



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Guest Speakers		Policy Number: DC-ADM 813
Date of Issue: July 27, 2010	Authority: Signature on File Jeffrey A. Beard, Ph.D.	Effective Date: August 17, 2010

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. APPLICABILITY

This policy is applicable to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections.

III. POLICY

It is the policy of the Department to further the communication of ideas, philosophies, and information by permitting representatives of recognized and approved organizations to speak to the inmate population or a segment of the inmate population.

IV. PROCEDURES

All applicable procedures are contained in the procedures manual that accompanies this policy document.

V. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VI. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

VII. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Confidential Procedures (if applicable)

Confidential procedures for this document, if any, are not public information and may not be released in its entirety or in part, without the approval of the Secretary of Corrections/designee. Confidential procedures may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedures shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution of confidential procedures to other individuals and/or agencies is subject to the approval of the Secretary of Corrections/designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures either in hard copy or via email, whichever is most appropriate.

VIII. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

DC-ADM 813, Guest Speakers, Issued July 12, 1999, by Secretary Jeffrey A. Beard, Ph.D.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

None

2. ACA Standards

a. Administration of Correctional Agencies: None

b. Adult Correctional Institutions: None

c. Adult Community Residential Services: None

d. Correctional Training Academies: None



PROCEDURES MANUAL
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Release of Information:

Policy Document: This policy document is public information and may be released upon request.

Procedures Manual: The procedures manual for this policy may be released in its entirety or in part, with the prior approval of the Secretary/designee. Unless prior approval of the Secretary/designee has been obtained, this manual or parts thereof may be released to any Department employee on an as needed basis only.

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Section 1 – General Procedures

A. Requests

A request that a person be permitted to speak to inmates at a facility must be initiated by a member of the inmate population or the speaker, to the Facility Manager/designee. This request shall include:

1. the name and address of the speaker;
2. the name and address of the organization that the speaker represents;
3. the subject of the speech; and
4. the proposed location and time of the speech.

B. Request Determinations

1. The Facility Manager/designee must receive the completed request including a **Centralized Clearance Check Request Form** (refer to Department policy **1.1.4, “Centralized Clearances”**) for the speaker at least 60 days before the date on which the proposed presentation is to take place.
2. The Facility Manager/designee will make a determination, within five working days of the receipt of the request, whether the speaker is permitted and provide a response to the inmate or speaker as to the exact date, time and location for the presentation will be made. If the speaker is approved, the speaker will be processed as a public visitor.
3. The Facility Manager/designee may schedule the address at a time and location compatible with staff schedules, inmate work schedules, other scheduled activities, and available space.
4. The determination to deny a requested speaker will be based upon a finding that the speaker’s presence alone or the speaker’s presence, coupled with the climate of the facility at the time of the request, would present a clear and present danger to the security, good order of the facility, or the safety of the staff and/or inmates.
5. No speaker’s presence shall be deemed to create a clear and present danger solely because the Facility Manager/designee or staff disagrees with the speaker’s personal views or philosophy.
6. The Facility Manager/designee may determine the maximum number of inmates permitted to hear the address based upon the security, staff schedules, other scheduled activities, space, and good order of the facility.
7. If the requesting inmate or speaker objects to the determination that the speaker is barred from speaking at the facility or to the time and location permitted for an approved speaker, he/she may make a written objection to the Regional Deputy Secretary.

8. The Regional Deputy Secretary will review all the facts concerning the matter and provide a response to the inmate or speaker within 10 working days of receipt of the objection.
9. The use of Inmate General Welfare Fund (IGWF) money to assist with any costs of a guest speaker will be guided in accordance with Department policy **3.1.1, “Fiscal Administration.”**