

# PENNSYLVANIA

Commonwealth of Pennsylvania,  
Edward G. Rendell, Governor



## Juvenile Justice

THE NEWSLETTER OF THE PENNSYLVANIA JUVENILE COURT JUDGES' COMMISSION

Volume 18, Number 11

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### 2010 Pennsylvania Conference on Juvenile Justice

The 2010 Pennsylvania Conference on Juvenile Justice, sponsored by the Juvenile Court Judges' Commission, the Pennsylvania Council of Chief Juvenile Probation Officers, and the Juvenile Court Section of the Pennsylvania Conference of State Trial Judges was held November 3-5, 2010 at the Harrisburg Hilton and Towers. This year, nearly 1,000 individuals registered for the conference.

#### Professional Caucuses

The Conference began on November 3rd, 2010, with an opportunity for participants to join with colleagues from their area of specialty within Pennsylvania's juvenile justice system in Professional Caucuses, to discuss issues of mutual concern and interest. Caucuses were held in the following areas of specialty: Juvenile Court Masters and Juvenile Court Judges; Chief and Deputy Chief Juvenile Probation Officers; Juvenile Probation Supervisors; Juvenile Probation Officers; Victim Services; and Service Providers. A summary of issues discussed in each of these causes will appear in next month's newsletter.



#### Juvenile Defender Training

Over sixty juvenile defenders from across Pennsylvania attended the 2010 Conference on Juvenile Justice, and participated in a separate training track developed exclusively for them on Wednesday, November 3rd. Presentations for juvenile defenders included: Using the Science of Adolescent Development in the Courtroom; Ethical Concerns Raised by the Interbranch Commission on Juvenile Justice; Immigration Consequences of Juvenile Adjudications of Delinquency; and Case Law Update. A "Judges Roundtable" was also held on Thursday, November 4th, at which time juvenile court judges joined the defenders for lunch.

#### Youth Awards Program

The 2010 Youth Awards Program was held on Wednesday evening, November 3rd, and was attended by more than 500 people. Young people were recognized for being selected as winners in Poster, Creative Expression, and Outstand-

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#### Reminders:

January is **National Mentoring Month**. To learn more about how to get involved in your area **[click here](#)**:



ing Achievement award categories. This year's Youth Awards Speaker was Carlos Ojeda, Jr., who shared his compelling story of overcoming various obstacles to pursue a career of life-long learning and educational success, becoming the first person in his family to graduate from college - with honors. Carlos spoke about the difficulties



he faced in school, as his teachers rarely understood his social, economical and cultural background, and often told him that he would never amount to anything. He is now a published writer, poet and speaker, and represents a model of transformational leadership, speaking on issues of education, empowerment, and progress.

## Welcome and Keynote Presentation

On Thursday morning, November 4th, Judge Arthur E. Grim, Chairman of the Juvenile Court Judges' Commission, gave the "Conference Welcome", and noted that with its unique combination of training, professional caucuses, awards programs, and Resource Day, the Pennsylvania's annual juvenile justice conference is regarded as the premier state-level juvenile justice conference in the nation.

The Keynote Presentation was provided by the Honorable Steven C. Teske, sitting judge in Clayton County, Georgia. Since being appointed to the bench in 1999, Judge Teske has received national recognition for his leadership in developing comprehensive collaborative approaches to address juvenile detention reform, "zero tolerance" policies in schools, and the implementation of evidence-based practices. Judge Teske is the immediate Past-president of the Georgia Council of Juvenile Court Judges and is Georgia's representative on the Federal Advisory Committee on Juvenile Justice. He has testified frequently before federal and state legislative bodies, including Pennsylvania's House Committee on Children and Youth this past



June, where he was invited to speak regarding his approach to juvenile court innovation and collaboration.

During his Keynote Presentation, "**The Dichotomy of Judicial Leadership: Working with the Community to Improve Outcomes for Youth**", Judge Teske addressed the importance of judicial leadership in building and sustaining productive community partnerships and resources for children and families.

## Workshops

Over 600 people registered to attend twenty-eight different workshops on Thursday, November 4th. The workshops included:

### Morning Workshops

- Judicial Intervention + Collaboration = Graduation: Working Together to Solve School Attendance Problems - The York County Experience
- The Sanctuary Model of Trauma-Informed Care and its Positive Impact at Saint Gabriel's Hall
- The Enhanced Programming Model at Glen Mills Schools
- Trauma Informed Care, Balanced & Restorative Justice, and Youth Resilience
- Delinquent Youth Learn to Earn: Pennsylvania Academic and Career Technical Training (PACTT) in Practice
- Can The School Do That? What Juvenile Justice Professionals Need to Know About School Discipline Laws
- The New Interstate Compact for Juveniles: Promoting Public Safety, Victims' Rights and Juvenile Accountability
- Pennsylvania's Quality Improvement Initiative (Qii): Assessing Program Effectiveness
- Combating Gang Involvement: The Lehigh County Youth Crime and Violence Task Force Model
- Juvenile Sex Offender Reintegration: Promoting Community Protection and Family Safety
- The Pa. Collateral Consequences Checklist: Understanding the Impact of Adjudications of Delinquency
- Safer, Saner Schools: Closing the School to Prison Pipeline with Restorative Practices
- Building an Evidence-Informed Family Therapy Model: The Wesley Spectrum Experience
- Engaging Youth in Prevention: School Asset Councils

