

PENNSYLVANIA

Commonwealth of Pennsylvania,
Edward G. Rendell, Governor



Juvenile Justice

THE NEWSLETTER OF THE PENNSYLVANIA JUVENILE COURT JUDGES' COMMISSION

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Dauphin County Neighborhood Reporting Center Students Prepare for the Working World

By: Jeff Patton, Dauphin County Juvenile Probation, First Assistant Director



Dauphin County Commissioner George P. Hartwick III, with the Neighborhood Reporting Center Summer Work Program students.

On June 14, 2010, the Dauphin County Neighborhood Reporting Center Students started their first summer work experience program. This summer work program was made possible due to the leadership and organization of Dauphin County Commissioner George P. Hartwick, III. In addition to Commissioner Hartwick, several individuals played an instrumental role with the development and implementation of the program. They are: Terri Kaufman and Doran Condon, South Central Workforce Investment Board; Bob Derry, Arbor Education and Training; Bob Gill, HACC Workforce Development; Ron Sharp and Leon Wilkerson, Alternative Rehabilitation Communities; and Jeff Patton and Duroonn Stern, Dauphin County Juvenile Probation.

The work model selected for this summer work experience program was painting. The first two weeks of the program were devoted to teaching the students work readiness. Instructors hired by HACC: Heather Bridges, Tim Carroll, Jim Smith, and Darnell Wills taught the students what

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REGISTRATION NOW OPEN
2010 CONFERENCE ON
JUVENILE JUSTICE

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needed to be considered while doing this kind of work and what is necessary to be done after the work is completed. Also included in this segment was learning how to select the proper tools and materials, how to create a painting job budget, the proper sequence of work activities that needs to be done and what the recipient will expect as a result of the painting that is done.

The Neighborhood Reporting Center is an alternative to secure detention at the Schaffner Youth Center. Twelve Neighborhood Reporting Center students who were selected to participate in this 196 hour (49, four hour sessions) program were transported to their work-site daily by ARC staff and worked from 9:30 am to 1:30 pm. They earned anywhere from \$7.25 per hour to \$10.00 per hour depending upon their work initiative, participation, and productivity which was evaluated by the instructors each day. After their work day was over, the students were transported to the Bethel Church, the Neighborhood Reporting Center Program site, and they remained at the church and participated in the normal NRC Program until 9:00pm. In essence they were involved in a structured, supervised activity 12 hours a day, five days a week, and on Saturdays the students also participated in their normal NRC Saturday schedule. The funding for this program was made possible by the South Central Workforce Investment Board, Arbor Education and Training, ARC, and Dauphin County.

After the work readiness segment of the program was completed, the students spent the remaining eight weeks involved in various interior and exterior painting projects at Fort Hunter Park. These projects included painting

various benches and picnic tables, restrooms, buildings, poles and porches. The students also learned how to cash their paychecks, manage their money, and pay their court ordered fines, costs and restitution.

It is believed that the Neighborhood Reporting Center summer work experience program was a huge success and a great example of a collaborative effort by the individuals involved with making the program happen. The NRC students learned a lot about the painting trade and what it takes to be a successful employee. It is hoped that this and other similar programs can be started and implemented for future NRC students and other juveniles involved in the Dauphin County Juvenile Justice System, so that they can learn the skills that are needed to be productive and law-abiding citizens of our community.



Cleaning up is an important part of the painting process. The instructors are assisting the juveniles on cleaning the painting tools and leaving the work site presentable at the end of each day.

***The 2010 Pennsylvania Conference on Juvenile Justice is just around the corner!
November 3-5, 2010 at the Harrisburg Hilton & Towers***

CLICK HERE TO REGISTER!

2010

Pennsylvania Conference on Juvenile Justice

We hope to see you there!

