

**Pennsylvania Juvenile Justice Task Force**  
**Victim/Survivor Services and Restorative Justice Roundtables**  
**Executive Summary**

The Juvenile Justice Task Force identified crime victims, survivors and those who assist them, and restorative justice practitioners, as important stakeholders to provide input and insights into the Task Force’s efforts to protect public safety; ensure accountability; achieve taxpayer savings and sustained system reinvestment; and improve outcomes for youth, families and communities. The Task Force hosted three virtual Roundtable discussions:

1. PA Council of Chief Juvenile Probation Officers, Victim Services Subcommittee, Aug. 25  
Twelve Participants
2. Victim Service Providers/VOJO Advocates, August 27  
Eleven Participants
3. Restorative Justice Practitioners, September 3  
Nineteen Participants

The Task Force is grateful to Kathy Buckley from PCCD, and Rick Steele and Bob Tomassini from JCJC, who helped develop invitation lists that included representation from urban, suburban and rural jurisdictions in Pennsylvania. Task Force members Andrew Barnes, the executive deputy secretary of policy and planning for Governor Tom Wolf, and/or Rick Steele, executive director of the Pennsylvania Juvenile Court Judges’ Commission, hosted the roundtables, offering welcoming remarks at all three, which were facilitated by Anne Seymour, a Washington, DC-based national victim/survivor advocate. Staff from the Pew Charitable Trusts were present to take notes on the discussions. A list of all three Roundtable participants is included in *Appendix A*.

Across all three Roundtables, participants identified the scope and types of juvenile restorative justice practices and programs in Pennsylvania. A summary is included in *Appendix B*.

**Strengths of the Juvenile Justice System and Victim Services**

There are effective interventions in some counties in Pennsylvania that involve victims and effectively divert youth from arrest and probation, court and system involvement.

The Commonwealth-wide use of the Youth Level of Service (YLS) has helped “target youth who really do need the services,” and makes it easier to “keep youth who are low-risk from being involved in the system.”

There is strong support for diverting youth from the juvenile justice system whenever possible. Victim advocates report that in parts of the Commonwealth where victim-offender mediation/dialogue diversion is available, efforts to divert more cases through mediation/

dialogue before they reach the juvenile justice system lead to lower recidivism and often better victim satisfaction because they take less time and more directly involve the victims' voice.

*"...we're working hand in hand with the police department to make sure the appropriate cases that need to be diverted are diverted, in the hopes of reducing recidivism."*

*"I'm a firm believer in being pro-active and a little less reactive. We've had great success with mediation in our county to address root causes while also keeping the victims involved. I think maybe diversion works better because the parties involved in that diversion understand trauma informed care and how that process works. When you get the court system involved, you have a lot of goals with good intentions but lacking education about trauma."*

When law enforcement, juvenile justice agencies (including victim/witness programs), community-based victim assistance organizations, and restorative justice programs collaborate and form partnerships at the county level, the quality of victim services, youth accountability, and satisfaction of engaged parties significantly improves.

Juvenile probation officers and VOJO staff "are getting victim impact statements out to victims." It was noted that it is "not realistic to get 100 percent of victim impact statements back." Some judges "are really good at asking what victims have to say."

*"Our juvenile judges really do listen to the victims."*

Counties that sponsor restitution funds report victim satisfaction with this process; and counties that lack a restitution fund indicated a desire to implement one.

*"An unacceptable number of kids' cases are converted to civil judgments because the youth and families cannot pay these large amounts."*

### **Strengths of Restorative Justice Practices**

There is a desire among many victims for quicker, more direct diversionary restorative practices that avoid the potentially stressful engagement with juvenile court.

*"If a victim sits with me and says, 'I'd rather have a restorative practice because I don't want to do the justice system,' then we need to be able to give them that opportunity."*

The use of victim/offender dialogue and conferencing as a diversion practice produces positive results, including better explanation of the goals of the system and less trauma for victims; significant increases in victim/survivor satisfaction; accountability case plans for youth; and reduced recidivism.