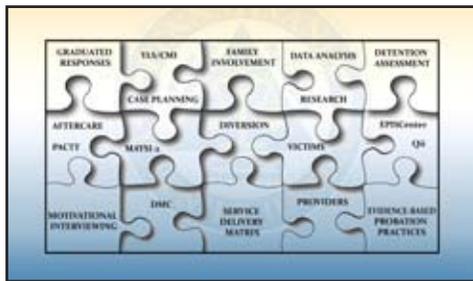
### Afternoon Workshops

- Aggression Replacement Training®: An Evidence-based Model for Addressing Youth Aggression
- Trauma Informed Care for Girls
- Zero tolerance =Zero Intelligence: Judicial Strategies to Reduce School Referrals and Improve School and Community Safety (Judges only)
- Pennsylvania EZAccess Web Data Query: A New Tool for Juvenile Delinquency Data Analysis
- Putting Research into Practice: Practicum Studies from the JCJC-Sponsored Graduated Education Program

- PATHWAYS to Success: Promoting academic advancement, workplace skills, and self-sufficiency for Westmoreland County Youth
- The Role of the Juvenile Defender in the Courtroom
- Youth Courts: Bridging the Juvenile Justice and Education Systems
- Blending Family Group Decision Making and Restorative Group Conferencing: A Pennsylvania Pilot
- Promising Approaches to Improving School Performance and Truancy: The Allegheny County Youth Advocate Program (YAP) Model
- Restorative Discipline in Schools: What Does It Look Like?
- Responding to Adolescent Dating Abuse and Electronic Harassment
- The MAYSI Detention Screening Initiative 1999-2010: Implications for Policy and Resource Allocation
- Improving Educational Outcomes for System-Involved Youth

### Thursday Afternoon Plenary Session

During the afternoon plenary session entitled “Pennsylvania’s Juvenile Justice System Enhancement Strategy: Institutionalizing Lessons Learned



From Models for Change”, the major achievements of Pennsylvania’s Models for Change partnership with the John D. and Catherine T. MacArthur Foundation were highlighted. Judge Arthur E. Grim paid tribute to: Laurie Garduque, Director, Juvenile Justice, for the MacArthur Foundation’s Program on Human and Community Development; Robert Schwartz, Executive Director, Juvenile Law Center; and Autumn Dickman, JLC’s Project Manager for the Models for Change initiative.

Then Keith Snyder, Deputy Director of the Juvenile Court Judges’ Commission, moderated a panel discussion centered on a comprehensive strategy to implement evidence-based practices throughout the juvenile justice system. The panel of stakeholders shared their experiences in implementing evidence-based practices, and discussed the components of, and opportunities for participation in, a comprehensive juvenile justice system enhancement strategy that is being developed to ensure the expansion and sustainability of these efforts.

Panel members included: Elizabeth Fritz, Chief Juvenile Probation Officer in Lehigh County; Michael Pennington, Director of the Office of Juvenile Justice and De-

linquency Prevention for the Pennsylvania Commission on Crime and Delinquency (PCCD); Robert Stanzione, Chief Juvenile Probation Officer in Bucks County and current President of the Pennsylvania Council of Chief Juvenile Probation Officers; Richard Steele, Director of Policy and Program Development for Pennsylvania Juvenile Court Judges’ Commission; and Robert Williams, Chief Juvenile Probation Officer in Berks County.

### Annual Awards Program and Dinner

Thursday’s activities concluded with the 30th Annual Awards Program and Dinner. The Juvenile Court Judges’ Commission and the Pennsylvania Council of Chief Juvenile Probation Officers honored both individuals and Programs for their outstanding work in Pennsylvania’s juvenile justice system. *(See page 4 for this year’s award winners)*

### MacArthur Models for Change Forum

The Juvenile Law Center hosted the final Models for Change Forum on Friday morning of the Annual Juvenile Justice Conference. This session highlighted ways in which Pennsylvania’s experiences, lessons learned, tools, and products developed under Models for Change are already being used to inform reform efforts and policy changes in jurisdictions around the country. Members of the National Resource Bank who have been working across Models for Change states, provided examples of how they have seen or used Pennsylvania work on diversion, implementation of MAYSI at intake probation, development of evening reporting centers, use of detention assessment instruments, etc., in other jurisdictions. Speakers included: Valerie Williams, Co-Director of the National Youth Assessment Project, Susan Broderick, Project Director, Georgetown University Center for Juvenile Justice Reform, Dana Shoenberg, Senior Staff Attorney, Center for Children’s Law and Policy, and Patricia Campie, Executive Director, National Center for Juvenile Justice. Representatives from DC-based Center for Children’s Law and Policy and the Georgetown University Center for Juvenile Justice Reform. Juvenile Law Center’s Executive Director, Bob Schwartz, moderated.

