

**FRANKLIN COUNTY
CRIMINAL JUSTICE ADVISORY BOARD**

October 25, 2018

Meeting Minutes

Carol Van Horn, President Judge
Todd Ferretti
Shannon Barnett
Jeff Geesaman
Michelle Weller
Dan Hoover
Aimee Cook
Cori Seilhamer
John Thierwechter

Glenda Helman
Kim Eaton
Casey Bogner
Doug Reaser
Matt Fogal, DA
Douglas Wilburne
Angela Stoner
Kristen Hamilton
James Sourbier

Marisa Shields
Carrie Gray
Bob Thomas, Commissioner
Stacie Horvath
Jeremiah Zook, Judge
Mark Singer
Amy Hockenberry
Kathleen McGrath

- I. Welcome and Introductions – Judge Van Horn called the meeting to order at 12:04PM and welcomed the group. Doug Reaser of the Franklin County Housing Authority is attending today on behalf of Dr. Linda Thomas-Worthy. Casey Bogner introduced her guest, First Assistant, Shannon Barnett. Glenda Helman introduced the new Grants/CJAB Coordinator, Marisa Shields.
- II. Approval of August Minutes – The minutes were approved by consensus.
- III. Presentation: Juvenile Justice Key Stakeholders Presentation – Chief of Juvenile Probation, Kathleen McGrath and Juvenile Public Defender, Kristen Hamilton – see attached PowerPoint.
- IV. New Business – None.
- V. CJAB Office Reports
 - A. CJAB Office Report
 1. Get Back Up- PMR to request no-cost 12 month extension has been approved. Changes made to wages/benefits category to add funding to cover the 12 month extension. Funding was also moved to cover the cost of case manager’s RANT (Risk and Need Triage) license.
 2. PCCD Mini-grant request was submitted and approved.
 3. CAC - PMRs for programs (Endowment and Medical Services) were submitted in e-grants. 2018 Endowment Act Grant application was also submitted.
 4. IP- PMR in progress to move funding to cover various costs.
 5. Jail to Community Treatment (Vivitrol Program) - Grants, Fiscal, Jail, and Prime Care staff continue to work on JTCT grant.
 6. Reentry Coalition- A successful reentry simulation was held at the Mont Alto Campus of Penn State. Funds have been requested through the PCCD Mini-grant to cover the cost of providing a reentry simulation for to up to 80 Franklin County Employees.

7. MH Co-responder- Franklin County did not receive PCCD JAG grant for MH Co-responder, however OMHSAS has expressed interest in program. A request has been submitted to OMHSAS cover the cost to embed a Co-responder in Chambersburg PD.
 8. Treatment Court- The Program Manager's supervisor was contacted in effort to resolve our inability to draw down funds. The Grants Director has been contacted by the Program Manager and she has submitted a GAN request to supervisory staff for release of the withheld funds. We anticipate a release notice within a week.
- B. PCCD Liaison Report – Opioid Misuse Prevention Project is a 5 year federal grant through the PA Department of Drug & Alcohol seeking to provide schools with education to prevent further life opioids use, application deadline is 11/15/18. The Forensic Services Conference is being held in Penn State on 12/3/18. The 2019 CJAB Conference will be held at the Penn Stater Hotel in State College 4/09/19 -4/10/19. JNET Conference and PA Chiefs of Police User Group Meeting is December 13-14 at Penn Stater Conference Center in State College.
 - C. Public Safety Report – There is discussion of potential loss of radio access frequency due to bills that have been introduced. The county may have to redesign the entire communication system if this happens, however there has been no movement on this. Commissioner Thomas assured this has been brought to the attention of federal legislators as this would be a large expenditure for all municipalities and government entities. Chief Sourbier reported the current protocol for an active shooter is to deploy the entire rescue taskforce: police, fire and ambulance. A meeting will occur Friday with Cumberland County to discuss how this protocol may look for Franklin County. Chief Sourbier also reported an increase in methamphetamine use as well as an increased presence and recruitment of motorcycle gangs, specifically the Pagans, over the last few months. The Pagans are known to perpetuate the use of methamphetamines. Chief Sourbier also commented that the MH Co-responder program has been largely successful and impactful. Commissioner Thomas reported this project has been looked at by the state due to its success.

