Pennsylvania Juvenile Justice Task Force

Agenda

• Welcome & review of our charge & timeline (co-chairs)
• Public testimony & stakeholder roundtables (Co-chairs)
• System assessment data analysis (Pew)
• Discussion & next steps (co-chairs)
Rules for Today’s Virtual Meeting

• Please keep your line muted if you are not speaking.
• For today’s meeting, we ask that only Task Force members contribute to the discussion. Future meetings will gather public testimony and other forms of input.

Our Charge

“Our charge to this interbranch initiative is to develop data-driven policy recommendations through stakeholder consensus with the goals of:
1. protecting public safety,
2. ensuring accountability,
3. containing costs, and
4. improving outcomes for youth, families, and communities.”

<table>
<thead>
<tr>
<th>Tom Wolf</th>
<th>Thomas Saylor</th>
<th>Joseph Scarnati</th>
<th>Mike Turzai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor</td>
<td>Chief Justice</td>
<td>Senate President</td>
<td>Speaker of the House</td>
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<td></td>
<td></td>
<td>Pro Tempore</td>
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<tr>
<td>Jay Costa</td>
<td>Bryan Cutler</td>
<td>Frank Dermody</td>
<td>Jake Corman</td>
</tr>
<tr>
<td>Senate Minority Leader</td>
<td>House Minority Leader</td>
<td>House Minority Leader</td>
<td>Senate Majority Leader</td>
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</tbody>
</table>
Timeline and Process

- **July - October**
  - Data Analysis
  - System Assessment
  - Data Follow-Up

- **October**
  - Research Review
  - Begin Policy Development Subgroups

- **October - January**
  - Policy Development Subgroups

- **January - March**
  - Policy Consensus
  - Final Report

Stakeholder Engagement

- Juvenile probation officers
- Youth
- Family members
- Law enforcement
- Judges
- Crime victims, survivors, and advocates
- Prosecutors
- Defense attorneys
- Service providers
- Educators
- Facility staff
- Others
System assessment and data analysis sources

<table>
<thead>
<tr>
<th>System Assessment Sources</th>
<th>Data Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interviews/Meetings</strong></td>
<td><strong>State Data</strong></td>
</tr>
<tr>
<td>- Department of Human Services’ (DHS) Office of Children, Youth and Families (OCYF) and Office of Mental Health and Substance Abuse Services (OMHSAS)</td>
<td></td>
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<tr>
<td>- Juvenile Court Judges’ Commission</td>
<td></td>
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<tr>
<td>- Juvenile Justice System Enhancement Strategy executive leadership team</td>
<td></td>
</tr>
<tr>
<td>- Judges, prosecutors, defense attorneys</td>
<td></td>
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<tr>
<td>- Chief juvenile probation officers and juvenile probation officers</td>
<td></td>
</tr>
<tr>
<td>- Service providers</td>
<td></td>
</tr>
<tr>
<td>- Individual school districts</td>
<td></td>
</tr>
<tr>
<td><strong>Documents Reviewed</strong></td>
<td><strong>Questionnaires</strong></td>
</tr>
<tr>
<td>- State statute</td>
<td></td>
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<tr>
<td>- Rules of judicial administration</td>
<td></td>
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<tr>
<td>- Rules of juvenile court procedure</td>
<td></td>
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<tr>
<td>- Administrative policies &amp; regulations</td>
<td></td>
</tr>
<tr>
<td>- School disciplinary policies</td>
<td></td>
</tr>
<tr>
<td><strong>National Data</strong></td>
<td><strong>FBI Uniform Crime Report (youth arrest rates)</strong></td>
</tr>
<tr>
<td>- Juvenile Court Judges’ Commission</td>
<td></td>
</tr>
<tr>
<td>- Administrative Office of Pennsylvania Courts</td>
<td></td>
</tr>
<tr>
<td>- Department of Education</td>
<td></td>
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<tr>
<td>- Department of Human Services</td>
<td></td>
</tr>
<tr>
<td>- 684 juvenile probation officer respondents</td>
<td></td>
</tr>
<tr>
<td>- Representing all 67 counties</td>
<td></td>
</tr>
<tr>
<td>- 56% response rate</td>
<td></td>
</tr>
<tr>
<td>- 61 juvenile court judge respondents</td>
<td></td>
</tr>
<tr>
<td>- 42% response rate</td>
<td></td>
</tr>
<tr>
<td>- Center for Disease Control (youth population)</td>
<td></td>
</tr>
</tbody>
</table>
Data limitations

