

RIGHT-TO-KNOW-REQUEST FORM

DATE REQUESTED: 11/12/14

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTER: Jennifer Lee

STREET ADDRESS: 101 Gittis Student Center-North 1755 N. 13th St.

CITY/STATE/COUNTY: Philadelphia Pa 19122

TELEPHONE: 215-204-8800

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency can identify the information.*

Please provide any document, correspondence, or public record, stored electronically or otherwise, that sets forth or refers to Perry County's county-wide or jail-specific policy, procedure, or mandate regarding ICE detainees.

Please provide an electronic copy because the Center—as a nonprofit entity—would prefer to avoid any unnecessary duplication costs.

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: Kathy Burkholder

DATE RECEIVED BY THE AGENCY: 11/12/14

AGENCY FIVE (5) – DAY RESPONSE DUE: 11/17/14

PERRY COUNTY PRISON
POLICY AND PROCEDURES MANUAL

Chapter: Records

Reference Number: 8.1-A

Subject: ICE DETAINERS

Related ACA Standards:

Date Issued: October 22, 2014

Revised: Pages: 2

I. PURPOSE:

To set forth policy and procedures for the holding of ICE inmates on Ice Requests.

II. APPLICABILITY:

To all staff of the institution.

III. DEFINITIONS:

ICE:

Immigration and Customs Enforcement Agency.

IV. POLICY

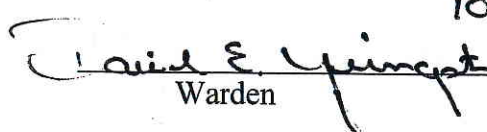
County officials shall not detain any individual at the request of U.S. Immigration and Customs Enforcement (ICE) unless ICE first presents the County with a judicially issued warrant or order authorizing such detention. In particular, County officials shall not arrest, detain, or transport anyone solely on the basis of an immigration detainer or an administrative warrant.

Unless acting pursuant to a court order or a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, no County official shall permit ICE agents access to County facilities or to any person in County custody for investigative interviews or other investigative purposes, or use on-duty time or County resources responding to ICE inquires or communicating with ICE regarding an inmate's custody status or release date.

V. PROCEDURES:

- A. Any person who alleges a violation of this policy may file a written complaint for investigation by the Perry County Prison Board Chairperson.

APPROVED:

10-30-14

Warden

 10/31/14
Prison Board Chairperson



February 20, 2014

David Yeingst
Perry County Prison
300 South Carlisle Street POB 520
New Bloomfield, PA 17068

RE: Prison Rape Elimination Act (PREA) Third Party
Reporting Requirement

Dear Warden Yeingst:

Your county has indicated an interest in utilizing the Department of Corrections, State Correctional Institution at Camp Hill reporting line as the solution for a third party reporting mechanism as required by the National Standards to Prevent, Detect and Respond to Prison Rape under the Prison Rape Elimination Act 28 C.F.R §115.51. The Department has drafted the enclosed Intergovernmental Agreement for your county's review and signature to complete the process.

Any questions with regard to the terms and conditions of the Intergovernmental Agreement should be directed to the Deputy Chief Counsel Randy Sears at rsears@pa.gov or 717.728.7740. Any questions in regard to the PREA requirements should be directed to PREA Coordinator Jennifer Feicht at c-jefeicht@pa.gov or 724.679.7280.

Please return the signed Intergovernmental Agreement to:

Department of Corrections
1920 Technology Parkway
Mechanicsburg, PA 17050
Attn: Thomas Greishaw

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Greishaw', written over a horizontal line.

Thomas Greishaw
Director, Office of County Inspection and Services

Enclosed: (1) Intergovernmental Agreement

cc: Deputy Chief Counsel Randy Sears
PREA Coordinator Jennifer Feicht
Executive Assistant Carole Mattis
File

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement made the 10th day of March, 2014 by and between the county of PERRY (County") and the Commonwealth of Pennsylvania, Department of Corrections ("DOC") establishes the terms under which the DOC will assist the County in establishing a mechanism for individuals to report allegations of sexual abuses occurring at county correctional facilities.

WHEREAS; Congress enacted and the President executed the Prison Rape Elimination Act ("PREA"), and

WHEREAS; PREA requires county jails to establish a mechanism for individuals to report allegations of sexual abuses occurring at county correctional facilities; and

WHEREAS; the DOC operates the State Correctional Institution at Camp Hill ("SCI-Camp Hill"); and

WHEREAS, the SCI-Camp Hill Control Center is staffed 24 hours per day, 7 days per week; and

WHEREAS; the SCI-Camp Hill Control Center has the ability to receive telephone calls on a 24 hour per day, 7 days per week basis;

NOW THEREFORE, the parties hereto agree as follows:

1. The DOC will establish a telephone line at the SCI-Camp Hill Control Center to receive telephone calls from individuals who wish to report allegations of sexual abuse at the County's correctional facilities.
2. The DOC will provide the County with the telephone number of the line established pursuant to Paragraph 1. The County may post such telephone number at such locations within its correctional facilities as it deems appropriate.
3. The SCI-Camp Hill Control Center will receive telephone calls to the line established pursuant to Paragraph 1 and notify the County contact designated pursuant to Paragraph 4 below of any allegations of sexual abuse at a County correctional facility. Notification shall be both verbally via a telephone call to the

person at the number provided by the County and electronically to the email address provided by the County.

4. The County will notify the SCI-Camp Hill Control Center of the name, title, telephone number and email address to which the notification described in Paragraph 3 is to be directed.

5. Neither the SCI-Camp Hill Control Center nor the DOC, its officers, employees or agents shall be responsible for investigating allegations of sexual abuse at the County's correctional facilities.

6. Each party will be responsible for any costs that party incurs in performing its obligations under this Intergovernmental Agreement.

7. The County shall indemnify and hold harmless the SCI-Camp Hill Control Center and the DOC, its officers, employees and agents for any loss, cost, damage or expense arising from litigation initiated by any person not a party to this agreement and arising from the establishment, operation or failure to operate the telephone line established pursuant to Paragraph 1.

8. This Intergovernmental Agreement is not intended to, and does not create, any contractual rights or obligations with respect to persons not a party hereto.

9. This Intergovernmental Agreement shall be interpreted under the laws of the Commonwealth of Pennsylvania.

10. The Intergovernmental Agreement may be modified only in writing with the same formality as the original Intergovernmental Agreement.

11. The parties hereto are each independent entities. The relationship of the parties shall not be construed to constitute a partnership, joint venture or any other relationship other than that of independent entities.

12. This Intergovernmental Agreement represents the entire understanding between the parties. No other prior or contemporaneous oral or written understandings exist in regard to this relationship.

IN WITNESS WHEREOF and intending to be legally bound the parties have affixed their signatures as set forth below.

ATTEST

Perry COUNTY

Kathy L. Burkholder

Jenna Kenna

Steph O'Neil

Paul J. Rudy Jr
Commissioners

APPROVED AS TO FORM

[Signature]
County Solicitor

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

Secretary

APPROVED AS TO FORM AND LEGALITY

Chief Counsel

Office of Chief Counsel