

DELAWARE COUNTY JUVENILE DETENTION BOARD OF MANAGERS
TUESDAY, JULY 18TH, 2023 5:30PM EST
HYBRID: DELAWARE COUNTY COUNCIL MEETING ROOM AND VIRTUAL

Members:

Kevin Madden, Chair/Council Member
Dr. Monica Taylor, Council Chair
Chris Eiserman
Candice L. Linehan
Elaine Schaefer, Council Member

Marie N. Williams, Vice Chair
Kelly Diaz, Deputy Controller
Chekemma Fulmore Townsend
Nathaniel Nichols
Rev. James Turner

Call to Order: The meeting began at 5:31pm

Pledge of Allegiance: The Pledge of Allegiance was recited.

Public Comment (Agenda Items Only): No public comment.

Approval of Minutes: The Meeting Minutes from Tuesday June 20th, 2023, were approved.

Report:

- A. Monthly Detained Youth Report, Juvenile Court and Probation Services, Kiersten Fitzsimmons- Ms. Fitzsimmons, Resource Supervisor provided the monthly detained youth report. There were currently three (3) juvenile males in detention. Two of those youths were housed at Abraxas Morgantown and the other at Bucks County Youth Center. Two Direct File juveniles, one (1) male and one (1) female, were currently being housed at the Delaware County Jail and had been ordered to return to juvenile detention beds should they become available. There was one (1) female currently being housed in Ohio. Additionally, there were two (2) Direct File males currently being held in the jail with no orders to return to detention beds.

Councilwoman Schaefer asked why the Direct File youths in jail with no orders to return to detention were being housed in jail.

Ms. Fitzsimmons responded that due to the nature of their charges, those youths were placed in jail.

- B. Superintendent for Juvenile Justice Services, David Irizarry- Mr. Irizarry introduced Jason Szanyi, Executive Director for The Center for Children's Law and Policy (CCLP) to provide an update on the Delaware County Youth Diversion Assessment project. The purpose of this assessment is to provide Delaware County with front end solutions for diversion and opportunities for youth prior to entry into the juvenile justice system. Mr. Szanyi began his presentation by outlining CCLP's Values and Guiding Principles which state the following:

- a. Invest in the villager.
- b. Center youth perspectives.
- c. Acknowledge strengths and existing efforts while identifying new and expanded opportunities to help youth thrive.
- d. Exhibit transparency, honesty, and a willingness to consider new ideas.

Mr. Szanyi stated that diversion is a key factor of this assessment, and that early intervention can divert more youths away from the system. Looking at Delaware County's Juvenile Justice Process Map, Mr. Szanyi has identified several areas where diversion could offer a more restorative and holistic outcome in comparison to the existing process structures. Mr. Szanyi provided an example of a Youth Development and Diversion (YDD) Map from Los Angeles County California that identifies providers and resources for diversion within young people's communities that can serve as direct diversion resources for police, schools, and families. These diversions include resources that continue to keep them involved in their school and wider communities without involving them more deeply into the juvenile justice system.

The crafting and implementation of this model in Delaware County includes youth's perspectives using data from a preliminary youth survey. An online survey yielding approximately 500 responses helped to identify qualitative and quantitative data to be used toward this model. Youth responses to how money should be invested in their own communities overwhelmingly supported arts programs, mental and behavioral health support, and mentoring opportunities. Many youths (roughly 33%) indicated that they were not sure where to get information for in programs and resources within their communities. A small focus group of five (5) juveniles at George W. Hill Prison indicated challenges faced within their communities included peer pressure and lack of knowledge of available community resources. Additionally, these individuals stated the need for more parks, programs, recreational opportunities, as well as mentoring and advocate programs.

Quantitative data on probation referrals are still being processed and an update regarding those figures will be provided later. Mr. Szanyi noted that preliminary data from the 2021 Pennsylvania Juvenile Justice Task Force Report and Recommendations reported that stakeholders from a range of backgrounds including juvenile court judges, prosecutors, and victim advocates all agreed that court diversions were a net positive of the system, however those programs needed expansion and more direct funding. Regarding analysis of current contracted programming, Mr. Szanyi's project includes delving into gaps in services that may exist and looking for solutions to reallocate or add diversion and intervention at the earliest point of contact with youth. Initial observations of positive diversionary programming highly supported restorative practices. Current efforts of the project include the distribution of a survey sent to 173 organizations and individuals in Delaware County. To date, responses have been submitted by 20% (33) of surveyed parties. CCLP will be working with Implementation Team members to increase response rate. Additionally, greater than 50% of respondents who do not take referrals

of young people who have been arrested or referred to juvenile probation would be willing to if they had additional resources. Over 90% of respondents would like more information about accepting referrals from the youth legal system or for referrals of youth being diverted away from the youth legal system.