**Overall**
- Data are correlational, not causal
- Unable to link data between state agencies (e.g., PDE, JCJC, and DHS)

**Missing data**
- Most recent JCJC data (2019) was not validated at time of collection, with the exception of detention

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**Juvenile Justice System Structure (Scope of Presentations)**

- **Allegation**
- **Intake**
- **Detention**
- **Adjudication**

*July 15th Presentation: Allegation and Detention*
*July 29th Presentation: Intake and Adjudication*
Pennsylvania Juvenile Justice System Oversight

Juvenile Court Judges' Commission
Administrative Office of Pennsylvania Courts
Department of Human Services (Office of Children, Youth, and Families; Office of Mental Health and Substance Abuse Services)

Pennsylvania Department of Education
Pennsylvania Commission on Crime and Delinquency

*Other agencies and organizations include but are not limited to:
Local law enforcement  Local probation departments  Local school districts
PA District Attorneys Association  Juvenile Defenders Association of PA  PA Council of Chief Juvenile Probation Officers
Service providers associations  County Commissioners Association of PA
Court referral possible for a broad array of youth behaviors

**Juvenile Court** 10-17 years old
- Misdemeanors and felonies (except those prosecuted criminally)
- Contempt on summary offenses
- Offenses decertified from criminal court

**Dependency Court** <18 years old
- Abuse and neglect
- Lacks proper parental care or control, subsistence, education
- Truancy
- Habitual disobedience
- Delinquency (alleged against youth under age 10)

**Criminal Court** 14+ years old
- Statutorily excluded offenses ("direct file")
- Delinquencies transferred by a judge from juvenile court

**Magisterial District Court** Any age
- Summary offenses ("non-traffic citations")

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42 Pa.C.S. § 6302; 67 Pa.C.S. § 3102

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Statute does not require court referral, and alternative pathways exist

*237 Pa. Code Rule 231 specifies that in every delinquency case, the law enforcement officer shall submit a written allegation to the juvenile probation office*
Arrest is often possible, but never required, where a delinquency is alleged

- **FELONY**
  - Committed in front of officer
  - Probable cause exists

- **MISDEMEANOR**
  - Committed in front of officer
  - Probable cause exists, and warrantless arrest authorized by law

- **WARRANT**
  - Arrest not permitted for summary offense in the minor judiciary unless youth fails to appear

**Grounds for Arrest**

Arrest is not required to commence any juvenile proceeding


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While state law does not require law enforcement involvement for specific alleged behaviors, local policy may

<table>
<thead>
<tr>
<th>Disorderly Conduct at school*</th>
<th>School District</th>
<th>Mandatory law enforcement notification?</th>
<th>Required responses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>District A</td>
<td>None</td>
<td>(arrest/court referral generally prohibited on first-time offense)</td>
</tr>
<tr>
<td></td>
<td>District B</td>
<td>✔</td>
<td>Recommendation “for possible expulsion or another educational placement”</td>
</tr>
<tr>
<td></td>
<td>District C</td>
<td>✔</td>
<td>Suspension; referral to counseling, school psychologist, or community agency</td>
</tr>
<tr>
<td></td>
<td>District D</td>
<td></td>
<td>Parent notification; parent/teacher conference; referral to Student Assistance Program for prevention/intervention services</td>
</tr>
</tbody>
</table>

*Policies apply regardless of whether disorderly conduct alleged meets the criteria for summary or delinquency behavior*
Pennsylvania youth arrest rate mirrors national decline, down 58% over ten years

*The FBI’s Uniform Crime Report (UCR) Program counts one arrest for each separate instance in which a person is arrested, cited, or summoned for an offense.

