati opposed the challenge. Judge Baylson ruled that taxpayer-paid lawyers representing Scarnati improperly tried to move the legal challenge from state court to federal court, in last fall. Baylson says the attempt violated procedural rules and the other defendants hadn't agreed to it.

Within days, Scarnati appealed the order to the 3rd U.S. Circuit Court of Appeals. Scarnati aide Drew Crompton said the attempt to move the case was based on the recommendations of numerous private lawyers. Crompton noted that assessing personal liability in governmental legal decisions is absurd and could interfere with good-faith litigation.

## **Rep. Metcalfe Rants**

On April 20, state Rep. Daryl Metcalfe (R-Butler) referred to a colleague as a “lying homosexual” in a Facebook post. Mr. Metcalfe defended his comment to The Associated Press, regarding the sexual orientation of Rep. Brian Sims (D-Philadelphia), because Sims has spoken openly about being gay, and because Metcalfe believes it is “immoral behavior.”

Sims is calling Metcalfe “Rep. Snowflake McRacist” on Twitter and says Metcalfe “claims victimhood” when he's called out. The two lawmakers have clashed before.

Rep. Metcalfe also posted a rant about “liberal loser Democrat legislators,” instigated by Metcalfe's dispute with state Rep. Chris Rabb (D-Philadelphia), who recently filed a complaint against Metcalfe in the wake of the gutting of House Bill 722.

Regarding these liberal loser Democrats, Metcalfe said, “When they oppose us on my committee, they lose every vote and we win every vote! I block all substantive Democrat legislation sent to my committee and advance good Republican legislation! Liberals continue their lying attacks in an attempt to stop my work in defense of taxpayers and our liberty!”

Of course, officials of the state Democratic Party responded with a statement calling on Metcalfe to be stripped of his leadership post. “Daryl Metcalfe's public admission that he is a partisan hack who abuses his power at the expense of making government better for Pennsylvanians is absolutely disqualifying,” wrote Sincere Harris, the executive director of the Pennsylvania Democratic Party, in an email.

1 Peter 3:8—Finally, all of you, be like-minded, be sympathetic, love one another, be compassionate and humble. (Certainly, Peter didn't intend to include the halls of government.)

## **House Hearings on Gun Violence**

On April 18, the state House Judiciary Committee wrapped up six days of hearings about gun violence and potential gun law changes. Judiciary Committee Chairman Ron Marsico (R-Dauphin) said 37 legislators, coming from both parties, testified at the hearings. Rep. Marsico had invited all House lawmakers to testify on bills they have sponsored or to express their views on the issues. He plans to schedule another hearing in May for public comment.

Rep. Jake Wheatley (D-Pittsburgh) said, “America has a real problem, and we all can choose to acknowledge it or not, but it's a crisis.” He told the committee. “Just like the opioid addiction, we have a gun violence issue that is rampant.”

Rep. Dom Costa (D-Pittsburgh) said that he wasn't aware of any similar hearings on guns in his 10 years in the General Assembly.

Marybeth Stanton Christiansen, Pennsylvania legislative lead for Moms Demand Action, said that based on the testimony of lawmakers at the hearings, she thinks there are a pair of reforms that are most likely to move at the Capitol. First, one intended to make it harder for abusers to access firearms. Second, one that would make it easier for relatives to get firearms taken away from people who appear to be poised to become a threat to themselves or others.

Under existing law, people accused of domestic violence can have their weapons placed in safekeeping with relatives instead of turning them in to authorities. Advocates for victims of domestic violence say it's too easy for abusers to regain their firearms in those situations.

Senate Bill 501 would close the safekeeping loophole. The bill passed the Senate unanimously in March as part of a package of bills intended to better protect victims of domestic violence.

The other potential gun law change would be so-called “red flag” legislation that is intended to make it easier to get firearms away from people who appear to be violent. Florida passed a red flag law after the shooting at Marjory Stoneman Douglas High School in Parkland.

Florida became the sixth state with a red flag law, according to Everytown for Gun Safety—the others are California, Washington, Indiana, Oregon and Connecticut. Everytown noted that in 42 percent of mass shootings from 2009 to 2016 there is documentation that the attacker had exhibited warning signs beforehand.

