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Juvenile Court  
Judges'  
Commission

# PENNSYLVANIA JUVENILE JUSTICE

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## Asleep at the Switch: The resurgence of drugs, kids, & consequences

**A**sleep at the Switch: The Resurgence of Drugs, Kids, and Consequences was the name of a drug abuse prevention summit held March 6, 2003, at the Community College of Beaver County, in Monaca, Pennsylvania.

The event was sponsored by the 22 Communities That Care® organizations of Southwestern Pennsylvania, the Community College of Beaver County Prevention Project, Heritage Health Foundation, Inc., Purdue Pharma, and the Urban League of Pittsburgh Duquesne Community Mobilization Project.

This multi-disciplined summit featured presentations by nationally recognized experts, state officials, and local experts, and incorporated ideas and suggestions from attendees. The event provided important information surrounding drug abuse, including data, trends, what local authorities are doing, how schools and government are responding. It also provided an opportunity for community members to share ideas or concerns.

Approximately 138 people attended the summit. The speakers and their topics included: Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration (SAMHSA) of U.S. Department of Health and Human Services provided an overview of the national perspective and described

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**Taking part in "Asleep at the Switch," a drug abuse prevention forum held March 6 in Beaver County, are (from left): Charles Gray, PCCD/OJJDP, Tracy Snyder, CTC Southwest Region Co-Chair, Charles Curie, Administrator SAMSHA, Ray Coleman, CCBP Prevention Project, Heather Reeves, CTC Southwest Region Co-Chair, and Clay Yeager, Director of Community Partnerships for Purdue Pharma.**

## SB 109 moves in Senate

**S**B 109(106) was introduced by Senator Michael O’Pake (D-Berks) on February 3, 2003. The intent of this legislation is to bring the provisions of the Juvenile Act that govern public access to information contained in law enforcement records and files into conformity with Juvenile Act provisions governing public attendance at juvenile delinquency hearings.

The legislation amends the Juvenile Act at 42 Pa.C.S. §6308(b) “Public availability” to incorporate the criteria from §6336 for the purpose of ensuring that if a child is adjudicated delinquent for an offense that would have triggered the open hearing provisions of the Juvenile Act under §6336, information regarding the child’s case could be released under §6308.

Likewise, the bill provides that information could be released to the public upon the filing of a petition for an offense that triggers the open hearing provisions at §6336(e) if the child has previously been adjudicated delinquent for an offense which is listed among those which trigger the open hearing provisions of §6336. This legislation is based on SB 818(1514) of the 2001-2002 legislation. SB 109(106) was reported from the Senate Judiciary Committee on February 3, 2003, and was referred to the Senate Appropriations Committee on February 25, 2003.

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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several SAMHSA initiatives.

Clay R. Yeager, Director of Community Partnerships for Purdue Pharma, explained that Purdue Pharma is the first corporate sponsor of Communities That Care.®

Charles C. Gray, Director of the Office of Juvenile Justice and Delinquency Prevention at PCCD, provided an overview of the Communities That Care® model and described how CTC and Weed and Seed function well together.

Robert M. Grom, President and CEO of the Heritage Health Foundation, Inc., provided a description of early childhood education programs offered by his agency and described how early education is a tool for community development.

Thomas W. Corbett, Jr., attorney with Corbett and Associates, drew upon his many years in state government to discuss current trends relating to drugs and crime and described how predicted state budgetary constraints will impact upon drugs and crime.

Edward Cartwright, President of the Pennsylvania Chapter of the National Association of Drug Diversion Investigators, talked about drugs effecting the local area and how prescription drugs are illegally obtained and sold.

Dr. Wanda Filer, MD, founder of the Strategic Health Institute, gave a doctor’s perspective on pain management and prescription drug abuse.

Dennis C. Daley, PhD, Associate Professor of Psychiatry at the University of Pittsburgh School of Medicine and Chief of Addiction Medicine Services at Western Psychiatric Institute and Clinic of UPMC Presbyterian, discussed how adolescents are treated for substance abuse.

