

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

IN THE INTEREST OF: J.J.P., A MINOR	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
PETITION OF: J.J.P., A MINOR	:	
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	:	
	:	
	:	No. 143 EDM 2026

Appeal from the Order Entered August 27, 2026
In the Court of Common Pleas of Monroe County Juvenile Division at
No(s): CP-45-JV-0000076-2025

BEFORE: BOWES, J., DUBOW, J., and STEVENS, P.J.E.*

MEMORANDUM BY BOWES, J.:

FILED OCTOBER 15, 2026

Pursuant to Pa.R.A.P. 1612, J.J.P. ("Juvenile") seeks specialized review of the order directing out-of-home placement after he tendered an admission to delinquent acts that would constitute theft by unlawful taking and criminal conspiracy to discharge of a firearm into an occupied structure if committed by an adult. We affirm.

The juvenile court outlined the relevant facts and procedural history as follows:

Juvenile (DOB 3/9/09) was charged with twenty-one offenses as a result of actions he took with a young adult co-defendant, Kaiden Brown, on April 26, 2025. This included multiple burglaries and acts of vandalism and property destruction; stealing two handguns with ammunition, fireworks, alcohol, vape pens, THC products; discharging rounds from the firearms into a vape shop to gain entry; discharging fire extinguishers in an outside flower tent business destroying various plants; and firing multiple rounds

* Former Justice specially assigned to the Superior Court.

from the handguns in random directions, including into an occupied residence. Luckily, no one was injured. Juvenile later admitted the offenses to law enforcement and acknowledged that he and the co-defendant were using drugs and alcohol during these offenses.

The arresting officer and Monroe County Probation attempted to detain Juvenile immediately after the incident, but no detention beds were available. As a result, Juvenile has remained in the community to the time of his disposition. The Juvenile Probation Officer testified that the juvenile system let down the juvenile due to no available detention bed space.

. . . .

The case was continued several times at the request of Juvenile and the Commonwealth. This was due in part to Juvenile's participation in the case involving the adult co-defendant, and to prepare for Juvenile's case. On July 6, 2026, Juvenile entered an admission to Theft by Unlawful Taking (F2) and Conspiracy to Discharge a Firearm into an occupied structure (F3). A disposition hearing was held on August 27, 2026, following Juvenile Probation's preparation of a [Youth Level of Service¹ ("YLS")] assessment and court memo, and interviews with relevant parties. The Court received testimony of Juvenile's probation officer, Greg Yeager ("P.O. Yeager"), Juvenile, Juvenile's mother, and received letters from two different victims and correspondence from one of Juvenile's treatment providers. The Court placed reasons for an out-of-home placement on the record, and ultimately placed Juvenile at North Central Secure Treatment Program, the only placement facility willing to accept the Juvenile.

Juvenile Court Statement, 9/11/26, at 1-3 (cleaned up) (some articles omitted) (footnotes omitted).

¹ As explained in the Pennsylvania Juvenile Delinquency Benchbook (2024) at 2.6 (parentheticals omitted), YLS is an actuarial "risk/needs assessment" used to identify "dynamic risk factors which, when addressed through evidence-based juvenile justice practices, reduce recidivism."

Juvenile timely filed this petition for specialized review pursuant to Rule 1612. On September 10, 2026, this Court ordered: (1) the juvenile court to state its reasons for the August 27, 2026 dispositional order² and transmit to this Court the hearing transcript; and (2) the Commonwealth to file a response to the petition. Both the juvenile court and the Commonwealth complied with our directives, and we received the hearing transcript on September 15, 2026.

² Pennsylvania Rule of Juvenile Court Procedure 512(D)(4) enumerates the considerations that a trial court must engage in its dispositional findings of fact and conclusions of law when the juvenile is removed from the home. In pertinent part, Rule 512 provides:

The court shall enter its findings and conclusions of law into the record and enter an order pursuant to Rule 515. On the record in open court, the court shall state:

. . . .

(4) if the juvenile is removed from the home:

(a) the name or type of any agency or institution that shall provide care, treatment, supervision, or rehabilitation of the juvenile;

(b) its findings and conclusions of law that formed the basis of its decision consistent with 42 Pa.C.S. §§ 6301 and 6352, including why the court found that the out-of-home placement ordered is the least restrictive type of placement that is consistent with the protection of the public and best suited to the juvenile's treatment, supervision, rehabilitation, and welfare; and

(c) the provision of educational services for the juvenile pursuant to Rule 148[.]

Pa.R.J.C.P. 512(D).

Juvenile presents one issue for our review: “Whether the lower court abused its discretion by imposing out of home placement, where all legitimate dispositional concerns could be fully addressed via less restrictive means?” Petition for Specialized Review at 9. The crux of this claim is that out of home placement was unnecessary to either public protection or Juvenile’s treatment, supervision, rehabilitation, and welfare. ***Id.*** at 13-28.

The following principles inform our analysis. In the context of a petition for specialized review pursuant to Rule 1612, we examine the court’s out-of-home-placement order for an abuse of discretion. ***Interest of C.L.***, ____ A.3d ____ 2026 WL 2543764, *4 (Pa.Super. Aug. 28, 2026)

When reviewing a petition filed pursuant to Rule 1612, this Court shall not consider any challenge to the juvenile court's selection of a specific agency or specific institution as the site of the out-of-home placement and instead may consider only a challenge to the fact that the placement is out-of-home. This Court also shall not consider any challenge to the underlying adjudication of delinquency. Our review is therefore limited to the juvenile court's decision to place the petitioner outside of his or her home. The juvenile court is granted broad discretion in determining the appropriate disposition for a petitioner and will not disturb its decision absent a manifest abuse of discretion. The juvenile court has considerable power to review and modify the commitment, taking into account the rehabilitative progress or lack of it of the juvenile.