## **Firearms Safety Bills**

Partway through House hearings on gun violence, the chairman of the House Judiciary Committee identified four pieces of legislation on which he plans to call for votes in coming months. Chairman Ron Marsico (R-Dauphin), on April 11, said he's considering action on the following:

- Soon to be introduced legislation sponsored by Rep. Todd Stephens (R-Montgomery), to create “extreme risk protective orders” where a family member can petition the court to remove guns from someone who is a danger to themselves or others.
- House Bill 2060, sponsored by Rep. Marguerite Quinn (R-Bucks), to require individuals subject to Protection from Abuse Orders to quickly surrender all guns.
- House Bill 175, sponsored by Rep. Kate Klunk (R-York), to train police officers in how to assess the lethal risk facing victims of domestic violence.
- Legislation to ban bump stocks, a device attached to semi-automatic rifles that increases a weapon's rate of fire.

In other gun-related legislation, Rep. Tom Murt (R-Montgomery) said he is hoping for a Senate floor vote on his House-passed HB1233 to change mental health commitment procedures so individuals in need can get timely outpatient treatment. The bill would change the current “clear and present danger” standard for determining who gets inpatient and outpatient treatment for a mental illness. It would create a new court-ordered standard to make outpatient treatment more readily available. The bill would help families intervene earlier to get outpatient treatment before someone becomes dangerous to themselves or others.

Rep. Stephen McCarter (D-Montgomery) spoke against Senate-passed SB383, to give school boards authority to allow school employees to possess firearms on school property, calling it an “unbelievably reckless idea” that would increase dangers in the schools. But, Rep. Rick Saccone (R-Allegheny) argued that an armed teacher could stop an assailant and such a policy “should be up to the school district.”

## **Background Checks on Long Guns**

On April 10, the second day of hearings by the Pennsylvania House Judiciary Committee regarding gun violence, the subject of including the sale of long guns in background checks drew the most debate.

Rep. James Santora (R-Delaware) urged passage of his House Bill 1400, that would eliminate most exceptions to the requirement for a background check prior to purchase or transfer of a firearm. However, the bill would still exempt firearm transfers among family members from the background check requirement. The bill would close loopholes that have given unauthorized individuals access to firearms, said Santora.

Rep. Rick Saccone (R-Allegheny) opposed the bill, saying it would penalize law-abiding citizens exercising their Second Amendment rights. Handguns are used far more often to commit crimes than long guns, Saccone observed. Santora responded by claiming perpetrators using long guns account for half of the killings of police officers in Pennsylvania in recent years.

### **Governor Supports Gun Sale Background Checks**

On April 23, Gov. Tom Wolf asked the Legislature to pass a measure expanding background checks on firearms in Pennsylvania and end an exception for private sales of shotguns, sporting rifles and semi-automatic rifles, known as the "gun show" loophole. The governor appeared at a news conference with officials from the Pennsylvania State Police supporting his call for action.

The Republican-controlled Legislature has resisted gun-control measures and is unlikely to expand background checks or ban assault-style weapons.

Background checks now cover all sales of handguns, except for transfers within families. Exempt are sales of longer-barreled firearms between unregulated private parties, including private-party sales at gun shows. "Universal background checks are one of the best ways we can keep weapons out of the hands of threatening individuals," Wolf said.

Gun-rights groups generally oppose expanding background checks. Kim Stolfer, president of the Pennsylvania-based gun-rights group Firearms Owners Against Crime, contended that an expansion of background checks won't reduce crime since most crimes are committed with handguns.

Senate Majority Leader Jake Corman (R-Centre), said his chamber is focusing on "red-flag" areas, or preventing people who are at risk of committing violence from getting guns. "Expanding background checks is "an appropriate discussion to have at this point," Corman said.

### **Gun Rights Rally**

On April 14, several hundred gathered at a pro-Second Amendment rally on the steps of the state capitol in Harrisburg. The rally was one part of a larger effort to organize pro-gun rallies in 45 state capitols across the United States, organized online by the National Constitutional Coalition of Patriotic Americans.

The aim of the rallies is to push back against calls for gun control that began after the Parkland Florida school shooting, which sparked marches in Washington, New York and other U.S. cities, demanding tougher gun control.

