

AGENDA
DELAWARE COUNTY JUVENILE DETENTION BOARD OF
MANAGERS
TUESDAY, 20 December 2022
4:30 P.M.
HYBRID: Delaware County Council Meeting Room and Virtual

Members:

Chris Eiserman

James E. Turner

Candice L. Linehan

Chair/Councilman Madden

Judge Nathaniel Nichols

Deputy Controller Kelly Diaz

Councilwoman Elain Schaefer

Council Chair Dr. Monica Taylor

Chekemma Fulmore Townsend

Vice Chair Marie N. Williams

The meeting was called to order at 4:33 p.m.

Pledge of Allegiance:

Public Comment (Agenda items only):

Colleen Kennedy, Upper Darby- Ms. Kennedy asked why the Delaware County Juvenile Detention Center Grand Jury Final report was not included in the meeting's agenda.

Chairman Madden clarified that public comment does not involve a question-and-answer forum.

Approval of Minutes: The minutes of the November 15, 2022, meeting were approved.

Reports:

Juvenile Probation Services - Kiersten Fitzsimmons, Resource Supervisor, provided the Monthly Detained Youth Report. There are currently four (4) youth detained.

Board member Eiserman --Referencing a youth who has been AWOL for nearly one (1) year on a homicide charge, Mr. Eiserman asked if Juvenile Probation Services reached out to the U.S. Marshall or made any attempts to bring said juvenile back into custody.

Ms. Fitzsimmons responded that she did not have the answer as said juvenile is being charged as an adult.

Mr. Eiserman asks if said juvenile's escape was from a youth facility.

Ms. Fitzsimmons confirmed that the juvenile did escape from a youth facility.

Before Mr. Irizarry's report, Chairman Madden made some remarks regarding the recent Grand Jury Report. Mr. Madden began by stating that this current Board was formed as a forward-thinking entity assembled in response to the

allegations listed in the report. Upon the closure of the facility, the Council formed this Board to seize control and manage further operations of the facility in place of the courts. The Board is composed of elected officials, council members, the Controller's office, and citizens' appointees. These individuals have a diverse background including law enforcement, victim's advocates, faith-based members, and nonprofit work. Mr. Madden stated that while this Board is informed and aware of what the report's conclusions, the Board's directive is forward-thinking and cannot serve to focus on the past management of the facility. Mr. Madden reiterated that this Board was not in existence at the time the investigation was initiated.

Juvenile Justice Services – Architectural Program Design Presentation David Irizarry- Mr. Irizarry began by agreeing with Mr. Madden that the mission of the Board and his office is to plan for a better future, and by highlighting the proactive steps taken thus far to ensure a therapeutic, holistic approach to improving the Juvenile Justice system.

Mr. Irizarry introduced Bob Reid from Spiegle Architecture Group to present cost estimates for the previously introduced facility design for the Lima Campus.

Mr. Reid began by reiterating the conclusion of the feasibility study, that a facility based on the goal of prevention, detention, and rehabilitation would best be achieved by a combination of partial demolition and renovation of portions of the existing facility. Correcting himself on information from the previous Board meeting regarding the square footage, Mr. Reid stated that 47,950 square feet of facility already exists. Option # 1 (with C & D wings) would renovate 47,400 square feet of the existing facility while adding 19,400 additional square feet to the facility, resulting in a total of 66,800 square feet. Mr. Reid compared this plan to the more favorable option #2 (raises C & D wings) for the facility redesign, which would renovate 31,300 square feet of existing facility and add 27,900 square feet of new construction for a total of 59,200 square feet for the new facility. He additionally stated that option #2 would better serve the goal for the mission of the facility by eliminating certain design obstacles and creating a smaller, more cost-effective facility. Regarding the cost estimate of these two options, Mr. Reid stated that Option #1 (with C&D) is costlier than option #2. The Option #1 cost estimate includes \$26.9 million USD for the secure portion of the facility and \$13 million USD for the nonsecure portion of the facility for a projected total of \$39.9 million USD. Option #2, which includes the demolition of C&D wings, has a cost estimate of \$26.8 million USD for the secure side of the facility and \$11.1 million USD for the nonsecure portion of the facility for a projected total of \$37.9 million USD. Overall, the projection for Option #2, the more feasible option, is the more cost-efficient option with a slightly shorter construction timeline. These estimates do not include costs for detention/security technology. In addition to construction costs, the projections are also influenced by the following components reflecting legal requirements and building necessities:

- a. Overhead and Profit (3%)
- b. Building Permit (1%)
- c. General Conditions/Staff/Staff Support (4.5%)
- d. Soft Costs (15%)
- e. Design Contingency (10%)
- f. Construction Contingency (3%)
- g. Owner Contingency (8%)
- h. Hazardous Materials Allowance (\$500K)
- i. Furniture/Fixtures/Equipment (10%)
- j. Escalation (5%)

Mr. Reid additionally laid out a draft of the following projected timeline:

- Feasibility Study August 2022 to December (2022)
- Decision-Making by County December 2022 to February 2023
- Full Design/Land Development March 2023 to March 2024
- Bidding/Contract Award April 2024 to May 2024
- Reconstruction of Secure Side June 2024 to September 2025
- Construction of Nonsecure Side June 2024 to August 2025
- Occupancy November 2025

Judge Nichols asked if prior knowledge of detention/security cost estimates might provide insights on what those costs could be in the proposed facility design.

Mr. Reid responded that current site estimates for detention/security technology costs are at \$2 million USD and that his best guess would put estimates for the new facility design to be a higher amount than the current design's estimate, possibly around \$3 million USD.

Chairman Madden opened the floor for Board member comments regarding the cost estimation.

Councilwoman Schaefer asked if there were updates on an alternative/temporary site within the County to use for a detention center.

Mr. Irizarry responded, and Chairman Madden concurred, that Mr. Irizarry had been unsuccessful in his efforts to identify a suitable, cost-effective location within the county for a temporary site.

Dr. Taylor asked if Mr. Irizarry could give specifics on how detained youth will be housed until the November 2025 occupancy date. Mr. Irizarry responded that he could not give specifics at the current juncture. However, he has meetings scheduled for the New Year to seek assistance from other counties both within and outside of the state. Additionally, the old St. James School was investigated as an option but was also found not to be a cost- or time-efficient option.

Chairman Madden added that the treatment of detained youth and how facilities are run are out of the Board's control while Delaware County youth are housed there.

Mr. Madden additionally expressed his initial shock over the length of the building timeline and asked Mr. Irizarry to further elaborate on why the timeline is structured as it is. In response to Chairman Madden's question, Mr. Reid said that the timeline is based on the extent of work that needs to be done and the process for obtaining necessary County approvals, as well as the land development phase with Middletown Township.

Chairman Madden inquired as to whether these approvals could be expedited. Mr. Reid responded that it was possible, however there are several entities that must have approvals and legal agreements before groundbreaking can begin. In his experience, Mr. Reid stated he thought it was unlikely that this process would be expedited and that it was equally possible that the timeline could be extended based on these factors.

Board member Diaz asked whether prioritizing construction of the secure side of the facility rather than the non-secure portion of the facility would slow the construction of the nonsecure side. Mr. Reid responded that it would not as the non-secure construction is overall a less lengthy process because it is entirely new building whereas the renovations are a more involved, tedious process.

Board member Diaz additionally inquired as to whether approval could be hindered by the dual secure/nonsecure aspect of the facility. Mr. Reid responded that he did not anticipate any hindrance in getting an approval for that reason.

Chairman Madden inquired as to why the secure portion of the facility would take longer to complete than the nonsecure side. Mr. Reid responded that the secure portion of the facility has a lengthy timeline because the reconstruction and additions to that portion of the facility require working around existing structures, whereas the nonsecure side of the facility is just starting from the ground up.

Board Member Turner asked about an alternative where the entire structure is raised and rebuilt. Mr. Reid responded that that is certainly an option worth looking into for both fiscal and logistical reasons. He additionally stated that the timeline would not be affected as the building could be raised while that design is being drafted.