IMMEDIATE OPENING - Wyoming County Chief Juvenile Probation Officer

Baccalaureate Degree, Masters in Criminal Justice preferred, 3 years administrative/supervisory experience, grant writing experience, background clearance, firearms qualification, full job description available upon request. Salary commensurate with education and experience: benefit package. Send resume, references, and transcripts: Judge's Chambers, Attn: Russell D. Shurtleff, President Judge, #1 Courthouse Square, Tunkhannock PA 18657. Application deadline November 15, 2010.



National Juvenile Justice Announcements

The following announcements are reprinted from [JUVJUST](#), an OJJDP news service:

OJJDP Bulletin Examining Juvenile Transfer Laws Now Available in Print

Originally released online in 2008, the OJJDP bulletin "[Juvenile Transfer Laws: An Effective Deterrent to Delinquency?](#)" is now available for the first time in print.

The bulletin provides an overview of research on the deterrent effects of transferring youth from juvenile to criminal courts, focusing on large-scale, comprehensive, OJJDP-funded studies on the effect of transfer laws on recidivism. The information it provides should help inform public discussion and policy decisions.

Resources:

"Juvenile Transfer Laws: An Effective Deterrent to Delinquency?" is available online at www.ojjdp.ncjrs.gov/publications/PubAbstract.asp?pub_id=242419.

Print copies can be ordered online from the National Criminal Justice Reference Service.

September 15, 2010 - OJP Announces \$97 Million in Awards To Support Youth Mentoring

On September 15, 2010, the Office of Justice Programs issued the following [press release](#):

Washington – The Department of Justice's Office of Justice Programs (OJP) today announced \$60 million in discretionary awards to leading national organizations to strengthen, expand and implement youth mentoring activities and youth development programming throughout the nation. An additional \$37 million in grants to local mentoring organizations will be awarded in Fiscal Year 2010. These grants are administered by OJP's Office of Juvenile Justice and Delinquency Prevention.

"These awards are part of an ongoing commitment by the Department of Justice to give young people an opportunity to participate in activities that will enrich their lives," said Laurie O. Robinson, OJP's Assistant Attorney General. "Through these organizations, youth are provided programs that help keep them in school, out of trouble, and most importantly, put them in direct contact with caring adults who provide crucial support and guidance."

Today's announcement includes awards to the following organizations:

- Big Brothers Big Sisters of America - \$10 million
- Boys & Girls Clubs of America - \$40 million

- National Association of Police Athletic/Activities Leagues Inc. - \$5 million
- National 4-H Council Program Operations - \$5 million.

For more information about these and other awards visit www.ojp.usdoj.gov/funding/10grantawards.htm.

September 23, 2010 - Training Institute Supports Youth Court Diversion Programs

On December 7-9, 2010, in Las Vegas, NV, Global Youth Justice will hold its [2010 International Training Institute: Establish or Enhance a Local Teen Court/ Youth Court Diversion Program](#).



The institute will address such topics as the training of youth and adult volunteers, the provision of quality community service programs, the identification of funding and resources, and an exploration of legal and liability issues, among others.

Early registration rates end November 21, 2010.

Resources:

To access additional information, including an agenda and registration form, visit www.globalyouthjustice.org/Training_and_Events.html.

Minors May Be Involuntarily Committed for Drug, Alcohol Treatment

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By: Leo Strupczewski; August 31, 2010

The state Supreme Court has upheld the constitutionality of an act that allows for parents and guardians to have minors involuntarily committed for drug and alcohol treatment.

Writing that prior case law established the presumption that parents act in the best interest of their children, the court, by way of a 6-1 majority, ruled that parents' rights to make decisions on the care of their children are "paramount" to the constitutional rights of their children.

That, along with the decision that the therapeutic nature of drug and alcohol treatment altered the bar for due process claims, helped lead the court to its ruling.

"We stress that we are dealing with a process in which a parent or guardian is seeking medical treatment for their child," Justice Debra Todd wrote. "This statute is civil in nature and involves therapeutic treatment for a brief duration — as well as the hope of recovery and a brighter future for the child."

Justice Thomas G. Saylor dissented from the majority, writing that he was concerned with the risk for errors in making commitments, the possible length of the commitments and the manner in which the assessment is completed.