### Resource Day

The 2010 Annual Conference on Juvenile Justice concluded with Resource Day. Conference participants had the opportunity to learn about new, innovative, and creative approaches to working with juveniles. Representatives from private and public residential programs, informational services, technology services, and other vendors were available to present information and discuss products and services.

Juvenile Court Judges' Commission congratulates all of the

## *2010 Award Winners*



Corynne Messersmith



Joshua Leskovac



Jenny Naugle



Kim Smith



Robert Askew



Jessica Badillo



Carole Pike



Peter Cherellia, Esq.



Anthony Ricco



Meghan Sgro



Michael Schneider

## *Congratulations!*

# "A special guy, who everyone loved"

Reprinted with permission from *The Daily Local News*

By MICHAEL P. RELLAHAN

Staff Writer

<http://dailylocal.com/articles/2010/10/25/news/doc4cc5f655876ae572045420.txt?viewmode=fullstory>

George Bratcher, who turned a youthful brush with the law into a long career of service to Chester County youths as a probation officer, athletic coach and counselor, died Monday. He was 70.

Bratcher had been admitted to Lankenau Hospital to undergo heart surgery earlier this month and had been expected to recover then suffered a heart attack about 2 a.m. Monday.

"George was a special guy who everyone loved," said Patrick Carmody, the county's first assistant district attorney, a longtime friend of Bratcher. "And if you think about all the lives that he influenced positively, it's incredible. There were so many people who were beholden to George. He was an inspiration."

A renowned local high school, collegiate and professional athlete, Bratcher served as a juvenile probation officer and case supervisor in the county for almost 40 years. After his retirement, the department's Juvenile Probation Officer of the Year award was named in his honor. He regularly attended the awards ceremonies held during Juvenile Justice Week in October, including the most recent ceremony on Oct. 6.

To those who knew him, Bratcher epitomized the characteristics that someone overseeing young offenders must have to be successful, bringing together the right amount of toughness and understanding, said Don Corry, deputy chief of juvenile probation, on Monday.

"You have to be both a social worker and a law enforcement officer in this job," Corry said. "The best people are the ones who balance that in the right way. George helped turn around literally thousands of young lives."

Bratcher is also known as the father of Brian Bratcher, a West Chester high school football player whose traumatic injury on the playing field gave rise to the annual Brian's Run, a charity race benefiting the disabled.

Ironically, Bratcher became a probation officer because the former head of the county probation department, John Humanick, remembered him from an incident that landed Bratcher in trouble in the 1950s when Bratcher was 15.

During a fight between groups of youths on Market Street in West Chester, Bratcher had gone to check on the commotion. Police who responded arrested everyone there, and Bratcher was among those sent to the county's Juvenile Detention Center for three days.



But Humanick, who was assigned to oversee Bratcher's case, determined Bratcher had been an innocent bystander and eventually took a liking to him.

"The thing that usually got me was his smile," Humanick said. "He was big ... and he had that smile."

Years later, after Bratcher had worked in youth programs at the West Chester Community Center and the West Chester Area School District, Humanick approached Bratcher about work in the juvenile probation department. Bratcher started in 1968 and retired in 2006 after 38 years.

After his stay in detention Bratcher remembered that his father "beat me all the way home," but Bratcher said his own approach toward the youths he supervised was more respectful than harsh. If he was guided by any particular philosophy, he told an interviewer in 1993, it was "to treat people the way I want to be treated and, above all, to be honest."

Ed Messikomer of Pennsbury, who played basketball alongside Bratcher on the West Chester High School team that won the Ches-Mont League title in 1957, said Bratcher's background must have influenced his attitude toward those with whom he worked.

"Back in the 1950s, when George was growing up, African-Americans didn't have the same sort of opportunities they do today," Messikomer said Monday. "But he was a success. And working with kids all his life, maybe he said to himself, 'I'm going to help kids who are going through a tough time, because it was tough for me, too.'" When Bratcher retired in 2006, former Common Pleas

Judge Paula Francisco Ott, who oversaw Juvenile Court at the time, praised Bratcher for his dedication, which she said she had witnessed ever since first meeting him in the mid-1970s.

