



**Pennsylvania Juvenile Justice Task Force  
System Assessment**

## Rules for Today's Virtual Meeting

- Please keep your line muted if you are not speaking.
- We encourage Task Force members to ask questions or make comments directly during today's meeting, though please also feel free to use the chat box.
- Members of the public may sign up to testify after each Task Force meeting through the website:
  - <http://www.pacourts.us/pa-juvenile-justice-task-force>

# Agenda

- Welcome and updates on stakeholder input (co-chairs)
- Review key takeaways from last meeting (co-chairs)
- Data analysis and discussion (Pew)
- Discussion and next steps (co-chairs)
- Public testimony (5:00-6:00pm)

# Stakeholder Input

Completed Roundtables	Date
<input checked="" type="checkbox"/> Dually-Adjudicated Youth	Aug. 24
<input checked="" type="checkbox"/> Crime Victim/Survivors	Aug. 25

Upcoming Roundtables	Date
<input type="checkbox"/> Crime Victim/Survivors	Aug. 27
<input type="checkbox"/> Restorative Justice	Sept. 3
<input type="checkbox"/> Service Providers	Sept. 10
<input type="checkbox"/> Service Providers	Sept. 14
<input type="checkbox"/> BJS Facility Staff	Sept. 15
<input type="checkbox"/> Judges	Sept. 16
<input type="checkbox"/> BJS Facility Staff	Sept. 17
<input type="checkbox"/> Law Enforcement	Sept. 18
<input type="checkbox"/> BJS Facility Staff	Sept. 22

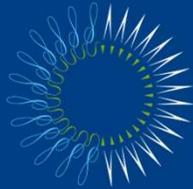
Upcoming Roundtables	Date
<input type="checkbox"/> Advocates	Sept. 22
<input type="checkbox"/> Advocates	Sept. 23
<input type="checkbox"/> Juvenile Probation Officers	Sept. 25
<input type="checkbox"/> Education Stakeholders	TBD
<input type="checkbox"/> JJ-Involved Youth	TBD
<input type="checkbox"/> Defense Attorneys	TBD
<input type="checkbox"/> District Attorneys	TBD
<input type="checkbox"/> Child Welfare Staff	TBD
<input type="checkbox"/> County Commissioners	TBD
<input type="checkbox"/> Family Members	TBD
<input type="checkbox"/> Northeastern Pennsylvania	TBD

## Key Findings – Presentation 5

- There are no criteria limiting certain dispositions according to offense severity, assessed risk level, or prior history; the court may impose any conditions and remove youth from home for any offense
- Local probation practices vary, with broad discretion among 140 juvenile court judges & 67 probation offices

## Key Findings – Presentation 5

- Among youth who go straight to probation
  - 43% are assessed as low risk to reoffend; most of those youth also score as low need across most domains
  - 81% are there for a misdemeanor, with 59% of those misdemeanors for non-person offenses
- Youth who go straight to probation with no subsequent escalation average thirteen months on probation and 1.5 years under overall court supervision
- Average length of time varies widely based on where a youth lives, race/ethnicity and age

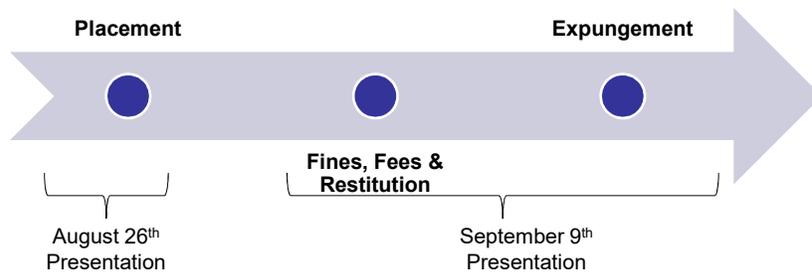


THE  
**PEW**  
CHARITABLE TRUSTS

System Assessment:  
Placement and System Costs

Pennsylvania Juvenile Justice Task Force  
August 26, 2020

Juvenile Justice System Structure (Scope of Presentations)



## System assessment and data analysis sources

System Assessment Sources	Data Reviewed
<p><b>Interviews/Meetings</b></p> <ul style="list-style-type: none"> <li>➤ Department of Human Services' (DHS) Office of Children, Youth and Families (OCYF) and Office of Mental Health and Substance Abuse Services (OMHSAS)</li> <li>➤ Juvenile Court Judges' Commission</li> <li>➤ Juvenile Justice System Enhancement Strategy executive leadership team</li> <li>➤ Judges, prosecutors, defense attorneys</li> <li>➤ Chief juvenile probation officers and juvenile probation officers</li> <li>➤ Service providers</li> <li>➤ Individual school districts</li> </ul> <p><b>Documents Reviewed</b></p> <ul style="list-style-type: none"> <li>➤ State statute</li> <li>➤ Rules of judicial administration</li> <li>➤ Rules of juvenile court procedure</li> <li>➤ Administrative policies &amp; regulations</li> <li>➤ School disciplinary policies</li> </ul>	<p><b>State Data</b></p> <ul style="list-style-type: none"> <li>➤ Juvenile Court Judges' Commission</li> <li>➤ Administrative Office of Pennsylvania Courts</li> <li>➤ Department of Education</li> <li>➤ Department of Human Services</li> </ul> <p><b>Questionnaires</b></p> <ul style="list-style-type: none"> <li>➤ 684 juvenile probation officer respondents <ul style="list-style-type: none"> <li>○ Representing all 67 counties</li> <li>○ 56% response rate</li> </ul> </li> <li>➤ 61 juvenile court judge respondents <ul style="list-style-type: none"> <li>○ 42% response rate</li> </ul> </li> </ul> <p><b>National Data</b></p> <ul style="list-style-type: none"> <li>➤ FBI Uniform Crime Report (youth arrest rates)</li> <li>➤ Center for Disease Control (youth population)</li> </ul>

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## Data notes

### Data limitations

- 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

### Overall

- Numbers may not equal 100% due to rounding
- Data include youth who had a placement disposition between 2009 and 2018
  - Length of stay, length of time out of home, and length of time under court supervision data are for cases closed between 2014 and 2018 for youth with placement dispositions

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Counties have latitude to contract with a broad array of private placements; may also use five state-run facilities



State reimburses counties at the same rate for nonresidential services and for most out-of-home placement

	Program/Service Name	Amount Reimbursed
Residential Services	Juvenile Detention/Youth Detention Centers	50%
	Emergency Shelter	90%*
	Residential	80%
	Secure Residential	60%
	Community Residential and Group Home	80%
	Foster Family	80%
	Supervised Living	80%
Nonresidential Services	Alternative Treatment	80%**
	Life Skills Education	80%
	Counseling	80%
Other	Day Treatment	80%
	Juvenile Act Proceedings	50%
	Special Grant Initiative	60%-95%***

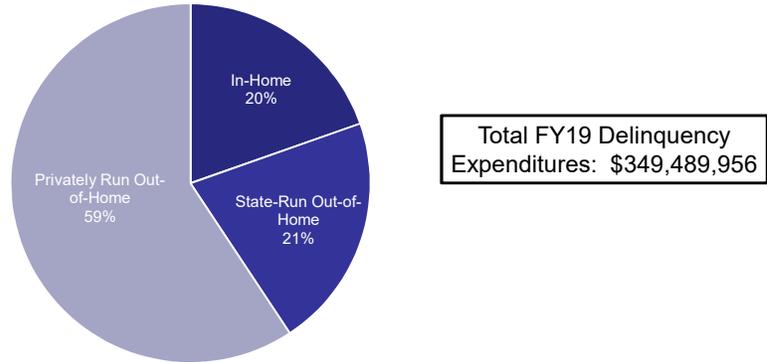
\*Emergency shelter is reimbursed at a rate of 90% for the first 30 days, then the reimbursement rate falls to 80%

\*\*Alternative Treatment is reimbursed at a rate of 80% if it is provided in a non-secure setting, designed to return the child to the child's home or other legally assured permanent home and minimizes the duration of out-of-home placement.

\*\*\*Special Grant Initiatives may include Evidence-Based Programs, reimbursed at a rate of 95%, as well as Pennsylvania Promising Practices and Alternatives to Truancy Prevention, reimbursed at a rate of 90%.

