

Pennsylvania's Juvenile Justice System Goals

The goals of Pennsylvania's juvenile justice system are established by statute. The Juvenile Act mandates "...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." All interventions and all decisions, from intake to aftercare, must be aimed at achieving these fundamental goals—community protection, offender accountability and competency development—consistent with the protection of the public interest.

Pennsylvania has spent over a decade defining and fleshing out these goals, articulating the basic balanced and restorative justice principles involved, and identifying research-supported practices, outcomes, and measures that conform to the Juvenile Act's language and purposes. A series of three White Papers—commissioned and sanctioned by Pennsylvania's State Advisory Group, the Juvenile Justice and Delinquency Prevention Committee (JJDPC) of the Pennsylvania Commission on Crime and Delinquency, and summarized in the following pages—lays out the results of this foundational work. Each White Paper was developed on the basis of delinquency-related research and on the advice and consensus of a broad-based focus group of juvenile justice professionals and stakeholders. Each explains what the goal means, why it's important, and how it's done.

Although the White Papers focus on discrete aspects of particular goals, it is the sum total of activities directed toward achieving Pennsylvania's three goals that leads to law abiding, productive and connected citizens who have made amends. Together, the goals reflect complementary and reinforcing values for responding to young people who break the law. Indeed, Pennsylvania citizens will not have a true sense of public safety until young offenders internalize the message of accountability, address those factors directly related to their offending behavior, and acquire skills and other positive assets.

Although they are foundational, the White Papers are not intended to be the final word—they are the start of an extended statewide discussion. The JJDPC continues to actively and collaboratively refine a common vision for the Commonwealth. In particular, the Juvenile Court Judges' Commission and the

Pennsylvania Council of Chief Juvenile Probation Officers, representing the interests of juvenile courts and juvenile probation departments in the 67 counties, are supporting local efforts to implement the White Papers. Moreover, several ongoing initiatives are providing strategies, tools, and best practice guidelines for achieving system goals, including a comprehensive aftercare improvement initiative, a forthcoming guide to good skill-training curricula and competency development resources, and a soon to be created statewide resource center that will support the long-term vision—that all Pennsylvania juvenile courts will have access to high-quality prevention and intervention programs for delinquent youth. Together, all of these efforts advance the state's reputation as a model for the nation.

For more information about Pennsylvania's sustained attention to balanced and restorative justice goals that began as a result of the passage of Act 33 in 1995, contact:

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The White Papers are available online at www.ncjj.org under "What's New."

Torbet, Patricia. (April 2008). Pittsburgh, PA: National Center for Juvenile Justice.

Community Protection

Background:

Citizens of Pennsylvania have a right to safe and secure communities. Community safety is one of the juvenile justice system's primary obligations.

Community protection is the process of contributing to safe communities through prevention, supervision, and control. The role of the juvenile justice system is to respond with timely investigation and processing; a range of diversion, supervision, control and placement options; general deterrence and prevention activities; and partnerships with communities. Particular emphasis is placed on "known" offenders—those youth who have come to the attention of law enforcement—and the subsequent decisions and efforts by juvenile courts and probation departments to protect the community from the risk posed by individual offenders.

Research has documented a link between good probation practices, a juvenile's use of services and completion of planned activities and lower rates of rearrest and higher rates of positive outcomes.

1. Identify the Risk

- ❑ Research has isolated factors that put juveniles at risk for continued delinquent behavior. These factors are both static (current and historic events /circumstances that cannot be changed and are associated with criminality) and dynamic (factors highly correlated with delinquency that are amenable to change).
- ❑ A standardized assessment of a youth's current offense, prior court history and dynamic risk factors assists probation officers in determining whether the offender poses a low, medium or high risk to the community.

2. Manage the Risk

- ❑ Pennsylvania's Juvenile Justice System operates under the principle of least restrictive setting required to protect the community, which is tied to a long-standing policy of keeping juvenile offenders in their communities. Some form of probation – from informal to intensive – is the most common disposition handed out by juvenile courts.
- ❑ Risk assessment helps to determine whether probation can manage the offender's risk in the community (and at what level of contact or measure of security, e.g., electronic monitoring or curfew), or whether placement is required.
- ❑ In determining whether placement is necessary, risk matters more than need—lower-risk offenders, even those with many needs, should not be placed, if for no other reason than to guard against the contagion effect of putting them in group settings with higher-risk offenders.