"I am not insensitive to the possibility that familial ties may be strained by pitting children against their parents or guardians as adversaries in a judicial setting and hence, I would not conclude that adversarial testing of the petitioner's veracity or motives is constitutionally required — particularly as the petition itself

becomes largely irrelevant once an assessment is ordered," Saylor wrote.

"I would hold, though, that, in view of the substantial involuntary commitment periods authorized by Act 53, and the possibility of erroneous deprivations due to the brevity of the assessment process, the Fourteenth Amendment entitles a minor to a more thorough evaluation concerning the need for inpatient treatment than the relatively scanty procedures outlined in Act 53."

Marsha Levick, chief counsel for the Juvenile Law Center, had argued at oral arguments in September 2009 that the act was unconstitutional on its face.

Reached for comment, she said the decision was a "great disappointment."

"The lack of protection [for juveniles] is worrisome," Levick said. "Having said that, I'm not sure where else we can go."

She later added: "You can read Saylor's dissent and we certainly take solace that at least one justice who heard the case agreed with what our arguments were."

Kemal A. Mericli of the Office of the Attorney General, who had argued the act was constitutionally viable, could not be reached for comment.

According to Todd, a juvenile, referred to only as F.C., was committed to a residential treatment program after his grandmother filed a two-sentence petition and he admitted during an assessment that he used marijuana daily and alcohol occasionally.

His grandmother's petition read "[F.C.] will not go to school and I believe he's doing drugs and he's running away. And he's stealing."

The minor had volunteered to attend an outpatient program.

After the trial court ordered the commitment, F.C. appealed the decision and challenged the constitutionality of Act 53, which permits such commitments. The court ruled it was constitutionally viable, as did a unanimous panel of the Superior Court.

Authoring the Superior Court panel's decision, Senior Judge Robert E. Colville wrote that due process is "concerned with the procedural safeguards demanded by each particular situation in light of the legitimate goals of the applicable law." Considering that fact, Colville wrote for the panel, the procedures used under Act 53, namely, not providing juveniles an opportunity to dispute the allegations lodged against them and subjecting them to assessment outside the presence of counsel, are "fundamentally fair" when weighed against the goal of providing treatment to minors.

In her analysis of the case, Todd agreed with Colville's reasoning.

The justice cited the 1979 U.S. Supreme Court decision *Parham v. J.R.*

Though F.C. argued *Parham* required a "careful analysis" of a minor's background before making a commitment decision to meet due process standards, Todd wrote the case recognized minors enjoy "certain rights," but that the "significant right of the parent or guardian to

make decisions regarding care is paramount."

Further, Todd wrote, Act 53 requires a parent or guardian to file a petition, a medical professional to conduct an assessment and a formal hearing, with a right to counsel for the minor, before a juvenile may be involuntarily committed by the court.

Those requirements must be met every 45 days to determine whether a juvenile should still be committed, according to Todd.

F.C. argued the state's Mental Health Procedures Act and ad-

ditional Act 53 procedures in the Allegheny County Court of Common Pleas offered extra protections to juveniles that should be extended in all Act 53 proceedings.

Todd wrote, however, that the U.S. Supreme Court has held there is no constitutional right to a formal hearing for a minor when a parent or guardian thinks there's a need for medical treatment and that a "minimal informal" procedure is enough.

Further, Todd wrote, parents or guardians filing petitions with the court do so subject to penalty of unsworn falsification to authorities.

"[W]hile the provision of additional protections for minors as exemplified in other statutes and in Allegheny County may be salutary, they do not render Act 53 itself unconstitutional," Todd wrote. "In this light, appellant's argument for additional protections is more properly made to the General Assembly."

(Copies of the 37-page opinion in *In The Interest of F.C. III*, PICS No. 10-2855, are available from Pennsylvania Law Weekly. Please call the Pennsylvania Instant Case Service at 800-276-PICS to order or for information. Some cases are not available until 1 p.m. Tuesday.)

