



May 20, 2022

Dear Members of the Pennsylvania Senate Judiciary Committee:

We are writing to applaud Pennsylvania's efforts to improve its juvenile justice system by considering legislation stemming from the recommendations of the Pennsylvania Juvenile Justice Task Force. We appreciate Senate Judiciary Chair Lisa Baker's co-chairmanship of the Task Force and her efforts to promote these important reforms by holding a committee hearing on Monday, May 23, 2022.

The American Conservative Union ("ACU") is the nation's oldest grassroots advocacy organization. Founded in 1964 by William Buckley, we have a 50-plus year track record of advancing policies that reduce the size and scope of government, advance liberty, and reduce burdens on families. As such, the ACU stands in firm support of criminal justice reforms that make communities across the country safer and promote economic growth and recovery.

The American Conservative Union, which hosts CPAC every year highlights the good work of conservative across the country who are focused on criminal justice. What we hear from them over and over is a commitment to conservative principles of public safety, accountability, rehabilitation, redemption, and lower government spending. The effort to reform the Commonwealth's juvenile justice system advances each of these goals.

We believe that strong families are the foundation that supports America's place in the world. Taking children from their homes shatters that foundation. The main goal of the Task Force's recommendations is to focus the use of expensive out-of-home placement on the small number of youths with truly dangerous charges, freeing up resources to provide most justice-involved youth with evidence-based community supervision and services – increasing safety, holding kids accountable, and allowing them to grow and thrive with the support of their families.

In December of 2018, President Trump signed the First Step Act that cut federal incarceration rates for non-violent offenders. Importantly, it requires the federal corrections system to do more to reduce recidivism, making us all safer. The underlying principles of the First Step Act parallel the approach recommended by the Task Force.

Pennsylvania pursued reform because decades of research told policymakers that pulling kids with less serious offenses out of their homes was producing poor public safety results and costing the Commonwealth millions. If the Task Force findings are enacted into law, juvenile facilities can focus on providing support and supervision to kids who pose the greatest threat to public safety, while giving

everyone else the services they need to remain at home. This would create a juvenile justice system that strengthens families and makes public safety a priority – all while saving Pennsylvania taxpayers up to \$81 million over five years, money that can be reinvested in programs that are proven to reduce juvenile recidivism.

The Pennsylvania Juvenile Justice Task Force’s recommendations are supported by research, national best practices, and the experiences of other states. The core provisions come from a data-driven process that a strong majority of voters support across the country: preventing deeper juvenile justice system involvement and protecting public safety through early, family-strengthening interventions, while containing costs by focusing deep-end resources on higher-level youth.

But even those youth with more serious offenses deserve the chance to be rehabilitated – and Pennsylvania is currently locking many of them up and throwing away the key. The Commonwealth routinely takes kids with serious offenses out of the juvenile justice system and automatically prosecutes them as adults – without the opportunity to even be heard by a juvenile court judge. We know now that this is wrong, and dozens of states across the country – including conservative legislatures in Florida, Utah, Tennessee, and Kansas – have enacted legislation to reduce the likelihood that youth are prosecuted in adult criminal court. Pennsylvania should follow suit.

We understand that public policy is dynamic. There is always room for improvement, especially when it comes to America’s children. But data and research should always be the foundation for legislation. We strongly believe that sending minors away from their families at a cost of over \$200,000 per child for low-level infractions is fiscally and socially irresponsible.

We commend the bi-partisan leadership in the Pennsylvania General Assembly for initiating this effort, and we urge you to support the Task Force’s recommendations through swift passage of the legislation up for consideration.

We are happy to be a resource to your work by providing testimony and technical assistance. Should you have any questions regarding this matter, please feel free to contact me at dsafavian@conservative.org.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Safavian', with a long horizontal flourish extending to the right.

David H. Safavian Esq.
General Counsel