

Center for Juvenile Justice Training & Research celebrates 20th Anniversary

Shippensburg University hosts eminent members of juvenile justice community at two-day event.

The Honorable Nicholas Cipriani, senior Judge of Philadelphia Family Court, receives a plaque honoring his extraordinary service to the juvenile court system from Jim Anderson, Executive Director of the Juvenile Court Judges' Commission at the Anniversary Banquet Thursday evening. The Honorable Carole McGinley, Commission Chair, is behind the podium.

Additional coverage and photos on pages 2 and 6



The Center for Juvenile Justice Training & Research at Shippensburg University celebrated its 20th anniversary September 26-27, 2002. In 1982 the Juvenile Court Judges' Commission and Shippensburg University established the Institute for Juvenile Justice Training and Research on the University campus. This education and research arm of the Commission was re-named the Center for Juvenile Justice Training and Research (CJJT&R) in 1983. The Center has grown from a staff of one in 1982 to a complement of 31 and has earned national recognition for its comprehensive training, education, and research programs.

The two-day event began with a luncheon at Heiges Field House on Thursday at which Shippensburg University President Tony Ceddia and the Honorable Carol K. McGinley, Chair of the Juvenile Court Judges' Commission, presented opening remarks. Dr. J. David Hawkins delivered the keynote address at Memorial Auditorium followed by a roundtable discussion titled *Communities That Care and Balanced and Restorative Justice: Building on Our Common Ground*. This discussion explored how the concepts and principles of Communities That Care™ and Balanced and Restorative Justice intersect in

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Members of the roundtable discussion at the 20th Anniversary included the Honorable Arthur E. Grim, Berks County Administrative Judge; Dr. J. David Hawkins, Director of the Social Development Research group at the University of Washington at Bellingham, in Seattle, Washington; Mark Carey, Deputy Commissioner of Juvenile Services for the Minnesota Department of Correction; Susan Blackburn, Juvenile Court Consultant for the Juvenile Court Judges' Commission; and Charles Gray, Community Relations Officer for Delaware County Juvenile Court Services.

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philosophy and practice, and how these initiatives complement one another to the benefit of all Pennsylvanians.

"Way Outside the Box....and Why" was the theme of an address given by Dr. Ronald Sharp, of Alternative Rehabilitation Communities, Inc., at the 20th Anniversary Banquet on Thursday evening. Jim Anderson, Executive Director of the Juvenile Court Judges' Commission, commended Dr. Sharp's "visionary leadership" in creating the Center in 1982.

Anderson presented a plaque to the Honorable Nicholas A. Cipriani, senior judge of Philadelphia County, honoring his extraordinary service to the juvenile courts of America. Tony Ceddia was then recognized for his assistance in bringing the Center to

Shippensburg and for his 20 years of support. The annual award to the outstanding graduate student in the weekend program will now be named The Anthony F. Ceddia Outstanding Scholarship in Juvenile Justice Award.

Following a breakfast on Friday, Clay Yeager, former Director of the Center, served as moderator of a panel presentation titled *Juvenile Justice in Pennsylvania, 1982-2002: A Retrospective*. Panelists included Jim Anderson; victim advocate Valerie Bender; Mike Breslin of Northwestern Academy; York County Judge Emanuel Cassimatis; Marshall Davis, President of the Chief's Council; Philadelphia County District Attorney John Delaney; Bill Ford, Chief Juvenile Probation Officer in Bucks County; Dan Elby, founder of ARC, Inc.; Philadelphia County Supervising Judge Abram Frank Reynolds; Bob Swartz of the Juvenile Law Center; Ron Sharp; and Cambria County Chief Juvenile Probation Officer Cindi Wess. Yeager guided these leaders of Pennsylvania's juvenile justice system through issues that impacted the juvenile justice system from the '70s to the present. The panel expressed its opinions on legislative, societal, psychological, and leadership changes in the system; changes that altered the methods we use to meet the needs of juvenile offenders, their victims, and the community.

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 email or on a disk. We particularly enjoy your photographs, but we ask that these be mailed - we will be happy to return them to you.

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Act 88 provisions effect Philadelphia students who have been adjudicated delinquent

HB 4 (4196) was signed into law as Act 88 of 2002, on June 29, 2002. This legislation contains a wide variety of Public School Code amendments, including a provision that applies to children who have been adjudicated delinquent, and who are attending a public school in the City of Philadelphia.

The Philadelphia Provision

Act 88 amends the Public School Code to add a new § 2134 “Placement of Certain Adjudicated Students” that applies only to the school district of Philadelphia. This new statute provides that: “no student returning from placement or who is on probation as a result of being adjudicated delinquent or who has been adjudged to have committed a crime under an adult criminal proceeding shall be returned directly to the regular classroom.”

