

**DELAWARE COUNTY BOARD OF MANAGERS
TUESDAY JANUARY 17TH, 2023 4:30PM
HYBRID: DELAWARE COUNTY COUNCIL MEETING ROOM AND VIRTUAL**

Members Present:

Chair/Councilman Madden
Councilwoman Dr. Monica Taylor
Councilwoman Elaine Schaefer
Candice Linehan
James E. Turner

Vice Chair Marie N. Williams
Judge Nathaniel Nichols
Kelly Diaz
Chekemma Fulmore Townsend

Call Meeting to Order: The meeting was called to order at 4:33PM.

Pledge of Allegiance

Public Comment (Agenda Items Only):

Mary Austin, Media, Pa- Ms. Austin extended her thanks to David Irizarry and Judge Nichols for being present at the rally held by the community and at the community forum hosted by the Juvenile Detention department. Ms. Austin asked for more advanced notice for upcoming community listening sessions.

Approval of Minutes: The Board approved the minutes for the meeting on December 20th, 2022.

Reports:

Juvenile Probation Services: Kiersten Fitzsimmons, Resource Supervisor, provided the Monthly Detained Youth Report. There are currently three (3) juvenile females in detention. Two (2) juveniles housed at Abraxas, Morgantown and one (1) juvenile housed in Jefferson County, Ohio.

Juvenile Justice Services: As requested in last month's meeting, a draft of a third option of the facility design with total demolition and reconstruction was being completed by Spiezle Architectural Group. Mr. Irizarry introduced Nicole Ward from the Public Works Department to provide an update on the matter.

Ms. Ward stated that this past summer the County contracted Spiezle Architectural Group to provide an analysis of the existing facility in Lima and present a feasibility study for two proposed options for a facility redesign. Option 1 listed in the contract proposed a total

renovation of the existing structure with lesser demolition and Option 2 proposed partial renovation combined with partial demolition and new construction. The Board requested a new feasibility study on a third option. This option consisted of total demolition and new construction. The request was made to the County Council for approval to amend the contract with Spiezle Architectural Group to produce this analysis.

Councilman Madden clarified to the board that an agenda meeting was held with the County Council earlier in the day and the formal approval was on the docket for Wednesday, January 18th, 2023. Mr. Madden also mentioned that the Council would be exploring the phased opening approach to the facility if the secure portion of the build is completed before the non-secure side.

Ms. Ward added that requests were made for two cost estimates, one for each phase.

Board Member Diaz asked for clarification regarding whether “phase one” meant design and “phase two” meant construction. Ms. Ward clarified that phase one of the proposal entailed design, square footage, and approximate cost. Within phase one, estimates are provided for both the secure and non-secure portions of the facility.

Mr. Irizarry asked Ms. Diaz if her question was specific to today's proposal or the final design. Mr. Irizarry also clarified that the phased approach described by Mr. Madden was specific to the final design wherein construction of the secure side of the facility would be prioritized over the non-secure side.

Ms. Diaz responded that she was unsure of the plan and had the understanding during last month's meeting that each portion of the facility was to be built concurrently. Ms. Diaz also shared her concerns that she has yet to develop a clear understanding of exactly how the non-secure portion of the facility is to be utilized.

Councilwoman Taylor commented regarding the phasing of the construction that the previous two options for the redesign did not allow for a phased construction as existing structures' internal facility structures does not allow for that. However, the third option would allow for that possibility.

Vice Chair Williams asked for the reasoning behind the phased opening approach, expressing concern that a phased approach de-prioritized the non-secure portion of the facility. Chairman Madden responded that there was not a lesser priority. However, because there is a requirement for a secure side of the facility, an incremental approach to opening the facility

would be the best practice. Ms. Williams asked if this was purely a cost consideration at this time. Mr. Madden responded that this was about timing and speed, as well as the opportunity to examine if incremental time can be saved by opening in phases rather than all at once.

Ms. Williams asked whether the feasibility study would reveal how quickly phase two could be completed after phase one's completion. Ms. Ward responded in the affirmative.

Councilwoman Schaefer commented that she sees an inherent benefit in the incremental opening approach but fears there will be a substantial lag between the opening of phase one and opening of phase two. Vice Chair Williams agreed with Councilwoman Schaefer and asked whether the absence of services eventually planned for the non-secure side of the facility would create greater need for secure detention.

Councilwoman Taylor noted that the initial two options for the redesign had already included space for services on the secure side of the facility, no matter what services were offered on the non-secure side. Mr. Madden concurred.

Vice Chair Williams asked how juveniles on the secure and nonsecure side of the facility would be receiving the same services. Ms. Williams also reiterated the necessity for programs on the non-secure side so juveniles will not end up on the secure side.

Board Member Turner noted that the secure portion of the facility will include trauma-informed care that provides many services, i.e., medical, counseling, etc., that a resident may need. The non-secure portion would have similar programming that would consist of a more preventative approach rather than rehabilitative one.

Mr. Irizarry stated that most youth in detention were in custody for an average of 13 to 16 days. In terms of innovation, Mr. Irizarry stated the design allows youths to return to the facility without being detained to receive a continuation of services that were offered while they were detained.

