

DELAWARE COUNTY JUVENILE DETENTION BOARD OF MANAGERS
TUESDAY NOVEMBER 21ST, 2023
5:30 PM

HYBRID: DELAWARE COUNTY COUNCIL MEETING ROOM AND VIRTUAL

Board Members Present:

Kevin Madden, Chairman/Councilmember	Kelly Diaz
Dr. Monica Taylor, Council Chair	Chekemma Fulmore Townsend
Elaine Schaefer, Council Member	Nathaniel Nichols
Marie N. Williams, Vice Chair	Rev. James Turner

Call Meeting to Order: The meeting was called to order at 5:32PM.

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 October 17th, 2023, were approved.

Report:

- A. Monthly Detained Youth Report- There are currently four (4) detained youths from Delaware County. Two (2) are housed at Abraxas Morgantown, one (1) in Ohio, and one (1) in Chester County.
- B. Superintendent for Juvenile Justice Services-David Irizarry- Mr. Irizarry introduced Jason Szanyi, Executive Director of Center for Children's Law and Policy, to provide the final report on diversion and prevention areas for Delaware County Youth.

Final Report for Center for Children's Law and Policy (CCLP)- Mr. Szanyi presented CCLP's report and recommendations to the Board. CCLP worked diligently to provide recommendations that align with the Pennsylvania Juvenile Justice Task Force recommendations. Among these similar practices are the following:

-Increasing system accountability and addressing inequities through enhanced data reporting to the public and wider representation on oversight bodies

-Consistently diverting young people with low level cases to community-based interventions in lieu of formal delinquency options.

-Expanding services as alternatives to arrest, expanding and standardizing diversion, and prohibiting written allegations for failure to pay a fine in Magisterial District Court.

-Prioritize Prioritizing restitution payments to victims and prevent unnecessary system involvement by eliminating the imposition of fines and most court fees and costs.

-Expanding and standardizing informal adjustment and other pre-petition diversion and tailor criteria for post-petition diversion.

Additional findings encountered by CCLP during this report included CCLP and partners experiencing delays in accessing data. Mr. Szanyi also emphasized the need for Delaware County stakeholders to be collaborative to succeed in achieving youth well-being. Additionally, that collaboration must include community members and youth. Delaware County also must increase transparency regarding the effectiveness of existing approaches to youth in contact with the legal system.

Significant findings from the Youth Survey revealed that compared to 29% of overall youth, 57% of youth surveyed disagreed with the following statement: My community has services and supports to help youth be successful. Compared to 16% of overall youth, 27% of youth surveyed disagreed with the following statement: I know about services and programs that are designed to help youth in my community.

Mr. Szanyi stated that through CCLP's assessment, three (3) overall policy and practice recommendations could be made.

1. Establish a policy for direct diversion to community resources for certain low-level offenses.
2. Develop alternative pathways to satisfying fees and restitution obligations in a developmentally appropriate manner, including a policy to support such efforts.
3. Establish Memoranda of Understanding with highest referring law enforcement agencies and school systems to promote direct diversion to community-based resources.

Another recommendation based on the Youth Survey emphasized the need for a hub that can direct students to appropriate programs and creative outlets. In order to do so, Delaware County must target investments of program opportunities in the top five referring jurisdictions to these resources and track the referral rate. Funding for pro-social opportunities should be allocated to the highest referring jurisdictions as well as building the capacity to implement rapid, restorative responses to misdemeanor offenses and lower-level felony offenses with harm to victims in the highest referring jurisdictions. Additionally, the County should develop the capacity for mentoring in the highest referring jurisdictions as well as work with school districts to pilot school-based interventions in the highest referring middle and alternative schools.

The top five cities/zip codes where youth involved in the Juvenile Justice system reside in Delaware County were Marcus Hook (19061), Chester (19013), Upper Darby (19082), Darby (19023), and Brookhaven (19015). Mr. Szanyi additionally stated that even in cases where detention occurred, the investment into the community programming is still necessary for the youths when they return to their communities.

Mr. Szanyi stated that data metrics including age, race, and gender should be in a centralized database so information regarding criminal offense types and referral rates can be easily accessed and cross examined against other jurisdictions within Delaware County.

Additionally, CCLP made structural recommendations for the efficacy of youth diversion in Delaware County. Those recommendations are as follows:

- Establish a process to share and discuss data (including a Memorandum of Understanding).
- Dedicate funding to incubate community-based services in jurisdictions with the highest rates of referrals
- Establish a formal system-community partnership and building on the foundation of the Diversion Planning Community
- Establish a Youth Diversion and Development Department under Delaware County's Department of Human Services
- Establish an Assessment Center to be overseen by the Youth Diversion and Development Department.
- Consider a misdemeanor services unit within the Juvenile Probation Department.