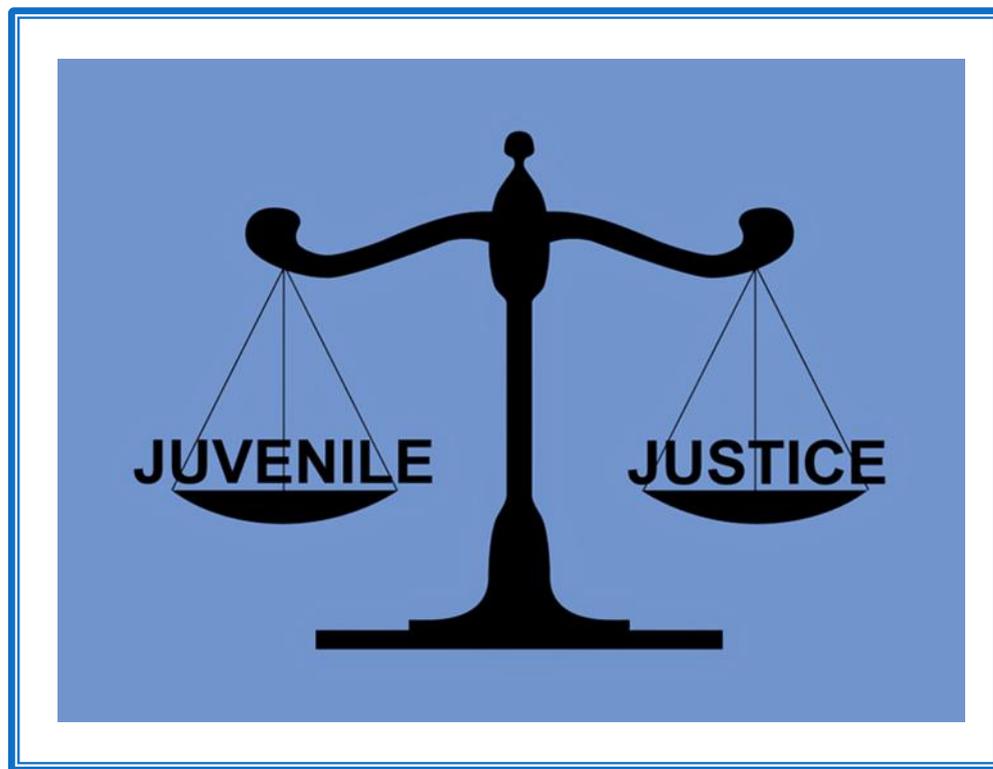
VII. Committee Reports

- A. Executive Committee – No updates other than the provided minutes.
- B. Criminal Case Flow Management – No updates other than the provided minutes.
- C. Behavioral Health – Please review the provided minutes. Additionally, Ashley Yinger's last day is 10/31/18, her position has been posted. A second MH Co-responder will begin in the Chambersburg area on 11/12/18. An eight bed SCR will be up and running in the next few months.
- D. First Contact – No updates other than the provided minutes.
- E. Technology – No updates other than the provided minutes.
- F. Victims Impact – No updates other than the provided minutes.
- G. Juvenile Justice – No updates other than the provided minutes.
- H. Forensic Initiatives – No updates other than the provided minutes.

VIII. Announcements – Eight members from Franklin County will be attending the Forensic Services Conference taking place on December 3rd 2018.