The demonstration took place while the state House Judiciary Committee was in the process of a two-week series of hearings on gun violence and state firearm policies.

### **Increased Domestic Violence Protection**

On April 16, Gov. Tom Wolf signed into law legislation to clarify that Magisterial District Judges may, in cases of domestic violence, use a risk assessment tool to determine whether a defendant poses a danger to a victim, when determining bail. The measure is also known as "Tierne's Law"—for Tierne Ewing, a Washington County woman who was kidnapped and murdered in 2016 by her estranged husband after he was granted bail, following his arrest for domestic violence and other offenses.

“Far too many domestic violence victims suffered terrible consequences even after the crimes were committed, simply because judges did not have the information they needed to keep the most dangerous offenders behind bars,” said bill sponsor Sen. Camera Bartolotta (R-Washington).

Bill supporters say the law will help ensure magistrate judges use a risk assessment tool to determine not just a flight risk but a lethality risk that will ultimately assist in protecting victims of domestic violence by making sure their abusers stay behind bars if they pose a risk of committing more violence.

### **Parole Opportunity for Lifers**

During this month’s House Judiciary Committee hearings on gun violence, Rep. Jason Dawkins (D-Philadelphia) spoke about House Bill 135. Dawkins told his personal story of losing a brother to gun violence. He said that experience motivated him to sponsor HB135, to allow a second chance for inmates serving sentences of life without parole. After serving twenty to twenty-five years of such a sentence, the inmate would have an opportunity for a state parole board hearing, said Dawson.

The purpose would be to enable the return of adult men to their communities so they could mentor juveniles about staying out of trouble, he added. Reps. Barry Jozwiak (R-Berks) and Dom Costa (D-Allegheny) responded that a parole hearing for such an inmate in the age range of 50 to 55 years could be worth considering.

### **PA Unemployment Rate**

Pennsylvania’s unemployment rate remains at 4.7 percent, as it has been for ten consecutive months, according to the state Department of Labor and Industry. The most recent employment figures released on April 20, for the month of March, are once again a mixed bag of information, with the household and employer surveys offering different views of the state’s employment environment.

While the state’s employers reported adding a net 2,700 non-farm jobs last month, compared to February and 84,000 since March 2017, the survey of Pennsylvania households illustrates a continued decline in the state’s workforce. The civilian labor force—those working or looking for work—shrank by 18,000 individuals compared to February, and over the previous year has lost 47,000 people, or a decline of 0.7 percent.

The national picture is different, with the country’s unemployment rate of 4.1 percent remaining below Pennsylvania’s rate. In the last year, the nation has seen the labor force increase by 1 percent while employment has grown by 1.4 percent.

### **Renewable Energy Legislation for PA**

On April 18, a bipartisan group of legislators from both chambers of the General Assembly conducted a news conference to introduce renewable energy legislation, highlighting matching bills introduced by state Rep. Chris Rabb (D-Philadelphia) and state Sen. Charles McIlhinney (R-Bucks). The newly introduced House Bill 2132 and Senate Bill 1140, set out to transition Pennsylvania to 100 percent renewable energy by 2050

"The vast majority of scientists agree: Climate change is real." Rabb said

“Clean, renewable energy holds the key to promoting a healthier environment, a stronger economy and a brighter future for future generations,” McIlhinney said. While similar proposals are pending in other states, Pennsylvania’s senate bill is groundbreaking in that it is the first of its kind to be introduced with a Republican legislator as its chief sponsor.

Under this legislation, Pennsylvania would be required to develop a plan to transition to 100 percent renewable energy by 2050. The proposals would create a Clean Energy Transition Task Force, a Clean Energy Center of Excellence, and a Council for Clean Energy Workforce Development.

Polls show support for this issue from Pennsylvania voters. In March, a poll by Greenberg Quinlan Rosner Research found that 71 percent of Pennsylvanians support setting a goal of generating 100 percent of its electricity using renewable energy like wind and solar power—including 52 percent support from Republicans.

In early April, a Franklin & Marshall poll showed that nearly 70 percent of Pennsylvanians believe that it is more important to pursue policies that prioritize the availability of renewable energy over fossil fuel extraction.