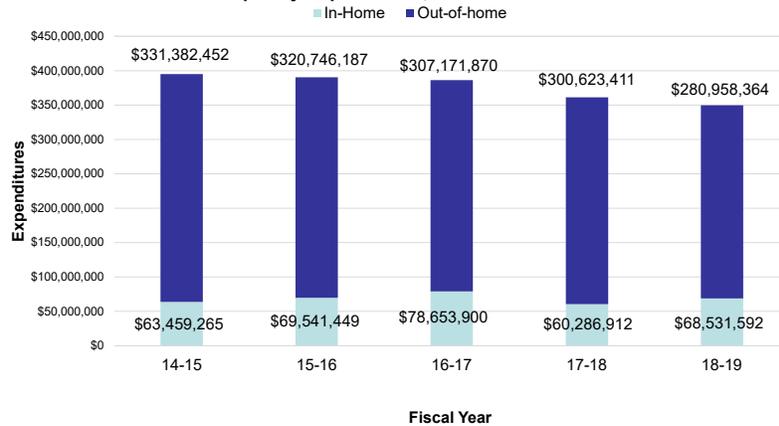
80% of juvenile delinquency spending focused on out-of-home placements; \$349 million total expenditures in FY19

Total Delinquency Expenditures by Area, FY19

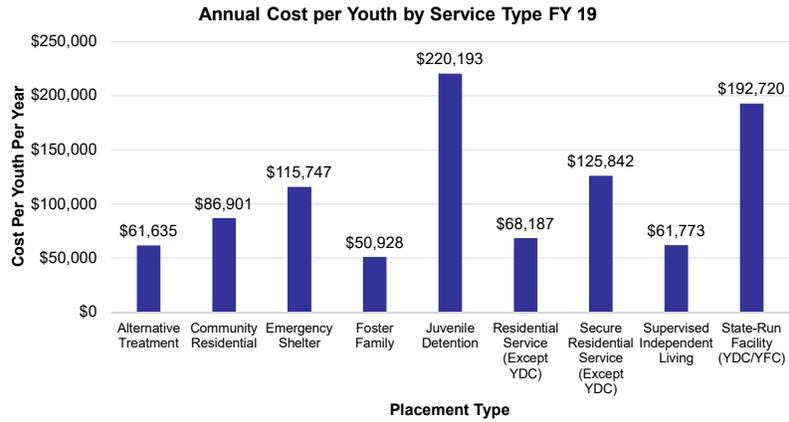


Overall spending on juvenile delinquency services declined 11% since FY15; out-of-home costs total \$281 million

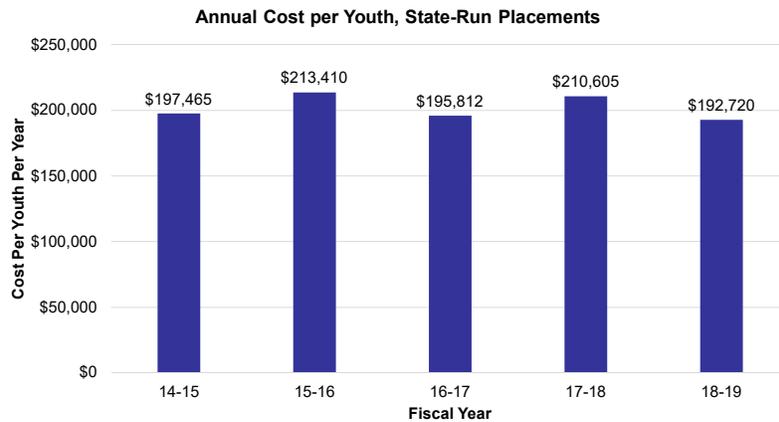
Total Delinquency Expenditures, In-Home vs Out-of-Home



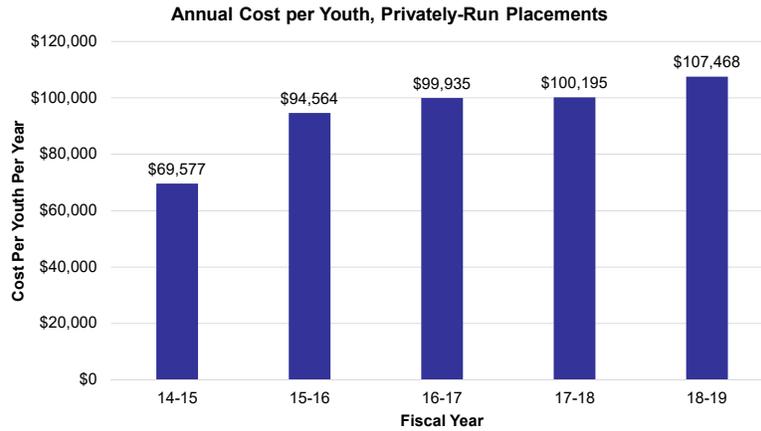
Out-of-home placement costs range by service type, up to \$220,193 per youth per year for detention



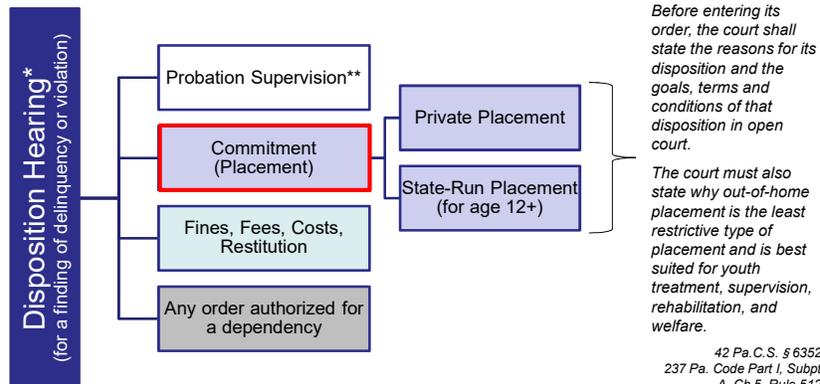
State-run placements cost \$192,720 per youth per year in FY19, on average; mostly flat since FY15



Private placements cost an average of \$107,468 per youth per year in FY19, up 54% since FY15

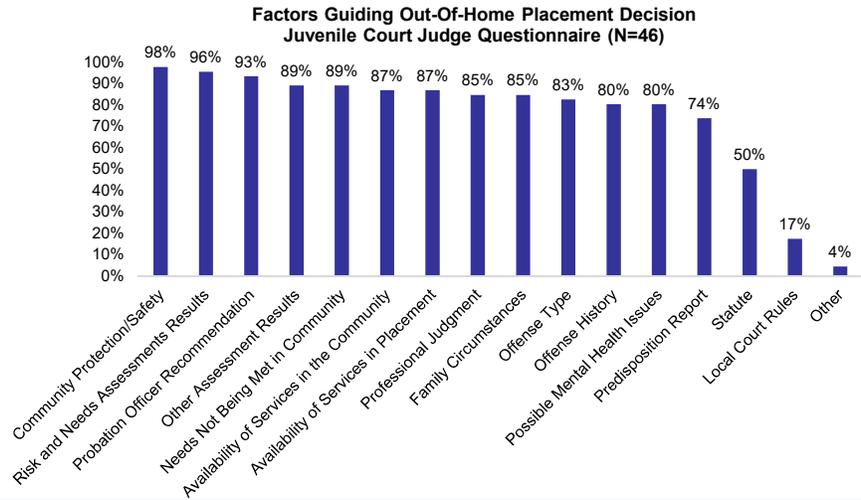


The court may remove a youth from home at a disposition or disposition review hearing for any delinquency or violation



\*At a disposition review hearing, the court may modify an earlier disposition and commit a youth to placement.  
\*\* A probation or "aftercare" violation may lead to commitment at a disposition review or modification hearing.