*"Meeting with the juvenile and hearing the 'why's' is very helpful to them [victims]."*

Most counties use family group decision making which, similar to restorative community conferencing, is voluntary for all involved parties and results in a plan for youth accountability, victim assistance, and community safety.

Restorative practices in schools – beginning in kindergarten – can give children skills they can use and take home about how to resolve issues without violence and without crime.

### **Gaps in the Juvenile Justice System and Victim/Survivor Services**

There was strong consensus about the need to keep youth from offending and out of the system in the first place. There is a lack of effective alternatives to placement and system referrals, even in big cities like Philadelphia. Investments in and proactive engagement of community-based program and supports *not* linked to justice systems; investments in schools; and the need to address systemic racial injustice were cited as important solutions. One participant cited the need of community engagement; in order for restorative justice to occur, the youth must have the community involved. “Even in the midst of the trauma, the violence, the education, there are healthy people [who can help].”

*“If somebody had intervened with me at a young age when I was struggling... that would have changed my life. Nobody came to me when I was struggling ... All these young people are going through these struggles alone. We don’t need to reinvent the wheel; look at what’s going on in the suburbs—that’s what we need in urban areas.”*

*“In terms of community engagement, one of the things we’re lacking a lot of time is a really good understanding of what the kids are thinking and doing and feeling at the time. We need to become involved with the offenders before they are offenders.”*

The lack of court-based diversion often leads to much longer waiting periods for victims, compared with diversion involving victim/offender dialogue.

*“If we can respond in weeks, rather than months, it makes a difference for the victims.”*

Youthful offender recidivism should not be the *only* measurement of success in the juvenile justice system. The level of victim involvement in and satisfaction with the process are important measurements of success.

There is a significant need for *mandatory* training of law enforcement, prosecutors, judges, and juvenile probation officers about how to be trauma-informed when dealing with victims.

“‘Trauma-informed’ means being aware that victims and survivors often experience significant trauma, and ‘it’s not always the best time for them to weigh everything out;’ and can include training about the cycle of violence and trauma-informed care for victims and youth. It requires recognizing that ‘being in court as a victim is completely traumatizing.’”

*“Most kids coming into the juvenile justice system come from traumatic backgrounds, and it’s important to have people who know how to deal with them, and with victims who also come from a traumatic background.”*

The use of diversionary Youth Aid Panels (YAPs) is often determined by law enforcement, and has high levels of involvement of community volunteers who help develop case plans to hold youth accountable. However, victims are *not* consistently involved in YAPs.

The pre-juvenile justice system involvement of victims lacks a funding structure. Currently in Pennsylvania, juvenile probation agencies are the funding structure for conventional restorative justice programs, so “there is really no incentive to work upstream, except passion.”

*“We need to figure out how to institutionalize innovation, and not just rely on the lucky foundation funding and hope that it will keep going.”*

Pennsylvania lacks a systemic process for collecting and assessing data specific to victims, victim impact, the implementation of victims’ rights, and what is needed to increase victim satisfaction with the juvenile justice process. Both PCCD and the Center for Juvenile Justice Research are working to improve victim data collection; and the PCJPO Victim Services Subcommittee has begun work on a standardized victim feedback form.

*“We have about a hundred different surveys around the state right now.”*

*“We do such a good job tracking juveniles, but not so much on victims and how they are feeling about it (the process and their involvement).”*

Victim notification is not consistent across counties, and was described as an “ongoing struggle.” Victim information received from police is not always accurate. Victim notification services require considerable time from VOJOs and juvenile probation officers.

The success of restitution is county-specific based upon their specific approaches. Counties that use CPCMS to track and monitor restitution obligations and payments report greater success than counties that do not. Victim/offender dialogue or restorative conferences allow the victim greater input into the terms of restitution and youth accountability. Youth often stay on probation because their families can’t fulfill restitution obligations like wealthier families can, increasing chances of placement and reoffending.

