

**Pennsylvania Juvenile Justice Task Force**  
**Roundtable with Family Members of System-Involved Youth**  
**November 13<sup>th</sup>, 2020**

On November 13<sup>th</sup>, 2020 the Pennsylvania Juvenile Justice Task Force conducted a family member roundtable discussion with 11 participants, including with four parents of youth who had involvement in the juvenile justice system and one community advocate. Two were parents of youth initially charged in the juvenile justice system. Two were mothers who had sought help from and had their children placed through the mental health and child welfare systems but whose children were later charged with their first delinquency offense and sent to juvenile justice out-of-home placements as a first response. The roundtable was hosted by Task Force members Judge Kim Berkeley Clark, president judge of the 5<sup>th</sup> judicial district, Tiffany Sizemore, assistant professor of clinical legal education at Duquesne University School of Law, and Dan Jurman, executive director of the Governor's Office of Advocacy and Reform.

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

- **Incentives are effective at incentivizing positive behavior from youth:** Parents discussed how incentives can lead to better outcomes. One parent said that her son received a gift card from his juvenile probation officer (JPO) to reward positive behavior. The parent commented that “just getting rewarded for a job well done has been really nice.”
- **Parents often have positive interactions with JPOs:** Two parents said they or their children had had good experiences with the youth’s JPO. One mother said the JPOs did not recommend her son go to out-of-home placement because he scored as low risk to reoffend, which led to better outcomes for him and their families. “Probation scored [my son and his co-respondents] according to their life and the likelihood of them getting in trouble again and all of them tested [low risk] so they said, ‘we’re just going to go ahead and let you go home with your parents,’” she said.

➤ ***Areas in Need of Improvement:***

- **There are few resources in communities to help youth and families without involving the court system:** Family members from both cities and rural counties both agreed that there are little to no community-based services that are available to help youth without a referral to the juvenile justice, mental health, or child welfare system. One mother from an urban area said that there should be more “grassroots organizations” offering services outside of the court system, stating “I was never offering any of that” before her son was removed from home for incorrigibility through the child welfare system. She said “when my son was experiencing issues of rebellion, I filed an incorrigibility report because I had went looking for resources in my community and everywhere I turned there was nothing that was realistic that fit my demographic or my community. The resources that were available weren’t good. ... I was finally told the only thing I could do was ‘302’ my son and have him arrested by the police.” She said her son was immediately sent to two consecutive out-of-home placements without any in-home treatment first. He remained out of home for 18 months, during which time the mother said she

“drove six hours from home so I could participate in his recovery because I wanted him to change the trajectory of his life,” adding, “I trusted the system. Anything anybody asked me to do, I did it.” Yet when the dependency court sent her son home, she said he was given no resources or tools to deal with the challenges of living in his community. “You drop the kid back in the jungle with no gear to fight a war,” she said. The judge told her that he would get her son back into school, but when schools found out his grades were coming from the out-of-home placement for dependent and delinquent youth, the school told her “they don’t take kids like that.” She said, “I took the letter [from the court] to the school, [but] they laughed at me.” Her son then got back into trouble with peers and then—after returning home from the dependency placement—committed his first delinquent offense. He was then sent through the juvenile delinquency system to the secure state-run Loysville Youth Development Center, where he has lived through the COVID-19 pandemic. The mother said “it isn’t fair that we have to commit our kids just to have resources. That’s not right.” Another mother from a rural jurisdiction said, “It’s not just Philadelphia that doesn’t have resources. I’m in the middle of nowhere and there’s no resources here either.”

- **Parents who tried to obtain help for their children through the mental health or child welfare systems regretted doing so because those systems pushed their children deep into the delinquency system:** Numerous family members said that children with depression, anxiety, or other mental or behavioral health diagnoses were quickly being pushed into out-of-home placement when they voluntarily asked for help—ultimately leading to contact with the juvenile justice system that they youth might have otherwise avoided. A mother from a rural area said that her family sought treatment for her son in the mental health system for challenges he faced, which a psychological evaluation revealed were related to his brain development. He was placed in a residential treatment facility through the mental health system but when he was alleged to have assaulted a staff member, he received his first delinquency charge and was sent to a delinquency out-of-home placement by the juvenile justice system without any other response or intervention. “The mental system [system] doesn’t know what to do so they just kick you off to the JPO,” she said. She said her son “is going to sit in a [delinquency] placement with nothing” until his next court hearing scheduled for February. Another parent who had sought help through the child welfare system said, “I felt like even midway through the process, I made a mistake. I shouldn’t have did this.”
- **When youth do make contact with the juvenile justice system, more should be diverted from court through programs associated with community programs:** Many of the family members stated a belief that diversion from formal court processing should be expanded throughout the state. One family member said that youth should be eligible for diversion if it is their first offense, even if they commit a felony. A family member said that they knew two young women who had gotten into a school yard fight where “no one was hurt,” but the girls were charged with felonies and thus ineligible for the county’s diversion program. Instead, they were on probation for a year. She said “these girls were first-time offenders, excellent students. They had been bullied and pushed in a corner... they responded and reacted out for the first time and got jammed up.” Later, she said, one was “getting ready to get a job but had to write out that she had a felony on her record.” Another parent said that diversion programs need to be

