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An interview with Anthony A. "Tony" Guarna, Montgomery County Chief JPO

by Keith Snyder, JCJC



In celebration of the 100th anniversary of the Juvenile Court in America, the Juvenile Court Judges' Commission is publishing a series of articles featuring prominent personalities in Pennsylvania's juvenile justice system. This article, the second in the series, features Anthony A. Guarna, Montgomery County Chief Juvenile Probation Officer, who is retiring this month after 43 years of service.

Tony Guarna was born in Mt. Carmel, Pennsylvania, and graduated from high school in 1949. He enlisted in the United States Army and was sent to Korea, where he was wounded in action. Following hospitalization and a long

recuperation, he was discharged from the Army and enrolled in Franklin and Marshall College. He received a Bachelor of Arts Degree in Sociology in 1956.

In August, 1956, Guarna was hired as a probation officer for the Lancaster County Court of Common Pleas where he supervised both adults and juveniles. He worked as a probation officer in Lancaster County for six years, until he was appointed as the Chief Adult Probation Officer in Montgomery County in 1962. He remained in that position until 1964, at which time he was appointed Chief Juvenile Probation Officer and Director of Detention for Montgomery County. While working full-time, Guarna attended Temple University and received a Master's Degree in Sociology in 1965.

Guarna is a founding member of the Chief Adult Probation Officers Association. He is a past President of the Pa. Council of Chief Juvenile Probation Officers (1970), the Pennsylvania Association on Probation, Parole and Correction (1972), and the National Juvenile Court Services Association (1981). Guarna was selected Chief Juvenile Probation Officer of the Year by the JCJC in 1987, and was selected as the nation's top Juvenile Court Administrator by the National Council of Juvenile and Family Court Judges in 1990. He has also

lectured nationally as an instructor for the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National District Attorney's Association, and the National Council of Juvenile and Family Court Judges.

In addition to his many duties and professional activities, Guarna is the volunteer executive director of "Camp Rainbow," a camp for underprivileged children in Montgomery County.

Chief Guarna, what was the field of probation like when you began your career?

I began my career in Lancaster County, but the chief was hesitant to hire me because I was a college graduate! It wasn't very common for probation officers to be college graduates in 1956. The JCJC began to require that counties hire probation officers with bachelors degrees shortly thereafter. Many probation officers were retired police officers back then.

I started at \$3,600 a year. Low juvenile probation officer salaries were a big issue back then, as they are now. I'll always remember my chief telling me in his raspy voice, "Guarna, you're never going to get rich in this field, and if you do, we're going to put you in jail!"

Prior to the *Gault* decision in 1967, kids

didn't have many rights. We processed cases very quickly, even more quickly than today. We had court once a month in Lancaster County, and we scheduled around 25 cases per day in court. The court very much held a *parens patriae* philosophy.

Back then, status offenders were considered to be delinquent children. We detained kids for skipping school, or being incorrigible. In those days, we were permitted to detain kids who were 16 or over in county jails.

What were some of the most significant changes you have seen over the years?

I think that removing status offenders from the definition of "delinquent child" was one of the biggest changes, along with removing kids from adult jails.

The United States Supreme Court significantly changed the way we did business in Pennsylvania and around the country. The Supreme Court didn't get involved with the juvenile justice system for 67 years (1899 – 1966) until the *Kent* decision. The *Kent* case was so significant because it was the first time the U.S. Supreme Court handed down a ruling in a juvenile justice case.

The *Gault* case was tremendously important. Let me tell an interesting story. Two years after the *Gault* decision, I had the opportunity to meet the defense attorney who represented Gault before the U.S. Supreme Court. Do you know the real reason the *Gault* case came about? Gerald Gault's attorney told me that Gerald's mother became very upset because she was not allowed to hug Gerald good-bye – and that was the real reason she decided to appeal the case. Gerald's mother called the ACLU, and the rest is history...all because Gerald's mother couldn't give him a hug good-bye. The *Gault* case solidified the constitutional rights of juveniles during the adjudicatory phase of juvenile court hearings.

In addition to the *Kent* (1966) and *Gault*

(1967) decisions, I would also say that the *Coleman vs. Stanziani* consent decree was a very important case in Pennsylvania's history because it unified detention decisions throughout the state. Now we don't have 67 counties making detention decisions in 67 different ways. I think that's good.

You've been very active with the Pa. Council of Chief Juvenile Probation Officers. The Chief's Council means a great deal to you, doesn't it?