Mr. Szanyi additionally stated that the success of these recommendations requires strong leadership and a willingness to understand existing strengths as well as areas that need improvement.

Anne Marie Ambrose, Stoneleigh Fellow, thanked Mr. Szanyi for his collaboration and the president judge in recognizing the issues surrounding data collection and data transparency. Ms. Ambrose also thanked County Council's for its leadership and for restructuring the County's approach to juvenile justice to allow Mr. Irizarry to work more effectively for Juvenile Justice Services. Ms. Ambrose stated that among meaningful strides made towards reforms in Delaware County's youth justice system was the creation of a Juvenile Justice Leadership Council that includes Mr. Irizarry, Danielle DiMatteo (Juvenile Court and Probation), Alyssa Poole (Public Defender Office), Kathleen Magee (District Attorney's office) and Sandy Garrison, Chief of Human Services.

Mrs. Ambrose expressed optimism that Delaware County's unique circumstance regarding youth detention and diversion will enable the County to make effective changes in alignment with state level initiatives that are on the same trajectory. Ms. Ambrose additionally stated that community participation is paramount, and that community input should remain prioritized when striving for positive youth outcomes. Ms. Ambrose also stated that work is being done to develop an Advisory Team to continue to monitor the progress of these recommendations.

Next steps include working with the National Assessment Center to do asset mapping in the aforementioned top five jurisdictions. This will include talking with school and law enforcement about what happens when a child enters their radar. One recurring theme Ms. Ambrose has noticed is that low level offenses occurring in schools are being prematurely directed to law enforcement. Additionally, services need to be provided that are effective, and an inability to cover fees and fines should not be the barrier to staying within the community. Ms. Ambrose is also hopeful that developing a partnership with the Annie E. Casey Foundation can help provide seed money to help achieve these objectives.

Judge Nichols asked if academic records were also assessed as part of the data collection.

Mr. Szanyi responded that academic records were not assessed in this realm of data collection.

Judge Nichols asked if Mr. Szanyi had accessed information regarding family structures and relationships as it related to involvement in the juvenile justice system.

Mr. Szanyi responded no, as there was no data to quantify those specifics.

Judge Nichols asked if the County or Juvenile Court Judges Commission (JCJC) had requested this study.

Mr. Szanyi responded no.

Judge Nichols asked if anyone from the JCJC had contacted Mr. Szanyi or CCLP

Mr. Szanyi responded affirmatively.

Ms. Ambrose also responded that she had reached out to JCJC when experiencing data collection hurdles. She stated that the response from JCJC was swift and thorough. Bob Tomasini, of JCJC, came to Delaware County and met with the president judge, Mr. Irizarry, Judge Lowe, and Michael Resnick in response. Ms. Ambrose also stated that they were concerned about the difficulties in retrieving data and worked closely with the Impact consultant hired by CCLP.

Councilwoman Schaefer asked if funding for increased oversight of diversion practices would decrease spending in probation services. Additionally, Ms. Schaefer asked if there was any benchmarking regarding spending toward probationary costs compared to other counties statewide as well as nationally.

Ms. Ambrose responded that Pennsylvania has a unique funding structure, the Needs-Based Plan and Budget that requires reimbursement for certain services. For instance, secure detention is a 50% reimbursement to the county while community-based services are an 80% reimbursement. One barrier, however, is that the county must have the money up front before

being reimbursed. The Task Force report requires Pennsylvania Commission on Crime and Delinquency (PCCD) to provide funds for implementation of the recommendations within the report which can hopefully funnel that into the Needs-Based Plan and Budget. The report is to be shared with the JCJC and the Pennsylvania State Department of Human Services.

Mr. Szanyi added that in addition to resources provided by the Commonwealth, the Federal Office of Juvenile Justice and Delinquency Prevention has many opportunities for pilot and seed investments in front-end diversion opportunities. Mr. Irizarry has applied on behalf of Delaware County seeking some of that funding.

Councilwoman Schaefer asked if Mr. Szanyi and Ms. Ambrose felt similarly to probation officials who feel that the options for diversionary placements are limited and/or nonexistent.

Ms. Ambrose responded that yes that is the case and that collaborations with other agencies could solve some of those issues; however, contracts and formal agreements with those agencies do not exist.

Vice Chair Williams asked for clarification regarding sufficient resources and as to whether or not the programs themselves exist or if the partnership with providing agencies is in existence.

Ms. Ambrose responded that very little prevention opportunities were found which is what makes the Asset Mapping process invaluable in determining what exists or can be created within schools and the community.

Vice Chair Williams asked if this was referring to early justice system diversion or total justice system prevention.