“Even at his young age, he exemplified a strength and kindness that had a calming effect on youths and their families,” Ott said.

Born in West Chester on the Fourth of July, 1940, Bratcher graduated from West Chester High School in 1958, a year after winning the basketball title.

“George was the best athlete I’ve ever seen,” Messikomer said Monday. “He was strong, he was fast, and he had great hands.”

In addition to basketball, Bratcher played football with exceptional skill, starring at four positions at Delaware State College, from which he graduated in 1962.

After college, Bratcher pursued a career in professional football, signing with the Saskatchewan Rough Riders in the Canadian Football League as an offensive lineman. He also played for the semipro Media Giants before suffering a knee injury.

Although he had initially tried a career as a school teacher in West Chester, he found the setting restrictive.

“I like to motivate,” he told an interviewer once. “I think I was really born a salesman. I like to convince people.” Bratcher worked as physical education director at the community center and later as a counselor at Peirce and Stetson middle schools, where he was working when Humanick offered him a job in the juvenile probation department.

He also was a longtime Little All-American Football league coach and saw his two sons play the game, one with tragic consequences.

In 1978, during a preseason scrimmage at B. Reed Henderson High School, Bratcher’s son Brian was tackled and suffered a severe spinal cord injury, rendering him a quadriplegic. Confined to a wheelchair, Brian Bratcher became a symbol for those suffering life-changing injuries through the annual Brian’s Run, which aids West Chester University and area students with medical expenses.

Although he had suffered from diabetes for several years, the disease began to take its toll when he entered his 60s. He lost both feet and later both legs, but his condition turned for the better after a kidney transplant. His sister-in-law donated the organ that saved him. A part-time shoe salesman, Bratcher joked when he got his artificial legs that he had been waiting expectantly for them so he could wear a pair of shoes he had already picked out.

As news of his death spread Monday through the Chester County Juvenile Center, many stopped to remember Bratcher’s good humor and calm effectiveness.

Greg Marshall, who serves as the county special master for Juvenile Court, said Bratcher had changed lives of teenagers and adults alike through the force of his personality.

“George made you want to be a better person,” Marshall said. “The manner in which he cared about others and the way he dealt with challenges and adversity made you realize that you weren’t doing enough with your time here on earth. I will miss him dearly but hope to carry forward the lessons he taught me.”

# SAVE THE DATE



## The 2011 Pennsylvania Conference on Juvenile Justice

### November 2-4, 2011

*at the Harrisburg Hilton & Towers*

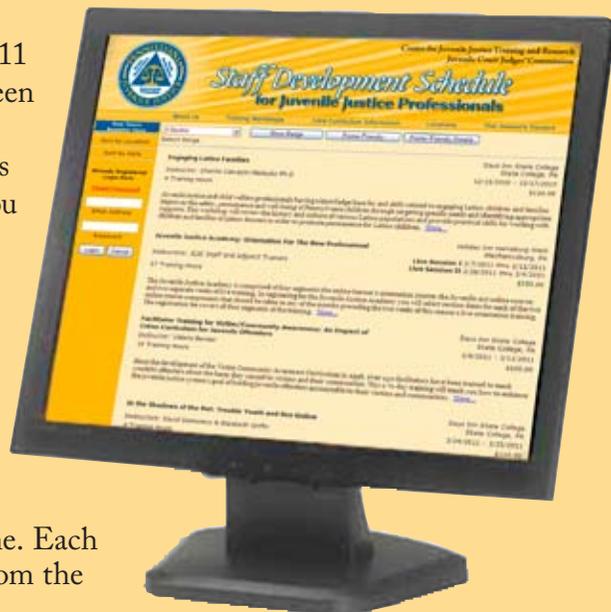


Registration open in August: [www.jcjc.state.pa.us](http://www.jcjc.state.pa.us)

## Staff Development Highlights:

### A New, easy-to-use registration system for CJJT&R training is released

Significant enhancements to the JCJC /CJJT&R staff development registration system are included with the release of the 2011 Staff Development Schedule. The newly designed system has been created to be even easier to use and specifically suited to meet our needs. We anticipate that the email announcing the system's start up will go out on December 15. Among the things that you should expect to see changing:



- We will no longer be printing and mailing a staff development booklet. The entire schedule including dates, times, location, fees and hotel information may be reviewed on line and, if necessary, printed out from your desktop for circulation.
- Each individual will create a “training account” utilizing their email address and a password that will enable them to register and modify their training registrations at any time. Each user will need to create an account as the participant lists from the prior system will not be transferred.
- Similar to many other web-based systems, if you lose track of your password, just indicate this on the site, and a new randomly generated password will be emailed to you (that you may then modify) always allowing you easy access to the site. Your email address and password is all you will need.
- The new system has simplified the process for one person on your staff to serve as training coordinator, registering your entire department's staff and taking responsibility for future adjustments to training registrations. If you do not already have a person in your department (a supervisor or key support staff) serving as training coordinator you might want to consider designating someone.
- While the bulk of the CJJT&R training offerings will continue to be posted in groups, each spring and fall, this system will make it easier to add new training programs as the need become evident. As additional programs are made available, brief email announcements will be sent including links to the new program descriptions and registration system.
- You will be able to view these and many other training opportunities on the [Training Calendar](#) tab of the [JCJC website](#).
- A complete history of registrations, including dates and times of every adjustment made, will be clearly visible along with providing easy tracking the total registration fees due for individuals and agencies.
- In order to keep costs down we have decided to continue to not accept credit cards for registration fees.
- As always, while the training is primarily designed for juvenile probation officers, the full range of allied system professionals—public and private residential child care facility staff, detention staff, educators, or law enforcement professionals are all welcome to attend programs that are of mutual interest.

***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.*

**[Signs & Symptoms of Posttraumatic Stress Disorder in the Adolescent Population](#)**

December 17th 2010

# Administrators honored as part of Juvenile Justice Week

Reprinted with permission from *The Daily Local News*

By Michael P. Rellahan; October 07, 2010

<http://dailylocal.com/articles/2010/10/06/news/doc4cace8d025637067526063.txt?viewmode=fullstory>



From left to right: Mike Albertini, Linda DiCecco, Kristi Washington, Sheri Nakrasius, Paris Webb, Fred Ellzy, Kecia McMillian, Carol Hood (Deputy Director), Rodger Johnson, Stacy Blair, Brian Sebold and Gary Blair (director).

**WEST CHESTER** – County and state officials on Wednesday paid tribute to the administrators and staff of the Chester County Dennis Swift Youth Center as a first class facility that gives wayward teenagers the opportunity to turn their lives around.

The center's success was described as validation of the efforts by the county to relocate an overcrowded and substandard facility in Delaware County, a decision that angered many in Pocopson who were suspicious of the new facility moving into their rural community.

In a ceremony recognizing the annual Juvenile Justice Week, the leaders of the center were singled out as those primarily responsible for transforming the anger that greeted the relocation into a welcome that sees dozens of residents and community organizations working together with the youth at the center.

Director Gary Blair and Deputy Director Carol Hood, who have a combined 66 years of experience at the center, were honored at a ceremony in Courtroom One of the Justice Center.

They “engaged the community so that it wasn’t thought of as a foreign detention prison” but rather a place where young people “could go into and help turn their lives around,” said Don Corry, deputy chief juvenile probation officer.

The juvenile probation office takes a week once every

year to take a look at the work it does with juvenile offenders and honor those whose task it is to implement the goal of “balanced and restorative justice” in the juvenile system. The week runs this year from Oct. 3 through Oct. 9.

The Youth Center, located on the grounds of the Chester County prison, is perhaps the most recognizable of the department's efforts. The center is where offenders are sent if they are determined to need temporary detention after committing a crime, but the programs it operates go beyond the notion of warehousing delinquents, explained Diana Munson, programs manager for the department.

In addition to the 48 “secure” beds for offenders, and 12 “non-secure” beds for girls who need to be temporarily removed from their homes, the center operates an electronic home monitoring program that allows offenders to remain with their families and in school while awaiting adjudication, and a day and evening reporting center where low-risk offenders can be overseen by center staff without resorting to 24-hour detention.

“The focus of all four of these programs and their staff is to enrich the lives of these youth with the knowledge that they have choices, to assist them in developing competencies, and to foster the hope that they to can have happy and productive lives,” said Munson.

Blair and Hood have been working with youth at the center since the 1970s, when the center was located on the grounds of the Embreeville Hospital in West Bradford.

Blair was hired in 1978 as a part-time childcare worker at the then Juvenile Home, and was appointed director of the center in 2002 after the sudden death of Dennis Swift, for whom the center is named. He oversaw the contentious move to Pocopson, reaching out to various community organizations and civic groups.

As an example of Blair's outreach efforts, the event's program listed 78 people and organizations who have donated time and volunteered at the center, from the Thresholds project which brings retired teachers to the center on weekends for one-on-one sessions with offenders, to a host a churches and families who bring their resources to the center.

Hood began work with the juvenile system in 1975 and was promoted to assistant director of programs in 1986. As such she implemented the center's electronic home monitoring program and helped develop the day and

evening reporting center.

In her 35 years at the center, Hood "is most proud of how well the staff work together and respected each other," Munson told the assembled audience, which included President Judge James P. MacElree II and Judge John Hal, who oversee Juvenile Court; former Juvenile Court Judge Paula Francisco Ott, now on the state Superior Court; and the three county commissioners, Chairwoman Carol Aichele and commissioners Kathi Cozzone and Terence Farrell.