Yes, I was a founding member. We first met in State College in 1967, at the Nittany Lion Inn, where 22 probation officers were present. We created the Chief's Council to establish a forum to express the views of the chief juvenile probation officers. We felt that we needed an organization, in addition to the Pennsylvania Association on Probation, Parole and Correction (PAPPC), to respond to the needs of the juvenile justice system.

You've been known to do a bit of traveling. How does Pennsylvania's juvenile justice system compare with those of other states?

I've hit every state except Montana and Wyoming. I want to tell you something, Pennsylvania is second to none. We've kept on top of all the important issues.

A lot of other states are still in the dark ages. I think we're decades ahead of many other states, as far as implementing programs. We get grants to support programs like school-based probation, intensive probation, community-based probation, and aftercare. Without those JCJC funds, I don't have an aftercare unit.

I think most people around the country care about kids, but in Pennsylvania we have a select cadre of chiefs and leaders at the statewide level who believe in, and understand, the balanced approach. We have people who care about kids, and who also believe that kids should be held accountable for what they have done.

Victims have long been ignored by the

system, and they now have an opportunity to provide input. We have a restitution fund in Montgomery County which ensures that victims are paid restitution. Victims are asked if they have any favorite charities where kids could provide community service. Balanced and restorative justice has also improved public relations. This is just another example of why Pennsylvania has always been considered a leader in juvenile justice.

Also, no other state in the country has the combination of private and public programs to serve juvenile offenders. Just look at the quality and quantity of programs available to the juvenile justice system. Look at our private sector. Look at how many other states, and countries for that matter, take advantage of Pennsylvania's programs. Pennsylvania's private sector gives you the best bang for the buck in the country. I think Pennsylvania ranks second to none, and I think Montgomery County is right up there too!

What advice would you give to new juvenile probation officers?

I always tell my new probation officers that I have three rules, in addition to the regular policies and procedures of the county: don't embarrass me; no surprises; and see your kids. If you can't see your kids during the day, see them at night; if you can't see them at night, see them on the weekends and we'll give you comp time. I've told this to every probation officer I've hired for the past 37 years. Go ask them.

A new Chief Juvenile Probation Officer needs good management skills, and needs to know and keep up-to-date with changes in The Juvenile Act. The key to being a good chief is to hire good staff, and I have good staff. I also think that new chiefs should get involved with the Chief's Council, establish personal relationships with other Chief Juvenile Probation Officers and service providers, and keep abreast of treatment issues.

I think that a Chief Juvenile Probation Officer must be willing to develop new

programs. When I go across the country, I look for ideas I can steal. I've always said that "this is one old dog you can teach new tricks," and if it works for kids, I'll steal it. I think Montgomery County was the first in the state to develop a day treatment program as an alternative educational program. I also think we were the first to develop a family counseling program, an electronic monitoring program, and drug testing program. You name the program, and we have it here in Montgomery County. My philosophy is to contract with private providers. That way, if you don't like the program, you don't have to renew the contract.

If you could make any changes right now, what would you do?

DPW (Department of Public Welfare) won't like this, but I'd privatize the public sector. I think there's something inherently wrong with DPW monitoring its own facilities.

I would somehow like to see an increase in juvenile probation salaries. What my boss told me 37 years ago still holds true today. You certainly won't get rich in this field. Some probation officers have to work two jobs in order to support their families.

I'd like to see increased involvement by the Children and Youth system with younger children in the school system. I think that school-based probation is an excellent program, and I think that child welfare should use the same principle to get involved with young children in the schools. I think the schools would welcome them.

Probation officers are upset with managed care and the residential treatment facility process. DPW has 21 days to approve the placement; if you don't dot all the "i"'s or cross the "t"'s, they send the referral back, and then they get another 21 days to approve placement. We need more services for kids who are sex offenders, or who have mental health problems. We've always had these tough cases, but we seem to be getting more of those types of kids these days.

What's your philosophy of how juvenile probation officers should work with kids?

I view probation offices as "socio-legal" agencies. That is, probation officers can be their client's best friend, and must also be willing to hold the child accountable if he gets into trouble. So, I think probation officers must be able to fulfill both roles. Let me tell you about a couple of personal experiences.

A couple years ago, I was in the hospital for some physical therapy, and a kid came up to me and said "Mr. Guarna, I don't know if you remember me, but I got into trouble and was involved in the juvenile court years ago. You recommended that I get sent away. I want you to know, I think that was the best thing that ever happened to me. I'm married now, with three kids, and I just wanted to thank you for what you did for me."

About a year ago, another gentleman just popped into my office one day and said that, many years ago, his daughter was an incorrigible whom I ended up placing in a residential facility for girls. After her release, she graduated from high school, and is now a nursing supervisor in a hospital in Arizona. Her father just came into my office to thank me.