IX. Adjournment – The meeting adjourned at 1:08PM.

NEXT MEETING: THURSDAY, DECEMBER 13, 2018 at NOON



Balanced and Restorative Justice



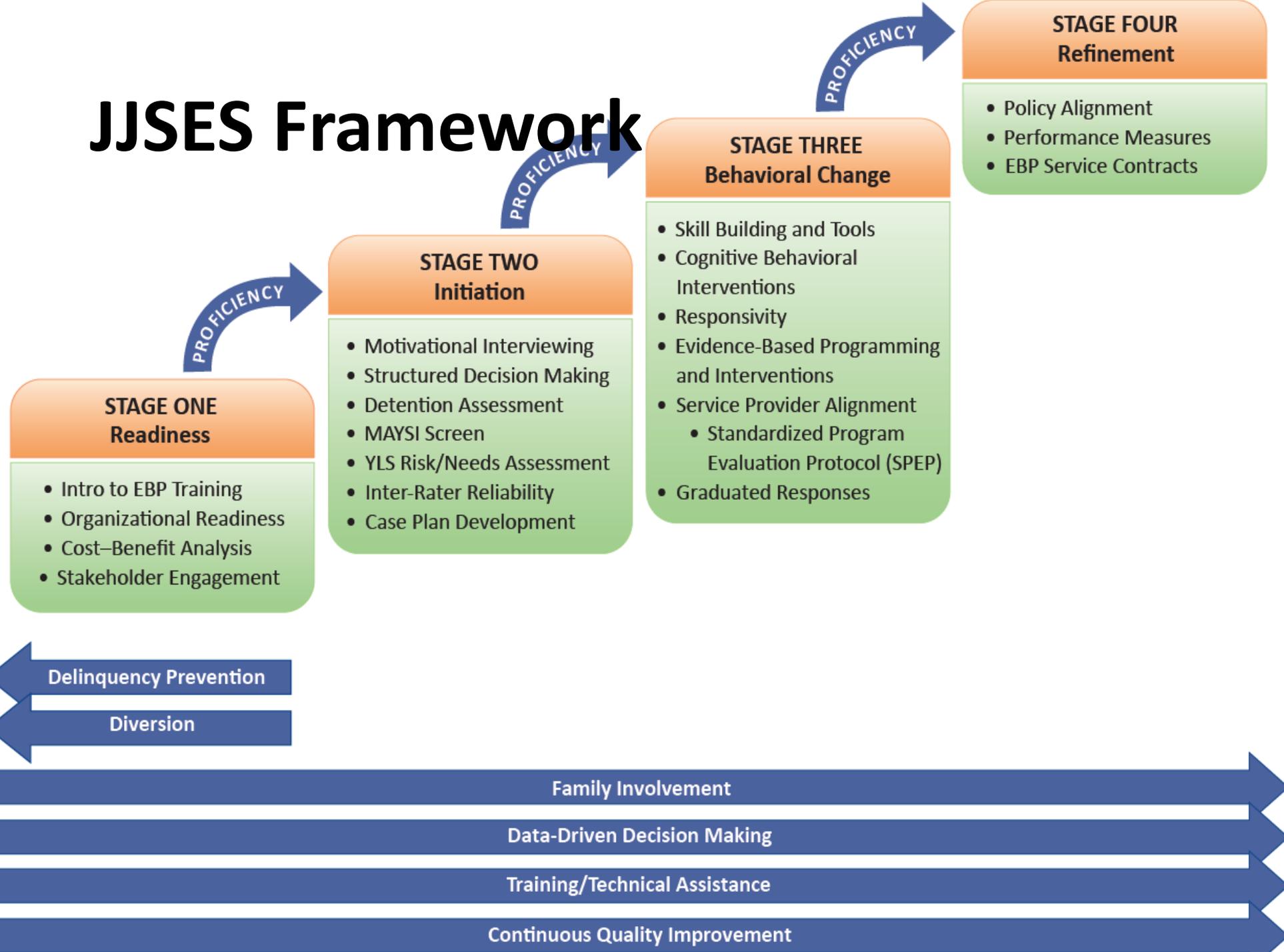
Pennsylvania Juvenile Justice System Enhancement Strategy (JJSES)