Assisting Youth in Understanding Collateral Consequences of Crimes Published

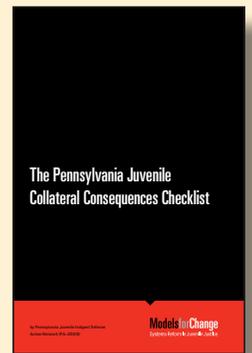
The Pennsylvania Juvenile Collateral Consequences Checklist was developed by the Juvenile Defender's Association of Pennsylvania and the MacArthur Foundation Juvenile Indigent Defense Action Network to help to explain many of the consequences of the publication juvenile adjudication of delinquency for youth in Pennsylvania. The Checklist is a valuable tool for juvenile probation officers to address these important issues with juvenile probationers and will help juvenile probation officers understand when to refer clients to their attorneys for specific legal advice regarding the collateral consequences of their cases. Many juvenile probation officers give presentations to middle and high school students. This publication can be helpful in developing these presentations and in answering questions that many youth have regarding the consequences of crime. It is incumbent on attorneys who represent juvenile clients during pretrial negotiations, admissions and adjudicatory hearings to counsel their clients about the collateral impact an adjudication of delinquency.

As those who work with youth in the juvenile justice system know, it is often difficult to explain the full consequences of a juvenile adjudication of delinquency to young people and their families. This information is crucial for the long term success of young clients. For example, juvenile adjudications can affect a client's employment opportunities, housing and immigration status. Clients who are adjudicated delinquent of sexual assault offenses in Pennsylvania are not required to register as sex offenders under Pennsylvania law, but may be required to register if they move to another state such as Delaware or Ohio.

The Checklist discusses not only possible negative consequences of an adjudication of delinquency, but also areas where youth may be mistaken about the consequences of an adjudication. For example, many young people believe that an adjudication of delinquency makes it impossible to obtain financial aid for higher education; this is not true. Sharing this type of information with youth on probation may encourage them to move forward with their educational goals.

Youth and their families often believe that a juvenile record automatically disappears when the child turns 18. Letting youth and their families know about the rules for expungement and who they can contact in their jurisdiction to have the child's record expunged is one of the most important things that attorneys and probation officers can do to help young people get a second chance.

This document can be found online at: www.pachiefprobationofficers.org.



Program Gives Kids a Second Chance

Reprinted with permission from *The Daily Item*

By: Tricia Pursell; September 1, 2010

http://dailyitem.com/0100_news/x752936776/Program-gives-kids-a-second-chance

MIDDLEBURG — Community volunteers are trained and ready to give kids who break the law in Snyder County a second chance, and to bring justice to those who have been victimized by the non-violent crimes the juveniles committed.

One of the goals of the new Youth Accountability Program, according to Snyder County District Attorney Michael Picuch, is to help kids who are first-time offenders get the help they need so they don't commit other crimes.

"If we can nip some of these behaviors in the bud, then we will avoid seeing some of these kids in juvenile or adult court later on," said Picuch, who through his work as an assistant district attorney in Philadelphia saw the success of similar programs.

The district attorney's office worked alongside the county's juvenile probation department, the Victim/Witness Program and the Court of Common Pleas to institute the program, which began accepting cases this month.

Eleven community members, including an assistant principal, guidance counselor, Susquehanna University professor, bank executive and business owner, have expressed interest in helping the kids, said Kristen Picarella, juvenile probation supervisor. Her colleague, Kevin Solomon, did much of the legwork to get the program off the ground.

These community volunteers, Picarella said, will be asking questions of the child and the child's family, obtaining background information that may help to pinpoint problem areas that may have led to the child's criminal behavior, such as financial problems, drug and alcohol issues or domestic violence. They will be equipped with a list of resources they can offer the families.

"When you help the family, you're ultimately helping the child," Picarella said.

In addition, the volunteers, who have undergone an application process and training, will each be assigned to monitor a juvenile's progress under the direct support of juvenile probation officers.