After you retire, what do you think you will miss most?

I'm going to miss everything. I'll especially miss the relationships with the Chief Juvenile Probation Officers. I'm going to try to remain active with the Chief's Council. The Chief's Council is my baby. If I win the lottery, the Chief's Council won't have to worry. We'll have a place in Harrisburg, and we'll have an executive director because I'm going to give them a million dollars. I'm serious. I'm also going to miss getting involved in the issues...fighting the fight.

Governor Ridge presents FY 2000-01 budget

Governor Ridge presented his proposed FY 2000-01 budget to the General Assembly on February 9, 2000. The Governor's budget document expressed support for the balanced and restorative justice principles upon which juvenile probation services in Pennsylvania are based.

The Governor's financial plan includes an additional \$3,267,000 for Specialized Probation Services, increasing the appropriation from \$10,000,000 to \$13,267,000, an increase of 32.7 percent. This appropriation supports county efforts to provide school-based probation, intensive probation, aftercare, and community-based probation services for juvenile offenders. The Specialized Probation Services initiative, which began in FY '98-'99, currently supports 461 specialized probation officers, (228 school-based, 58 community-based, 107 intensive probation, and 68 for aftercare services). With the additional funds, between 75 and 100 new positions could be created.

The budget recommends increasing the Juvenile Court Judges' Commission Grant-in-aid Program from \$5,561,000 to \$5,779,000 (+2.3 percent). The grant-in-aid subsidizes salaries and benefits for county probation officers, as well as the Commission's training, graduate education, and other statewide programs.

Also recommended in the budget is continuation of the Federal Temporary Assistance for Needy Families Block Grant (TANFBG) with funding at the same level as the current fiscal year, \$2,000,000.



New Chief in Sullivan County

On January 3, 2000, Seth Hendershot was named Chief Juvenile Probation Officer in Sullivan County. He replaces Marshall Davis who is the Chief Juvenile Probation County in Wyoming County.

In 1989, Hendershot entered the United States Marine Corps, and was honorably discharged in 1995 with the rank of Corporal. That same year he graduated from Millersville University with a Bachelor of Arts degree in Sociology/Criminal Justice. While at Millersville, he completed an internship with the University Police Department. After college, Hendershot worked at the Lancaster County Prison as a Correctional Officer, and in March of 1997 began his career in juvenile justice as a probation officer in Wyoming/Sullivan County. He is in his first year of the JCJC-sponsored Weekend Masters Degree Program at Shippensburg University.

Active in the community, Hendershot coaches the wrestling team at Sullivan County High School. Originally from Lycoming County, he lives in Lopez, PA with his wife, Mari, their 2½-year-old son, Jericho, and daughter, Autumn Joy, who is four months old.

“Bill of Rights” for victims of juvenile crime introduced by Senator Jane Earll

Senate Bill 1224 (1557) was introduced by Senator Jane Earll (R-Erie) on December 7, 1999, and was reported unanimously from the Senate Judiciary Committee on February 8, 2000. This bill is the long-awaited legislation which would create a “Bill of Rights” for victims of juvenile crime. The bill is based on the report titled “Proposed Expansion of Pennsylvania’s Victims’ Bill of Rights to Include Victims of Juvenile Offenders,” developed in 1998 by the Juvenile Justice Subcommittee of the Pennsylvania Commission on Crime and Delinquency’s Victims’ Services Advisory Committee.

SB 1224 (1557) amends the Crime

Victims Act, and contains the following provisions:

1. To be notified of certain significant actions and proceedings within the juvenile justice system pertaining to their case, including access to information regarding whether the juvenile was detained or released following arrest, whether a petition alleging delinquency has been filed, and immediate notification of a juvenile’s pre-adjudication escape from a detention center or shelter facility and of the juvenile’s subsequent apprehension.
2. To be accompanied at all juvenile proceedings in accordance with 42 Pa. C.S. §6336 (relating to conduct of hearings) by a family

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The Children’s Home of Reading and Reading Specialists

The Inn at Reading, 1040 Park Road, Wyomissing, PA

Friday, May 5, 2000

8:30 a.m. - 4:00 p.m.

- ✓ Keynote speaker **Dr. Fred Berlin**, M.D., Ph.D., director of the National Institute for the Study, Prevention, and Treatment of Sexual Trauma, and associate professor in the Department of Psychiatry at the Johns Hopkins University School of Medicine.
- ✓ Overview of adolescent sex offending in terms of causal factors, typology, and treatment of juveniles.
- ✓ Panel discussion - the effectiveness of teamwork among treatment professionals, families, and the child welfare and juvenile justice systems in treating the juvenile offender.