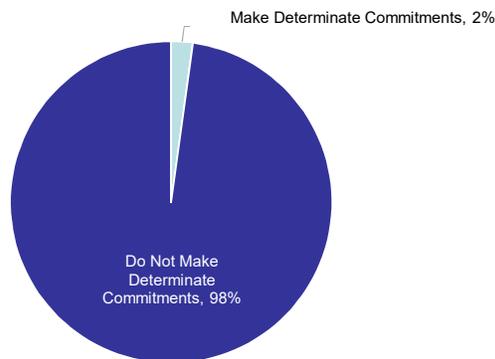
## Criteria used by courts to make placement determinations varies at the local level



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## Nearly every judge respondent reports making indeterminate commitments when sending youth to placement

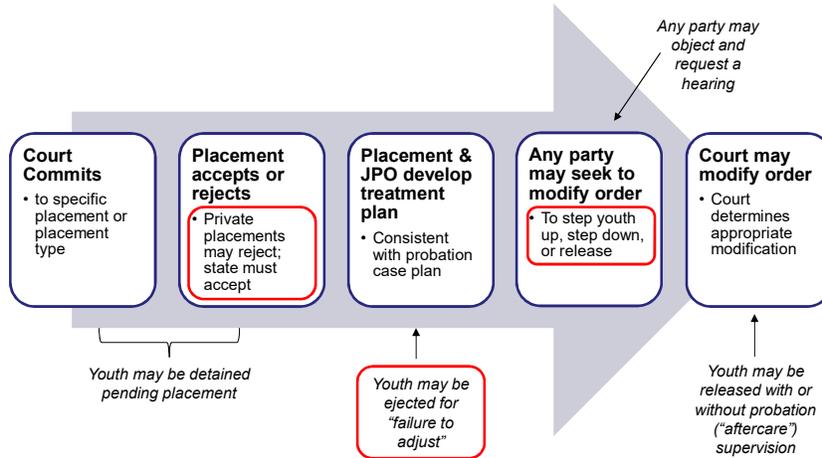
**Commitments to Placement**  
**Juvenile Court Judge Questionnaire (N=46)**



\*There is no supervision limit apart from age of jurisdiction; initial placement length may not exceed four years or the adult sentence length for the same offense, whichever is shorter; initial placement length may be extended once for similar period of time.

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## Private placements have broad authority to reject, eject, and influence release



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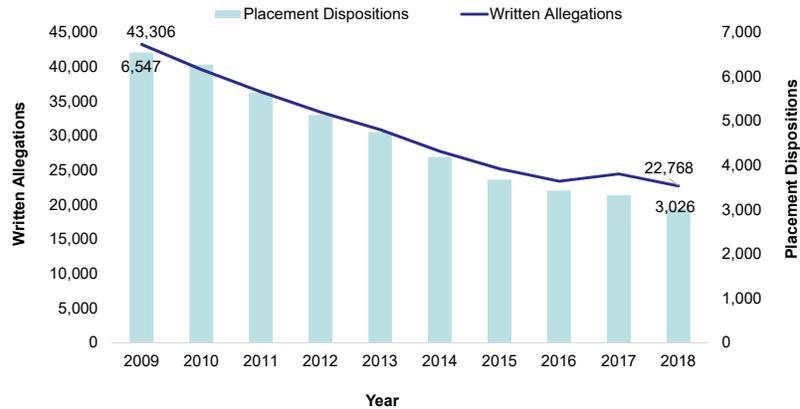
## Placement Dispositions

Data

22

Over a period of ten years, placement dispositions decreased 54% to 3,026 from 6,547

**Total Placement Dispositions Relative to Written Allegations by Year: 2009-2018**



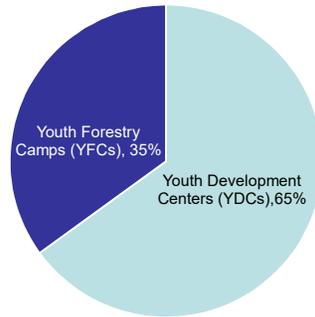
Most youth are placed in private residential facilities; use of state-run facilities has increased over the last decade

**Distribution of Residential Placement Admissions to State-Run Facilities and Private Facilities: 2009-2018**



## The majority of admissions to state-run residential facilities are to secure YDCs

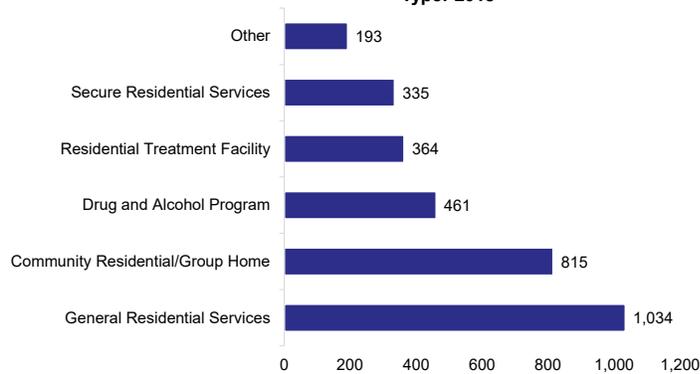
Admissions to State-Run Residential Facilities: 2018



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## Among admissions to private facilities, placement type varies; greatest number of admissions to general residential

Admissions to Privately-Run Residential Facilities by Licensed Service Type: 2018



\*The category of Other includes: Transitional Living, Supervised Independent Living, Community Residential Rehabilitation - Host Homes, and Inpatient Mental Health facilities.

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Majority of top ten placement dispositions are for misdemeanors; top ten largely the same as ten years ago

Rank	Top 10 Offenses (2009): Placement Dispositions	% of Placement Dispositions	Top 10 Offenses (2018): Placement Dispositions	% of Placement Dispositions
1	Simple Assault (M)	13%	Simple Assault (M)	12%
2	Possession of Drugs (M)	10%	Theft-Related* Offense (M)	9%
3	Theft-Related* Offense (M)	8%	Robbery (F)	9%
4	Robbery (F)	8%	Theft-Related* Offense (F)	7%
5	Possession with Intent to Deliver Drugs (F)	6%	Possession of Drugs (M)	5%
6	Burglary (F)	5%	Terroristic Threats (M)	4%
7	Theft-Related* Offense (F)	4%	Possession with Intent to Deliver Drugs (F)	4%
8	Aggravated Assault (F)	4%	Aggravated Assault (F)	4%
9	Terroristic Threats (M)	4%	Disorderly Conduct (M)	3%
10	Unauthorized Use of Motor Vehicle (M)	3%	Possession of Drug Paraphernalia (M)	3%
<b>Total</b>	<b>Total</b>	<b>63% (100%)</b>	<b>Total</b>	<b>60% (100%)</b>

F = Felony; M=Misdemeanor; A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle.

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Nine out of the top ten offenses for youth admitted to state-run and private placements are the same

Rank	Top 10 Offenses (2018): State-Run Facilities	% of Admissions to State-Run Facilities	Top 10 Offenses (2018): Private Facilities	% of Admissions to Private Facilities
1	Robbery (F)	15%	Simple Assault (M)	11%
2	Simple Assault (M)	10%	Theft-Related* Offense (M)	9%
3	Theft-Related Offense* (F)	8%	Robbery (F)	9%
4	Theft-Related Offense* (M)	8%	Theft-Related* Offense (F)	7%
5	Possession with Intent to Deliver Drugs (F)	7%	Terroristic Threats (M)	5%
6	Aggravated Assault (F)	6%	Aggravated Assault (F)	4%
7	Possession of Drugs (M)	4%	Possession with Intent to Deliver Drugs (F)	4%
8	Burglary (F)	3%	Indecent Assault (M)	4%
9	Terroristic Threats (M)	3%	Possession of Drugs (M)	4%
10	Criminal Trespass (F)	3%	Burglary (F)	3%
<b>Total</b>	<b>Total</b>	<b>67% (100%)</b>	<b>Total</b>	<b>59% (100%)</b>

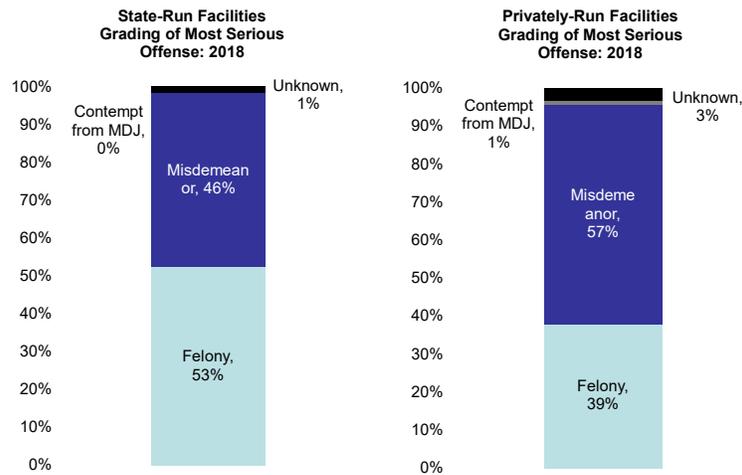
F = Felony; M=Misdemeanor; A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle.