Board Member Schaefer asked how much of the budget is going towards demolition. Mr. Reid responded that he did not have that exact figure at the time but could provide it later.

Chairman Madden asked for clarification regarding Reverend Turner's question. Specifically, whether demolition of the entire building will save time or money. Mr. Reid responded that he believes it would be a comparable option; however, he would need a specific building design to offer an estimate with any certainty. Nonetheless, he does not anticipate a significantly higher cost estimate.

Chairman Madden asked if it would be comparable and if a superior result would be achieved if the entire structure were to be demolished. Mr. Reid stated that he believes that razing the entire structure would yield a better facility. In terms of design, Mr. Reid stated that the whole process would not need to be replicated as it is already known what the facility should encompass. It would be a matter of figuring out the floor plan of a new design and what that cost would be. Mr. Reid stated he did not believe that the price would fluctuate much from the existing estimates and that the length of time for construction would be roughly the same, but not shorter.

Board member Linehan stated she thinks that option would be favorable for community members who feel the old building is too reminiscent of the past atrocities that occurred in the Lima Facility.

Councilwoman Schaefer asked what effect a renovation versus a new construction has in terms of longevity of the building. Mr. Reid responded that the main factor in building upkeep is the ease and access to maintaining and updating systems within the building. He stated that similar problems would occur in the future regarding HVAC and piping issues if the existing framework remains in place.

Mr. Madden agreed that in terms of trauma informed care, there is a benefit to razing the entire facility.

Mr. Reid responded that a design of a new building would be needed to give a cost estimate and that could impact the timeline in terms of how quickly the Board reaches a decision regarding the available options.

Judge Nichols asked whether a new building design would examine current best practices for detained youth. Mr. Reid responded that yes, the current two options already have those best practices in mind and that completely raising the facility and starting over would certainly ensure those best practices are in place.

Chairman Madden commented that he would like to see the facility in the best possible condition but has concerns over the cost of the facility regarding the number of youths projected to be housed in the community.

Councilwoman Schaefer commented on the need for adequate programming on the nonsecure side of the facility to serve those who may be on the cusp of going into detention or have other needs.

Mr. Irizarry commented that he has been in conversation with educators to discuss how proactively the nonsecure side can be used. Some ideas included alternative school, evening and nighttime reporting, and outposts for existing youth development programs.

Reverend Turner commented that he had spoken with community members who have at-risk children but are unable to receive services until their child has entered the criminal justice system. Mr. Turner would like to see the facility offer programs and services to those in need before they reach the threshold of detention. Mr. Turner additionally added that costs for detaining juveniles is overall much higher than the costs for providing preventative services.

Board Member Diaz voiced her concerns over spending money to build a non-secure facility with no concrete plan on how that space will be used. Ms. Diaz expressed her desire to see a clear plan for use of the space.

Mr. Irizarry responded that he previously sent the Board a document detailing possible program models that could be used. While he does not have specific providers in place, Mr. Irizarry stated he would refrain from agreeing that there is no foundation.

Board member Linehan suggested creating something a little more succinct to bring to the Board to figure out a more concrete plan before bidding for providers.

Council Chair Dr. Taylor concurred.

In response to a question from Councilwoman Schaefer, Mr. Reid said that his firm does not have any expertise in identifying funding sources.

Councilwoman Schaefer commented that additional funding for the facility should be sought either federally or by the state.

Judge Nichols commented that input should be gathered from Juvenile Probation, Juvenile Court Judges Commission, the Department of Justice, and nonprofit organizations as to what the future of juvenile detention looks like and what specific metrics are being used to decide risk factors. Judge Nichols commented that that information could help to streamline the services needed and the structure of programming provided at the new center.

Board Member Fulmore commented that the mindset surrounding the nonsecure side of the facility needs to be modular

and that the facility needs to be prepared to offer services for a range of needs.

Old Business:

Community listening tour - Mr. Irizarry stated that his team is setting up community listening sessions to hear feedback from the community about what types of programming can be done on the nonsecure side of the facility as well as what to rename the facility. There is one meeting set up in Upper Darby for January 9th, 2023, at Prayer Chapel Church from 6:00-7:30 pm with additional sessions for other locations in the county still being determined.