At the news conference, the sponsors were joined by diverse supporters. The Rev. Sandra Strauss, director of advocacy for the Pennsylvania Council of Churches observed, “As people of faith, we are called to protect and preserve what God has given us in order that future generations will have what they need to live and thrive. Now that renewables have entered the realm of the affordable and accessible, I believe we have a moral imperative to support passage of this proposal.”

### **Down Syndrome Abortion**

On April 16, the PA House passed a bill to prohibit abortions when the sole reason is that the fetus has or might have Down Syndrome. The act passed 139-56 and will go to the Senate. Twenty-four Democrats joined 115 Republicans in voting for the legislation

“I believe in the dignity of every human being,” said House Speaker Mike Turzai (R-Allegheny), “None of us are born perfect, and we all have something beautiful to contribute.” Turzai was the prime sponsor of the bill.

If the bill passes the Senate, Gov. Tom Wolf said he will veto it. “Pennsylvania Republicans are trying once again to criminalize a health care decision that Gov. Wolf has been clear should be made by a woman and her doctor, not politicians in Harrisburg,” said Wolf deputy press secretary Sara Goulet.

Opponents of the legislation argued it violates the existing constitutional guarantee of a woman’s right to choose to have an abortion, that it interferes with the doctor/patient treatment relationship, that the state doesn’t provide enough funding to offer services and supports to individuals with Down syndrome and their families, that it has had no public vetting during hearings and that it’s going to be next to impossible to enforce as women currently aren’t required to provide any reasoning for seeking an abortion.

A similar bill that was enacted last year in Ohio has been put on hold by a federal judge, who said opponents were “highly likely” to show the law violates the U.S. Constitution. Advocates for Planned Parenthood Pennsylvania called the bill a coordinated attack on safe and legal abortion and women's reproductive rights.

Pennsylvania law allows abortions up to 24 weeks of pregnancy for any reason except to choose the gender. The bill would add to the state’s current Abortion Control Act, “a prenatal diagnosis of, or belief that the unborn child has Down Syndrome.” The Abortion Control Act only applies penalties for violation of its provisions to the doctor performing an abortion, not the pregnant woman nor any other health professional involved in the procedure.

### **Whole Plant Medical Marijuana to Become Available**

On April 16, Pennsylvania Health Secretary Rachel Levine announced she has approved the state medical marijuana advisory board’s recommendation, released earlier in the month, to permit sale of the dry leaf or plant form for patients with a qualifying medical condition. She will also allow access to medical marijuana as a treatment for opioid abuse, making Pennsylvania the first state program to do so.

Allowing access to the marijuana plant is believed to be a means of offering a lower-cost option to the processed concentrate forms. The flower is also believed to be more effective in treating some medical conditions, while offering better dosage control than the concentrate forms. Dr. Levine anticipates plant forms will be available at state-approved dispensaries by summertime.

Making the marijuana plant available will speed up turnaround time from seed to dispensary. The plant/leaf/flower forms will probably cost about half that of the concentrates. States that already allow flower sales found the product makes up 55-60 percent of their sales.

Because Pennsylvania's law prohibits smoking medical marijuana or using it in edible form, the plant must be legally consumed via vaporization, where it would be heated, but not burned, and the patient would inhale the vapor.

Once the plant is purchased and taken home, however, it's unclear how that rule would be enforced. Dr. Levine said patients will be urged to follow the prescribed methods for administering the medication.

Dr. Levine also approved board recommendations to allow physicians to participate in the program certifying patients while not having their names listed on the public registry. That's a change she said is designed to encourage more physicians to participate.

Furthermore, the number of qualifying medical conditions for medical marijuana will increase from 17 to 21.

Dr. Levine's announcement underscores the rapid growth and progress of the program since the first medical marijuana patients purchased pills, oils, tinctures and other concentrate forms of the plant in February.

To date, 30,413 people in Pennsylvania have registered for the medical marijuana program with nearly 12,000 certified patients having purchased identification cards that allow them to buy products at state-approved dispensaries.

## **Hemp**

On April 12, a bill introduced in the U.S. Senate would legalize industrial hemp farming and make federal research funding available to those studying hemp's various potential uses.

The Hemp Farming Act of 2018, introduced by Sen. Majority Leader Mitch McConnell, would remove industrial hemp from Schedule 1 of the Controlled Substance Act and turn over regulation to the U.S. Department of Agriculture. This would allow state agriculture departments to create their own regulatory programs. The bill would also enable researchers to apply for funding through USDA and allow farmers to obtain crop insurance for hemp.

