

**Pennsylvania Juvenile Justice Task Force**  
**Juvenile Justice System Enhancement Strategy Leadership Team**  
**September 25<sup>th</sup>, 2020**

On September 25<sup>th</sup>, 2020, the Pennsylvania Juvenile Justice Task Force held a roundtable with 14 members of the Pennsylvania Juvenile Justice System Enhancement Strategy (JJSES) executive leadership team. The roundtable was facilitated by two Task Force members, Rick Steele, executive director of the Pennsylvania Juvenile Court Judges' Commission (JCJC), and Russ Carlino, chief juvenile probation officer for Allegheny County.

➤ ***Strengths of the Juvenile Justice System:***

- **Pennsylvania's juvenile justice system is data-driven and outcome-focused:** Participants agreed that data is used to make decisions to achieve goals like reductions in the use of out-of-home placement. As one leadership team member stated, "We have the data ... now we have to look at the data and ask, is what we're doing working?" A participant stated that support from JCJC, the Pennsylvania Commission on Crime and Delinquency, and the Pennsylvania Council of Chief Juvenile Probation Officers had enabled improvements in data collection and structured decision-making in recent years. Participants discussed the benefits of JCJC's PaJCMS data and case management system, which collects data from all jurisdictions into a central repository. As one leadership team member put it, "I always hear from folks in other jurisdictions, 'well, how did you accomplish that?'... The fact that we collect data from the same system in 67 counties really helps our cause here."
- **Leadership in the juvenile justice system is transparent and open to changes:** Participants said that juvenile justice leaders, including the JJSES team, continuously emphasized the importance of making changes to the system when needed, including shifts in practice and policy. "We're always looking at what's around the corner," one participant said, adding, "We're never afraid to open the books up and be transparent." As another participant put it, "I don't know if you can say across all 67 counties that we're doing what we want. But the commitment to looking at that is a strength."
- **Other states and jurisdictions see PA as a leader in working to improve the juvenile justice system:** Participants discussed ways in which Pennsylvania's system has made advances beyond those of other states and localities. One said, "other [jurisdictions] are amazed when they hear the work that's been done. That does not mean there is not more work to be done."
- **Service providers historically have been the backbone of the juvenile justice system:** Participants discussed the importance of private service providers in Pennsylvania. One stated that maintaining a "robust level of private providers...really is an area where we need to place greater focus and emphasis moving forward," adding, "people sometimes think we're automatically talking about residential. We're also talking about community-based providers."
- **There are talented, skilled people who work in the juvenile justice system:** Participants discussed how many people who work in juvenile justice are committed and knowledgeable. The group discussed the need to continue to expand and retain good staff.

➤ **Areas in Need of Improvement:**

- **County-based system results in some counties leading the way on reform while others are resistant to changes:** Participants discussed how the county-based system can be a strength but also an area of improvement because some counties are resistant to or slow to adopt evidence-based practices and policies that are in place elsewhere in the commonwealth. One participant stated it is a challenge to “hold counties accountable” for implementing improvements, stating, “When counties are resistant, it’s very frustrating to us because we know there’s a better way.” The participant added that Pennsylvania may be reaching a point where legislative or fiscal solutions are an appropriate next step to drive further enhancements to the juvenile justice system.
- **Funding for juvenile justice and JCJC could lead to greater local accountability and expansion of evidence-based practices:** Participants discussed how JCJC should receive more funding to play a role overseeing the juvenile justice system and holding the system accountable, including determining where funding for services are allocated. As one participant stated that more funding for JCJC would mean greater oversight and accountability over local county practices. “We need to be able to hold more people accountable,” he said. Another agreed and recommended that Pennsylvania “beef up support for JCJC and really allow them oversight of the juvenile justice system, from funding to holding probation departments accountable who are not up to speed through court rule or legislation.” Other participants cited a need for more sustainable funding for training on evidence-based practices.
- **Many judges and prosecutors charged with key decision-making do not buy-in to evidence-based JJSES goals like expanded use of diversion:** Participants cited a lack of buy-in among many judges and prosecutors on evidence-based practices shown to reduce recidivism and said that the lack of buy-in is a severe challenge to achieving reform across Pennsylvania counties. One participant said that judges and prosecutors often make more punitive decisions in opposition to research, despite communication about research from local probation and other stakeholders. Another stated that, “we can do all this work and go before the court and if they have not changed their approach to or opinions on this, it’s for naught.” The participant added that “I sometimes think we just soft-pedal our way through because we’re talking with judges. And the end of the day I don’t think we’re making as much progress as we should ... the respect we give the court and to some degree the intimidation keeps us from moving forward.”
- **Laws automatically charging youth as adults should be changed or repealed:** Participants discussed at length how juvenile probation departments are prepared to supervise and provide services to youth who are now automatically charged as adults. Many stated their belief that the provisions in statute that allow for youth to be charged directly adults by excluding their cases from juvenile court jurisdiction should be repealed. One participant said, “we have the staff, and we know that adult probation is overloaded with cases and they can’t provide the services. ... They’re just not as trained in evidence-based practices as we are.” A participant added that youth charged as adults “aren’t able to access services that would otherwise be provided” through the juvenile justice system
- **Youth not at serious risk to commit another offense are improperly sent to the delinquency system when they should instead be having their needs met through the mental health, child welfare, or behavioral health systems:** Several participants stated that youth who score as low