Lillie M. Leonardi, Community Affairs Specialist with the Federal Bureau of Investigation, presented information on community and school-based drug abuse prevention and education efforts.

A panel discussion facilitated by Clay Yeager was held at the end of the day providing audience members the opportunity to share their ideas and ask questions of the experts.

# Review of Research: Holding Serious Juvenile Offenders Responsible: Implications from Differential Oppression Theory

by John D. Hewitt and Robert M. Regoli

Note: This research article was published in *Free Inquiry in Creative Sociology* (30) 1, 2002.

In their article, Hewitt and Regoli examine the issue of whether juvenile offenders should be treated in a similar manner as adult offenders. They do this within the context of the theory of differential oppression.

Differential oppression theory argues that delinquents and their actions are a consequence of adult perceptions and treatment of children as inferior persons. Hewitt and Regoli argue that because of their social and legal status, children have little power to affect their social world. Compared to adults, children have limited resources available to manipulate others. A natural outgrowth of this is that when members of a group experience themselves as objects rather than subjects they operate according to a self-defeating consciousness because, as objects, they assume they are powerless and eventually accept the devalued vision of themselves projected upon them by the more powerful group.

According to the authors, differential oppression theory is organized around four (4) principles. The first is that adults emphasize order in the home and school by establishing rules. Any violation of these rules by children is seen by adults as a threat to their own conceptions of good order. The second principle is that adults perceive children as inferior, subordinate beings and as troublemakers. Third, the imposition of adult conceptions of order on children may become extreme to the point of oppression. Adult attempts to establish order frequently lead to "arbitrary rule enforcement, censure, and punishment" (p. 2). The last principle is that this oppression leads to adaptive reactions by children. This oppression of children produces at least four major adaptations: passive acceptance, exercise of illegitimate coercive power, manipulation of one's peers, or retaliation. Hewitt and Regoli argue that children who experience more frequent and severe forms of oppression are more likely to respond to their oppression in ways defined as delinquent.

The authors argue that this theory has definite policy implications for dealing with serious and chronic juvenile offenders and that the tenets on which the juvenile court was founded over 100 years ago (treatment and rehabilitation) are no longer effective for dealing with juvenile delinquents today

because children today are different than they were in 1899. Hewitt and Regoli state that juveniles today differ from their counterparts 100 years ago in five (5) main ways.

First, young children are portrayed in the media as "miniature adults" (p. 5). Second, children enter puberty at a much younger age today than they did when the juvenile court was first established. Third, children in the new millennium are exposed to much more formal education than their peers of 1899. Fourth, adolescents today are significant players in the modern consumer-driven economy (about 31 percent of children between the ages of 14 and 17 work in regular jobs). And fifth, today's delinquent acts are much more serious and frequent than the delinquent acts of 100 years ago and occur at a younger age.

Differential oppression theory claims that much delinquency is the product of who children are in relation to adults. By defining children as objects and incapable of sufficiently mature reasoning and responsible action, it "becomes easy to deny them criminal responsibility and thus to regulate them to enforced treatment" (p. 6) and rehabilitation in the juvenile justice system.

Hewitt and Regoli argue that to be consistent with the underlying premises of differential oppression theory that "children are competent, responsible, autonomous subjects who should be allowed the authorship of their own lives," they must be held criminally responsible for their "serious delinquencies" (p. 7). The authors conclude that juvenile delinquents must be held responsible for their wrongful acts, even if it means treating them as adult criminals. Treating children as adults for the decisions they make is being respectful of them as autonomous agents. "The beginning of this new millennium may be the right time to start recognizing the full humanity of children, to grant them their moral value, and to hold them equally responsible for their choices, be they good or bad" (p. 7).

## Senator Greenleaf introduces enabling legislation for new Interstate Compact for Juveniles

**S**B 319(334) was introduced by Senator Stewart Greenleaf (R-Montgomery) on February 13, 2003. Entitled the "Interstate Compact for Juveniles Act," the passage of this legislation would enable Pennsylvania to join this new Interstate Compact. The effective date of the proposed Compact is July 1, 2004, or upon the Compact's enactment into law by the 35<sup>th</sup> state.