For more information call Candy Bickel, 610-478-8266 ext 427

member, a victim advocate or other person providing assistance or support.

3. In cases involving a personal injury crime or burglary, to submit prior comment to the prosecutor's office or juvenile probation office, as appropriate to the circumstances of the case, on the potential reduction or dropping of any charge or changing of a plea in a delinquency proceeding, or diversion of any case, including an informal adjustment or consent decree.

4. To have the opportunity to offer prior comment on the disposition of a delinquent child, to include the submission of a written and oral victim impact statement detailing the physical, psychological and economic effects of the crime on the victim and the victim's family. The written statement shall be included in any predisposition report submitted to the court and be considered by a court in determining the disposition of a juvenile.

5. Upon request of the victim of a personal injury crime, to have the opportunity to submit written comment, or present oral testimony, at a disposition review hearing, which shall be considered by the court when reviewing the disposition of the juvenile.

6. If, upon the request of the victim of a personal injury crime committed by a juvenile, the juvenile is ordered to residential placement, a shelter facility, or detention center, to:

a. receive prior notice of the date of the release of the juvenile, including temporary leave or home pass;

b. be provided with immediate notice of an escape of the juvenile, including failure to return from temporary leave or home pass; and immediate notice of re-apprehension of the juvenile; and,

c. be provided with notice of the transfer of a juvenile who has been adjudicated delinquent, from a placement facility that is contrary to a previous court order or placement plan approved at a disposition review hearing, and to have the opportunity to express a written objection prior to the release or transfer of the juvenile.

7. To be notified of the details of the final disposition of the case, consistent with 42 Pa. C.S. §6336(f) (relating to conduct of hearings).

8. Upon the request of the victim of a personal injury crime, to be notified of the termination of the courts' jurisdiction.

Also included in the bill is a provision which would require all juvenile offenders adjudicated delinquent, or receiving consent decree dispositions, to pay costs of at least \$15; this would then be paid into the Crime Victim's Compensation Fund. Updates on the status of this legislation, as well as printable copies, can be obtained by accessing the Electronic Bill Room on the Legislative Data Processing web page, at www.legis.state.pa.us. Please phone Keith Snyder at 717-787-5634 if you have any questions or need additional information.

Positions Available Bethesda Day Treatment Center

OJJDP announces an open application period for all intensive community-based day treatment programs throughout the northeastern and central Pennsylvania regions. Requirements vary by position. Benefits include medical, prescription, dental, vision, 403(b), vacation, sick, and personal time.

Submit resume or call for more information: Collette Benner, Bethesda Day Treatment Center, P.O. Box 270, West Milton, PA 17886; phone: 570-568-1131

Governor Ridge proposes prevention funding expansion

In his February 4, 2000 radio address Governor Ridge announced an expansion of prevention programming in the state. In order to achieve this goal, Governor Ridge will propose in the upcoming state budget to double the current level of funding of the Governor's Community Partnership for Safe Children to \$ 11 million. This amount will support activities of the Partnership as well as increasing funding available for prevention programming. In addition, the Governor will ask the Pennsylvania General Assembly to enact legislation to make the Governor's Community Partnership for Safe Children a permanent office in state government.

The Partnership, chaired by First Lady Michele Ridge, was established with a primary goal of reducing violence committed by and against Pennsylvania children. According to Governor Ridge, "Over the past five years, the Children's Partnership has improved the quality of life for young people across the state through education, mentoring, and life-skills development." These efforts appear to be paying off: "In Pennsylvania, juvenile crime is down. Teen pregnancy and teen abortions are at an all-time low. Our schools are doing more than ever to keep children and teachers safe. And marijuana use by youngsters has leveled off after a sharp rise throughout the last decade."

In addition to the expansion of prevention efforts, Mrs. Ridge announced that the state was joining forces with General Colin Powell and America's Promise to help more Pennsylvania children.

Rascona-Saylor is Somerset County's new Chief Probation Officer

Vicki Rascona-Saylor has been appointed as the Chief Probation Officer for both the adult and juvenile probation departments in Somerset County. She replaces Robert Bittner, who stepped down from that position in December, 1999.

Rascona-Saylor holds a Bachelor of Science degree in Criminology from Florida State University. She started her career with the

Somerset County Probation Department in 1980 as an employment consultant and held various supervisory positions, including deputy chief of adult probation, before accepting the chief's post.

Rascona-Saylor has two children and is an active community member. She is an ardent supporter of restorative justice and is looking forward to cross-systems implementation of these principles.