Mr. Szanyi responded that prevention programs could be used in diversionary cases, but intentional pathways must be created to direct youth to those opportunities. There are also gaps in front end diversion opportunities whereas restorative justice and restorative practices are limited in Delaware County. These diversion opportunities are also cost-effective impactful interventions with positive outcomes such as higher victim satisfaction and lower chances of reoffending.

Chairman Madden asked if it is accurate to state that within Delaware County, the numbers of detained youth are high not because of high weekly or monthly intakes, but rather because there is no real "exit" from the system.

Mr. Szanyi responded that the focus of their report was fixated on the entry into the system but could investigate data regarding the full course of the system.

Ms. Ambrose stated that if the Board would like to further delve into that matter, they could partner with JCJC using the interactive tool developed by the Impact Consultant. Additionally, creating more after-care programs and services could serve as a justice system exit ramp.

Vice Chair Williams asked if there is information regarding the average length of stay for Delaware County youth and/or average size of caseloads per juvenile probation officer.

Mr. Szanyi responded that that specific information was outside of the scope of the report and encouraged the Board to request that information from the Juvenile Probation Department.

Board Member Townsend asked what plans were in place to share the report beyond this Board of Managers meeting.

Ms. Ambrose responded that if the County Council accepts the report, CCLP would like to share it broadly with community members, youth, DHS, JCJC, etc.

Chairman Madden additionally stated that who the report is shared with is also influenced by what this Board recommends to the County Council.

Board Member Turner asked what within the report can be done immediately to improve the system. Mr. Turner additionally asked if there is an existing template that could be utilized by Delaware County and who will serve as the leader to ensure these recommendations are implemented.

Mr. Szanyi responded that focusing on the biggest feeder jurisdictions, convening people within those jurisdictions, and creating sustainable structures for discourse surrounding the availability of what is lacking in intentional pathways away from the system and identifying gaps in the system and addressing them accordingly are the top priorities. Ramsey County, Minnesota, Lucas County, Ohio, and King County, Washington are great examples of restorative justice-oriented youth justice systems to be modeled after. Additionally, Ms. Ambrose would ideally serve as the leadership to implement these processes.

Ms. Ambrose added that the Delco Youth Diversion Planning Committee was instrumental in aiding their efforts and stated her intention to form a smaller, compensated Advisory Board to hold accountable the efforts of these recommendations.

Vice Chair Williams added that some of these recommendations, such as no misdemeanor juvenile court approaches, are being adopted not just by county, but statewide in certain jurisdictions, notably the state of Georgia. Additionally, Ms. Williams asked how to reconcile the fact that while there are contracted services being offered, youth in the system feel they are not being serviced. Ms. Williams asked how bound the county is to the current terms of these contracts and when reviewing the terms of these contracts could occur.

Mr. Irizarry responded that the contracts are due for renewal annually. Renegotiations could happen in January and that the County can make sure that the new contracts use very specifically language covering the services needed for the community.

Mr. Szanyi added that there is a difference between process vs. outcome and a difference between services provided vs youth who felt they were served by these programs.

Ms. Ambrose Added that the courts have now established weekly meetings with providers to gain a better understanding of their processes. Ms. Ambrose stated that she noticed many of those providers are largely unaware of details about their caseloads such as jurisdiction, age, or even race in some cases. Not having these details decreased the efficacy of these programs because they are not serving the proper demographics. Ms. Ambrose stated that Delaware County has recently started using a process endorsed by the Commonwealth that emphasizes getting kids into the appropriate programs for their circumstance.

The Board thanked Mr. Szanyi and Ms. Ambrose for their work for Delaware County.

Mr. Szanyi thanked the Board for the opportunity to be of assistance.

Chairman Madden stated that the Board expected to hear some of the answers given and that with the report, the Board can respond from evidence-based facts rather than suspicion or gut feeling and see how Delaware County practices compare statewide and nationally. Mr. Madden also stated his intention to recommend the distribution of this report beyond the walls of this Board of Managers meeting for broad availability. Mr. Madden additionally echoed the frustration with the difficulty of data collection and expressed his hopes for continued and increased collaborations within the County. Mr. Madden additionally emphasized that this Board looks beyond detention at the wider issues and multifaceted aspects of the Juvenile Justice System in Delaware County.

- a. Delco Youth Diversion Planning Committee Acknowledgements- Mr. Irizarry publicly acknowledged and thanked the commitment of approximately 30 community members who assisted with the Delaware County Youth Diversion Planning Committee. Mr. Irizarry additionally took the opportunity to highlight the commitment of ten (10) individuals who had near perfect attendance and/or provided additional services beyond the scope of the committee. Those individuals are as follows:

Captain E'lan Morgan (Chester Police Department)
Andre Simms
Dyiamond Gibbs
Darren Laws
Tasilym Morales
Reverend James Turner
Maleata Ragin
Tonita Austin
Adelaide Evans
Dr. Onaje Muid

Old Business: No old business.

