

**PA Juvenile Justice Task Force Written Comments from Chadwick J. Libby –
Dauphin County Director of Probation Services and Current President of the Pa
Council of Chief Juvenile Probation Officers (May 19th, 2022)**

On behalf of myself, our dedicated probation officers, provider community and the Pennsylvania Council of Chief Juvenile Probation Officers, I am truly honored to provide testimony to you today. A month ago, I completed my 24th year in juvenile probation and 10th year as the Director of Probation Services (overseeing both the adult and juvenile divisions) here in Dauphin County. Additionally, I've been a member of the Chief's Council's executive committee since 2008, an original member of the Juvenile Justice System Enhancement Strategy (JJSES) initiative, a member of the JJSES Leadership team since 2020, a member of the County Chief Adult Probation and Parole Officers Association of Pennsylvania since 2012, an original member of the Pa County Chief Adult Probation and Parole Officers Evidenced Based Practices Leadership team since 2014 and in 2018, was appointed by the Governor as a member of the JJDP, our statewide juvenile advisory group.

Equally noted, as a child, I was personally involved in the foster care system. A system that has had a profound impact on the person I am today, professionally and personally. My family and I are forever grateful for the support that the child welfare system provided to me, my siblings and wonderful mother.

Since its inception in 1967, the Council has endeavored to advance the field of juvenile justice. In the early days, the Council was focused on establishing the profession of juvenile probation while distinguishing it from the Department of Public Welfare (now the Department of Human Services). The express purpose of the Council was to develop and promote juvenile justice services in Pennsylvania, which remains the central tenet of today's Council. In 1968, the Council's influence was instrumental in the passage of Senate Bill 677, transferring grant authority from DPW to the Juvenile Court Judges Commission (JCJC). Since that time, the Council and JCJC have enjoyed a long and fruitful partnership.

In 1995, Act 33 fundamentally changed Pennsylvania's juvenile justice system, revising the purpose clause of the Juvenile Act to establish our Balanced and Restorative Justice (BARJ) Mission:

“Consistent with the protection of the public interest, to provide for children committing delinquent acts, programs of supervision, care and rehabilitation, which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community.”

In June of 2010, at the annual strategic planning meeting, the Executive Council of the Pa Council of Chief Juvenile Probation Officers and JCJC agreed to develop the Juvenile Justice System Enhancement Strategy (JJSES). Shortly thereafter, the JJSES Statement of Purpose was developed to outline our vision:

“We dedicate ourselves to working in partnership to enhance the capacity of PA’s juvenile justice system to achieve its balanced and restorative justice mission by employing evidence-based practices, with fidelity, at every stage of the juvenile justice process; collecting and analyzing the data necessary to measure the results of these efforts; and with this knowledge, striving to continuously improve the quality of our decisions, services, and programs.”

Over the last decade the juvenile justice system has been retraining and retooling to incorporate evidence-based practices. While the JJSES has fundamentally altered the operation of the Pennsylvania’s juvenile justice system, our sights remain firmly fixed on the BARJ goals. It is important to note that evidence-based practices do not supplant BARJ; rather, they bolster our ability to attain BARJ goals.

The Chief’s Council remains committed to achieving these goals in partnership with JCJC, Pennsylvania Commission on Crime and Delinquency, Administrative Office of Pennsylvania Courts, Bureau of Juvenile Justice Services, Department of Human Services, Center for Juvenile Justice Training and Research, Pennsylvania Council of Children, Youth & Family Services, Office of Victim Advocate, and the citizens of this great Commonwealth.

For more information on the history of the Pa Council of Chief Juvenile Probation Officers, please refer to [**pachiefprobationofficers.org**](http://pachiefprobationofficers.org)

Juvenile probation today in Pennsylvania is immensely different that it was 10 years ago. When I started 24 years ago, I walked into the office on the first day and was provided my caseload. My caseload consisted of 55 juveniles who attended the Harrisburg City School District’s Alternative School, The Baton Felton Academy. I must say, I truly wished I was provided the skills of success, that now permeate through each probation department in this Commonwealth. In the past eight years, every probation officer is trained on how to assess, how to case plan, how to motivate, how to engage families, how to teach skills and use cognitive-behavior programming. All these skills are essential to be successful. That said, the PA juvenile justice system is extraordinarily successful, nationally recognized, quite progressive, and willing to open our journey and invite numerous foundations over the years to assist our system in how to even be better.