The statute further provides that, prior to returning such student to the regular classroom, the school district shall:

- (1) Place the student in a transition center operated by the school district for a period not to exceed (4) weeks.
- (2) Develop a transition plan for the student that includes academic goals, identifies school and community services appropriate to the needs of the student and establishes terms and conditions the student must meet prior to returning to the regular classroom.
- (3) Place the student in an alternative education program as defined in Article XIX-C, in a private alternative education institution as defined in Article XIX-E, in a general education development program or in a program operating after the traditional school day, as provided for in the transition plan developed pursuant to Clause 2.

Please contact Keith Snyder at 717-787-5634, or at ksnyder@state.pa.us, if you have any questions or desire additional information.

Crawford County celebrates Communities That Care™

More than 120 community leaders attended a luncheon in Meadville, Crawford County, celebrating outstanding programs developed through Communities That Care™ (CTC). Those in attendance committed to becoming involved in the next phase of CTC in hopes of reaching out to other areas of the county with prevention planning. Crawford County began the CTC process in 1998.

Carlton Hall, from the Channing-Bete Company, keynoted the event and spoke about the success of research-based programs in community prevention planning. Also speaking were Crawford County Community Mobilizer Rusty Dodds, and Northwest Regional Strategic Consultant Joe Markiewicz. Students involved in local community efforts spoke about the successes they experienced through CTC.

Prevention Partners of Crawford County, the area’s collaborative board, sponsored the day-long event to “kick off” sustainability planning of CTC in Crawford County. It served as the focus to bring new Key Leaders to the collaborative process as they continue to expand delinquency-prevention planning into the next ten years.

The Key Leaders will collect data to update a prevention plan that was originally developed by the group in 1998. The plan addresses priority risk factors that lead to teen pregnancy, school drop-out, substance abuse, violence, and delinquency. The board will revisit the plan, evaluate the programming already in place, then look to additional research-based programs to either enhance existing programs or meet needs not being addressed. The goal of the CTC process is to eliminate problem behaviors in a proactive manner before a young person becomes involved with the juvenile justice system.

For more information on Prevention Partners of Crawford County, contact CTC Mobilizer Rusty Dodds at 814-337-1251 or e-mail rdodds@gremlan.org.



Pennsylvania represented at Special Emphasis States Roundtable in Colorado

Representatives from seven states convened in Keystone, Colorado September 19-21, 2002, for the Special Emphasis States Roundtable. The meeting marked the 10th year of the Balanced and Restorative Justice Project Funded by the National Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The roundtable discussion was hosted by the Community Justice Institute of Florida Atlantic University and led by Dennis Maloney, a Community Justice Fellow with the Community Justice Institute and the BARJ Project, and Dee Bell, Institute Administrator. Guests to the meeting included Jennifer Scanlon, the new director of the Deschutes County, Oregon, Community Justice Agency and Ginny Bard, from South Carolina.

Peter Freivolds, Senior Program Manager from OJJDP, informed the group of his support for the project, and reiterated the importance of establishing and measuring outcomes. Mara Schiff, of the Community Justice Institute of the Florida Atlantic University, presented a preliminary report on her case studies of the individual Special Emphasis States and their approach to the implementation of balanced and restorative justice. The information gleaned from this study will serve to inform the OJJDP of the success each state is experiencing as they seek to implement balanced and restorative justice.

Carin Harp from the American Prosecutors' Research Institute (APRI) of the National District Attorney's Association (www.ndaa-apri.org) presented the recently developed policy positions of their juvenile justice committee. The Juvenile Justice Committee's policy manual now endorses balanced and restorative justice principles. Of special interest to Penn-

sylvanians involved in the juvenile justice system is the availability of two concept papers written by Doug Thomas, from the National Center for Juvenile Justice, and Dennis Maloney, titled, "Measuring the Performance of Balanced and Restorative Justice" and "Measuring Impact: The Next and Necessary Challenge for the Juvenile Justice System."

Maloney briefed the group on the integration of the principles of balanced and restorative justice into the federal language on offender re-entry and presented a developing concept paper, "Doing Time Doing Good." Judge Don Costello, judicial director and senior advisor of the International Centre for Healing and the Law, presented information about a new initiative funded by the Fetzer Institute (www.fetzer.org). The goal is to restore the legal profession to service in the spirit of public good. Judge Costello quoted from Chief Justice Berger who stated that "the obligation of the legal profession...is to serve as a healer of public conflict." The Centre will convene a number of events and activities to investigate the promotion of healing and the law.

Pennsylvania and Colorado will serve as demonstration sites for the OJJDP/ BARJ Project. Both states will receive additional technical assistance to showcase integrated balanced and restorative justice practices. Participants from Pennsylvania included: Margery Miller, Balanced and Restorative Justice Coordinator for Montgomery County; Valerie Bender, Balanced and Restorative Justice Consultant for the Pa. Council of Chief Juvenile Probation Officers; Susan Blackburn, Balanced and Restorative Justice Specialist with the Juvenile Court Judges' Commission, and Marcella Szumanski, Juvenile Justice Program Analyst with the Pennsylvania Commission on Crime and Delinquency.