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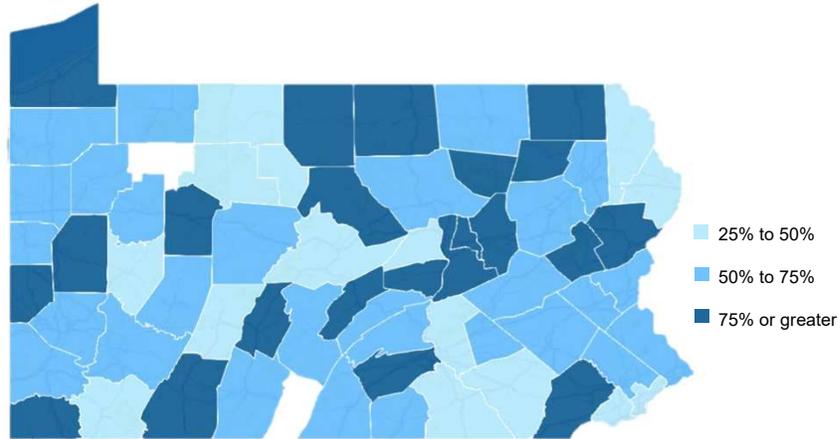
Nearly two-thirds of placement dispositions are for non-felonies, unchanged from ten years ago



46% of admissions to state-run facilities and 57% of admissions to private facilities are for misdemeanor offenses

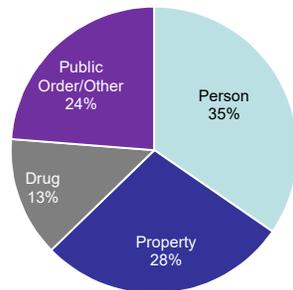


Variation by county in share of youth with placement dispositions for misdemeanors

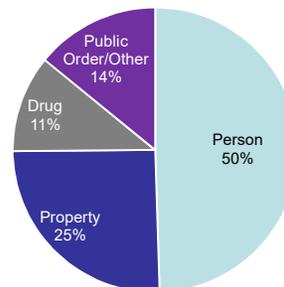


Non-person offenses make up nearly two-thirds of placement dispositions for misdemeanors and half of those for felonies

Offense Type of Misdemeanor Placement Dispositions: 2018

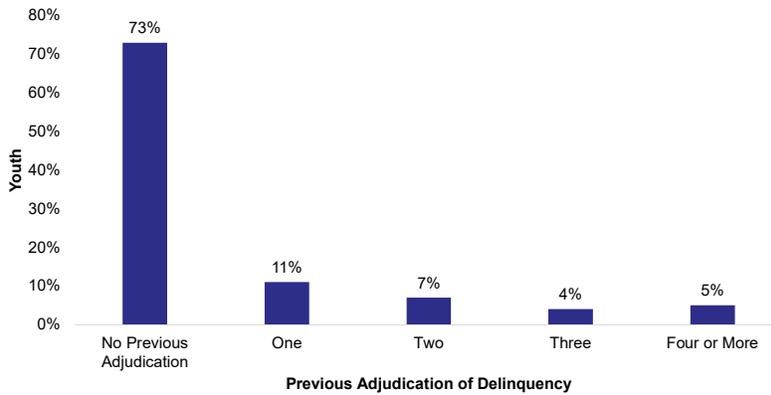


Offense Type of Felony Placement Dispositions: 2018



## Nearly 75% of youth with placement dispositions had no prior delinquency adjudications

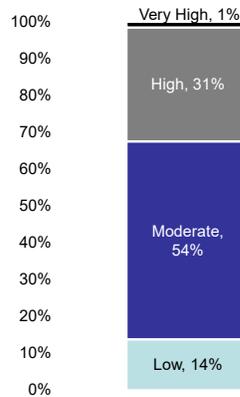
History of Prior Adjudication of Delinquency for Youth with Placement Dispositions: 2018



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## 54% of youth with placement disposition score moderate risk to reoffend; 14% assessed as low risk

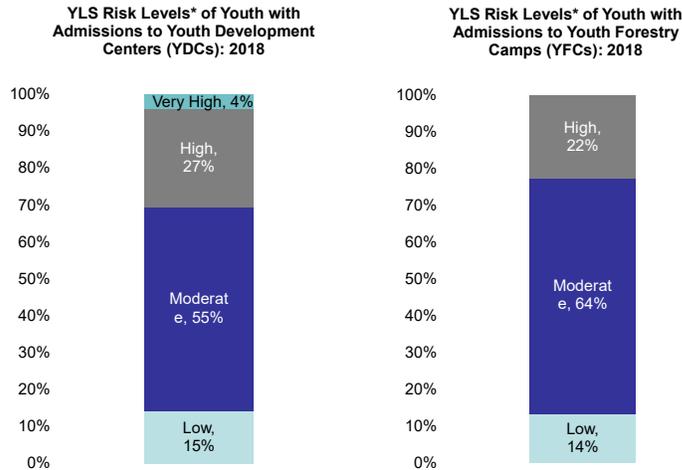
Risk Level\* of Youth with Placement Dispositions: 2018



\*The YLS that occurred closest in time to the youth's placement disposition was utilized for this analysis. Any YLS assessments that occurred more than 180 days from the placement disposition date were excluded.

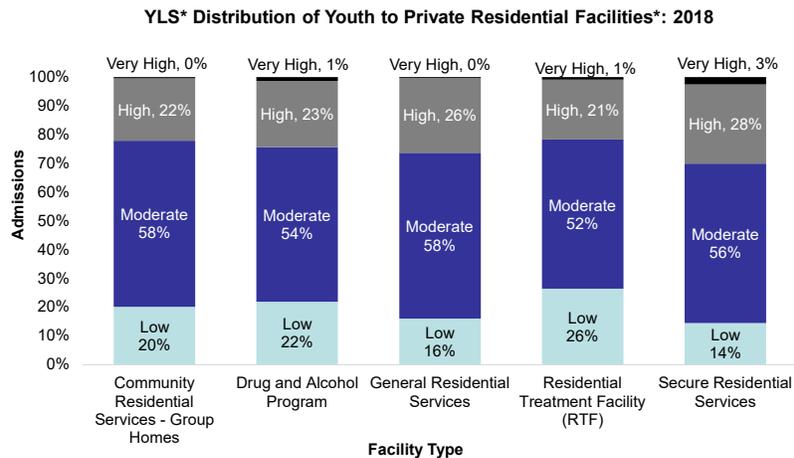
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## Proportion of youth assessed moderate risk slightly larger among youth in nonsecure forestry camps



\*The YLS that occurred closest in time to the youth's placement admission was utilized for this analysis. Any YLS assessments that occurred more than 180 days from the placement admission date were excluded.

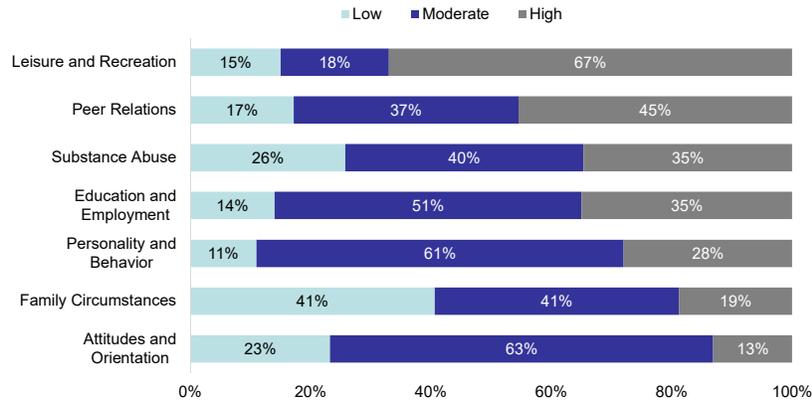
## Most youth entering a private residential facility are assessed as low- or moderate-risk; few score very high risk



\*Youth with admissions to Community Residential Services – Host Homes, Supervised Independent Living and Transitional Living programs were excluded from this analysis because there were fewer than 10 admissions with YLS assessments that occurred within 180 days of the placement admission.