The commissioners read a proclamation honoring the work of the juvenile probation staff and department, and state Sen. Andrew Dinniman presented Director Marietta Lamb Mawby with proclamations from the state Legislature.

Also during the ceremony, John Barr, School Based Probation Officer for Owen J. Roberts School District was introduced as the recipient of the 2009 George M. Bratcher, III juvenile probation Officer of the Year award.

## **Position Announcement Extended**

### ***Information Technology Technician/Generalist (Crystal Reports Writer) Center for Juvenile Justice Training and Research***

Shippensburg University, Shippensburg Pennsylvania

The Center for Juvenile Justice Training and Research (CJJT&R) is currently accepting applicants for two (2) Information Technology Technician/Generalist positions:

- 1) A twelve-month, full-time, grant-funded employee (pending final grant approval, the funding for this position will begin January 1, 2011); and
- 2) A permanent, full-time, grant-funded employee

The annual starting salary for this position is \$45,000 and includes a comprehensive benefits package. Appointments above the starting salary may be considered, and will be commensurate with the candidate's education, work experience and salary history.

These positions will serve as a central point of contact for information technology needs on various agency research projects and data requests; primary duties involve developing forms and reports in Crystal Reports; building data extraction packages as requested for reports and research initiatives; providing operational and procedural assistance to end users involving database and application support.

The minimum experience and training requirements for the position are: an Associate's Degree in Microcomputer Technology or other closely related field; or two (2) years of experience providing microcomputer support services to include information technology hardware and software installation, operation, and maintenance, or any equivalent combination of experience and training.

Qualified candidates should submit a cover letter, transcripts, and a resume to [Stephen Bishop](#), Deputy Director, Center for Juvenile Justice Training and Research, 1871 Old Main Drive, Shippensburg University, Shippensburg, PA 17257-2299 or [spbish@ship.edu](mailto:spbish@ship.edu). This information must be received no later than December 31, 2010.

Please contact [Stephen Bishop](#) at (717) 477-1294 if you have any questions or desire additional information; or view the entire job description on the JCJC [JCJC Website](#).



## **POSITION ANNOUNCEMENT**

### **EXECUTIVE DIRECTOR**

Reno, Nevada

The National Council of Juvenile and Family Court Judges (NCJFCJ), a non-profit organization headquartered in Reno, NV, is seeking an Executive Director (ED) to build on our exceptional 73-year record and mission to improve courts and systems practice and raise awareness of the core issues that touch the lives of many of our nation's children and families. As a leader in continuing education opportunities, research, publication development, technical assistance, and policy development in the field of juvenile and family justice, the NCJFCJ is unique in providing practice-based resources to jurisdictions and communities nationwide.

Founded by judges in 1937, NCJFCJ has been part of the University of Nevada, Reno community since 1969. The organization's four program departments support and extend its mission. The Family Violence, Permanency Planning for Children, and Juvenile and Family Law departments have numerous ongoing projects exploring and implementing evidence-based practices and effective strategies for judges on issues including domestic violence, child abuse and neglect, juvenile delinquency, substance abuse, multi-cultural challenges, child support, and other timely matters. NCJFCJ's research division, the National Center for Juvenile Justice, located in Pittsburgh, PA, focuses on providing the field with the latest research on the juvenile justice and child welfare systems.

NCJFCJ is governed by a 29-member Board of Trustees, with the ED reporting directly to the President of the Board. The organization's budget is \$14 million, with a current professional staff of 107 employees between our Reno, Pittsburgh, and Washington, DC locations.

The ED is the chief executive officer of NCJFCJ and is responsible for the overall management and operations of the organization. The ED reports directly to and works closely with the President, the Executive Committee, and the Board of Trustees. The ED is responsible for providing strong, strategic, and visionary leadership. In concert with the President, officers, board members, and other members of the Council, the ED serves as the NCJFCJ's representative to its key external partners and supporters, including other organizations involved in juvenile and family justice and children's issues, funding bodies and foundations, government agencies, legislative bodies, and the media.

For a complete position profile and application instructions, please visit the employment page of our Web site at [www.ncjfcj.org](http://www.ncjfcj.org).