Statement of Purpose

We dedicate ourselves to working in partnership to enhance the capacity of Pennsylvania's juvenile justice system to achieve its balanced and restorative justice mission by:

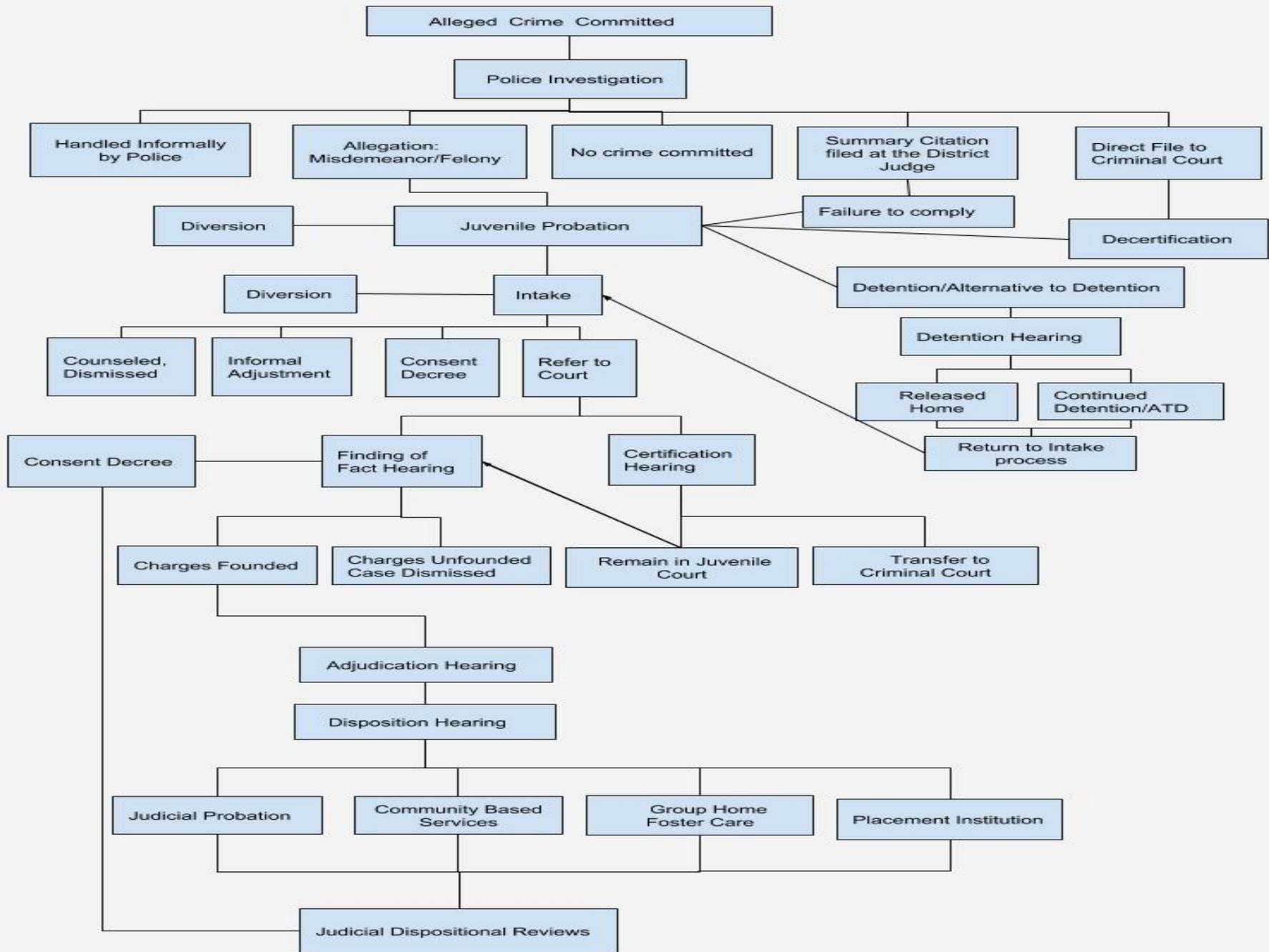
- Employing evidence-based practices, with fidelity, at every stage of the juvenile justice process;
 - Collecting and analyzing the data necessary to measure the results of these efforts; and, with this knowledge,
 - Strive to continuously improve the quality of our decisions, services and programs.
- 