Chairman Madden raised the question of whether as construction progressed to complete the non-secure side, would be beneficial to continue to house juveniles in the secure side.

Board Member Linehan commented that the space we have is also an advantage because number of detained youths is relatively low. Thus, the space could be used to adequately provide services that cater to the needs of youth within the community.

Old Business: Community Listening Tour Updates- Mr. Irizarry stated that the community listening tour began in Upper Darby on January 9, 2023. He stated about 26 community members, as well as several members of the Board, showed up at the first session to have an overall productive conversation. He stated his intention to garner the community perspective by hosting more tours. He stated a private meeting would be occurring on January 25, 2023, with another group as a continuation of this community discussion. His stated intention was to host two more sessions at the end of February in Darby and Chester. Those locations and times would be finalized imminently.

Judge Nichols observed that, first and foremost, he heard trauma from people. He appreciated the diverse perspective and topics that were mentioned at the meeting. Although not everything discussed was within the Board's purview, it still provided a necessary perspective to help understand the scope of the community needs. With regards to another meeting that was attended, not held by DELCO, the three men that spoke served more time than one could have in a lifetime. Their discussion was not geared toward detention.

Board Member Turner stated he was inspired by the conversation that occurred at the community listening session and commended Mr. Irizarry for keeping an open, conversational tone with the participants. The conversation was more about schools and how to keep young people out of our system.

Chairman Madden commented that although the Board's narrow mission surrounds detention, he also sees the value in all the outside perspectives of what the community needs are. The goal is not to make decisions in a vacuum.

Board Member Turner also was encouraged by the fact the community was not putting all the issues on the government. They were taking ownership. The community wanted to be a part of the change.

Mr. Irizarry also reminded the Board that the Center for Children's Law & Policy will be contracting with a community agency that will be conducting interviews with 500 or so youth to get their perspective regarding services needed.

New Business: No new business.

Public Comment: Before beginning public comment, Chairman Madden invited the Solicitor, Shelley Smith, to provide context regarding the County's role in the recent Grand Jury Report.

Ms. Smith began by reiterating the Board's desire to achieve a more holistic approach to Juvenile Detention. However, the subject of the Grand Jury Investigation and Grand Jury Report are pending litigation and that the Board cannot comment on the substance of the allegation or merit of the Grand Jury findings at this time. As such, it is not prudent for Board Members to make comments on the report currently.

Chairman Madden added that although the Board cannot comment on the matter, they are greatly informed by the report.

Ashley Dulcimore, Glenolden, Pa- Ms. Dulcimore began by asking the Board for clarification within the state code that mandates each county must have a detention center. Ms. Dulcimore additionally expressed her concerns regarding prior notice/information regarding the community listening session that was held on January 9th in Upper Darby. Ms. Dulcimore also thanked Mr. Irizarry for his presence at the community meeting.

Mr. Irizarry clarified that Nelson Walker is the Community Outreach Director for the department and that Mr. Walker will be the point of contact for the public. Mr. Irizarry also stated that he will host the community sessions, but Mr. Walker ultimately handles outreach.

Councilman Madden clarified that the legal requirement regarding detention does not explicitly require each county to have a detention center; rather, each county must have a solution for detained youth within their county. As the facility at Lima is currently closed, the county is still responsible for providing detention service for detained youth which is being contracted to counties in and out of state with some of those contracts exceeding 300 miles away. The benefit of a detention within the county is that the Board oversees how the facility is run and has direct control over facility policy, hiring practices, and overall conditions of the facility. Additionally, a facility within the county eliminates the distance between detained youth and their families and serves to provide easier transition and reintegration back into the community.

Ms. Dulcimore [inaudible because she was not at the microphone].

Vice Chair Williams informs the Board that Ms. Dulcimore is inaudible as she is not near a microphone.

Councilman Madden paraphrases Ms. Dulcimore to have said that there needs to be more clarity on what is required of the county regarding juvenile detention. Mr. Madden clarifies that

each county must have a detention solution, not that each county is mandated to have a facility.

Mary Austin, Media, Pa- stated to the Board that reintegration is easier when a juvenile remains within the community and shared her concern about the distant detention locations where some juveniles are housed. Ms. Austin also expressed concern about the amount of money that was being spent on the facility and the lack of public clarity about plans regarding how detained youth would be cared for upon reopening. She added that since the allegations were confirmed by the grand jury report, an apology from the County just seems right.