### **Gaps in Restorative Justice Practices**

There is no dedicated funding stream for programs or practices outside of juvenile probation and the courts, dis-incentivizing “upstream” prevention that advocates say leave many victims more satisfied and can lead to better public safety outcomes. For example, participants reported that nearly all program funding for victim/offender dialogue comes from foundations or sources outside the juvenile justice system. One restorative justice provider highlighted the

importance of supporting pre-court mediation because “the research shows that once people have entered the system, the likelihood of them staying in the system and going deeper into the system is devastating.”

There is no consistent application or implementation of juvenile RJ practices and programming – including victim/offender dialogue and restorative community conferencing for diversion – across Pennsylvania, particularly in rural counties. The primary challenge is a lack of funding. Other challenges discussed include a lack of buy-in from JJS officials and service providers for implementing RJ programs; and the “real drag” on the victim processing timeline and hurdles that make it difficult to schedule interested parties for RJ meetings.

*“We would love to have an increase in the providers who are willing to get the victims and offenders together.”*

It is important to provide RJ programs as close to the incident date as possible, as the rates of victim involvement decreases “if cases are a month or two beyond the referral date.”

When victims are uninterested in or unable to engage in RJ programs, the use of “surrogate victims” allows for youth involvement that can help hold them accountable and have a positive effect on their lives.

*“Victims really do just want that apology. They want the kids to learn something. Victim/offender mediation and dialogue – I think that’s what victims want and I think that’s what’s best for the juvenile.”*

Restorative justice leadership should *not* require higher education degrees but, instead, rely on the inherent, existing strengths of community members who are immersed in their communities, culturally- and geographically-competent, and respected as known leaders.

*“The one part we need to add is the community engagement. In order for restorative justice to occur, the youth must have the community involved. Even in the midst of the trauma, the violence, ... there are healthy people there [who can help.]”*

Restorative justice programming should not exclude youth who have prior adjudications, who may significantly benefit from going through conferencing, dialogue and other restorative processes.

*“In some ways, these programs work better or young people who have already had a prior... in some ways, they’re the ones who need programming even more if they’ve had that experience in the system, and been through the system.”*

## Areas in Need of Improvement

A standardized process to collect and evaluate victim data is needed to consistently track victims' stated needs via a needs assessment instrument; and a concurrent instrument that identifies victim expectations and satisfaction with their involvement in juvenile justice and restorative justice processes.

Additional funds are needed to implement RJ training, including an overview of RJ principles and practices; program and policy development and implementation; the respective roles of juvenile justice agencies and community organizations involved in RJ programs; and facilitator training (including volunteers). Pennsylvania has many resources available to help develop and implement training, including faith communities; community volunteers; the research and higher education/academia community; and seasoned juvenile restorative justice practitioners.

*“The problem is funding for restorative-type programming is pretty much nonexistent.”*

The model used in Colorado and Utah that mandates the opportunity for conferencing for all youth, paid in full by the state, is worthy of replication in Pennsylvania.

The Task Force can reinvest in research that provides a strong evidence base to the efficacy of restorative justice programs for victims, youth, and communities.

At the restorative justice Roundtable, the Task Force members proposed the creation of a Commonwealth-level Juvenile Restorative Justice Advisory Group to help guide the development and enhancement of policy, programs and partnerships to improve juvenile restorative justice (there was full concurrence with this recommendation).

Victim advocates stated that more should be done to explain the juvenile justice system to victims to enhance their understanding of the process and goals.

*“The conversations we have with victims can go a long way to explain (the JJS process). I think if they're given a better explanation of why we're doing things the way we do in the juvenile system, it will improve their satisfaction in the end. ... What they want to hear is, 'the reason we're thinking about what is best for this child is that we do not want them to do this to someone else ... and to go on to commit more crimes in the adult system. It hurts you, it hurts the community, it hurts everyone.'”*