The legislation provides that any state, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands are eligible to become compacting states. Since the Compact will become effective and binding upon legislative enactment of the Compact into law by no less than 35 of the states, there is an incentive for individual states to be among the first 35 states to enact the Compact.

The current "Interstate Compact on Juveniles" was created in 1955. This Compact has been severely compromised due to incomplete adoption of three subsequent amendments to the Compact and by the individual actions of states. Pennsylvania is one of only seven states that have adopted the original Compact and the three subsequent amendments. Consequently, there is substantial inconsistency in interpretation and application of the existing Compact. Essentially, common agreement among states concerning what types of juveniles can be sent to other states for supervision does not exist, and there is no authority to hold states accountable for following Compact rules.

The newly proposed "Interstate Compact for Juveniles" is the result of a nationwide effort begun in 2000. By ratifying this Compact, the participating states and territories would create a governing body known as the Interstate Commission for Juveniles. This Commission would consist of one commissioner from each member state or territory. This Commission would promulgate the rules to implement the purposes and obligations of the Compact and would oversee, supervise and coordinate the interstate movement of juveniles subject to the terms of the Compact. Each participating state would be required to create a "State Council" for interstate

juvenile supervision. Although each state could determine the membership of its council, the members must include at least one representative from the legislative, judicial and executive branches of government, victims' groups, and the Compact administrator, deputy Compact administrator or designee. The "State Council" would advise and exercise oversight and advocacy concerning the state's participation in the Compact.

The passage of this legislation would repeal the current provisions of the Public Welfare Code containing the current "Interstate Compact on Juveniles." This repeal would be effective when the new Compact becomes effective and operative between Pennsylvania and any other states.

SB 319(334) was reported from the Senate Judiciary Committee on March 4, 2003, and was referred to the Senate Appropriations Committee on March 5, 2003.

# Save the Date!

## May 15-16, 2003

### Juvenile Justice Trainer's Association Conference

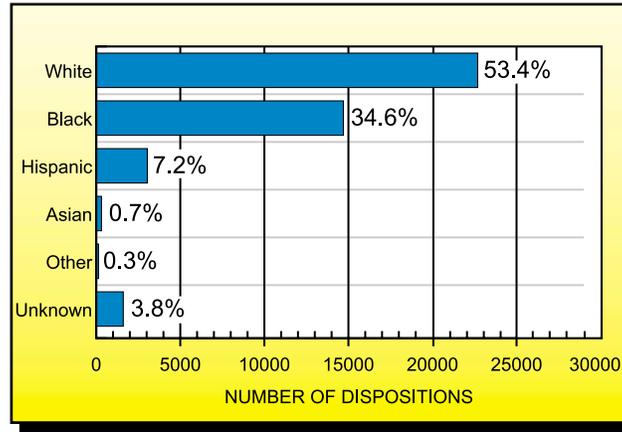
**Featuring workshops by national trainers**

**Holiday Inn Harrisburg East  
Harrisburg, PA**

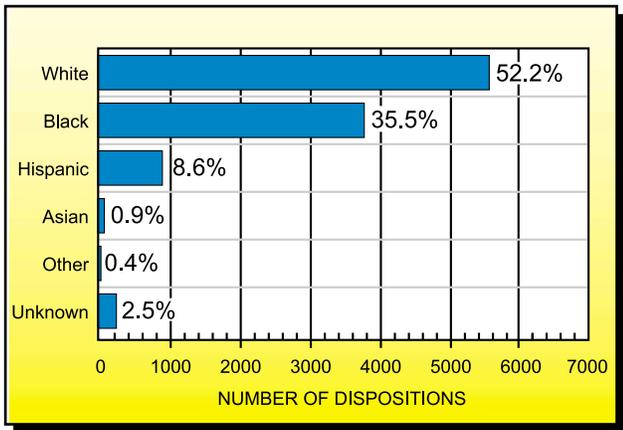
**For information email Launa Kowalczyk  
launatk@aol.com**