“completely revamped” and that they should incorporate “restorative practices and restorative conferencing in [the] community.” Another said diversion programs need to be less run by the system actors and should involve community organizations. “It’s the process,” she said. “We need a different process where we have individuals in charge of the diversion program.”  
Everything looked nice on paper, but nothing was carried out as it was on paper”

- **Out-of-home placements are often used as a first response, lack accountability, and can leave youth worse off:** Nearly all family members said their children had been sent to out-of-home placement without first receiving any in-home services. Many said out-of-home placement had made their kids worse in many instances. A mother said, “I would like to see all of the youth facilities dismantled ... because separating kids from their necessary environment and letting them back on their own ... doesn’t work.” She added that, “sometimes I felt as a parent, that [when he was in out-of-placement] I was exposing my kid to things he didn’t know about. But I felt I didn’t have a choice. I had to trust the system even though I feel it’s broken.” Another parent said she had been fighting her son’s case for more than year while he remained in placement because the court would not let him return home. “It’s not fair. The hurt and pain that you suffer. It hurts.” She said she feels the purpose of placement is “just giving them the meds so that they can be doped up and that’s it. That’s not the way it’s supposed to go.”
- **Families are asked to comply with the juvenile justice system’s requests but do not feel listened to or part of the decision-making process:** Parents said the juvenile justice system asks a lot of them in the form of court hearings, family visits to facilities hours away, and other attempts to engage while their child in a facility. However, parents said do not feel listened to in return. A mother said she had complied with every court and placement requirement but could not get them to send her son home. She stated that the juvenile justice out-of-home placement staff “don’t know what to do with [my son]. You want me to talk to him, you want my opinion, you want me to help you. Why don’t you just let him come home?” One parent said that the judge was “unsympathetic to the background and nature of the case.” Another family member commented that judges “feed off of” the district attorneys “aggressive and hyped,” behavior which can make it feel like they are “prosecuting criminals” and not dealing with children. She also said that the juvenile justice system “just wants to punish...[and that it is] not restoring our families and our youth.” One parent said that “the judges are overworked...[and] see the children as numbers.”
- **Decision-makers in the juvenile justice system treat black youth more punitively than white youth:** A mother whose son had been fighting his case for more than a year said that juvenile justice actors had judged her son more harshly and quickly removed him from home because he was a physically large black youth. “All they did was look at his weight and that he was a big black boy ... I fought and fought and fought and was literally about to quit my job to fight it out for my son and for them to understand what actually had happened,” she said. The mother said her son had been a successfully football player before his charge, but now was saddled with stigma in his community and “now his whole life has been turned around. I feel that no one is seeing what this kid is going through. That’s a mental health issue right there because it’s a change in that child’s life.” Another family member said “they only locking up them boys

because they black. Without studying it, we really don't look into the why. ... It's a system that just wants to punish. We don't try to restore anymore. It's sick that we just want to rush into punishment and not restoring our families and our youth. We have to live with one other. ...All our babies are suffering who aren't white and mainstream."

- **Involvement in the juvenile justice system imposes trauma on youth and families:** Parents discussed the trauma they said they and their children experienced simply from going through the juvenile justice system. One mother whose son has been out of home for more than a year said, "I feel that the judge never listened to me. Sometimes when we have the meetings, they don't even involve me in them," adding, "[the out-of-home placement staff] say, 'no, we don't want my son to come home.' ... and the judge says 'well, I'm going to go with what they say,' and that's that. See you in two months." She added, "did I feel like any time of justice was served? No." Another parent said, "I have suffered depression from this really bad because I don't know what else to do" to help my son. That same mother said that since her child got involved in the juvenile justice system "his whole life has been turned around...[and] that no one is seeing what this kid is going through." Another mother said that when a state police officer insisted on interrogating her son in the school during the school day, the experience was stigmatizing for her and "humiliating ... the most humiliating experience of my life. [My son's] entire senior year was ruined."
- **Quality of defense counsel varies:** Parents described varying experiences with defense attorneys. One said her dependency lawyer had been inadequate and she immediately had the replace the attorney, but that her delinquency attorney had been better. Others felt their attorneys were not giving them enough time. One parent said she and her husband hired a private attorney, which she was glad they did, because the assigned defense attorney the other boys in the case received was reassigned three days before the hearing and her work was lost.

➤ **Notable quotes:**

- **On the juvenile justice system's quickness to remove youth from their families:**
  - "I've seen parents heartbroken and struck. I've never seen so many weeping parents who felt helpless. These mothers here – single mothers with kids. I've seen so many mothers give up their hands and let the system take their kids."
  - "I can't get the proper help at home? It's not there. His depression is even more now due to the fact that he wants to be home. He did everything he was supposed to do, and every time they go to court, he gets so excited and gets let down every single time. That's for 52 weeks straight."
- **On youth stuck in the juvenile justice system for long periods of time, unable to get out:**
  - "How do we let people who are full grown adults who have abused power out of jail before people who we look at as kids? How do we make sense of that? Who's protecting them? Where's the accountability? How do we know their safe?"
- **On the lack of oversight of out-of-home placement facilities:**
  - "My son's incarcerated—we're in the middle of a pandemic. I'm sitting here thinking, is my son safe? There's no way to measure if they're safe during coronavirus."

- “We need more accountability from these facilities, especially during a global pandemic. Who is accountable? Who is taking care of those kids? There needs to be more transparency and accountability when you say that you’re going to rehabilitate a child.”