### **Additional Notable Quotes:**

- **On the need for supports in the community:** *“If somebody had intervened with me at a young age when I was struggling with my father, at home, that would have changed my life. ... Nobody came to me when I was struggling.”*
- **On the need to expand access to mediation and other diversion programs:** *“It shouldn’t just be a kid who has no priors. In some ways, these programs work better for young people who have already had a prior... in some ways, they’re the ones who need programming even more if they’ve had that experience in the system and been through the system.”*
- **On the need for consistent funding to incentive restorative justice “upstream:”** *“The pre-justice system involvement doesn’t have a funding structure. So right now, juvenile probation is the funding structure for conventional restorative programs and victim-offender program like ours. So, there’s really no incentive to work upstream except passion, really, and that’s sort of what you see.”*

**Roundtable Participants  
(42 total)**

**PA Council of Chief Juvenile Probation Officers, Victim Services Subcommittee  
Twelve Participants  
August 25, 2020**

Rick Steele	Task Force Member
Katie McGrath	Subcommittee Chair & Chief, Franklin County Juvenile Probation
Mary Beth Collins	Victim Services Liaison, Allegheny County Juvenile Probation
Janelle Dunkerley	Juvenile Probation Officer, Crawford County
Cathy Eichelberger	Office of the Victim Advocate
Chris Fitz	Executive Director, Community Engagement, Advoz
Eva Frederick	Lehigh County Juvenile Probation
Angie Mackley	Supervisor, Franklin County Juvenile Probation
Abby Runk	York County Juvenile Probation, Victim Advocate
Sean Sprankle	Training Probation Officer, Allegheny County Juvenile Probation
Teresa Wilcox	Chief, McKean County Juvenile Probation
Angela Work	JCJC

**Victim Service Providers/VOJO Advocates  
Eleven Participants  
August 27, 2020**

Rick Steele	Task Force Member
Susan Blackburn	Retired, JCJC and Consultant
Kathy Buckley	PCCD
Ingrid Burd	Delaware County Juvenile Probation, Victim/Witness
Nick Caramenico	Bucks County Juvenile Probation
Lisa Donlan	Northumberland Juvenile Probation
Elizabeth Gavin	York County Victim/Witness
Tim Henderson	
Cindy Keeney	Adams County Victim/Witness
Christina Smith	Lehigh County Crime Victims Council
Deanna Weaver	Lancaster County Victim/Witness



**Restorative Justice Practitioners**  
**Nineteen Participants**  
***September 3, 2020***

Andrew Barnes	Task Force Member
Rick Steele	Task Force Member
Dr. Craig Adamson	President, Community Service Foundation, Buxmont Academy
Susan Blackburn	Retired, JCJC and Consultant
Kathy Buckley	PCCD
Don Crouthamel	JustCommunity
Jody Dodd	PA District Attorney, Restorative Justice Facilitator
Cathy Eichelberger	Office of the Victim Advocate
Patrice El-Wagaa	Pittsburgh Center for Victims
Chris Fitz	Advos
Joshua Glenn	Youth Arts Self Empowerment Project
Don Haldeman	Director, Circle Trainers, Swarthmore
Angela Keen	Domestic Violence Program, Lancaster
Hyuntae Kim	Collective Climb
Chantay Love	Every Murder Is Real Healing Center
Krista Rittenhouse	Advos
Jennifer Storm	Victim Advocate, Commonwealth of Pennsylvania
Robert Tomassini	JCJC
Mckayla Warwick	Collective Climb

**Scope and Types of Juvenile Restorative Justice Practices and Programs in Pennsylvania**

There are myriad juvenile restorative justice practices and programs in Pennsylvania, including those based within the community; linked directly to the juvenile justice system; or a hybrid of both. The implementation of restorative justice programs is *not* consistent across the Commonwealth, due primarily to a lack of funding or “buy-in” from the principal stakeholders necessary for success. Below is a list of the scope of juvenile restorative justice programs and practices in Pennsylvania:

- Pre-charge and pre-arrest restorative justice community diversion programs
- Victim/offender dialogue
- Restorative community conferencing
- Victim awareness programming and classes for youth
- Restorative justice programs in schools
- Families and community engagement for prevention
- Art and poetry workshops for young men
- Program for formerly juvenile justice-involved male youth who are trained to be advocates
- Education and training: Volunteer facilitator training