Source: FBI’s Uniform Crime Report
Pennsylvania youth violent crime arrest rate down 43%

*Violent crimes include murder and non-negligent manslaughter, robbery, and aggravated assault. Rape is excluded from these figures due to the change of its definition in 2013.

**Property crimes include burglary, larceny-theft, motor vehicle theft, and arson.

Source: FBI's Uniform Crime Report

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Non-person offenses represent four of the top five offenses for which youth are arrested

<table>
<thead>
<tr>
<th>Offense Category</th>
<th>Arrests per 100,000 Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disorderly Conduct</td>
<td>564</td>
</tr>
<tr>
<td>Other Assaults*</td>
<td>409</td>
</tr>
<tr>
<td>Curfew and Loitering</td>
<td>394</td>
</tr>
<tr>
<td>Larceny-Theft</td>
<td>274</td>
</tr>
<tr>
<td>Drug Abuse Violations**</td>
<td>265</td>
</tr>
</tbody>
</table>

*The category Other Assaults includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.

**Drug Abuse Violations include the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances.

Source: FBI's Uniform Crime Report
Written Allegations

Data

Written allegations down 47% since 2009, not keeping pace with 58% drop in youth arrests

Total Written Allegations and Youth Arrests in Pennsylvania: 2009-2018

- Total Written Allegations
- Total Youth Arrests

Year

2009: 91,900
2010: 43,306
2011: 26,034
2012: 22,788
2013:
2014:
2015:
2016:
2017:
2018:
Contempt from MDJ (Non-Payment) make up largest share of new written allegations

<table>
<thead>
<tr>
<th>Most Serious Offense (Grade)</th>
<th>Total Written Allegations in 2018</th>
<th>Percent Written Allegations in 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Contempt from MDJ (Non-Payment) (C)</td>
<td>4,025</td>
<td>18%</td>
</tr>
<tr>
<td>2 Simple Assault (M)</td>
<td>2,369</td>
<td>10%</td>
</tr>
<tr>
<td>3 Possession of Drugs (M)</td>
<td>2,150</td>
<td>10%</td>
</tr>
<tr>
<td>4 Theft-Related Offense* (M)</td>
<td>1,268</td>
<td>6%</td>
</tr>
<tr>
<td>5 Terroristic Threats (M)</td>
<td>1,169</td>
<td>5%</td>
</tr>
<tr>
<td>6 Aggravated Assault (F)</td>
<td>1,128</td>
<td>5%</td>
</tr>
<tr>
<td>7 Theft-Related Offense* (F)</td>
<td>1,099</td>
<td>5%</td>
</tr>
<tr>
<td>8 Robbery (F)</td>
<td>725</td>
<td>3%</td>
</tr>
<tr>
<td>9 Possession with Intent to Deliver Drugs (F)</td>
<td>664</td>
<td>3%</td>
</tr>
<tr>
<td>10 Burglary (F)</td>
<td>642</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15,230 (22,735)</strong></td>
<td><strong>67% (100%)</strong></td>
</tr>
</tbody>
</table>

*A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle.

Among MDJ filings, disorderly conduct, truancy, and harassment are the most common offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>Total MDJ Filings in 2018</th>
<th>% MDJ Filings in 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Disorderly Conduct</td>
<td>9,735</td>
<td>29%</td>
</tr>
<tr>
<td>2 Truancy Offense</td>
<td>7,089</td>
<td>21%</td>
</tr>
<tr>
<td>3 Harassment</td>
<td>4,722</td>
<td>14%</td>
</tr>
<tr>
<td>4 Prohibited Use of Tobacco in School</td>
<td>2,346</td>
<td>7%</td>
</tr>
<tr>
<td>5 Purchase of Alcohol by Minor</td>
<td>1,952</td>
<td>6%</td>
</tr>
<tr>
<td>6 Retail Theft</td>
<td>1,520</td>
<td>5%</td>
</tr>
<tr>
<td>7 Criminal Mischief</td>
<td>1,043</td>
<td>3%</td>
</tr>
<tr>
<td>8 Criminal Trespass</td>
<td>1,021</td>
<td>3%</td>
</tr>
<tr>
<td>9 Theft-Related Offenses</td>
<td>707</td>
<td>2%</td>
</tr>
<tr>
<td>10 Curfew Violation</td>
<td>495</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,630 (33,489)</strong></td>
<td><strong>91% (100%)</strong></td>
</tr>
</tbody>
</table>
A quarter of counties reported no written allegations to juvenile court for Contempt from MDJ (Non-Payment).