risk to reoffend are referred to the juvenile system and end up deep in the delinquency system solely because other systems are not providing them services. A participant said a youth in their jurisdiction did not score moderate or high risk to reoffend but was put on probation anyway, adding, “the last place that kid needs to be is in our [juvenile justice] system.” Participants said that youth have been sent to out-of-home placement, including state-run secure facilities, solely because they have mental health diagnoses. “The juvenile justice system can no longer afford to be the de facto mental health system for these kids,” one participant said, adding, “now we’ve got kids at a higher level of care than they have to be.”

- **Collaboration across youth-serving systems is a challenge:** Participants said child welfare cases are often closed out when a youth is charged in the delinquency system, leading to issues for youth who are victims of abuse, neglect or dependency. “When you deal with complex cases, the child welfare system frequently closes cases of abuse, neglect or dependency once a youth is involved in the juvenile justice system,” a participant said, adding “[the child welfare workers’] number one goal is to close the case and they don’t want to deal with them a lot, and we have to fight with our court and Children and Youth to ensure that the case stays open.” Another said, “our judge has suggested that kids be charged or adjudicated delinquent so that they can end up in our system so that the dependency system doesn’t have to deal with these kids. ... I felt that our [child welfare] agency was supportive of that because it would allow them to wash their hands of that kid. ... [juvenile probation] should not be the group of folks who has to clean up that mess.”
- **Youth who should be diverted pre-petition or kept out of placement are not:** Participants discussed what might be driving data showing that low-level cases are being petitioned and ending up in placement. Some participants said district attorneys often force a decision to push youth deeper into the system. “In some counties, the [district attorney] just demands that the petition be filed” rather than offering diversion, one participant said. Another said that in some counties, the district attorney has “made it clear they will not approve any consent decrees.” Other participants suggested there may be issues with a lack of community resources in a county to support a diversion program or nonresidential alternatives to placement. Others said there are counties that are not accountable to implementation of evidence-based practices for which they receive training.
- **Youth charged with contempt for nonpayment of fines and fees from magisterial district judges should not come into juvenile court and should instead have needs met through other systems:** Many participants said youth who fail to pay fines and are charged with contempt should not be referred to the juvenile justice system. “Do those kids rightfully belong in the delinquency system?” one asked, adding “if these youth were referred from child welfare and probation can truly focus their efforts on moderate- and high-risk kids, diverting the low-risk kids, it would seem like a marriage made in heaven.”
- **Residential and community-based service providers are increasingly struggling to maintain services due to funding:** Participants discussed the difficulty for providers of staying open at current funding levels when they primarily have contracts with individual counties and the number of youth referred to the juvenile justice system has declined so precipitously. One participant said, “I’m on the verge of losing two community-based providers because of the small numbers.”

- **The Pennsylvania Detention Risk Assessment Instrument (PaDRAI) is not used by all counties:** Participants discussed the need for the instrument to be more widely used. As one stated, “we’ve had adoption by a number of counties, but again there are a number of counties that we really need to bring on board.”
- **The goals of the juvenile justice code should be incorporated into statute:** Participants discussed the need to incorporate goals of the juvenile justice system into the human services code to allow better and more consistent funding mechanisms throughout the commonwealth.
- **Reductions from out-of-home placements should be reinvested into effective practices and programs:** As one participant stated, “I would love to see reinvestment into many of the things that we’ve talked about. You’re using some of the dollars saved. We think there is more savings” to be had from reductions in out-of-home placement.

➤ **Notable quotes:**

- **On the commitment of juvenile justice leaders to improve the system:**
  - “We’re all driven, we’re all hard-working, and we have a desire to improve the system for all stakeholders, primarily the youth that we work with and the communities and the victims.”
- **On the need to make continuous change and improvement:**
  - “You open your door, and it’s a constant evolution of change, and I think that’s a strength more than anything.”
- **On a lack of buy-in from some prosecutors and judges for JJSES practices and goals supported by research:**
  - “My district attorney screamed in the middle of the room and said, ‘I don’t give an [expletive] about evidence-based practices.’ And all I wanted was for my judge to respond and that didn’t happen.”
  - “JJSES suggests that it is the juvenile justice system that is going to be enhanced ... but we’re fighting an uphill battle.”
  - “If we don’t get everybody bought in, it’s probably not going to be real effective.”
- **On the challenges that exist when the adult criminal justice system is not supportive of evidence-based practices:**
  - “It’s almost like you’re standing on an island by yourself.”