## Domains where most youth score high are peer relations, leisure/recreation; 41% score low on family issues

**Criminogenic Domains\* of Youth with Placement Dispositions: 2018**

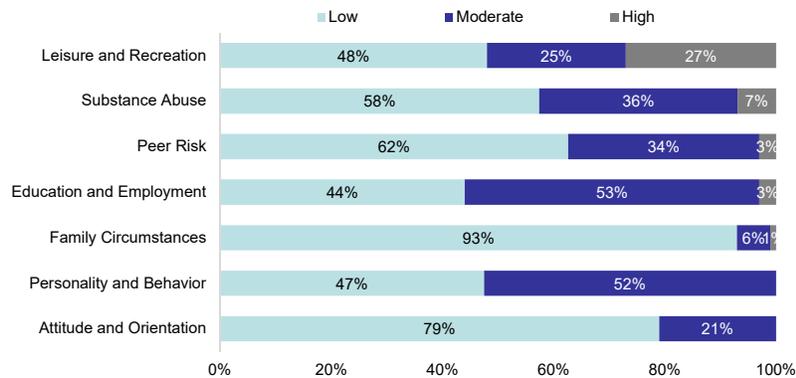


\*The YLS that occurred closest in time to the youth's placement disposition was utilized for this analysis. Any YLS assessments that occurred more than 180 days from the placement disposition date were excluded.

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## Majority of youth with placement dispositions who score low-risk are also assessed as low-need across many domains

**Criminogenic Domains\* of Youth Assessed as Low Risk with Placement Dispositions: 2018**

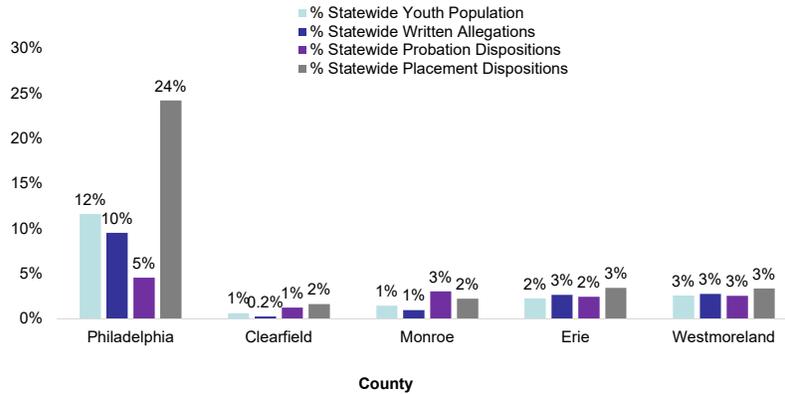


\*The YLS that occurred closest in time to the youth's placement disposition was utilized for this analysis. Any YLS assessments that occurred more than 180 days from the placement disposition date were excluded.

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## Philadelphia accounts for 24% of statewide placement dispositions despite just 10% of written allegations

**Counties with the Largest Percentage of Statewide Placement Dispositions Relative to Statewide Percentage of Written Allegations: 2018**

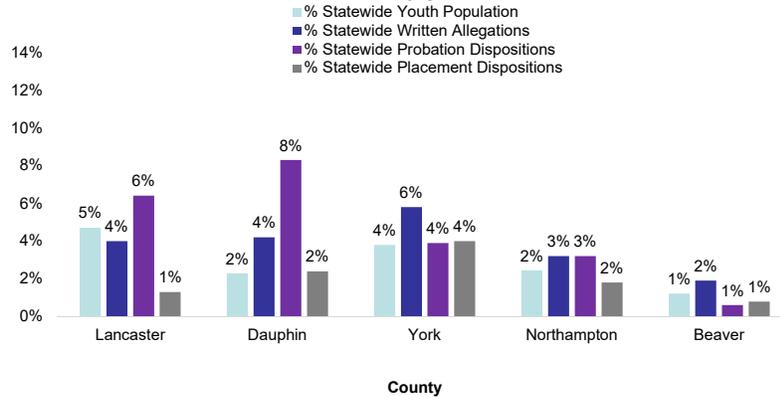


\*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention

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## Lancaster's share of statewide placement dispositions makes up just one-quarter of its proportion of written allegations

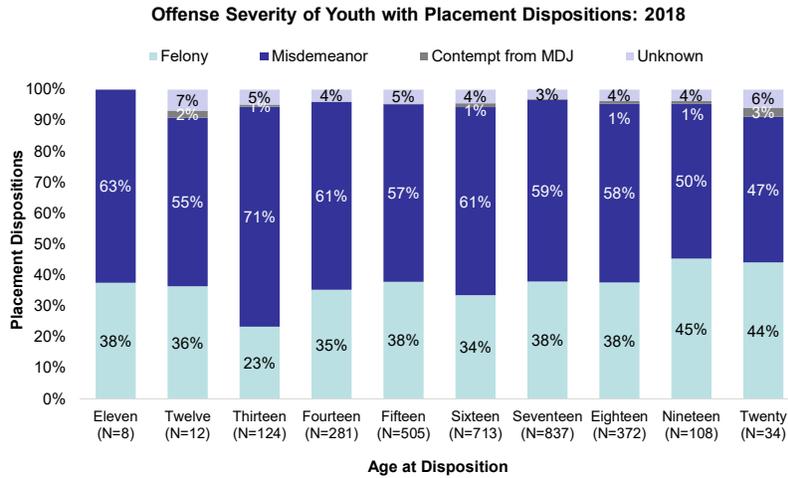
**Counties with the Smallest Percentage of Statewide Placement Dispositions Relative to Statewide Percentage of Written Allegations: 2018**



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

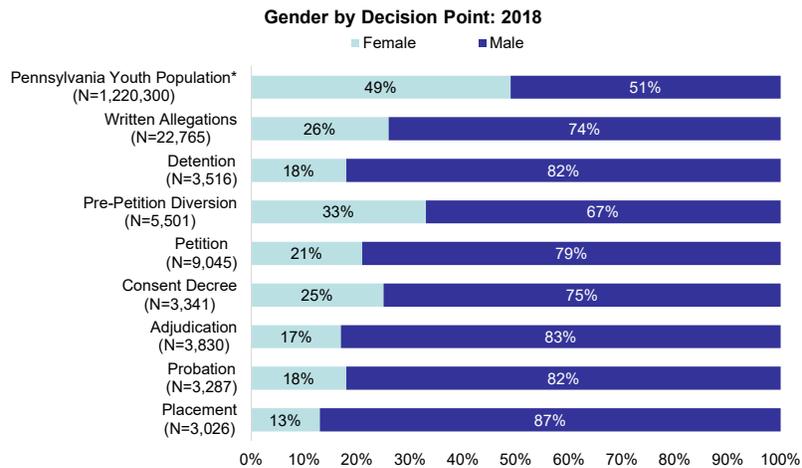
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## Little variation in offense severity by age of youth with placement dispositions



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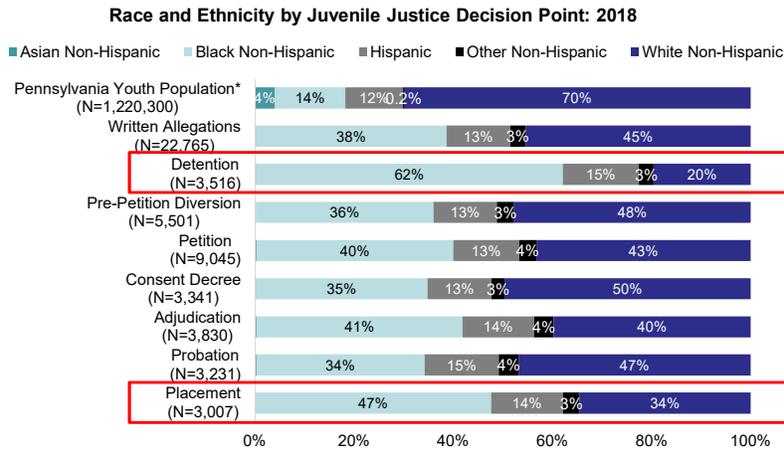
## Males account for a larger percentage of placement dispositions relative to their proportion of allegations