JJSES Framework



Juvenile Court Processes

- ▶ Youth between the ages of 10 and 17 at the time of the offense
- ▶ Supervision ends at 21 years of age
- ▶ Delinquent acts rather than crime
- ▶ System focus is treatment, supervision, and rehabilitation
- ▶ The Juvenile Probation Department is tasked via the Juvenile Act and the Rules of Juvenile Court Procedure with receiving allegations from law enforcement, making disposition recommendations to the court, and providing all levels of supervision for juvenile offenders



Timeline (Juveniles at Home)

- ▶ Intake within 3 weeks
 - ▶ Diversion intake or within 2 weeks
 - ▶ Court cases 30 – 60 days

 - ▶ Admission hearings – Finding of fact, adjudication, and disposition can occur all in one hearing

 - ▶ Denial hearings – The phases of adjudication and disposition can occur at separate hearings
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Timeline (Juvenile Removed From Home)

- ▶ Detention/Shelter
 - ▶ Finding of Fact
 - ▶ Adjudication/Disposition
 - ▶ Placement Review
- ▶ within 72 hours
 - ▶ within 10 days
 - ▶ within 20 days
 - ▶ every 3 months

Court Hearing

Timeframe

Evidence-based Practices Definition

- ▶ Evidence-based practices (EBP) are the use of scientific research to guide and inform efficient and effective services.
 - ▶ A growing body of research says significant improvements in outcomes can be made if scientific evidence is used to guide policy and practice.
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Why Policymakers Care About EBP

- ▶ Status quo has not produced expected results
 - Re-arrest rates remained almost unchanged for 30 years
- ▶ EBP improves outcomes
 - Reduces victimization
- ▶ EBP is cost effective
 - Range of savings from 4:1 to 10:1

Reference: Aos, Phipps, Barnoski, & Lieb, 1999

Cost Benefit Research

- ▶ The benefit to taxpayer and the public in the form of reduced juvenile crime, labor market and health care benefits due to increased probability of high school graduation (i.e., benefit to people who were not victimized by the avoided crimes).

Reference: Aos et al., 2011

E . B . P

RISK – NEED – RESPONSIVITY

Key Principles

- ▶ Risk Principle (Who to Target)
 - ▶ Need Principle (What to Target)
 - ▶ Responsivity Principle (How to Target)
 - ▶ Treatment Principle (Which Programs to Use)
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What Makes One Low Risk?

- ▶ No history of antisocial behavior
 - ▶ Supportive family
 - ▶ Prosocial friends
 - ▶ Engaged in positive activities
 - ▶ Risk to reoffend increases when pulled away from positive influences and mixed with negative influences
 - ▶ Low risk individuals self-correct behavior
- 

Common Responsivity Factors

- ▶ Motivation
- ▶ Developmental age
- ▶ Learning disabilities
- ▶ Intelligence
- ▶ Learning style
- ▶ Mental health
- ▶ Culture
- ▶ Gender

References: Bonta, 1995; Kennedy & Serin, 1997; Listwan, Sperber, Spruance, & Van Voorhis, 2004; Van Voorhis, 1997

“WHICH”

- ▶ **4th Principle** – **TREATMENT** principle or **Which** programs should be used for the individual’s risk, need, and responsiveness
 - Some programs work most of the time; some do not; some work some of the time depending on the individual; some work better than others
 - Most effective programs are both cognitive and behavioral
 - Effective programs adhere to model fidelity