At least two-thirds of written allegations are for non-felonies, largely unchanged since 2009.
Among felony written allegations, more than half (53%) are non-person offenses

Among misdemeanor written allegations, nearly two-thirds (64%) are non-person offenses
In some counties, share of statewide written allegations exceeds share of overall youth population

Counties with Largest Percentage of Statewide Written Allegations Relative to Percentage of Statewide Youth Population: 2018

<table>
<thead>
<tr>
<th>County</th>
<th>% Statewide Youth Population</th>
<th>% Statewide Written Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allegheny</td>
<td>8%</td>
<td>12%</td>
</tr>
<tr>
<td>York</td>
<td>4%</td>
<td>6%</td>
</tr>
<tr>
<td>Dauphin County</td>
<td>2%</td>
<td>4%</td>
</tr>
<tr>
<td>Northampton</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Lycoming</td>
<td>1%</td>
<td>2%</td>
</tr>
</tbody>
</table>

*Youth population reflects total number of youth residing in each county, ages 10-17; data were retrieved from the Centers for Disease Control and Prevention.

Philadelphia represents 10% of statewide written allegations compared to 12% of the overall youth population

Counties with Smallest Percentage of Statewide Written Allegations Relative to Percentage of Statewide Youth Population: 2018

<table>
<thead>
<tr>
<th>County</th>
<th>% Statewide Youth Population</th>
<th>% Written Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montgomery</td>
<td>7%</td>
<td>5%</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>12%</td>
<td>10%</td>
</tr>
<tr>
<td>Chester</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>Bucks</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>Lancaster</td>
<td>5%</td>
<td>4%</td>
</tr>
</tbody>
</table>

*Youth population reflects total number of youth residing in each county, ages 10-17; data were retrieved from the Centers for Disease Control and Prevention.
Average age at written allegation is 15.5 years; youth 13 and younger represent 14% of statewide written allegations.

Males receive higher proportion of written allegations than their proportion of the youth population.

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention*
Black Non-Hispanic youth share of written allegations is 2.5 times their proportion of the overall youth population

Race & Ethnicity by Juvenile Justice Decision Point: 2018

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Pennsylvania Youth Population* N=1,220,300</th>
<th>Written Allegations N=22,308</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian Non-Hispanic</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Black Non-Hispanic</td>
<td>14%</td>
<td>36%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>12%</td>
<td>13%</td>
</tr>
<tr>
<td>Other Non-Hispanic</td>
<td>0.2%</td>
<td>3%</td>
</tr>
<tr>
<td>White Non-Hispanic</td>
<td>70%</td>
<td>45%</td>
</tr>
</tbody>
</table>

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention

Among misdemeanor allegations, the disparity holds for Black Non-Hispanic youth relative to overall youth population

Race & Ethnicity by Juvenile Justice Decision Point: 2018

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Pennsylvania Youth Population* N=1,220,300</th>
<th>Written Allegations N=11,506</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian Non-Hispanic</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Black Non-Hispanic</td>
<td>14%</td>
<td>31%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>12%</td>
<td>12%</td>
</tr>
<tr>
<td>Other Non-Hispanic</td>
<td>0.2%</td>
<td>3%</td>
</tr>
<tr>
<td>White Non-Hispanic</td>
<td>70%</td>
<td>52%</td>
</tr>
</tbody>
</table>

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention
Allegation Key Takeaways

• Decision Making
  – Youth age ten and up may be referred to juvenile court for a broad array of alleged behaviors, including contempt on a summary offense in magistrate court.
    » In addition to juvenile court, behaviors alleged against youth may lead to involvement in dependency court as well as adult prosecution.
  – Rather than refer a youth to court, alternative responses outside the juvenile justice system may be used, but availability varies.
  – While state law does not require law enforcement involvement for specific alleged behaviors, local policies may, such as school district codes of conduct.
    » Court rule may be interpreted to require court referral when law enforcement is involved in a delinquency allegation.