# Selected Dispositions by Race and Ethnicity, 2001

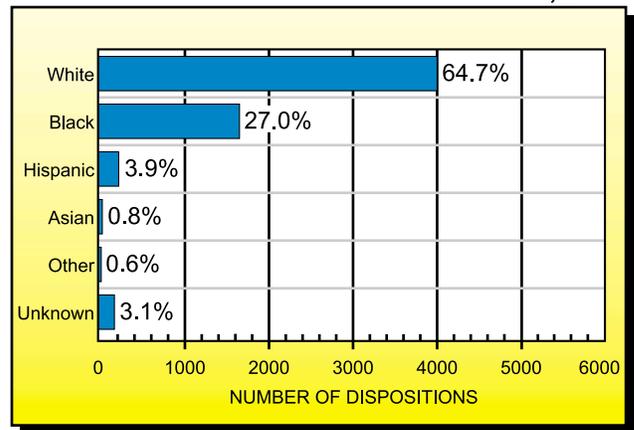
ALL DISPOSITIONS N = 42,486



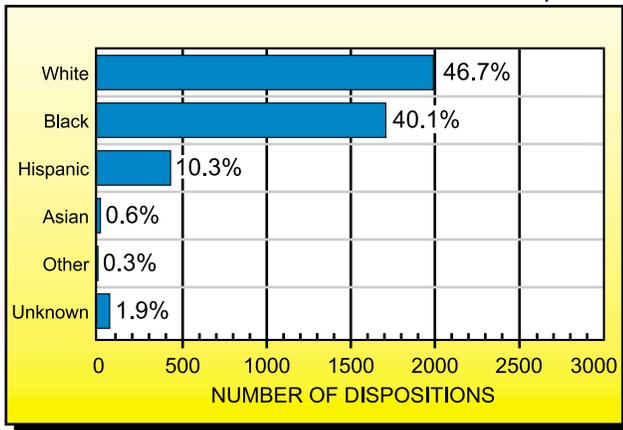
PROBATION N = 10,701



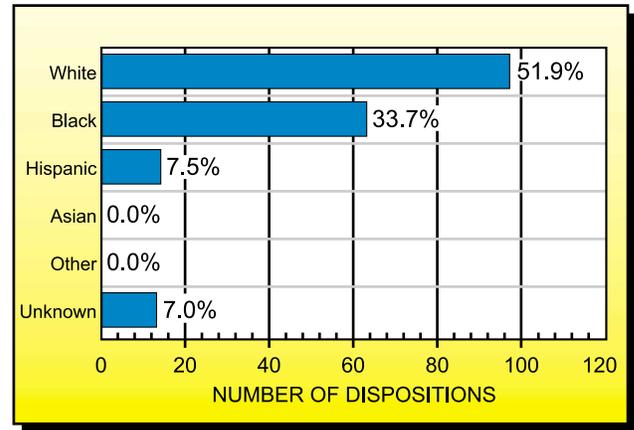
CONSENT DECREE N = 6,235



PLACEMENT N = 4,296



TRANSFER TO CRIMINAL COURT N = 187



Note: Does not include disposition and placement reviews.

# **April is National Child Abuse Prevention Month**

**In recognition of the efforts being made to address child abuse locally and across the Commonwealth of Pennsylvania, the Franklin County Children and Youth Service and the Children's Aid Society of Franklin County invite you to attend a conference on child abuse issues.**

## **Cherish the Child Conference**

**April 3, 2003  
8:30 a.m. - 2:45 p.m.**

Franklin Fire Company  
158 West King Street  
Chambersburg, PA

This free conference is open to  
all child care professionals.

Lunch will be provided.

Wayne Stevenson, Deputy Director of the Department of Public Welfare's Office of Children, Youth, and Families will be the keynote speaker.

Earl Greenwald, M.D., Medical Director, and Debbie Bauer, LSW, of the Children's Resource Center of Harrisburg Hospital will provide training on child abuse detection.

Michael W. McCalpin, Director of the Center for Juvenile Justice Training and Research at Shippensburg University will moderate a panel discussion on local policy and procedures relating to child abuse investigations.

For more information email  
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