Intervention Results

Intervention	Do not reduce recidivism (and can do harm)	Modestly work (up to 24% reduction)	Work best (up to 60% reduction)
Boot Camps	+10% to 0		
Confinement	+14% to 0		
Cognitive Behavioral Programming			-4 to -60%
Drug Courts		-8 to -24%	
Drug Treatment		-4 to -20%	
Education/Employment		0 to -20%	
Family Related			-16 to -52%
Intermediate Sanctions	+26% to -2		
Sex Offender			-12 to -46%

What Does NOT Reduce Recidivism

- ▶ Punishment, sanctions, or incarceration **ONLY**
- ▶ Specific deterrence, or fear-based programs such as “Scared Straight”
- ▶ Military models of discipline and physical fitness – Boot Camps without treatment
- ▶ Shaming programs
- ▶ Intensive supervision without treatment
- ▶ Drug education programs
- ▶ Drug prevention classes focused on fear or emotional appeal
- ▶ Non-action oriented group counseling

What Works!

Programs that:

- ▶ Focus on criminogenic needs (especially top four)
- ▶ Match right offender to right program
- ▶ Use a cognitive behavioral approach
- ▶ Use family based approaches that train family on appropriate techniques
- ▶ Use positive reinforcements
- ▶ Seek right levels of dosage/intensity

Assessments Inform Decisions

- ▶ **Actuarial Risk Assessments** provide a professional, objective, and more accurate way of determining risk to reoffend
 - Professional: a modern, progressive, most current method of assessing that has met proper standards
 - Objective: uses an approach that removes too much subjectivity that can reduce fairness and accuracy
 - Accurate: more effective at predicting reoffending than professional judgment alone

Reference: Grove & Meehl, 1996

Youth Level of Service (YLS)

- ▶ Actuarial tool that assists in determining risk ,need, and responsivity
 - ▶ Looks at 8 criminogenic domains
 - ▶ Assesses risk to reoffend
 - ▶ Measures 42 risk/need factors
- 

Risk Factors

- ▶ **Static** – Cannot change
- ▶ **Dynamic** – Can change through cognitive behavioral interventions:
 - ▶ **Prior offenses**
 - ▶ **Family Circumstances/Parenting**
 - ▶ **Education/ Employment**
 - ▶ **Peer Relations**
 - ▶ **Substance Abuse**
 - ▶ **Leisure/ Recreation**
 - ▶ **Personality/Behavior**
 - ▶ **Attitudes/Orientation**

Pennsylvania Detention Risk Assessment Instrument (PaDRAI)

- ▶ Make detention decisions structured, consistent, and fundamentally fair
- ▶ Concise, structured decision-making instrument used to assist in the critical decision of whether to securely detain a youth, release to alternative to detention (ATD), or release to the custody of a parent or responsible adult during the period prior to juvenile court hearing

Massachusetts Youth Screening Instrument–Version 2 (MAYSI–2)

- ▶ MAYSI–2 is self–scoring: It generates individual scores while also compiling all scores into a separate file for aggregate data analysis.
- ▶ MAYSI–2 scores can be interpreted quickly, without the expertise of a mental health professional, and are divided into the following seven subscales:
 1. Alcohol/drug use
 2. Angry–irritable
 3. Depressed–anxious experiences
 4. Somatic complaints
 5. Suicide ideation
 6. Thought disturbance
 7. Traumatic

Adverse Childhood Experiences (ACEs)

- ▶ ACE's tool assesses individual's prior experiences and a score of 0 to 10 with each experience counted as one.
- ▶ A score of 4 or more requires further evaluation
- ▶ Measures include:
 - Physical, emotional and sexual abuse
 - Physical and emotional neglect
 - Households with mental illness, domestic violence, parental divorce or separation, substance abuse, or incarceration