**This position is not limited to those listed in this announcement. Duties and responsibilities may be changed, expanded, reduced or deleted to meet the business needs of the National Council of Juvenile and Family Court Judges.**

-NCJFCJ is proud to be an Affirmative Action/Equal Opportunity Employer-



## Legislative Updates

### **Act 95 of 2010 Places new Responsibilities on the PCS and PBPP**

[SB 1161 \(2241\)](#), was signed into law by Governor Rendell as Act 95 of 2010 on October 27, 2010, and became effective immediately. Act 95 requires the Pennsylvania Commission on Sentencing (PCS) to adopt a risk assessment instrument for the sentencing court to use to help determine the appropriate sentence for criminal offenders. The PCS risk assessment instrument may be used as an aide in evaluating the relative risk that an offender will reoffend and be a threat to public safety, and may be incorporated into the Sentencing Guidelines. The term “risk assessment” is defined as an empirically based worksheet which uses factors that are relevant in predicting recidivism. Additionally, Act 95 amends Title 61 to define “prescribed programming” as an individualized treatment plan that is part of the correctional plan jointly developed by the Pennsylvania Department of Corrections (DOC) and the Pennsylvania Board of Probation and Parole (PBPP) following a diagnostic evaluation and a risk and needs assessment that includes a structured set of evidence-based treatment curriculums designed to reduce the risk of re-offense by an offender. Act 95 also empowers the PBPP to incorporate evidence-based practices into parole decision making, supervision, and the supervision of technical violators; to coordinate the reentry of offenders into the community using evidence-based practices that are effective at reducing recidivism; to conduct research to identify, to be informed of and apply recognized

evidence-based parole practices that promote public safety and reduce recidivism; and to conduct outcome and performance analyses on implemented PBPP programs and practices to enhance public safety through reduced recidivism.

### **Act 96 of 2010 Provides Juvenile detention option for “Direct File” Offenders**

[SB 1169 \(2181\)](#), was signed into law by Governor Rendell as Act 96 of 2010 on October 27, 2010, and became effective immediately. Act 96 contains an amendment to §6327 of the Juvenile Act to create a new §6327(c.1) (relating to detention of child) which allows for a “direct file” juvenile who is subject to criminal proceedings by reason of being charged with a crime that is excluded from the definition of delinquent act in § 6302, who has not been released on bail, and who may seek or is seeking transfer to juvenile proceedings under § 6222 (relating to transfer from criminal proceedings) to be detained in a secure juvenile detention center rather than the county jail if the attorney for the Commonwealth has consented to, and the court has ordered, such detention.

The addition of §6327(c.1) became effective upon the enactment of Act 96 and applies to criminal proceedings commenced on or after October 27, 2010. Under these new provisions of the Juvenile Act, the court would be required to order the immediate transfer of a “direct file” juvenile from the juvenile detention center to the county jail if the court determines that the juvenile is no longer seeking transfer to juvenile

proceedings, or if the court denies the motion for transfer to juvenile proceedings. In addition, the court must likewise order the immediate transfer of a “direct file” juvenile from the juvenile detention center to the county jail if the juvenile attains age 18, unless the court has granted the motion for transfer to juvenile proceedings or unless the juvenile is otherwise under order of commitment to the juvenile detention center pursuant to the jurisdiction of the court in a delinquency matter.

### **Act 104 of 2010 amends Public School Code to add new “Safe Schools” provisions**

[HB 101 \(4389\)](#), was signed into law as Act 104 of 2010 on November 22, 2010, following the General Assembly’s override of Governor Rendell’s October 22 veto of the bill. Most provisions of Act 104 will become effective January 21, 2011. Among the provisions of Act 104 are amendments to the Public School Code to expand the duties of the Office for Safe Schools (OSS) within the Pennsylvania Department of Education (PDE). Act 104 contains the following modifications:

The OSS has the responsibility to direct that all school entities submit annual school violence statistics and reports to the Office no later than July 31 of each year.

The OSS has the responsibility to verify the existence of corrective action plans to reduce incidents of violence as required by the Federal No Child Left Behind Act of 2001.

The OSS is required to develop forms and a model memorandum of understanding (M.O.U.) to be used by school entities and police depart-

ments for reporting incidents involving acts of violence and possession of weapons on school property.

PDE is required to convene and consult with a Statewide Advisory Committee in developing regulations governing the development of the model M.O.U. and other matters.

The Advisory Committee is required to include a police chief, school superintendent, school principal, district attorney solicitor of a school district, special education supervisor, special education advocate and an in-school probation officer, as well as one designee from PDE, PCCD, the Municipal Police Officers' Education and Training Commission, the JCJC and the PSP.

The OSS is required to verify that each school district has a biennially updated and re-executed M.O.U. with local law enforcement and has filed such M.O.U. with the OSS on a biennial basis.

The OSS is required to publish and post on PDE's internet website a "School Safety Annual Report" no later than November 1st of each year outlining all incidents that are required to be reported to the Office under this legislation.

The OSS is required to process and tabulate the data on an annual basis to assist school administrators and law enforcement officials in their duties under this article of the public School Code.

The OSS is empowered to make targeted grants to school entities to fund programs which address school violence. The programs eligible for funding include conflict resolution or dispute management, including restorative justice strategies; school-based diversion programs; peer helpers programs; risk assessment, safety-related, violence prevention

curricula, including, but not limited to dating violence curricula and restorative justice strategies; classroom management; and other topics.