To participate in the program, a juvenile must admit involvement in the incident and enter into a contract with a panel of community volunteers. The contract may include assignments such as performing community service, making restitution to victims, writing essays or reports, counseling and drug and alcohol testing. Parental cooperation is required.

Picarella said she hopes the program will target children as young as 10. Many are committing non-violent crimes such as property offenses, she said. The program will consider first-time juvenile offenders who have committed misdemeanors and non-violent felonies.

"If we can do a diversion program through this, and avoid them coming through the system and avoid any recidivism, it will be well worth it," she said.

According to Snyder County Commissioner Malcolm Derk, it is difficult to calculate the cost to counties and the state for repeat offenders who walk through the "revolving door" of prison. But it's not a small price.

"If you can stop that cycle early on with programs like this, the opportunity is not only for affecting that person's life so they can be a positive contributor to society, but they won't be a burden on the court system," he said.

Juveniles who are repeat offenders, as a last resort, are placed in facilities at cost to the county. Derk said the price for a placement can range from several hundred



dollars to as high as \$10,000 a month, depending on the security and care needed for a particular individual.

The vision for the accountability program began with former District Attorney and now Judge Michael Sholley.

“He’s the person that was responsible for getting it going,” said Craig Fasold, chief probation officer, who added that the county is fortunate to have Piccuch, experienced with such programs, to take charge of implementing it.

In addition, much information was gleaned from Union County’s Youth Aid Commission, which has seen much success since beginning a similar program.

“They eliminated a lot of kids coming through the juvenile justice system there,” Picarella said.

The community involvement, Piccuch said, is a crucial element in making the program work.

The juvenile court process usually is “shrouded in mystery,” he said, because of required confidentiality for each offender. But now, community members can “pull the veil back” and have a direct role in not only protecting their community, but in helping kids and holding them accountable.

It’s no longer about just telling the kids to stay out of trouble. Instead, they will be told, “You’re going to have to be a more active participant in this,” Piccuch said. “It’s really a rehabilitative program in its truest sense.”

They will become part of the solution and will be given opportunities for achievement.

“We’re hoping to see improvements in their skills and their self-esteem,” Piccuch said.

“It is our hope that these community volunteers will be able to work more closely with these kids,” Picarella said, “and in doing so, the kids learn that they are cared about by those in the community as well.”

Governor Rendell Proclaims Juvenile Justice Week October 3 - 9, 2010

Governor Edward G. Rendell recently proclaimed the week of October 3 – October 9, 2010 as Juvenile Justice Week in Pennsylvania. Juvenile probation departments across the Commonwealth are encouraged to utilize Juvenile Justice Week as an opportunity to engage the public about the mission and outcomes of Pennsylvania’s juvenile justice system.

The proclamation notes that Pennsylvania’s juvenile justice system is charged with “providing programs of supervision, care, and rehabilitation, as well as providing balanced attention to the protection of our communities, the imposition of accountability for offenses committed by juveniles, and the development of competencies to enable children within the jurisdiction of the juvenile justice system to become responsible and productive members of their communities”.

We encourage Chief Juvenile Probation Officers to send examples of media accounts of local Juvenile Justice Week activities to [Steve Bishop](#) for publication in a special section celebrating Pennsylvania Juvenile Justice. Please have all entries submitted by October 16, 2010.



Save the date!

**90th Annual
Training Institute**



*Community Supervision:
Moving Forward with Less*

May 22-25, 2011

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90th ANNUAL TRAINING INSTITUTE

Community Supervision: Moving Forward with Less
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2011 CALL FOR PRESENTERS
PROPOSALS ARE DUE BY November 19, 2010

PAPPC invites you to submit topics for consideration on subjects that will help juvenile and adult criminal justice practitioners and related service providers deal more effectively with the challenges of today's workplace. Workshops will explore winning strategies, promising practices and Evidence-Based Practice in the field of adult and juvenile, county and state probation, parole and institutional care. Systems approaches to addressing public safety, cross system networking, treatment and victim concerns will be appreciated. Topics can include the following: Institutions, Adult Probation and Parole, Juvenile Probation, Administration and Management Issues, Academic and Research, Terrorism and Critical Instance Response, Victim Advocacy and Awareness, Offender Treatment, and other relevant topics.