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

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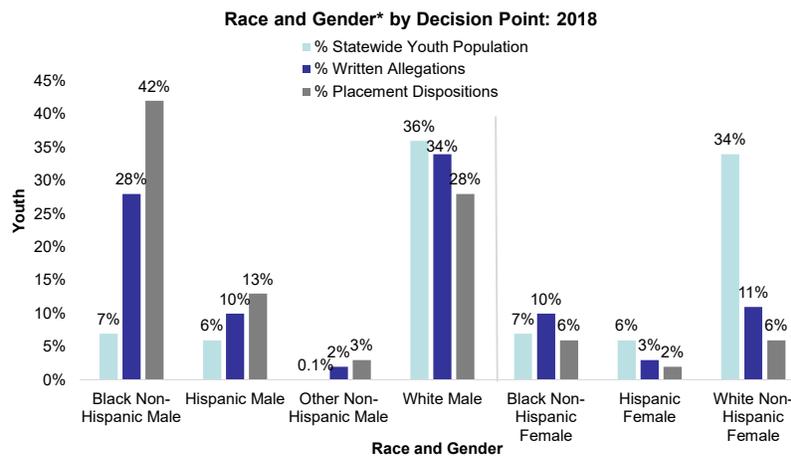
## Disparity for Black Non-Hispanic youth relative to written allegations greatest for decisions removing youth from home



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

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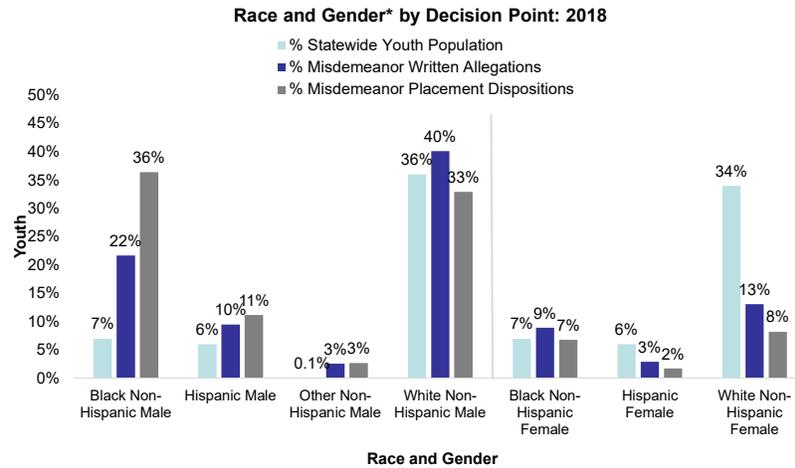
## Black Non-Hispanic males make up 7% of youth population, 28% of allegations, and 42% of placement dispositions



\*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention; Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers

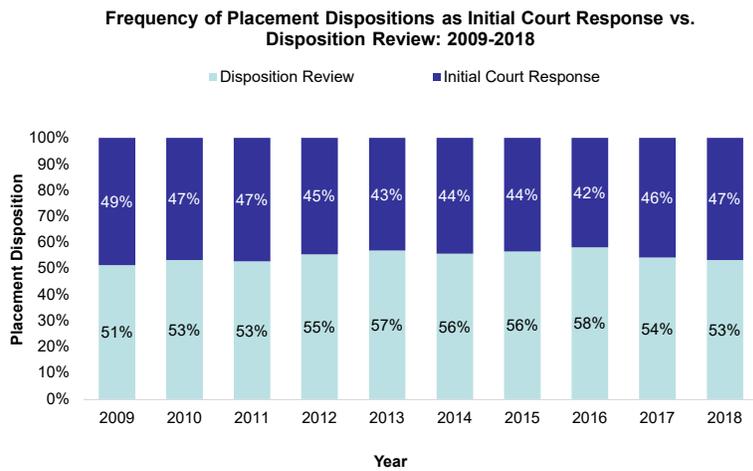
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## Disparities by race and gender hold among misdemeanors



\*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention; Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers

## Among youth with placement dispositions, nearly half go straight to placement, largely unchanged over ten years

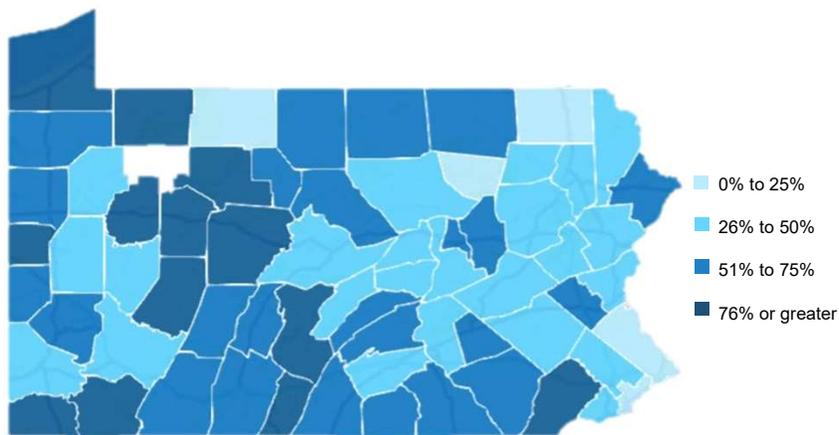


### Top offenses of youth sent straight to placement similar to those of youth placed on review; majority are misdemeanors

Rank	Top 10 Offenses (2018): Initial Court Response	% Placement Dispositions	Top 10 Offenses (2018): Disposition Review	% Placement Dispositions
1	Simple Assault (M)	12%	Simple Assault (M)	12%
2	Robbery (F)	9%	Theft-Related Offense (M)	10%
3	Theft-Related Offense (M)	8%	Robbery (F)	10%
4	Theft-Related Offense (F)	7%	Theft-Related Offense (F)	6%
5	Terroristic Threats (M)	5%	Possession of Drugs (M)	5%
6	Aggravated Assault (F)	4%	Possession with Intent to Deliver Drugs (F)	5%
7	Possession of Drugs (M)	4%	Terroristic Threats (M)	4%
8	Firearm-Related Offense (M)	4%	Unauthorized Use of Motor Vehicle (M)	3%
9	Disorderly Conduct (M)	4%	Aggravated Assault (F)	3%
10	Indecent Assault (M)	3%	Possession of Drug Paraphernalia (M)	3%
<b>Total</b>	<b>Total</b>	<b>60% (100%)</b>	<b>Total</b>	<b>61% (100%)</b>

F = Felony; M=Misdemeanor; A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle.

### Variation by county in share of youth sent straight to placement



## Placement and System Costs Takeaways

- **Decision Making**

- The court may remove a youth from home at a disposition or disposition review hearing for any delinquency or probation/aftercare violation
- Private placements have broad authority to reject, eject for “failure to adjust,” and influence release; state placements must accept all youth
- Through the needs-based budgeting process, the state reimburses counties for a portion of out-of-home placement costs and nonresidential services
  - » The rate of reimbursement for both types of services is largely the same

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## Placement and System Costs Takeaways

- **System Costs**

- In FY19, Pennsylvania spent \$349 million on juvenile delinquency services; 80% of expenditures went to out-of-home placements
- Out-of-home placement costs ranged by service type
  - » State-run facilities average \$192,720 per youth per year
  - » Private placements at \$107,468 per youth per year, up 54% since FY15
  - » The highest per youth expenditures among placement type is detention at \$220,193 per youth per year

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## Placement and System Costs Takeaways

- **Placement**

- Over ten years, placement dispositions fell 54% to 3,026 from 6,547, a slightly larger decline than the corresponding 47% drop in written allegations
  - » Over the same period, use of state-run facilities have increased, but the vast majority of youth with placement dispositions go to private facilities
- Among youth with placement dispositions, nearly half go straight to placement
  - » Top offenses of youth sent straight to placement similar to those of youth placed on review; the majority are misdemeanors
  - » Pennsylvania does not track in state data which placement dispositions result from technical violations of court orders that are not a new crime

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## Placement and System Costs Takeaways

- **Placement (cont.)**

- Most youth who have placement dispositions are there for misdemeanors and non-person offenses and have no prior adjudications
  - » Nearly two-thirds of placement dispositions are for non-felonies
  - » Non-person offenses make up nearly two-thirds of misdemeanor and half of felony placement dispositions
  - » Nearly 75% of youth with placement dispositions had no previous adjudications
- 54% of youth with placement dispositions score moderate risk to reoffend; 14% are assessed as low risk
  - » Youth placement dispositions assessed as low risk also generally score as low need across most domains

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## Placement and System Costs Takeaways

- **Placement (cont.)**

- Counties vary in their use of placement dispositions
  - » Share of placement dispositions for misdemeanors ranges from 25-50% in some counties to at least 75% of placement dispositions in roughly a third of counties
- Disparity for Black Non-Hispanic youth is greatest for decisions removing youth from home, even among similar offenses
  - » Looking only at misdemeanors, Black Non-Hispanic males make up 42% of statewide placement dispositions compared to 7% of the youth population and 28% of misdemeanor written allegations

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## Number of Placements and Length of Stay For Youth with Placement Dispositions

Data

\*\*“Out-of-home placement” figures include the total number out-of-home placements for youth with placement dispositions, including detention, shelter, and residential placements.