Councilwoman Schaefer suggested that a listening tour also be set up in Middletown Township as those residents may want to be heard regarding their thoughts before land development begins in their community.

Mr. Irizarry stated that scheduling a meeting for the residents of Middletown Township was already in progress.

Chairman Madden agreed and added that Middletown Township would be a good location for a meeting that caters to the western portion of the county.

New Business: No new business.

Public comment:

Patty Benson, Media, Pa - was pleased to hear that this meeting took a different tone than previous meetings. Ms. Benson voiced concerns over a previous instance where staff from the detention center asked for community donations for clothing such as socks and underwear as well as recreational items such as board games and puzzles for the detained youth. Ms. Benson and her husband were concerned that they were able to hand the items to the facility director for use considering secure locations typically only accept incoming items directly from a vendor. She expressed worry that the facility will continue to underserve and abuse detained youth who have already suffered oppression.

Carol Kasim, Chester, Pa - commented that there needs to be a stronger emphasis on prevention rather than creating a new building.

Diamond Gibbs, Upper Darby, Pa - commented on the importance of giving youth the opportunity to thrive rather than focusing on facility that criminalizes children.

Colleen Kennedy, Upper Darby, Pa - expressed her frustration with feeling unheard by the board.

Ashley Dolsimore, Glenolden, Pa - expressed her frustration with the board for not further acknowledging the trauma endured at the Lima facility and Grand Jury report. Ms. Dolsimore highlighted several findings in the Grand Jury report.

Chris Welsh, Public Defender, *Location not stated* - as a person who witnessed firsthand accounts of the incidents recited in the Grand Jury findings, Mr. Welsh stated that he believed the entire facility should be razed as too many members of the community were victimized there. Mr. Welsh commented that the board should use language that is less dismissive of what happened at the Lima facility

Keith Collins, Trainer, Pa -highlighted Delaware County's history of abuse against detained youth and implored the Board to invest in trauma-informed and preventive care measures for the community.

Andre Simms, Sharon Hill, Pa - questioned the Board's ability to make an informed decision on what the community needs are as there are no directly impacted youth who are represented on the board. Mr. Simms invited members of the board to attend a rally immediately following the Board meeting.

Amirah, *Location not stated* - highlighted systemic issues with the old facility and shared her concerns about the plans for a new facility. Additionally, highlighted lack of funding in schools and programming that could serve to help the community.

Dana Lomax, Trainer, Pa - asked the Board to consider more alternative measures for the courts to use when encountering at-risk youth.

Pastor Harrison, Chester, Pa - thanked the board for its commitment to the project at hand. Asked the board to listen to those who were victimized within the previous system. Mr. Harrison acknowledged the need for the facility while emphasizing the need for system change. Additionally, Pastor Harrison encouraged community members to make their voices heard within other areas of the government.

Angelique Fenton, *Location not stated* - commented on the need for restorative justice and healing for both victims and perpetrators.

Echo Alford, Boothwyn, Pa - commented that there should not be a detention facility. Commented that harm is being done to children who go into confinement.

Kyle McIntyre, Drexel Hill, Pa - expressed his displeasure with the Board's attitude toward addressing the Grand Jury report and acknowledging past injustices. Additionally, Mr. McIntyre expressed that the community listening tour should not be focused on Middletown Township.

Board member comment:

Board Member Eiserman commented that juveniles housed at the Lima facility were not the only victims in the community.

Chairman Madden expressed appreciation for the passion of attendees who made public comments and additionally acknowledged frustration that the Board's intentions are seemingly unheard. Mr. Madden emphasized the Board's commitment to enacting change within the county and ensuring that previous injustices never occur again.

Reverend Turner expressed the need for healing to begin by moving in a forward direction. As a community member and Chester resident, Rev. Turner encouraged attendees to reach out to David Irizarry directly to be as engaged as possible.

Chairman Madden commented that the Board's contact information is publicly available for those who would like to reach out and get in contact.

The meeting was adjourned at 6:39 PM.

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