• Other?

Allegation Key Takeaways

• Arrest and Allegation
  – Mirroring national trends, youth arrest rate in Pennsylvania is down 58% since 2009, including a 43% drop in the violent crime arrest rate.
    » Disorderly conduct is the top offense for which youth are arrested.
  – Most youth enter the juvenile justice system for misdemeanor and/or non-person offenses; the top offenses entering the system are largely unchanged over the last ten years.
  – The top offense coming into juvenile court—representing nearly one-in-five allegations to juvenile court—is Contempt from MDJ (Non-Payment).
    » However, a quarter of counties had no allegations for Contempt from MDJ (Non-Payment).
Allegation Key Takeaways

• Arrest and Allegation (cont.)
  – Counties’ share of statewide allegations vary widely relative to youth population.
  – 14% of youth receiving written allegations are 13 or younger
  – Black Non-Hispanic youth’s share of written allegations is 2.5 times their proportion of the overall youth population; this disparity holds among misdemeanors.

• Other?
When a youth is arrested, a range of tools, policies available to guide probation detention decision; none are binding

- **Arrest**
- **Probation Determination**
  - Pennsylvania Detention Risk Assessment Instrument (PaDRAI) may be used
  - Statute and JCJC standards create a presumption against detention but leave JPOs ability to detain
- **Release**
- **Release to Detention Alternative**
- **Detain**
  - Detention hearing must be held within 72 hours. Petition must be filed within 24 hours of hearing or on next court business day if child not released; adjudication or release mandatory within 10 days of petition, unless court extends additional 10 days
  - Electronic Monitoring
  - House Arrest
  - Reporting Centers
  - Shelter
  - Other


PaDRAI meant to score risk to reoffend or fail to appear at hearing; overrides discretionary, subject to local policy

- **PaDRAI domains:**
  - Most serious new alleged offense
  - Current status
  - Prior adjudications within 18 months
  - History of warrants for failure to appear
  - History of escape from custody

- **Cumulative risk-scoring:**
  - Release: 0-9 points
  - Alternative to detention: 10-14 points
  - Detain: 15+ points

- **Overrides**
  - Mandatory (based on local policy)
  - Discretionary (based on aggravating and mitigating factors)

PA Juvenile Delinquency Benchbook, § 5-1
JCJC standards allow detention in any circumstance where a JPO finds extraordinary and exceptional circumstances exist.

<table>
<thead>
<tr>
<th>JCJC standards permit secure detention at referral on the basis of:</th>
<th>Compliance with JCJC standards required for counties to receive state grant-in-aid funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>certain offenses alleged</td>
<td></td>
</tr>
<tr>
<td>an alleged offense and the child’s current status with the court or prior record</td>
<td></td>
</tr>
<tr>
<td>child’s record of failing to appear at previous juvenile proceedings</td>
<td></td>
</tr>
<tr>
<td>extraordinary circumstances require secure detention to prevent absconding</td>
<td></td>
</tr>
<tr>
<td>written request of the child or child’s attorney</td>
<td></td>
</tr>
<tr>
<td>extraordinary and exceptional circumstances</td>
<td></td>
</tr>
</tbody>
</table>
16% of youth with a written allegation were detained in 2019, just over 2,700 youth

*Only includes pre-adjudication detention admissions that occurred in 2019. A youth may have been detained in a different year for a written allegation that occurred in 2019. These figures do not include youth who were detained in 2019 but had a written allegation in a different year.

