

# PENNSYLVANIA JUVENILE TASK FORCE

## August 26, 2020 Meeting Executive Summary

On August 26, 2020, the Pennsylvania Juvenile Justice Task Force convened its fifth meeting, led by Task Force co-chairs Senator Lisa Baker, Senator Jay Costa, Representative Tarah Toohil, and Representative Mike Zabel. The co-chairs provided an update on stakeholder engagement and reviewed the key takeaways from the August 12<sup>th</sup> Task Force meeting. The Task Force then reviewed and discussed data analysis of Pennsylvania's juvenile justice system, with a specific focus on out-of-home placement. The meeting concluded with a discussion of logistical next steps.

### Stakeholder Engagement and Key Takeaways

#### *Stakeholder Roundtables*

Rep. Zabel reported that a roundtable with dually-adjudicated youth and one with crime victims/survivors had been held since the last Task Force meeting. Rep. Zabel then reviewed the dates for other upcoming stakeholder roundtable meetings that will be chaired by members of the Task Force. Rep. Zabel reminded Task Force members that, for the next three meetings, the Task Force will reserve one hour to hear virtual testimony from the public. Any member of the public is invited to speak for up to five minutes and [can sign up](#) for a specific meeting date through a link that has been uploaded to the Task Force's website. Testimony will be limited to a certain number of sign-ups per meeting to make sure people receive enough time to speak.

#### *Key Takeaways from August 12<sup>th</sup> Task Force Meeting*

Rep. Toohil reviewed the key takeaways from the previous task force meeting, including:

- 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 a youth from their home for any offense.
- Local probation practices vary, with broad discretion among 140 juvenile court judges and 67 probation offices.
- 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) and 81% are there for a misdemeanor (59% of misdemeanors are 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.

### System Assessment Data Analysis

#### *Decision Making*

The Task Force reviewed a information on the decision-making process as it relates to out-of-home placement. Key takeaways include:

- 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 plan and budget 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).

#### *Placement and System Costs*

The Task Force then reviewed and discussed system costs and data on out-of-home placement across Pennsylvania. The following were the key takeaways from the presentation:

- In FY19, Pennsylvania spent \$349 million on juvenile delinquency services, and 80% of expenditures went to out-of-home placements.
- State-run facilities average \$192,720 per youth per year.
- Private placements average \$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.
- Over the past 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.
  - The majority of the top offenses, for youth sent straight to placement, are misdemeanors.
  - Pennsylvania does not track which placement dispositions result from technical violations of court orders that are not a new crime.
  - Most youth are committed to an out-of-home placement 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.
  - The offense severity and top-ten most-common offenses among youth with placement dispositions are largely the same as ten years ago.
  - 54% of youth with placement dispositions score moderate risk to reoffend.
  - 14% of youth with placement dispositions are assessed as low risk, and those youth also generally score as low need across most domains.
  - The share of placement dispositions for misdemeanors ranges from 25% to 50% in some counties to at least 75% of placement dispositions in roughly a third of counties.
  - The disparity for Black Non-Hispanic youth is greatest for decisions removing youth from their 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.
- number of out-of-home placements youth receive and the length of stay for youth in out-of-home placement during the next Task Force meeting. In addition, a portion of the next meeting will be reserved for discussing the impact of COVID-19 on the juvenile justice system in Pennsylvania. The co-chairs opened up time at the end of the meeting for public testimony but no time was requested by the public. The next Task Force meeting will take place on September 9<sup>th</sup> from 3-5pm, with an hour from 5-6pm allotted for public testimony. All meeting material, future meeting dates, and links to join the virtual meetings are available at the Task Force's website:

<http://www.pacourts.us/pa-juvenile-justice-task-force>

## **Task Force Discussion and Next Steps**

Members of the Task Force discussed the key findings of both the system assessment information and data analysis. One section of the data analysis was not presented due to time constraints and the Task Force decided to complete review of the remaining data on the