Industrial hemp is a benign sibling of marijuana. Both come from the same fibrous cannabis plant, but hemp has less than half a percent of THC, the psychoactive substance that makes one high. Currently, the Controlled Substances Act classifies hemp under its broad definition of marijuana as a drug with no accepted medical use and a high potential for abuse.

## **House Leadership**

Leadership changes and resulting ramifications are in store for Pennsylvania House Republicans. "The day that a leader announces that they're not going to be the leader anymore, a certain amount of 'Game of Thrones' begins," said rank-and-file Rep. Jesse Topper (R-Bedford).

Most significant is the departure of House Republican Leader Dave Reed (R-Indiana). More of a moderate, Mr. Reed presided over the Republican caucus during the last four years as it moved further right. The choice of Reed's replacement will have significant influence on future legislative direction. Republicans currently hold a 121 to 82 majority over Democrats.

At this time, the senior legislators most likely to replace Reed are being tightlipped on the matter.

In addition to the House Republican leadership position, there are also an unusual number of chairmanships opening in the House, including Judiciary, Transportation, Liquor, Children and Youth,



Consumer Affairs, Environmental Resources and Energy, and Licensure committees. In the Senate, where Republicans also hold a comfortable majority, retirements are opening up at the head of the Judiciary, Education, Law and Justice, and Local Government committees

### **New Voting Machines with a Paper Trail**

On April 12, the Pennsylvania Department of State announced that all counties will be required to have a voting system on order, by December 31, 2019. The system must create a paper trail to account for each, individual ballot that is cast. The deadline imposed by Acting Secretary of State Robert Torres is meant to have the new systems in place for the 2020 presidential election.

The last statewide upgrade of voting systems occurred after the 2000 "hanging chads" controversy in Florida, with an estimated statewide cost of \$147 million. Torres' office said that purchases of new systems now cost between \$95 million and \$153 million. But, the state will help to lower costs by offering volume purchasing options through a state program, grants and other strategies.

Recently, election integrity has come under increased scrutiny. Some Republicans have made claims of voter fraud, while some Democrats have argued that Russian-backed manipulation of voters may have hurt Hillary Clinton's presidential campaign. In Pennsylvania, however, there has been no evidence that any recent election has been decided by cheating.

This January, all 67 Pennsylvania counties signed onto a letter noting that "most voting equipment is at the end of its useful life and will need to be replaced in the next few years."

### **Less Refugees in PA**

At the present rate, Pennsylvania will bring in fewer than half the number of refugees anticipated for this fiscal year. Those expectations are based on a national refugee cap, set at 45,000 people by President Donald Trump—already the lowest level in decades.

Since October 1, Pennsylvania has accepted about 530 refugees. That's about a third of the number resettled in the same period during the previous year.

New rules are slowing down an already lengthy vetting process. The U.S. refugee program experienced stops and starts last year, due to executive orders and court cases. This has caused some changes, including the fact that a lot of people who were almost through the vetting process have had to start over—which can take years. In addition, new vetting protocols and staffing changes at the federal level have also taken place.

### **Wolf Extends Public Health State of Emergency**

On April 4, Governor Tom Wolf signed an order to extend by three months, the 90-day public health emergency he first declared in January.

The Governor said initial estimates indicate 5,200 Pennsylvanians died from opioid overdoses in 2017. That's more than 14 deaths a day, a 12 percent increase over 2016, according to data from the U.S. Centers for Disease Control and Prevention.

Wolf pointed to a dozen moves the state has taken in response to the opioid crisis, since his originally declaration of emergency. These included efforts intended to make it easier for people to get treatment, and save overdose victim's lives.

Secretary of Health Dr. Rachel Levine said it's hard to quantify how many people have gotten access to treatment, because of the changes made through Wolf's emergency declaration. She noted that the state's opioid addiction help line has been getting 400 calls per week.

Wolf was joined by state Sen. Jay Costa (D-Allegheny) to announce legislation to empower the Secretary of Health to declare a public health emergency. Costa's Senate Bill 1001 would create the category of "public health emergency declaration," empowering the Department of Health to waive regulations, create new temporary regulations, publish notice in the Pennsylvania Bulletin for tracking and treating a disease, illness, or event, and allow public workers to provide treatment to control the emergency.