54

## Out-of-home experience for youth can vary

### Case Study 1: Youth with Case Closed in 2014



Total Length of Time Out-of-Home: 32 months  
Total Length of Time Under Juvenile Court Supervision: 53 months

55

## Out-of-home experience for youth can vary

### Case Study 2: Youth with Case Closed in 2017



Total Length of Time Out-of-Home: 10 months  
Total Length of Time Under Juvenile Court Supervision: 21 months

56

## Out-of-home experience for youth can vary

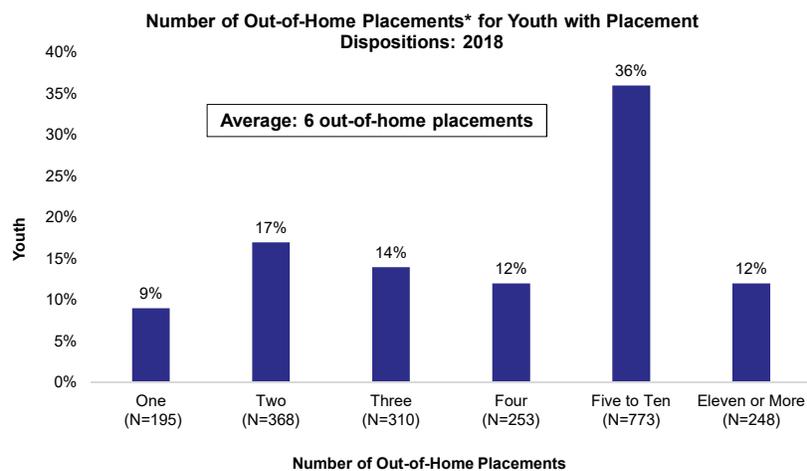
### Case Study 3: Youth with Case Closed in 2017



Total Length of Time Out-of-Home: 11 months  
Total Length of Time Under Juvenile Court Supervision: 21 months

57

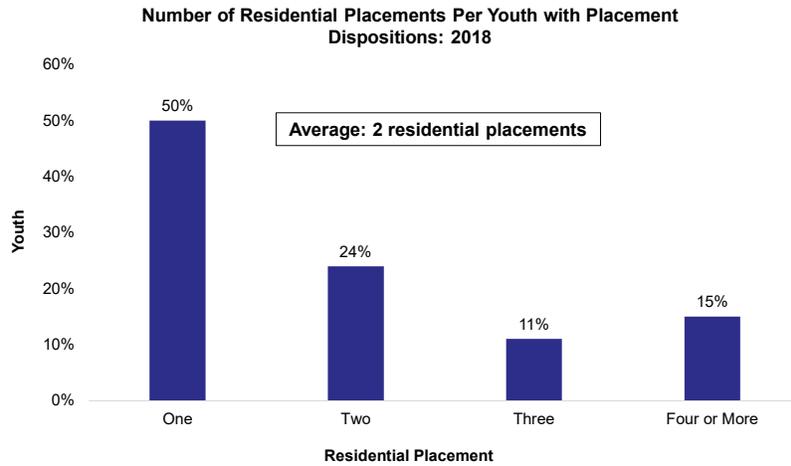
## Almost half of youth with placement dispositions spend time in 5 or more out-of-home placements



\*These figures include the total number out-of-home placements that youth with placement dispositions experience. Out-of-home placements include detention, shelter, and residential placements.

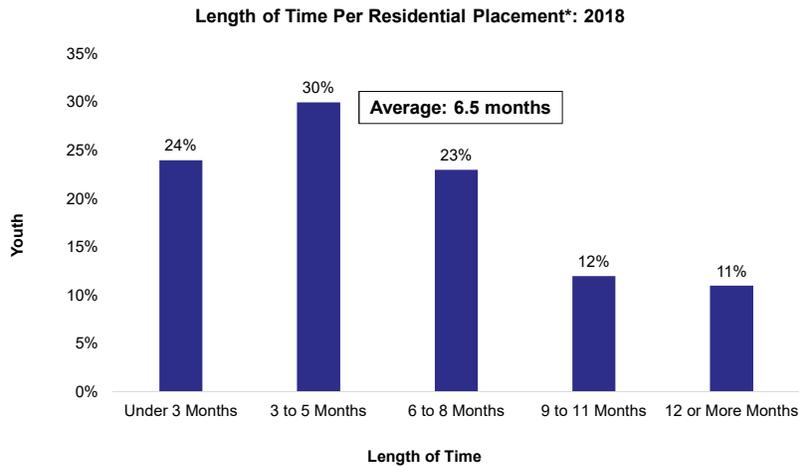
58

Half of youth with placement dispositions spend time in more than one residential placement; 26% sent to three or more



59

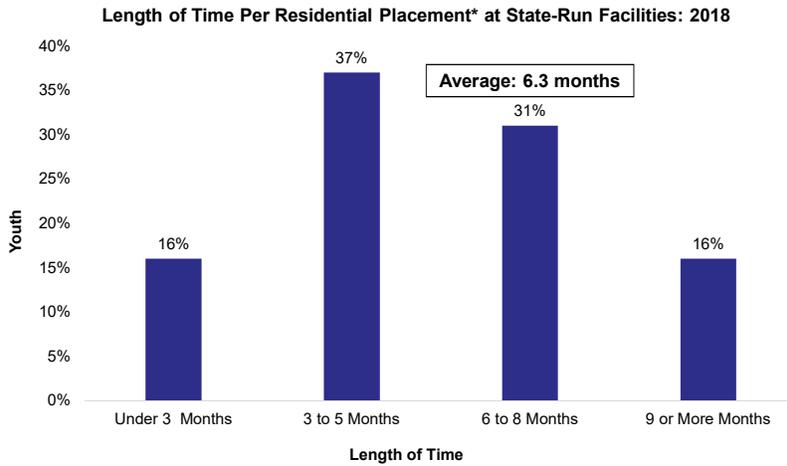
Youth average 6.5 months out-of-home per residential placement; 54% spend under six months per placement



\*Length of time per residential placement is calculated from the youth's service start date to the youth's service end date at the residential facility.

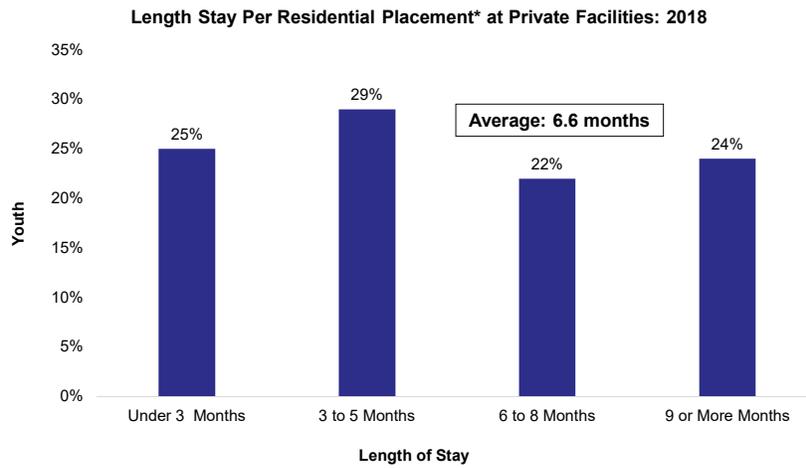
60

For state-run facilities, the average time youth spend out-of-home per placement is just over six months



\*Length of time per residential placement is calculated from the youth's service start date to the youth's service end date at the residential facility.

