

Joint Hearing House and Senate Labor and Industry Committees

STATEMENT OF GARY M. LIGHTMAN ATTORNEY FOR  
THE PENNSYLVANIA STATE CORRECTIONS OFFICERS ASSOCIATION  
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It is a rare opportunity for me to be able to come before a legislative committee and urge the passage of legislation that not only will be of great benefit to hard working citizens of the Commonwealth of Pennsylvania, but have no cost whatsoever.

For years I have watched various segments of society prevail in the passage of “Bills of Rights.” When I saw that a prisoner’s Bill of Rights was getting “traction” around the country, I felt it was time for professional correction officers to have a modicum of protection for their rights.

We have already heard from previous witnesses that corrections officers in Pennsylvania can be deprived of their property in the form of a suspension prior to an investigation of any kind even taking place.

This legislation, if passed, will end that practice and preserve the rights of corrections officers in the Commonwealth of Pennsylvania.

Putting on a uniform should not create the removal of constitutional rights. This legislation will restore the appropriate balance between the needs of management and the rights of labor.

In any form of employment, it is the norm for the employer to provide appropriate tools for their employees to perform their jobs well. In the case of corrections officers, they are deprived of a critical work tool, that being, protection from the unsupported, unsubstantiated word of a convicted felon. In a review of the many other states that have passed rights for corrections officers, almost all of them recognize that the word of a professional corrections

officer should be valued to a greater extent than that of an inmate. That is why much of the legislation throughout the country provides that the unsubstantiated word of an inmate is not sufficient to discipline a corrections officer without any other substantiating proof. Other legislation in other states also provides for a disciplinary process in which corrections officers are involved at every step, including sitting on hearing panels.

The legislation being proposed to you, here in Pennsylvania, does not have any of those additional protections. This Bill merely seeks to stop the bleeding that corrections officers suffer by being deprived of even the most basic due process rights and being placed in a position where they and their family suffer for long periods of time with no pay and no benefits, without even knowing the basis of any charges against them.

This legislation may succinctly be described as providing the right of management to, in an emergency situation, immediately suspend and remove from an institution any corrections officer against whom an allegation is made. However, until there are charges brought against the corrections officer and an opportunity for the corrections officer to respond to the charges, any such suspension must be with pay and with benefits.

This is a fundamental right granted to all Americans by providing that their property cannot be taken from them without due process.

I urge you to expeditiously move this legislation along so that corrections officers know that their work is appreciated and the dangers they face are recognized and respected for the importance of their service to all of us in the Commonwealth of Pennsylvania.