For copies of the re-entry articles, call Susan Blackburn at 717-477-1411 or by e-mail at sblackburn@state.pa.us

Act 57 also known as the “Fair Share Act”

Governor Schweiker signed SB 1089 (2082) into law as Act 57 of 2002 on June 19, 2002. The most publicized aspect of this legislation was associated with amendments to 42 Pa. C.S. §7102 “Comparative negligence” that deleted existing law governing recovery against joint defendants in civil proceedings and inserted new provisions. The new provisions provide that each defendant found negligent or strictly liable for an injury would be responsible for his share (percentage) and only his share of the total damages awarded to compensate the plaintiff for the injury sustained. The amendments to §7102 caused the bill to be known informally as the “Fair Share Act.”

DNA Provisions

This legislation also repeals the DNA Detection of Sexual and Violent Offenders Act (Act 14 of Special Session No. 1 of 1995) and re-enacts the Act in Title 42. Act 57 provides that the statute applies “to incarcerated persons convicted or adjudicated delinquent for a felony sex offense prior to the effective date of the chapter.” Any person who has been convicted or adjudicated delinquent of a felony sex offense or other specified offense and who serves a term of confinement in connection therewith, on or after the effective date of this legislation, may not be released in any manner unless and until a DNA sample has been withdrawn.

Of significance are provisions of Act 57 that add to list of offenses that constitute a “felony sex offense” and “other specified offense” for the purposes of DNA sample collection for the Pennsylvania State Police (PSP) DNA database.

Additions to the definition of “felony sex offense” include violations of the following:

- 18 Pa. C.S. §4302 (relating to incest)
- 18 Pa. C.S. §5902(c)(iii) and (iv) (relating to prostitution and related offenses)
- 18 Pa. C.S. §5903(a) (relating to obscene and other sexual materials and performances) where the offense constitutes a felony
- 18 Pa. C.S. §6318 (relating to unlawful contact or communication with minor) where the most serious underlying offense for which the defendant contacted or communicated with the minor is graded as a felony

Additions to the definition of “other specified offense” include violations of the following:

- 18 Pa. C.S. §2901 (related to kidnapping)
- 18 Pa. C.S. §2910 (related to luring a child into a motor vehicle)
- 18 Pa. C.S. §3502 (relating to burglary)
- 18 Pa. C.S. §3701 (relating to robbery)

Unless the court finds that undue hardship would result, a mandatory cost of \$250, which must be in addition to any other costs imposed pursuant to statutory authority, must automatically be assessed to any person convicted, adjudicated delinquent, or granted Alternative Rehabilitative Disposition (ARD) for a felony sex offense or other specified offense. All proceeds from costs imposed must be transmitted to DNA Detection Fund, established in the State Treasury, and appropriated to the Pennsylvania State Police on a continuing basis to carry out the provisions of this legislation.

The addition of the crimes of burglary and robbery to the definition of “other specified offense” will have a significant impact in certain jurisdictions, and perhaps at the PSP.

The provisions of Act 57 relating to DNA Data and Testing become effective on December 16, 2002. Please contact Keith Snyder at 717-787-5634, or at ksnyder@state.pa.us, if you have any questions or desire additional information.

Reauthorization of federal OJJDP

On October 3, 2002, the conference agreement on H.R. 2215, the 21st Century Department of Justice Appropriations Authorization Act, was cleared for President Bush’s signature. Among the provisions of H.R. 2215 was the reauthorization of the OJJDP act 2002, which reauthorizes the federal Office of Juvenile Justice and Delinquency Prevention. Upon enactment of this legislation, a summary of significant provisions will be provided in a future issue of Pennsylvania Juvenile Justice.



The staff of the Center for Juvenile Justice Training & Research on the first day of a two-day celebration in honor of the 20th Anniversary of the creation of the Center by the Juvenile Court Judges' Commission and Shippensburg University.

Staff was photographed on the steps in front of Horton Hall at Shippensburg University.

JCJC/OCYF host training on ASFA, IV-E, and Model Petitions and Court Orders

The Juvenile Court Judges' Commission, in cooperation with the Office of Children, Youth and Families, sponsored a training program titled *ASFA, IV-E, and Model Petitions and Court Orders: What Chief Juvenile Probation Officers Need To Know* on September 19, 2002, in State College. The program was well attended with more than 130 people registered from 56 counties.

David Evrard, Allegheny County's Juvenile Justice Planner, began the program by presenting information on the funding of county services. Evrard gave a brief overview of Act 148, IV-E, TANFBG, and the Medical Assistance funding streams followed by a question and answer period. Anne Shenberger, Southeast Regional Director for the Office of Children, Youth and Families, spoke about various IV-E issues affecting juvenile probation departments, including the concept of shared case management, and procedures for counties to follow in obtaining federal reimbursement for juvenile probation administrative costs.

Cecilia Fiermonte, Assistant Director of Child Welfare of the American Bar Association, presented a national perspective on the Adoption and Safe Families Act (ASFA) and its applicability to juvenile justice cases, and James Anderson, Executive Director of the Juvenile Court Judges' Commission, concluded the training program by reviewing the purposes of the model court orders and petitions involving delinquent children.