Robbery most common offense with pre-adjudication detention admission; misdemeanors make up three of top 10

<table>
<thead>
<tr>
<th>Offense (Grading)</th>
<th>Total Number of Pre-Adjudication Detention Admissions: 2019</th>
<th>% of All Pre-Adjudication Detention Admissions: 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Robbery (F)</td>
<td>495</td>
<td>14%</td>
</tr>
<tr>
<td>2 Aggravated Assault (F)</td>
<td>478</td>
<td>14%</td>
</tr>
<tr>
<td>3 Theft-Related Offense (F)</td>
<td>301</td>
<td>9%</td>
</tr>
<tr>
<td>4 Possession with Intent to Deliver Drugs (F)</td>
<td>268</td>
<td>8%</td>
</tr>
<tr>
<td>5 Terroristic Threats (M)</td>
<td>186</td>
<td>5%</td>
</tr>
<tr>
<td>6 Burglary (F)</td>
<td>173</td>
<td>5%</td>
</tr>
<tr>
<td>7 Firearm-Related Offense (F)</td>
<td>147</td>
<td>4%</td>
</tr>
<tr>
<td>8 Simple Assault (M)</td>
<td>147</td>
<td>4%</td>
</tr>
<tr>
<td>9 Rape (F)</td>
<td>113</td>
<td>3%</td>
</tr>
<tr>
<td>10 Theft-Related Offense (M)</td>
<td>69</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,377 (3,516)</strong></td>
<td><strong>68% (100%)</strong></td>
</tr>
</tbody>
</table>

*F = Felony; M = Misdemeanor
At least 19% of pre-adjudication detention admissions had non-felony written allegations

Philadelphia makes up 43% of statewide pre-adjudication detention admissions, four times its written allegations share.
Among misdemeanors, several counties’ shares of pre-adjudication detention admissions exceed written allegations.

Multiple counties make up smaller shares of pre-adjudication detention admissions compared to written allegations.
Among misdemeanors, multiple counties make up smaller shares of pre-adjudication detention admissions compared to the youth population and written allegations.

Counties with Smallest Percentage of Statewide Pre-Adjudication Detention Admissions for Misdemeanor Offenses Relative to Statewide Misdemeanor Written Allegations: 2019

Approximately 13% of pre-adjudication detention admissions are for youth age 13 or younger.
Males receive higher proportion of pre-adjudication detention admissions than their proportion of the youth population

Black Non-Hispanic youth make up 62% of pre-adjudication detention admissions, more than 1.5 times their share of statewide written allegations
Among misdemeanors, detention admissions disparity grows for Black-Non-Hispanic youth compared to written allegations.

Race & Ethnicity for Misdemeanors by Juvenile Justice Decision Point:
2018

- **Pennsylvania Youth Population**: N=1,220,300
- **Written Allegations**: N=11,506
- **Detention**: N=684

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention.

Excluding Philadelphia, disparities in pre-adjudication detention admissions remain.

Race & Ethnicity by Juvenile Justice Decision Point with Philadelphia County Excluded: 2018

- **Pennsylvania Youth Population**: N=1,220,300
- **Written Allegations**: N=20,252
- **Detention**: N=1,993

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention.*
**Black Non-Hispanic males account for disproportionate share of pre-adjudication detention admissions**

*Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers

*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention

**Youth average 17 days in pre-adjudication detention**

Average and Median Length of Pre-Adjudication Detention Admissions: 2019

<table>
<thead>
<tr>
<th>Days</th>
<th>Average</th>
<th>Median</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17</td>
<td>9</td>
</tr>
</tbody>
</table>
One-quarter of pre-adjudication detention admissions exceed 24 days

Among pre-adjudication detention admissions with misdemeanor allegations, one-fifth exceed 24 days
Pre-Adjudication Detention: PaDRAI

PaDRAI is not used for more than two-thirds of pre-adjudication detention admissions.

Utilization of PaDRAI for Pre-Adjudication Detention Admissions: 2019

- PaDRAI Used: 32%
- PaDRAI NOT Used: 68%
Among detained youth assessed by the PaDRAI, few meet criteria for most domains; just 12% have history of warrants and/or failure to appear.