Board Member Comment: Board Member Diaz shared some concerns she had regarding the plans for the non-secure side of the new facility. She first stated that while she sees the value and necessity in the non-secure side of the facility she is still concerned about the lack of a concrete plan regarding use of the non-secure side of the facility. She raised concerns that the planned intended use of the non-secure side of the facility would fall outside the purview of this Board's authority citing ordinance number 2021-4 (Ms. Diaz stated the ordinance). Without a strategic plan, Ms. Diaz said, she was unsure that she could support the cost of this project. She urged that a strategic plan be made with other departments including Children and Youth Services and Juvenile Probation along with input from the courts, the Public Defender, and the District Attorney. Ms. Diaz would like to ensure that services at the juvenile center do not overlap those already provided by other departments; to determine whether Lima is the best site for the non-secure site and to help identify grants and reimbursable funds to offset costs of construction and programming. Ms. Diaz also questioned whether there a specific issue to be addressed on the non-secure side of the facility. Ms. Diaz wanted to confirm the Superintendent would maintain an active role in the operation of the secure side. Staff overseeing the secure and non-secure side of the center could cause a distraction from the core responsibility. Chester and Montgomery County operate a secure facility and shelter services, whereas the shelter side receives input from CYS, and the secure side receives input from the Probation and courts. A recommendation was made that maybe the Lima center could serve a shelter. That decision should be made by the data and those who are subject matter experts. Finally, Ms. Diaz noted that her review of the 2023 Capital budget suggested that the proposed building exceeds the cost for the secure side, so a determination would have to be made regarding of how to pay for the non-secure side amid the demand for funding for many competing projects.

Councilwoman Taylor stated that while looking at other Juvenile Detention Board of Manager Meetings from other counties, she noticed that their Juvenile Probation and court service reports are more detailed and have a more holistic approach as they address what

programming their juveniles are utilizing. Regarding the non-secure portion of the facility, Dr. Taylor expressed the need to start looking into what programming would be available on the non-secure side at this time rather than waiting until a later date.

Board Member Townsend remarked on several comments made throughout the meeting. Regarding public comment that the members of the board are not impacted by or proximate to the issues facing the public, Ms. Townsend shared that incarceration of youth and adults has impacted her life and family directly and that her experiences have led her to this line of work. Ms. Townsend expressed her frustration with the assumption that she and other Board members lack a relevant perspective to these issues as well as her passion and commitment to serving the community in this way. We need to be innovative and bold with regards to how juvenile services are coordinated. We are part of a community and an ecosystem and cannot operate in a vacuum. Youth have various parts of their lives, home, school, church, etc. and we cannot be focused only on the worst part of their lives.

Board Member Turner informed the Board that more efforts are being made to hear directly from the community including monetary resources being spent to survey youth within the community to better assess and understand the needs of county youth.

Mr. Irizarry commented that although there have been no finalized plans, all programs that have been submitted to the Board are evidenced-based programs and practices with efficacy in any juvenile justice system. Mr. Irizarry reiterated that although these plans are not finalized, they reflect the needs of the community and the vision of the Board. Once the data is obtained, we can develop a more defined strategic plan.

Vice Chair Williams commented that she wanted to second Dr. Taylor's request for a more comprehensive understanding of services. Ms. Williams also noted that the number of juveniles under supervision is 50% greater in Delaware county than in Philadelphia and that Delaware County diverts juveniles less often than any other county within the Commonwealth. Ms. Williams also noted that the goal of juvenile justice is treatment, supervision, and rehabilitation. Because most juveniles are in detention for approximately two weeks, Ms. Williams voiced her concerns that core issues that juveniles face will not be addressed and that it will lead to an increase in juvenile detention within the county. Ms. Williams further stated that detention is not the only goal of this Board.

Board Member Linehan asked for confirmation on whether the county had contracted with Youth Advocacy Program (YAP).

Mr. Irizarry responded that a grant had been accepted with YAP.

Board Member Linehan commented that the Board had spent a considerable amount of time on discussing treatment and community resources including investing in YAP.

Vice Chair Williams commented that YAP was not an investment and that the Board took some time to accept the \$500,000 grant. Ms. Williams also expressed her concern that YAP is not being utilized by the population of juveniles who need that service the most. Ms. Williams would like to see a presentation from a service provider under a current contract with the county.

Chairman Madden stated that to fully understand the need for detention within the county, the board must gain a comprehensive understanding of what services are currently being provided and how they are being used. To Ms. Diaz's request for a more comprehensive plan for how both the secure and non-secure portions of the facility will be used, Mr. Madden stated that he sees the value as both a Board Member and Councilman the need for a secure as well as a non-secure side.

Board Member Turner asked if there was any centralized report from different agencies that would have these metrics listed.

Chairman Madden responded that these statistics would be entered by Human Services but Managed by the Juvenile Probation office.

Councilwoman Schaefer commented that these statistics are reasonable to request and should not be too difficult to locate.

Chairman Madden formally asked Mr. Irizarry to write a request for a compiled list of these resource to the Juvenile Probation Department to present to the Board

Councilwoman Schaefer commented that Board will focus not only on detention as stated in the charter, but also what circumstances led juveniles into the detention system and how they are treated and serviced within the system and what happens afterwards.

Chairman Madden added that sticking directly to the charter is the bare minimum that the Board can achieve and as a Councilman, he demands the commitment to go above and beyond at serving the needs of the community regarding juvenile detention and rehabilitation.

Vice Chair Williams commented that she appreciated the comments from the Councilman Madden and Council Woman Schaefer and stated her desire to continue to serve this Board's holistic goals.

Adjourn: The meeting adjourned at 5:36PM.

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