Interest of C.L., ____ A.3d ____ 2026 WL 2543764, *4 (Pa.Super. Aug. 28, 2026) (citation omitted). Further,

Pursuant to Section 6352(a) of the Juvenile Act, a dispositional order must “be consistent with the protection of the public interest and best suited to the child's treatment, supervision, rehabilitation and welfare” and must, “as appropriate to the individual circumstances of the child's case, provide balanced attention to

the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable the child to become a responsible and productive member of the community.” 42 Pa.C.S. § 6352(a).

Before entering a dispositional order, the juvenile court must state its disposition and the reasons therefore, in open court, along with the goals and terms of the disposition. **See** 42 Pa.C.S. § 6352(c). Where the disposition requires out-of-home placement, the court must additionally identify the specific facility or type of facility and state the findings of fact and conclusions of law on which the decision is based. **See id.** The court must explain why commitment constitutes “the least restrictive placement that is consistent with the protection of the public and best suited to the child's treatment, supervision, rehabilitation and welfare.” **Id.**

Id. at *6 (cleaned up).

Instantly, while framed as single issue, Juvenile’s argument comprises four components, which we summarize thusly. Regarding his needs for rehabilitation, supervision, and treatment, Juvenile argues that the best evidence of these factors was his treatment team’s recommendation that outpatient therapy and outpatient psychiatry constituted the least restrictive treatment environment appropriate for him. Juvenile’s Petition at 13. With respect to community safety, Juvenile contends that he poses no danger to the community, pointing to the fact that he had been living in the community without incident for over a year, had received no new charges or citations, had distanced himself from his prior peer group, was actively employed, and was adequately supervised by his parents. **Id.** at 17-18. Concerning his welfare in the home, Juvenile asserts that there was no specific evidence that he was unsupervised, uncared for, or otherwise unsafe at home, and he

challenges the YLS risk assessment, which placed him in the high-risk category. *Id.* at 22. Finally, Juvenile argues that his case is analogous to *In the Interest of C.L., supra*, where we reversed an out-of-home placement after finding that the juvenile court over-emphasized the nature of the offenses and failed to allocate adequate weight to the least restrictive method of addressing the juvenile's treatment needs, his stable home environment, and the recommended outpatient treatment. *Id.* at 29-30.

Prior to confronting each of Juvenile's assertions individually, the court first considered the nature of Juvenile's behavior, which it summarized as follows:

The now seventeen[-]year[-]old juvenile engaged in a series of very serious and dangerous events. This included what could be considered at least five separate, serious criminal acts that were committed by Juvenile. It included burglaries, acts of vandalism, destruction of property, and the stealing of handguns, ammunition, fireworks, alcohol, vape pens and TCH products. It included reckless shooting of a firearm into a store front to gain entry to the building, and randomly firing the gun near and at occupied structures. Although the co-defendant admitted to firing the gun at the occupied structure, Juvenile was also present for it, and randomly shot the gun(s) himself. Furthermore, as testified by P.O. Yeager, Juvenile admitted to him that he had to show/teach the co-defendant how to load and fire the gun(s), and that multiple magazines of ammunition were then shot from the gun(s). Absent this instruction, the co-defendant may never have fired the gun(s). In the end, both individuals shot the gun(s) recklessly, and at times deliberately. Juvenile also did this while under the influence of drugs and from the alcohol he and the co-defendant stole. In the end \$15,921.32 in damage was caused by Juvenile and co-defendant.

Juvenile Court Statement, 9/11/26, at 3-4 (some articles omitted).

Thereafter, the court highlighted Juvenile's persistent substance abuse problems, including his admission that he used drugs the day before his adjudication hearing notwithstanding previous interventions and treatment efforts; his continuing engagement in illegal behavior insofar as he ingests THC without a medical marijuana card; the fact that neither of the firearms involved in the offenses was recovered; and Juvenile's misconduct in the six academic environments that he encountered in the years preceding this incident. ***Id.*** at 4-5, 7. Upon this comprehensive background, the court addressed, and then rejected, Juvenile's specific challenges.

After reviewing the applicable law, Juvenile's petition, the Commonwealth's answer, and the notes of testimony from the disposition hearing, we discern no abuse of discretion in the juvenile court's balanced assessment that the out-of-home placement was consistent with the protection of the public interest and best suited to the juvenile's treatment, supervision, rehabilitation and welfare. Thus, we affirm the order directing out-of-home placement on the basis of the cogent and well-reasoned statement of reasons that Honorable David J. Williamson entered on September 11, 2026. In sum, the court concluded,

[b]ased upon the evidence and testimony, and the reasons set forth on the record and in this Statement, Juvenile's needs are not being met in the home. The factors to consider at disposition, as cited above, lead to the conclusion that Juvenile is in need of care, supervision and services not available in the community and in the home. The least restrictive placement is at the North Central Service Treatment Unit Program, as an out-of-home placement is

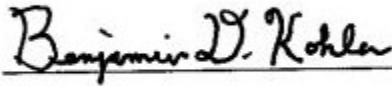
necessary, and it is the only program willing and ready to accept Juvenile.

Id. at 11 (some articles omitted).

As the juvenile court did not abuse its discretion in ordering out-of-home placement, we find no basis to disturb that determination. Accordingly, we affirm on the basis of the juvenile court's September 11, 2026 statement of reasons, which the parties shall attach hereto in the event of further proceedings.

Order affirmed.

Judgment Entered.

A handwritten signature in black ink, reading "Benjamin D. Kohler", is written over a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 10/15/2026