3. Minimize the Risk

- ❑ The intervention should address the most critical or pressing "criminogenic needs" or those dynamic risk factors directly related to the youth's offending behavior
- ❑ Risks that should be targeted include: antisocial attitudes, values and beliefs; aggression and anger; poor self control or problem solving; lack of educational success; negative peers / lack of prosocial peers; substance abuse; and poor family functioning
- ❑ Interventions should help offenders understand how their thinking impacts their behavior and teach them new skills and behavioral strategies for thinking and behaving prosocially. The best ones:
 - Skill training classes
 - "Blueprints" programs
 - Treatment protocols for mental illness, substance abuse, sexual aggression

Offender Accountability

Background:

A juvenile offender who commits a crime harms both the crime victim and the community and thereby incurs an obligation to take action to repair that harm to the greatest extent possible. Restitution and community service are the primary means by which juvenile offenders fulfill that obligation.

However, there is much more to accountability than that. Accountability is the process of helping offenders understand and acknowledge:

- The wrongfulness of their actions
- The impact of the crime on the crime victim and the community
- Their responsibility for causing harm.

The role of the juvenile justice system is two-fold: to help juvenile offenders be accountable and to honor and protect crime victims' rights.

1. Tools for Increasing Offender Understanding and Awareness

Victim Impact Statement

- Provides information not available in the police report or testimony regarding the harm suffered
- Helps to relate the disposition to the impact of crime
- Gives juvenile offenders insight into the personalized effects of their crime on the victim

Victim Community Awareness Curriculum/Class

- Increases offender awareness of the impact of the crime on victims and communities
- Teaches juvenile offenders that they have the power and obligation to actively repair the harm
- Facilitates apologies

2. Offender Activities that Repair Harm

Apology Statement

- Accepts personal responsibility
- Demonstrates an understanding of the harm
- Commits to not harming others
- Plans to become a productive citizen

Restitution, Community Service, Crime Victims Compensation Fund

- Restitution repairs financial harm and validates the victim's experience
- Community service is connected to the offense and meets the needs of the community
- Payment to the Crime Victim Compensation Fund alleviates qualified victims' financial burdens

Restorative Process

- Voluntary participation by crime victims and juvenile offenders in group conferencing, mediation, or other restorative process where the goal is repairing the harm
- Sensitive inclusion of crime victims

Competency Development

Background:

Research indicates that most delinquents outgrow their offending behaviors because they acquire skills, get a job, develop close, caring personal relationships, and form attachments and bonds to pro-social groups and institutions. The five domains below are the areas that matter most for success in school, work and life. Strengthening these areas increases resistance to delinquency and deficits in them put juveniles at risk for continued involvement in the juvenile justice system.

Competency development is the process by which juvenile offenders acquire the knowledge and skills that make it possible for them to become productive, connected and law-abiding members of their communities. The role of the juvenile justice system is to facilitate efforts to address specific competency development needs most closely associated with the juvenile's offending behavior and to build on any strengths.

1. Pro-Social Skills

Relevance: Court-involved youth often display difficulties regulating and controlling impulsive behavior and solving problems. Improving pro-social skills will help youth to more appropriately manage themselves and their environment.

Skill Set: Interaction, anger management, conflict resolution

Goals: Better social interactions, self control, and problem solving

2. Moral Reasoning Skills

Relevance: Anti-social attitudes, values and beliefs are directly related to delinquent behavior. Teaching juvenile offenders to identify and replace pro-criminal thinking and behavior with pro-social ones has been shown to reduce criminal behavior.

Skill Set: Connecting thoughts and actions; pro-social ways of thinking and behaving

Goal: Making the right decisions for the right reasons

3. Academic Skills

Relevance: Improving academic performance and reducing school behavior problems have been shown to reduce delinquency. Advocating on a youth's behalf to address education gaps is a legitimate role for JPOs.

Skill Set: Basic proficiency in reading, writing, and math; study and learning skills

Goal: Catching up in school and advancing to the highest possible academic level

4. Workforce Development Skills

Relevance: Youth who have been successfully employed and have developed good relationships with employers and co-workers are at a lower risk for re-offending.

Skill Set: Getting a job, keeping a job, and getting a promotion

Goal: Economic self-sufficiency

5. Independent Living Skills

Relevance: Preparing youth for independent living (especially older teens and those transitioning out of placement/ foster care) has been shown to improve their life chances.

Skill set: Daily living skills

Goal: Self-sufficient living