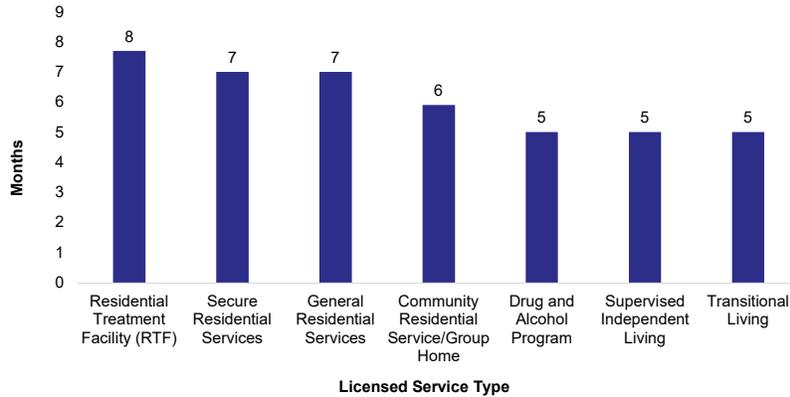
For private facilities, the average stay per placement is 6.6 months; one-quarter average over nine months



\*Length of time per residential placement is calculated from the youth's service start date to the youth's service end date at the residential facility.

Among the private facilities, Residential Treatment Facilities (RTFs) average the longest out-of-home stays per placement

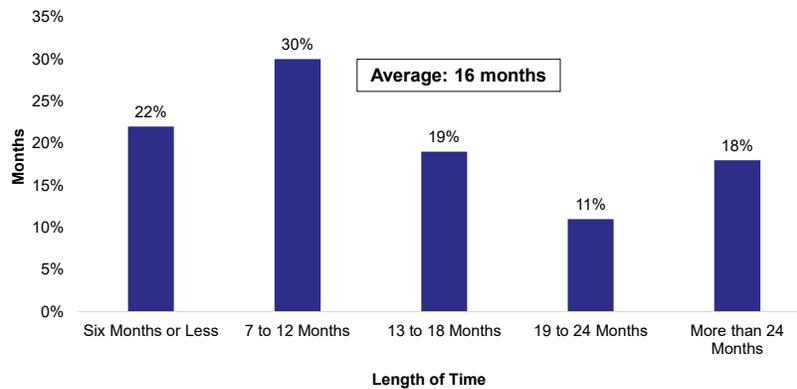
Average Length Per Residential Placement\* by Licensed Service Type: 2018



\*Length of time per residential placement is calculated from the youth's service start date to the youth's service end date at the residential facility. Excludes length of time in Community Residential Rehabilitation-Host Homes and Inpatient Mental Health facilities due to their small numbers.

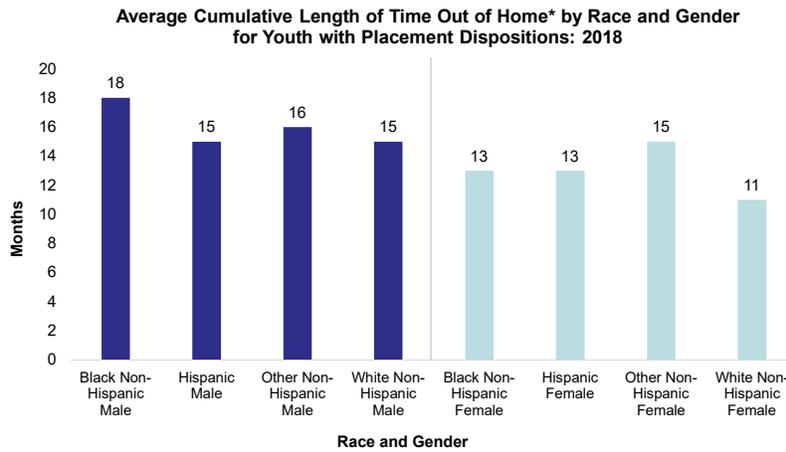
Cumulatively, youth with placement dispositions spend 16 months out-of-home, on average; 18% spend over two years

Total Cumulative Time Out of Home\* for Youth with Placement Dispositions: 2018



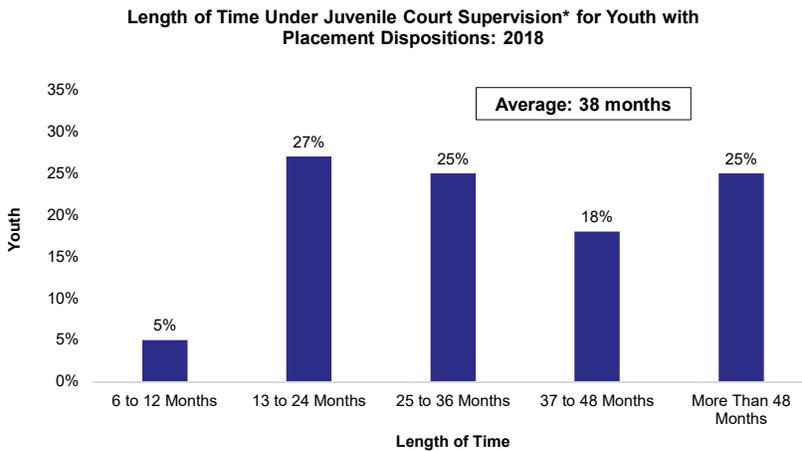
\*Includes total time spent in detention facilities, shelter facilities, and residential placement facilities. Total cumulative length of time out of home is calculated by summing together the length of time at each out-of-home placement.

## Black Non-Hispanic males average the most cumulative time out of home



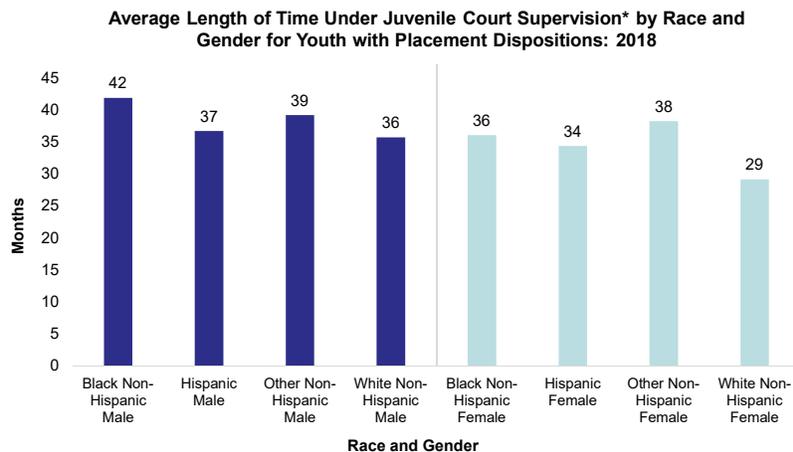
\*Includes total time spent in detention facilities, shelter facilities, and residential placement facilities. Total cumulative length of time out of home is calculated by summing together the length of time at each out-of-home placement. Asian Non-Hispanic youth have been excluded due to their low numbers. <sup>65</sup>

## Overall court supervision length for youth with placement dispositions is more than three years, on average



\*Total length of time under juvenile court supervision is calculated from the date the youth was open for services to the date in which the youth was closed for services. <sup>66</sup>

## Among youth with placement dispositions, Black Non-Hispanic males spend the most time under court supervision



\*Total length of time under juvenile court supervision is calculated from the date the youth was open for services to the date in which the youth was closed for services. Asian Non-Hispanic youth have been excluded due to their low numbers. <sup>67</sup>

## Placement and System Costs Takeaways

### • Placement – Length of Stay and Length of Supervision

- Among youth with placement dispositions, almost half spend time in five or more out-of-home placements
  - » Youth average two residential placements; 26% go to three or more
- Youth average 6.5 months out-of-home per residential placement;
- Cumulatively, youth with placement dispositions spend 16 months out-of-home, on average; 18% spend over two years
- Youth with placement dispositions spend more than three years under overall court supervision, on average
- Black Non-Hispanic males with placement dispositions average the most cumulative time out of home and spend the most time under overall court supervision

## Next Steps

- Data analysis and system assessment
- Stakeholder outreach
  - Roundtables
  - Public testimony
  - Dissemination of meeting executive summaries

## Contact Information

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**Pennsylvania Juvenile Justice Task Force  
Public Testimony**