New Business: No new business.

Public Comment: Andre Simms, Chester, Pa- Mr. Simms questioned the county's need to hire an outside agency regarding where and how diversion practices could be utilized when the community members have been giving the same feedback to the board.

Tonita Austin, Media, Pa- Ms. Austin reiterated sentiments expressed by Mr. Simms and that she hopes the report findings will come into practice and that the young people of Delaware County are being adequately served.

State Rep. Gina Curry, Upper Darby, Pa- Ms. Curry came to represent her district, specifically for youths within Upper Darby and William Penn School Districts. She expressed her concern as she did not feel that the report offered enough prevention methods for young people in her community as well as the desire to target root causes of youth delinquency, such as lack of after-school programming and food insecurity within her district.

Colleen Kennedy, Upper Darby- Ms. Kennedy thanked CCLP for the unredacted report and expressed concern that the report made multiple mention of children as young as ten years old being involved in the juvenile justice system. Ms. Kennedy emphasized the need to continuously be mindful of the perspective and lived experience of detained youth while the Board moves forward with their objectives. Additionally, Ms. Kennedy expressed the need for data to be shared publicly.

Dyamond Gibbs, Upper Darby- Ms. Gibbs informed the Board of ongoing initiatives within Delaware County. First, Swarthmore College has expressed interest in becoming active in assisting with legal resources to marginalized communities in Delaware County. Secondly, Ms. Gibbs is hosting a dinner benefit with funds going towards a program launching in 2024 called Bridge to Brilliance in response to the school-to-prison pipeline.

Darren Laws, Chester, Pa- Mr. Laws thanked the Board, Mr. Irizarry, and CCLP. Per his career experience, Mr. Laws is glad to see preventative measures being discussed and reiterated the need for sincere program building that really connects with the kids and families of Delaware County and what their needs are.

Alascal Wisner, Lansdowne, Pa- Mr. Wisner, Executive Director of the Minority Center for Participation and Empowerment, thanked the Board for asking for community input. Mr. Wisner informed the Board of a grant proposal for MCPE directed towards students whose struggles in school can be indicative of other issues that may require services rather than justice system involvement.

Reverend Diana Esposito, Springfield, Pa- Ms. Esposito serves as the children and youth engagement at Covenant United Methodist Church. Ms. Esposito asked if there was a fund specifically for adjudicated youth fees that community members can give to support youth whose families may not have the economic means to do so. Additionally, Ms. Esposito asked if there was a way for organizations that already provided diversion services could be recognized and approved as community resources that have proven helpful for families needing assistance. Ms. Esposito also stated the need for mental health care and services.

Heather Shumacher, Morton, Pa- Ms. Schumacher reiterated what Mr. Simms stated earlier and thanked CCLP for providing data driven evidence to support what has been discussed by the community. Ms. Schumacher additionally stated that she hopes that diversion will continue to be the focus of the Board's meetings and goals rather than detention and punitive measures.

Dana Bowser, Warminster, Pa- Ms. Bowser is a Social-Emotional Learning Coordinator for Chester-Upland School district as well as the liaison for displaced families. Ms. Bowser reinforced the need to listen to the children when they state what their needs are. Ms. Bowser informed the Board that a number of children have experienced/witnessed trauma and that there is a lack of resources to help them process, cope, and recover from what they have been through. Ms. Bowser expressed her continued desire to be a part of community planning for the youth of Delco.

Ms. Ambrose thanked the community for their interests and commentary and is looking forward to continued collaboration among the community as well as the next steps for Delaware County.

Mr. Szanyi, in response to Mr. Simms, stated that the contract for the report was in the range of \$240,000, Mr. Szanyi additionally stated that while he is not an expert, he as well as his team has laid a foundation for Delaware County to proceed away from detention and really target diversionary methods and practices for young people in Delaware County.

Board Member Comment: Vice Chair Williams asked the community to keep in mind that process is not delay when it comes to creating change for the vulnerable youth of Delaware County. Ms. Williams asked the community to see beyond individual perspectives for such multifaceted issues regarding prevention, detention, and rehabilitation. Regardless of disagreements/lack of understanding between the Board and the Community, Ms. Williams emphasized that they do share a common goal.

Chairman Madden additionally stated that the Board is not an independent entity and must collaborate with other departments, entities, community partners, during change making processes within the government.

Board Member Townsend stated that the Board now has the perspective of youths who have experienced detention as well as the data that aligns with those personal experiences. While it may seem dismissive to have the outside report, it is actually data-driven evidence to support what the community has expressed to the Board.

Adjourn: The meeting was adjourned at 7:28PM
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