Board Member Turner asked how this information was being disseminated to other entities including juvenile court justices, schools, and probation officers.

Mr. Szanyi responded that an interactive tool is being developed to connect those entities along with accessible data.

Board Member Linehan asked if the youth focus group at George W. Hill Prison had continued their discussion regarding what outcomes they should receive for their actions.

Mr. Irizarry responded that the youth agreed that consequences for higher level, more violent offences should be received; however adult prison was not an appropriate punishment for those offenses.

Chairman Madden asked if Mr. Szanyi had a rough estimate of when the project should be finished and whether Delaware County could do anything else to better assist.

Mr. Szanyi responded that CCLP's contract ends in November of 2023 and will be completed in a timely fashion. CCLP is just waiting on data collection from Juvenile Probation. Mr. Szanyi spoke with his Data Team earlier, which reported that the data that has already been collected is near completion from being processed. Mr. Szanyi additionally stated that the county has been instrumental in assisting with finding potential partners and organizations to share the project findings with and asked for continued support with fostering those relationships and advocating for implementing the project's ideas.

Councilwoman Shaefer asked if there was going to be any benchmarking of the current diversionary process.

Vice Chair Williams asked if there was any available comparative data in the Task Force Report.

Mr. Szanyi responded in the affirmative although the data is slightly dated (from 2018).

Board Member Turner asked if the report would include best practices that could be used by partners.

Mr. Szanyi responded in the affirmative.

Vice Chair Williams asked if diversion starts at formal introduction to the system vs. initial contact with law enforcement that does not result in arrest or charges.

Mr. Szanyi responded that data from the courts and probation are more solid and offer a better understanding of how their suggestions would be implemented. Mr. Szanyi additionally stated that CCLP would like to work with specific police jurisdictions in Delaware County to gather those stats on non-arrests and build a processing map with that data and provide a more unified source of data for law enforcement jurisdictions to look at.

Vice Chair Williams asked whether there is a system in place for judges to view existing programs and resources and whether judges can court order juveniles to programs that are not formally partnered with the county.

Mr. Szanyi responded that some discussions have occurred with probation about creating a referral system and that he hopes for further information on what diversion programs are currently being utilized.

Board Member Nichols asked Mr. Szanyi if he had been in contact with the Juvenile Court Judges Commission of Pennsylvania.

Mr. Szanyi stated that it has been approximately 9 years since he has formally partnered with the Juvenile Court Judges Commission, but that he has been working with them surrounding the data they have gathered.

Board Member Nichols responded that the JCJC would find this information helpful and that he would like to pass these findings to contacts at JCJC.

Mr. Irizarry added that he was able to present the project to JCJC along with local courts and that JCJC looked favorably upon this project and had plans to introduce similar process maps to juvenile courts statewide.

Old Business: Item A: Facility Size -Council Chair Madden brought the discussion of the size of the facility (three pods of eight beds) back into the Board's consideration. Councilman Madden asked Mr. Irizarry to further assess data regarding detention numbers to assess the validity of a 24-bed facility vs a smaller, 18-bed facility with three pods of six beds.

Mr. Irizarry stated that the highest weekly number of detained youths during a single week was twelve (12) and that the highest amount reported based on need was eleven (11). June 2022 saw an outlier of seventeen (17) youths in a week. Based on this data, Mr. Irizarry stated that an 18-bed (three pods of six beds) facility is feasible with a construction cost reduction of \$500,000.

Chairman Madden stated that the data from June 2022 did not provide the full context and did not specify whether the figure of eleven (11) youths accounted for repeat numbers. Mr. Madden additionally stated that Delaware County's proposed facility does not negate agreements with neighboring counties and that should a shortage of beds occur, Delaware County is still able to utilize other counties extra beds.

Board Member Linehan asked if the concern for reducing the number of beds is fiscal, in relation to a waste of space, or perception that if the beds are there, then they must be filled. Chairman Madden responded that he believes perception matters and a larger facility could motivate courts to be hastier in filling them. Councilman Madden additionally stated that \$500,000 is not negligible and has the potential to be spent in a more impactful way.

Board Member Townsend asked if a reduction in size equates to a reduction in staffing and services to be provided. Ms. Townsend additionally inquired as to how that \$500,000 would be saved.

Chairman Madden responded that the \$500,000 would be saved in construction costs alone and that staffing needs would not change based on the proposed building reduction. Mr. Madden also stated that should there be a need for more detention beds in the future, the facility design would allow for building additions.

Board Member Turner, referencing growing numbers and overcrowding in Philadelphia County, inquired whether the proposition of an 18-bed is too few beds for trending needs.