Additionally, many of successes of the Pa juvenile justice system were not a result of any legislative action/mandates. The successes were the direct result of the excellent partnership between the Council, JCJC, PCCD and other key stakeholders. An example of our commitment to enhance the implementation of researched based best practices, all parties agreed that we must ensure all counties are using the Youth Level of Service assessment (YLS) as well as implementing the case plan. This was achieved thru all parties agreeing that a county’s grant-in-aid allocation could be reduced if these two important EBP resources were not being implemented. I am pleased to say that all 67 counties are using the YLS and case plan.

Direct Response to the four Senate Bill Proposals:

SB1227 - In support of SB 1227. Aligning the Human Services Code to provide funding for both dependent and delinquent youth is needed. The inclusion of delinquent youth ensures that all youth that enter the system are afforded services that are needed without barriers or limitations.

My colleagues and I fully support the need to reduce out of home placement. This has been evident by the significant reduction in out of placement (over 60%) in the past 10 years, with a savings of roughly 170 million dollars in out of home care. Equally important, the state needs to invest financially with our community-based providers to ensure quality services are provided to address the myriad of complex issues youth present with. Lastly, those systems that are specifically designed to deal with some of those complex issues (i.e. Mental health and drug and alcohol) need to be willing to step up and work with challenging youth to avoid further penetrating the youth deeper in the juvenile justice system just because a Mental Health or Drug and Alcohol facility will not accept them for their services.

SB 1229 – In support of SB 1229. The presumption that youth are indigent must be fundamental across the dependency and delinquency systems. As such, the funding of juvenile defense services ensures that each youth involved in the delinquency system has a right to due process and the protection of qualified council. The protection of a youth's rights in the juvenile justice system should not be compromised due to a lack of funding at any level or for any reason. Along with the funding, there should be support for ongoing education about the juvenile justice system and evidence-based practices for the funded defense positions.

SB 1228 – In support of SB 1228 with conditions. PA has worked over the last 10+ years to align all aspects of our system with evidence-based practices and supported research, including out of home placements. Having dispositional review hearings will allow the Courts to monitor more closely the progress of each youth in residential care. We support the idea of the Court reviewing these cases with increased frequency due to the complex nature of the youth in out of home placement.

SB 1226 – In support of SB 1226 yet with some concerns about unintended consequences. Below are several points of consideration when it comes to this proposed bill:

- With the funding of positions to carry out the expungement process, having the juvenile probation department manage the process is a good idea. Without the funding, the amount of work required to complete what is being recommended may be very difficult to keep up with, especially given the additional recommendations noted.
- Completely support the implementation of technology and case management tools to carry out this function. If the functionality of the systems to alert is NOT

present, then this would also be a task that would be overly cumbersome to any probation department. This additional functionality will come at an increased cost and funding should be provided to JCJC to complete in a timely manner.

- All of the various timeframes and dispositions can get messy. For example, if the disposition of a youth occurs with more than one docket, what does this look like if the grading of charges vary?

Although, I do not believe there is anything wrong with the current expungement rules, support from some of my other colleagues may be difficult without the necessary funding for the positions and technology to achieve the end goal in a timely manner.

As previously stated, I am thankful to provide my expertise and knowledge on these proposed bills. Yet, I would be remised if I did not take this opportunity to address a significant concern the Pa juvenile justice system is experiencing.....maintaining quality staff for our service provider community. The Pa juvenile justice system has worked tirelessly developing and implementing the goals and objectives of the JJSES. Fidelity of these strategies is paramount, yet our service providers continue to struggle to maintain skilled professionals. Many services providers have a high turnover rate. From my experience, there are two factors that contribute to the high turnover rate: compensation (most averaging roughly \$12-\$17 an hour) and lack of interest in this profession for our young adults. You can have a blueprint for success, however, without quality personnel, the plan is just words on paper. If I may, I would suggest that some of the re-investment monies the juvenile justice system has saved in the past 10 years (\$170 million) be re-invested for our service provider community.

In conclusion, I am extremely proud and honored to be part of the most innovative, progressive, and highly skilled juvenile justice system in the country. From our devoted professionals of probation staff, the provider community, victim advocates and excellent partnership with JCJC; we realized early on the impact our efforts have on lives, not just the youth and families we work with but our communities and victims as well.

Thank you for this opportunity to provide my thoughts and perspectives on these proposed bills.