

PA Juvenile Justice Task Force Written Comments from Robert N. Williams- Berks County Chief Probation and Parole Officer (April 14, 2021)

On behalf of myself and the Pennsylvania Council of Chief Juvenile Probation Officers, I am delighted at the opportunity to provide testimony to you today. Last month, I completed my 40th year in juvenile probation. I believe that I am the most senior juvenile probation chief in Pennsylvania. I've been the chief juvenile probation officer in Berks County since 2005 and have run our adult probation and parole office since 2012. Additionally, I've been a member of the Chief's Council's executive committee since 2005, an original member of the JJSES leadership team beginning in 2010 and in 2011, was appointed by the Governor as a member of the JJDPC, our statewide juvenile advisory group.

Undoubtedly, there has been data shared with you that is concerning to not only you, but the juvenile chief's association as well. However, when you look at our outcome measures, recidivism data, reductions in detention and placements, etc., you would assume that there has been some success. While I haven't been able to listen to all the testimony, from what I heard, I detected a tone that appeared at least to me, that our system is harmful to youth and families. I haven't heard much about what is working, especially with probation, so I'd like to deliver some good news.

In my opinion, our system is extraordinarily successful, nationally recognized, progressive, and willing to open our books and invite numerous national foundations over the years to tell us how to be better. During the last 15 years, we have worked together with the MacArthur Foundation, Georgetown University's Center for Law and Policy's Juvenile Justice System Improvement Project, National Youth Screening & Assessment Partners, the Council of State Governments, and the Annie E. Casey, and Pew Foundations. We often wonder why we are so ripe for these initiatives. Is it that we can't get it right or is it because we want to make our juvenile justice system the best it can be? We would like to think the latter.

Unfortunately, partners in our system are prone to occasional spectacular and disturbing failures that cast a shadow over all of us. From probation's point of view, we are equally blamed for the transgressions of some judges and providers. I still bristle at a comment that a Juvenile Law Center staffer made after the Luzerne scandal that this was a black eye for probation. It was certainly a black eye for the legal profession as well as there were plenty of attorneys who witnessed what happened in those courtrooms.

In any event, I believe one of our biggest strengths is also a weakness at times. We have a county-based juvenile justice system with some state oversight. This allows progressive counties to jump out first with new initiatives and become pilot sites for other counties to replicate. In some respect, counties establish themselves as centers of excellence for others to model.

For example, in Berks County, we implemented the first detention risk assessment in 2006, nearly ten years before it was adopted statewide. In 2008, we established the first evening reporting center as an alternative to detention. In 2010, we partnered with JCJC and PCCD and were chosen as one of four sites nationally to participate in Georgetown University's JJSIP which ultimately brought us the SPEP. That same year, we began putting our officers through MI and EBP training, almost two years before the JJSES was formally launched. Many other counties have done the heavy lifting and beta-tested the YLS, case plan, MAYSI and trauma screens before a statewide rollout. These early adopters have helped model, coach, and train other counties in those various practices.

Unfortunately, the weakness in this approach are the counties that are slow or unwilling to follow along. It was the Chief's Council that unanimously agreed with JCJC years ago that grant-in-aid should be tied to the use of our risk-need assessment, the YLS. Even then, one county opted to forego their grant-in-aid for a few years and not adopt the YLS.

I am an advocate for more state oversight and more accountability from probation departments. For example, we all realize that many of the youth who enter our system suffer from mental health issues, especially trauma. Yet only 37 counties are currently administering our adopted mental health screening tool, the MAYSI, at intake. Its use should not be optional.

If we are to invite more state oversight, JCJC faces a few obstacles. First off, they are an executive branch agency tasked with overseeing court departments. Their biggest challenge however is a lack of sufficient resources to provide the training, support, and technical assistance counties, especially those lagging behind require.

I see the past 15 years as the age of enlightenment with respect to how probation offices operate. Decades of research beginning in the 1990's have shown us what works. We no longer rely on anecdotal evidence or what feels right.

Juvenile probation today in Pennsylvania is vastly different then it was ten years ago. When I started 40 years ago, I walked into my office, found 75 cases on my desk and off I went. Today, how to assess, how to case plan, how to motivate, how to engage families, how to teach skills and use cognitive-behavioral therapies are skills that are required to be successful.

A probation officer operating in the system today, when fully trained, is one of the most skilled officers not just in Pennsylvania, but in the country. Five years ago, we began training officers in Effective Practices in Community Supervision (EPICS), a community supervision model formulated by the University of Cincinnati. EPICS is an intensive 40 hours of training that takes the risk-need-responsivity model and core correctional practices research and puts them into practice. With EPICS, officers can teach youth a variety of skills, restructure their behavior, have them weigh the consequences of future decisions and teach them how to problem-solve. We like to think that our officers have moved from case managers or brokers of service to change agents.

Pennsylvania juvenile probation officers growing up in a balanced and restorative juvenile justice system realize something 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. Much of the focus over the past few years has been on recidivism reduction. While that may sound to some as impersonal, it reflects our overarching mission. By teaching those we supervise skills, by restructuring their behavior, by taking a more insightful and evidence-based approach, and by taking into account the trauma suffered by so many that enter our system, we can mentor and strengthen young men and women into healthy, productive, and law-abiding citizens and thus reduce recidivism. Recidivism reduction not only prevents deeper system penetration but produces fewer victims. While we feel compelled to intervene and assist, we recognize that in many cases, diversion from our system serves youth better. Once youth enter our system, our procedures for assessment over the past ten years make it likely that youth penetrate only to the extent that is necessary.

It is a shame that you haven't had the opportunity to hear some of the other good news: the positive satisfaction surveys youth and parents send back, the stories about officers donating food, clothing and furniture to youth and families in need, the stories of struggle and achievement by the JCJC youth award winners, and the chance encounters with former probationers where they thank the officers for assisting them in the past. It's also a shame that most of you have not had the opportunity to observe a Judge Clark, Judge John Cleland, Judge Arthur Grim, and countless others, in the courtroom setting, as well as sitting in on a probation meeting, where skill building exercises are the norm, and the professional alliance officers have with youth and families are evident and impactful.

Working with youth can be at times frustrating and challenging, but also rewarding. If officers at heart didn't want youth to succeed, there would be no frustration. Instead, as dedicated public servants, they celebrate success and agonize over failures. I don't know about my peers, but my goal is to never have to recommend an out-of-home placement to the court. Unrealistic? Perhaps, but building up enough community-based resources to avoid placement should be our goal. To do that, we need to see some of our accumulated savings returned to the system.

Finally, I do not intend to comment on your specific recommendations unless you wish me to do so. Many have merit. My testimony today is simply to suggest that the system, certainly from the probation side, is not broken. Can it be better? Definitely. On our best day in Berks, we are a solid B but strive to be better. Our challenge is not to throw the baby out with the bathwater but to take what we currently do well, utilize the data and create a juvenile justice system that is even more fair, responsive and sensitive to victims, youth and the community.