PROPOSAL FORM – (Please attach this form to the front of your submission. More than one proposal is acceptable.)

Person submitting Proposal:

Name: _____ Company/ Agency: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Presentation Title: _____

Presenter name (s), Title (s), Licensing (i.e., Ph.D. LSW), Organization (s): _____

Length of Presentation (check one): 1 ½ hrs. _____ 3 hrs. _____ 6 hrs. _____

I have enclosed the following:

- 200 word description of topic on 8 ½" x 11" paper or electronic file attachment
- Objectives of Presentation
- An outline of the presentation
- Biographies of presenters

Presenter Agreement:

If this proposal is accepted by PAPPC, the undersigned guarantees that he/she is the sole proprietor of this material, that no proprietary rights or copyrights belonging to any other person exists. The undersigned further agrees to deliver in advance, to the Program Committee the proposed session materials and handouts. The undersigned agrees that no fees or reimbursement of expenses will be paid by PAPPC unless agreed upon otherwise.

Signature: _____ Date: _____

Mail, Fax or Email by November 19, 2010 to:

Rick Parsons, Program Committee Co-Chair
FAX – 610-992-7778
rparsons@montcopa.org

PLEASE FEEL FREE TO MAKE COPIES AND SHARE WITH OTHERS.

Fall 2010 Staff Development Highlights:

As we enter the “heart” of the fall training season, space remains in several programs that are highlighted below. As a reminder, eight of this season’s offerings are either new topics or new trainers, never having been part of the CJJT&R schedule.

- Lt. Col. David Grossman’s “How Our Children are Learning to Kill and Learning to Like It: The Relationship between Media Violence and Violent Crime”; there is still space available at the eastern-regional October 14 session at the Holiday Inn, Breinigsville (just west of Allentown along I-78).
- In addition, during that week the always popular “Kinesic Interviewing Level 1” a two and one-half day training led by Dan Sosnowski will be held at the Days Inn Penn State on October 13-15.
- In November, for those that attended one of the highly rated “Supervision and Monitoring of Juvenile Sex Offenders” presented by Cynthia King, an **ADVANCED LEVEL** Training is available on November 9-10 at the Days Inn Penn State.
- In the following week, on November 16-17, also at the Days Inn State College, Dr. Douglas R. Ramm will teach participants how to apply his “Facts of Life” program with individuals or groups of adolescents. This research based program teaches a version of moral reasoning to adolescents designed to motivate them to make the right decisions and more effectively get what they want out of life.

More detailed information and the ability to review the entire season’s offerings and register to attend programs can be accessed by visiting the JCJC website and clicking on “Training” in the left margin. You may also download a printable PDF version of the training booklet from the site.

We also invite you to check out some links to other trainings around the state.

The following trainings and their links are not sponsored by JCJC.

Dauphin County - FGC Advanced Skills Training

October 14-15, 2010 - 8:00 AM to 4:00 PM

Signs & Symptoms of Posttraumatic Stress Disorder in the Adolescent Population

November 3rd, & December 17th 2010

Stress In Adolescence

October 15th, & November 10th 2010

Mental Health Issues in Adolescence

October 27th, & November 17th 2010

STRESSLESS

October 29th, & December 3rd 2010



This publication is produced monthly at the Center for Juvenile Justice Training and Research at Shippensburg University. Guest articles are always welcome; please submit them by e-mail or on a disk.

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Stephen Bishop - Editor, Chris Heberlig - Graphic Design & Layout.

To subscribe to the JCJC newsletter, Pennsylvania Juvenile Justice, please send your request to jcjcnews@ship.edu to be added to the distribution list. You will receive an e-mail alert each month when the latest edition is available.