Case Plans

- ▶ Written documents that articulate goals and activities to be completed during a period of a youthful offender's supervision.
- ▶ Supervision levels, services, and interventions that are attentive to the principles of Balanced and Restorative Justice are fundamental to the development of case plans. (accountability, competency development, and community protection)

Comprehensive Case Planning

- ▶ Focus on reducing risk factors that have greatest impact on recidivism
 - ▶ Emphasize on strengths
 - ▶ Identify triggers
 - ▶ Utilize approaches based on traits such as culture, gender, language, disabilities, and mental health
- 

4:1

Graduated Responses

Incentives / Rewards

- ▶ Motivation to change behavior
 - ▶ Research shows offenders more likely to repeat prosocial behavior when it is recognized and affirmed
 - ▶ Does not need to be costly
- 

Graduated Responses

Sanctions

- ▶ Must be certain
 - ▶ Must be swift
 - ▶ Must be proportionate
- 

Juvenile Dispositions and Supervision

Diversion

- ▶ The use of minimal interventions for low risk offenders while still holding them accountable for the offense.

Diversion

- ▶ Diversion can occur at any point prior to filing of the petition
 - By law enforcement
 - By a district judge
 - By juvenile probation

Diversion Programs

- ▶ First Offender Program
 - ▶ Youth Court
 - ▶ Youth Aid Panel
 - ▶ Community Service
 - ▶ Technology and Social Media Awareness Class
 - ▶ Theft Prevention Class
 - ▶ Family Group Decision Making
 - ▶ Victim Community Awareness
- 

Diversion as a Disposition

- ▶ Warn, Counsel, Dismiss (WCD)
 - ▶ Informal Adjustment
 - ▶ Consent Decree
- 

Adjudication of Delinquency

- ▶ Formal probation supervision
 - ▶ Serious offense or repeat offender
 - ▶ Fines, costs, fees, and restitution
 - ▶ Placement outside the home can be a disposition
 - ▶ Moderate to high risk offender
 - ▶ Collateral consequences
- 

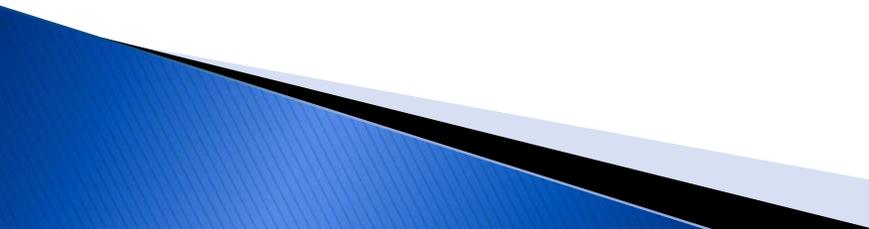
Remember . . .

There are collateral consequences for all youth
adjudicated Delinquent

Consequences

- ▶ May exclude the individual from certain professions as an adult
 - ▶ Juvenile records in many cases are open to the public
 - ▶ Records can be available upon pre-employment background checks
 - ▶ Families may not be able to live in public housing
 - ▶ May be unable to enlist in the military
 - ▶ Can prevent firearm ownership
- 

More Consequences

- ▶ Driving privileges may be affected including requirement of ignition interlocking device on family car
 - ▶ Access to educational opportunities as all adjudications of Delinquency are by law to be reported to the school of record
 - ▶ Fines, fees, court costs, and restitution are also included in most dispositions
 - ▶ DNA submissions for felony and some misdemeanor cases
 - ▶ Negatively impact immigration status
 - ▶ Can significantly impact options in Criminal Court
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Placement

- ▶ Serious offenses where victim safety is a concern
 - ▶ Juvenile offender becomes a concern for protection of the community
 - ▶ Prior history of community based services
 - ▶ New allegations while under supervision
 - ▶ History of probation violations
 - ▶ Juvenile needs more supervision and dosage than can be given in the community setting
- 