Outcomes of Assessments by PaDRAI Category: 2019

- History of Escapes and/or AWOL: 7%
- History of Warrant and/or FTA: 12%
- Prior Adjudications/Consent Degrees: 27%
- Current Supervision Status: 28%
- Grading of Pending Written Allegations: 28%
- Most Serious New Offense: 82%

Among detained youth assessed by the PaDRAI, the tool indicated more than 40% could be released or referred to an alternative to detention.
Nearly half of aggravating overrides for “other” reasons not listed on the PaDRAI

<table>
<thead>
<tr>
<th>Aggravating Override Reasons</th>
<th>Percentage of All Aggravating Overrides</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other - Aggravating</td>
<td>46%</td>
</tr>
<tr>
<td>Poses Significant Threat of Failure to Appear</td>
<td>13%</td>
</tr>
<tr>
<td>Victim of Current Offense Resides in Home</td>
<td>11%</td>
</tr>
<tr>
<td>Parent Refusal</td>
<td>10%</td>
</tr>
<tr>
<td>History of Violence in Home or Against Family Member</td>
<td>6%</td>
</tr>
</tbody>
</table>

Detention Key Takeaways

**Decision Making**

- Detention decisions may be informed by a wide range of tools and policies—such as statute, JCJC standards, and the PaDRAI—but wide discretion remains and youth may be detained for any offense.
- State law establishes timelines to release those detained pre-adjudication within 24 days, but allows longer stays based on several broad factors, including whether detention “would be warranted.”

**Other?**
Detention Key Takeaways

**Pre-Adjudication Detention**
- 16% of youth with a written allegation—roughly 2,700 youth—were detained prior to adjudication in 2019.
  » Robbery and aggravated assault are the most common offenses among pre-adjudication detention admissions, but misdemeanors make up three of the top ten.
  » At least 19% of pre-adjudication detentions admissions are for misdemeanors.
  » Approximately 13% of pre-adjudication detention admissions are for youth age 13 or younger.

**Pre-Adjudication Detention (cont.)**
- The PaDRAI is used just for one-third of statewide pre-adjudication detention admissions (19 counties).
  » When used, the PaDRAI is frequently overridden: more than 40% of detained youth who received the PaDRAI scored to be released home or referred to an alternative.
  » Among youth scored on the PaDRAI and detained, the vast majority had no history of failure to appear, escapes, or AWOLs.
- Among all youth detained prior to adjudication, one-quarter stay longer than 24 days.
  » One in five misdemeanor pre-adjudication detention admissions lead to stays longer than 24 days.
Detention Key Takeaways

- **Pre-Adjudication Detention (cont.)**
  - Disparities in pre-adjudication detention admission exist by race, ethnicity, gender, and jurisdiction relative to written allegations and overall youth population.
    - Black Non-Hispanic youth make up nearly two-thirds of statewide pre-adjudication detention admissions, nearly double their share of written allegations and more than four times their share of the youth population.
    - Disparities for Black Non-Hispanic youth increase when looking only at misdemeanors.
    - When excluding Philadelphia County, racial and ethnic disparities remain.
    - Philadelphia County’s share of misdemeanor pre-adjudication detention admissions is three times greater than its proportion of misdemeanor written allegations.

- **Other?**

Task Force Meeting Dates

- Wednesday, June 10th, 3-4 p.m.
- Wednesday, July 15th, 3-5 p.m.
- Wednesday, July 29th, 3-5 p.m.
- Wednesday, August 12th, 3-5 p.m.
- Wednesday, August 26th, 3-5 p.m.
- Wednesday, September 9th, 3-5 p.m.
- Wednesday, September 30, 3-5 p.m.
- Wednesday, October 14th, 3-5 p.m.
- [October – January: Task Force meets in subgroups for policy development]
- Wednesday, January 13th, 3-5 p.m.
- Wednesday, February 10th, 3-5 p.m.
- Wednesday, February 24th, 3-5 p.m.
- Wednesday, March 17th, 3-5 p.m.
Next Steps

• Data analysis and system assessment
• Stakeholder outreach
  – Roundtables
  – Public testimony
  – Dissemination of an executive summary of today’s meeting

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