

Senate Judiciary Committee Hearing – Juvenile Justice Task Force Recommendations

Pennsylvania Department of Human Services Testimony

Presented by Office of Children, Youth and Families Deputy Secretary Jon Rubin

May 23, 2022

Good morning Chairpersons Baker and Santarsiero, committee members and staff. I am Jonathan Rubin, Deputy Secretary for the Office of Children, Youth, and Families within the Department of Human Services and I am pleased to be joining with you today to discuss proposed legislation stemming from the Juvenile Justice Task Force recommendations.

Having participated as a member of the task force, I am well aware of the breadth and depth of discussions that were held, and I am glad to see that work has been carried on beyond just the creation of the documented recommendations into proposed legislation.

Regarding task force recommendation #23, create a standardized statewide expungement process, OCYF supports the proposed legislation in Senate Bill 1226 that will ensure that the juvenile probation offices have the technology and tools in place to inform the court when expungement eligibility occurs. This will address the gaps in communication that currently prevent consideration of expungement for too many cases. As stated in the task force report, as a state we should ensure that young people who have completed their obligations to the court are not held back from a successful transition to adulthood by records of juvenile justice system involvement.

Senate Bill 1227 expresses many values and principles that OCYF supports including protecting children and youth from abuse and neglect, providing for the care, protection, safety and mental and physical development of children, preservation of the unity of the family whenever safely possible, providing programs to children and youth who have committed delinquent acts, programs of supervision, care, and rehabilitation along with accountability and to achieve a family environment for the child or youth whenever possible. OCYF supports the proposed efforts to increase the use of nonplacement services and if placement is necessary, to seek the use of kinship as the first priority. We support efforts to reduce the use of congregate care living and institutional placements.

As noted in the Juvenile Justice Task Force report, Pennsylvania has already seen a significant decrease in placements from 1,768 in 2017, to a total of 954 in 2021. We support efforts to continue this trend through legislation, but it must be noted that there is a cost to develop community-based programs and supports that will need to be accounted for to allow this continued effort to be successful. While Senate Bill 1227 focuses on recommendation number #2 from the Task Force by amending the Human Services Code to include both juvenile justice and child welfare funding goals, these goals will only be accomplished through significant investment in community-based services.

Additional resources and fiscal considerations will also need to be considered to support recommendation #16, keep youth in out-of-home placement no longer than the time frame supported by research. OCYF believes this goal can be achieved and increasing dispositional review hearings to every three months is a positive step towards achieving that goal, however, increased staffing and court time will need to be accounted for to prevent missed or hurried hearings that do not achieve the purpose of the proposed legislation.

Senate Bill 1229, which supports Task Force recommendation #5 by amending the Human Services Code to provide funding for indigent juvenile defense services, is also an admirable goal that OCYF believes supports children and youth during their involvement with the juvenile justice system. Children and youth need and deserve appropriate defense services and this proposed legislation will make our juvenile justice system better by achieving fairer outcomes for those we serve. It should be noted again that the reimbursement of costs listed in the proposed legislation could be significant for both the state and the counties across Pennsylvania.

Overall, OCYF applauds the proposed legislation as a series of positive steps to reduce trauma, support children and youth involved in the juvenile justice system to achieve positive outcomes and maintain a

system that is fair. What appears to be missing from the legislation is the clear commitment of resources to serve these children and youth in a new way.

Task Force recommendation #1 states that Pennsylvania should reinvest in nonresidential evidence-based practices. Actions to achieve this recommendation are missing from the legislation but must accompany those recommendations proposed in legislation to allow youth to have the community-based supports to be successful. In the absence of investment in building strong communities and healthy families, while we may achieve our goals of reducing out of home placements, it is not likely that we will see healthier youth, safer communities, and long-term success for the vision presented by the Task Force.

Thank you for the opportunity to participate here today, and I am happy to take any questions.