The Difference

- ▶ Detention –Short term secure holding facility only available through a juvenile probation referral for community protection/failure to appear prior to court
 - ▶ Alternative to detention (ATD)– a non–secure short term option to provide supervision for a juvenile prior to court
 - ▶ Placement – a variety of secure and non secure facilities that include treatment, supervision, and rehabilitation. Used as a disposition following an adjudication of delinquency
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Decertification To Juvenile Court

PA C.S. Title 42 Chapter 63 Section 6322

- ▶ In determining whether to transfer a case charging murder or any of the offenses excluded from the definition of "delinquent act" in section 6302, the child shall be required to establish by a preponderance of the evidence that the transfer will serve the public interest.

Considerations for Decertifications

- ▶ impact of the offense on the victim and community
 - ▶ threat to the safety of the public
 - ▶ nature and circumstances of the offense
 - ▶ degree of the child's culpability
 - ▶ adequacy and duration of dispositional alternatives available
 - ▶ whether the child is amenable to treatment, supervision or rehabilitation as a juvenile
- 

Certification to Criminal Court

PA C.S. Title 42 Chapter 63 section 6355

The child was 14 or more years of age at the time of the alleged conduct.

Notice in writing of the time, place, and purpose of the hearing is given to the child and his parents, guardian, or other custodian at least three days before the hearing.

The court finds:

There is a prima facie case that the child committed the delinquent act alleged;

The delinquent act would be considered a felony if committed by an adult;

There are reasonable grounds to believe that the public interest is served by the transfer of the case for criminal prosecution.

Considerations for Certification to Criminal Court

- ▶ Current felony allegation required
 - ▶ Long history of prior offenses and periods of probation supervision
 - ▶ Demonstrates a high degree of criminal sophistication
 - ▶ Prior placement in residential treatment program(s)
 - ▶ History of unsuccessful supervision or treatment approaches
 - ▶ Protection of the community becomes a concern
 - ▶ Juvenile requests transfer to criminal court
- 

Excluded Offenses / Direct File to Criminal Court

PA C.S. Title 42 Chapter 63 Section 6302

- ▶ The crime of murder
- ▶ Conduct where the child was 15 years of age or older at the time of the alleged conduct and a deadly weapon was used during the commission of the offense:
 - Rape, Involuntary deviate sexual intercourse, Aggravated assault, Robbery, Aggravated indecent assault, Kidnapping, Voluntary manslaughter

Excluded Offenses / Direct File to Criminal Court

Any of the prohibited conduct where the child was 15 years of age or older at the time of the alleged conduct and has been previously adjudicated delinquent of any of the same prohibited conduct

Victims of juvenile offenders have...

The right to be notified

The right to be present

The right to be heard



Victims Right To Be Heard

- ▶ Court recognizes that victims have suffered a loss and wants to hear about that loss. Court attempts to make them as whole as possible by offering them:
 - Input on Diversion
 - Victim Impact Statement
 - Court testimony

Note: Being heard does not mean that victims have veto power over the Court.

Funding Sources

- ▶ Costs associated with juvenile justice programming and function come from a variety of federal, state, and local sources.



FUNDING SOURCES

Federal Funds:

Title IV–E (Social Security), TANF (Temporary Assistance for Needy Families), SSI (death), SS (disability)

State Funds:

Needs Based Budget, Act 148 Fund, JCJC Grant In Aid, Managed Care

Local Funds:

County match dollars

Private Funds:

Parental support via Domestic Relations



Resources

- ▶ Franklin County Juvenile Probation
http://franklincountypa.gov/index.php?section=judicial_juvenile-probation
- ▶ Juvenile Court Judges Commission
www.jcjc.pa.gov/
- ▶ PA Council of Chief Juvenile Probation Officers: Home
- ▶ <https://www.pachiefprobationofficers.org/ttps://www.pachiefprobationofficers.org/>