### **A Fifth Mini-Casino**

On April 4, Penn National Gaming won a second mini-casino license, with a bid of \$7.5 million, to build in an undetermined location along the Pennsylvania Turnpike, probably in Berks County. Penn National was the only bidder in the Pennsylvania Gaming Control Board's auction for a fifth Category 4 mini-casino license.

Operating under the board's rules for a "subsequent round" of auctions, this round allowed for an expanded pool of bidders, including Penn National which had won the first auction on January 10. The subsequent round rule took was triggered when no bidder surfaced at an auction last month.

Penn National submitted an affidavit providing coordinates for West Cocalico Township in Lancaster County as the center of a 15-mile radius for its prospective second site. While all 60 municipalities in Lancaster County, including West Cocalico, have officially opted out from hosting mini-casinos, that doesn't prevent Penn National from selecting West Cocalico as the geographic center of its siting radius.

With this auction, bid revenue going to the state General Fund now totals \$127 million.

Up to ten mini-casinos were authorized under last year's gambling expansion law.

### **PA Highest Probation Rate**

Pennsylvania has the highest rate of citizens under probation or parole supervision in the Northeastern United States, and the third-highest rate in the country, behind Georgia and Idaho, according to a report from Columbia University Justice Lab, released April 2.

There are 296,000 people under supervision statewide. People locked up on violations of parole or probation account for one-third of state prison inmates and more than half of the county jail population.

"These numbers are not defensible," said Vincent Schiraldi, the report's author, a Columbia research scientist and a former commissioner of New York City's Probation Department. "They cost you enormous amounts of money. They're not good policy. And they're causing enormous deprivations of liberty that I would assume are making the system seem illegitimate in the eyes of a section of the population — particularly, I suspect, young black men."

The reason so many people are under supervision has a lot to do with Pennsylvania's unusually harsh sentencing laws. Those laws require parole to continue until the end of a person's maximum sentence. They also allow for probation terms to last for the maximum legal sentence. According to the report, 31 other states cap probation at five years for most charges.

### **Criminal Justice Overhauls**

Governor Tom Wolf and several legislators are advocating for a group of changes to the state's criminal justice system. At the top of the list are measures to standardize bail across counties, increase funding for public defense, provide a clean slate for old misdemeanors, and a second phase of Justice Reinvestment initiatives aimed at reducing recidivism.

A "clean slate" bill is already moving through the legislature and has received bipartisan support. This measure would delete non-violent misdemeanors from the public record of former inmates, following a period of good behavior.

"These reforms would save us precious time and money spent incarcerating people who are better-served through programs and services--people who simply don't belong in prison," Gov. Wolf said at an April 13 press conference outside the Dauphin County Judicial Center.

However, some Republicans still favor a "tough on crime" approach and view softening penalties as unfair to victims.

Corrections Secretary John Wetzel has argued that the two don't have to be mutually exclusive. "When the focus is less crime...by people coming out of our system, we all win," he said. "When we put lower-risk individuals incarcerated at a higher level than they need to, guess what? They come out worse. And at the state level, they come out worse for \$42,000 a year."

### **Maternal Mortality Review Committee**

On April 25, the Pennsylvania Senate today unanimously approved legislation that would create a statewide review committee to identify and investigate pregnancy-related deaths among expectant and new mothers. House Bill 1869 would establish a 14-member Maternal Mortality Review Committee, made up of experts who would obtain a more accurate count of the deaths of women who die within one year of the end of a pregnancy, determine their cause and develop recommendations to prevent such deaths.

National maternal mortality rates have been increasing in the United States and the rate has more than doubled in Pennsylvania since 1994. Between 700 and 900 women die each year in the U.S. from causes related to pregnancy or childbirth, and the rate of life-threatening complications has soared in the past few decades, impacting more than 50,000 women annually.

Thirty-two states, including the adjoining states of Delaware, Maryland, New Jersey, New York, Ohio and West Virginia, have maternal mortality review committees in operation or in development.

Dai Morgan  
United Methodist Advocacy in Pennsylvania