Vice Chair Williams clarified that Philadelphia is experiencing an over incarceration problem that is not reflective of issues within Delaware County and that Delaware County can suffice with an 18-bed facility.

Chairman Madden added that the Board should look outward at other counties and their space and bed availability rather than focusing on Philadelphia's statistics.

Board Member Linehan noted that serious and violent crimes among juveniles are on the rise and that the Board should consider county, state, and nationwide trends to determine what the needs will look like in the future.

Vice Chair Williams countered that there is a perception of rising violent crimes perpetrated by juvenile offenders but that statistics show otherwise.

Board Member Linehan further expressed her concern regarding violent crimes being perpetrated by youths as observed from her line of work.

Chairman Madden responded that the data from within Delaware County support the feasibility of an 18-bed facility.

Councilwoman Shaefer added that the responsibility of the county is to house the number of juveniles that are committing serious offenses in Delaware County and that the facility capacity should reflect that number only.

Board Member Turner stated that he would like to see an addendum that specifies that the \$500,000 saved in construction costs will be allocated towards community programming. Board Member Townsend asked if the Board has the authority to decide where the monies could be redirected. Ms. Townsend additionally inquired as to whether all community funding would be managed by the County Council or smaller municipalities within the county. Ms. Townsend additionally inquired as to whether data was missing regarding Interest of Justice youths and youths housed in adult facilities.

Chairman Madden clarified that the Board does not take metrics on post-adjudicated youth as they are outside of the purview of this Board. Mr. Madden additionally stated that since three of five County Council Members serve on this Board, they could influence the reallocation of the funds saved in construction costs.

Vice Chair Williams additionally clarified that Interest of Justice youths and Direct File youths are pre-adjudicated and are not accounted for long term.

Board Member Linehan stated that in the past there have been youth recommended for detention, but due to a lack of beds those youths were released back into the community. Some of those cases resulted in youth's cutting ankle bracelets and absconding from the courts. Ms. Linehan asked for further clarification on if 18 beds could accommodate situations like that in the future.

Chairman Madden clarified that those cases had been included in consideration of a fewer bed facility.

Board Member Diaz asked if any representatives from the District Attorney's office or Juvenile Probation had expressed their support of a smaller facility.

Chairman Madden stated that he had indeed spoke with them and they support an 18-bed facility.

Chairman Madden stated that he would like to bring the issue of an 18-bed facility to a vote. Any changes to the facility design would still have to be approved by the County Council.

Chairman Madden moved to reduce the facility from 24-beds to 18-beds with the \$500,000 savings in construction costs to be reallocated toward community programming.

Vice Chair Williams seconded the motion.

The Board unanimously agreed on reducing the size of the facility to 18-beds from 24-beds.

Item B: Mission Statement- Mr. Irizarry stated that a community group asked the Board to revise the mission statement of the Facility Design. Mr. Irizarry sent the Board the previous mission statement as well as their revised statement.

Previous Statement - *“Delaware County inspires to create a new building for the Juvenile Detention Center at the Lima Campus that represents and reflects the values of the county as they strive to create a positive environment that protects our youth and community while simultaneously fulfilling the belief that our youth are capable of and deserving of the opportunity to receive support, be happy, and can be contributing members to society do not go halfway.”*

Revised Statement- *“Delaware County will create a progressive, cutting-edge center dedicated to youth rehabilitation that aligns with county values, fosters a positive environment, protects the mental, emotional, and physical wellbeing of county youth while instilling in youth that they are capable and deserving of the opportunities and support required to be contributing members of society while simultaneously ensuring the safety of the community.”*

Chairman Madden stated that he was satisfied with both mission statements but recognized the community’s emphasis on rehabilitation.

Chairman Madden moved to accept the revised the mission statement.

Vice Chair Williams seconded the motion.

Board Member Diaz voted against changing the mission statement.

The motion passed with one nay vote.

The Board Voted as follows:

Yay: Chairman Madden
Vice Chair Williams
Councilwoman Taylor
Councilwoman Schaefer
Board Member Townsend
Board Member Linehan
Board Member Nichols
Board Member Turner
Board Member Eiserman

Nay: Board Member Diaz

New Business: No new business

Public Comment: No public comment.

Board Member Comment: Judge Nichols shared some figures from a recent report on statistics from the Center for Juvenile Justice focusing on cases disposed in 2020 and trends from 2005 to 2019. (The data does not take COVID-19 into account). Figures included a

declining number of cases being processed and involving detention, declining numbers of cases being adjudicated delinquent, and declining numbers of cases being waived to adult courts. Board Member Nichols additionally stated that he spent time in truancy court to delve into why juveniles were being diverted into the system. Mr. Nichols noted that the reasons for truancy were diverse and overall indicative of social problems, not criminal ones.

Adjourn: Meeting adjourned at 6:55pm

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