Act 104 distinguishes between offenses that are required to be included in the report to the OSS and those which require an immediate report to law enforcement.

The offenses which for which Act 104 mandates PDE regulatory protocol to require the immediate notification to law enforcement, if committed on school property, are as follows:

The following offenses under 18 Pa.C.S. (relating to crimes and offenses):

- Section 908 (relating to prohibited offensive weapons)
- Section 912 (relating to possession of weapon on school property)
- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)
- Section 2709.1 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3124.2 (relating to institutional sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3301 (relating to arson and related offenses)

- Section 3307 (relating to institutional vandalism), when the penalty is a felony of the third degree
- Section 3502 (relating to burglary)
- Section 3503(a) and (b)(1)(v) (relating to criminal trespass)
- Section 5501 (relating to riot)
- Section 6110.1 (relating to possession of firearm by minor)

The possession, use or sale of a controlled substance or drug paraphernalia as defined in "The Controlled Substance, Drug, Device and Cosmetic Act."

Attempts, solicitation or conspiracy to commit any of the offenses listed in subclauses (i) and (ii)

An offense for which registration is required under 42 Pa.C.S. § 9795.1 (relating to registration)

The offenses occurring on school property which would, according to the PDE regulatory protocol required by Act 104, be reported to law enforcement at the discretion of the school administrator are as follows:

The following offenses under 18 Pa.C.S. and any attempt, solicitation or conspiracy to commit any of these offenses:

- Section 2701 (relating to simple assault)
- Section 2705 (relating to recklessly endangering another person)
- Section 2706 (relating to terroristic threats)
- Section 2709 (relating to harassment)
- Section 3127 (relating to indecent exposure)
- Section 3307 (relating to institutional vandalism), when the penalty is a misdemeanor of the second degree

- Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2)(relating to criminal trespass)
- Chapter 39 (relating to theft and related offenses)
- Section 5502 (relating to failure of disorderly persons to disperse upon official order)
- Section 5503 (relating to disorderly conduct)
- Section 6305 (relating to sale of tobacco)
- Section 6306.1 (relating to use of tobacco in schools prohibited)
- Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages)

***Act 115 of 2010 requires new judicial determinations in dependency proceedings relating to sibling placement and visitation***

[HB 2258 \(3849\)](#), was signed into law by Governor Rendell as Act 115 of 2010 on November 23, 2010, and will become effective on January 24, 2011. Act 115 amends 42 Pa. C.S. §6351 (b) (relating to required pre placement findings) to require the court, prior to entering any order of disposition that would remove a dependent child from his home to determine:

if the child has a sibling who is subject to removal from his home, whether reasonable efforts were made prior to the placement of the child to place the siblings together or whether such joint placement is contrary to the safety or well-being of the child or sibling.

Act 115 amends 42 Pa. C.S. §6351 to create a new §6351 (b.1) (relating to visitation for child and sibling) to require the following:

- if a sibling of a child has been removed from his home and is

in a different placement setting than the child, the court shall enter an order that ensures visitation between the child and the child’s sibling is no less than twice a month, unless a finding is made that visitation is contrary to the safety or well-being of the child or sibling.

Act 115 amends 42 Pa. C.S. §6351 (f) (relating to matters to be determined at a permanency hearing) to require that the court determine at each permanency hearing:

- if a sibling of a child has been removed from his home and is in a different placement setting than the child, whether reasonable efforts have been made to place the child and the sibling of the child together or whether such joint placement is contrary to the safety or well-being of the child or sibling.
- if the child has a sibling, whether visitation of the child with that sibling is occurring no less than twice a month, unless a finding is made that visitation is contrary to the safety or well-being of the child or sibling.

Act 115 is intended to implement a specific provision of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). Specifically, this legislation is intended to address the requirements of §206 of P.L. 110-351, which amended the Social Security Act at 42 USC §671(a) to require the “State Plan for Foster Care and Adoption Assistance” to provide that reasonable efforts shall be made to place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless the State documents that such a joint placement would be contrary to the safety or well-being of any of the siblings; and in the case of siblings removed from their home

who are not so jointly placed, to provide for frequent visitation or other ongoing interaction between the siblings, unless that State documents that frequent visitation or other ongoing interaction would be contrary to the safety or well-being of any of the siblings.

***Act 119 of 2010 establishes the Children in Foster Care Act***

[HB 2338 \(3593\)](#), was signed into law by Governor Rendell as Act 119 of 2010 on November 23, 2010, and will become effective March 23, 2011. Act 119 establishes the Children in Foster Care Act that sets forth a comprehensive listing of rights and information to which every child in foster care should be entitled. Act 119 places new responsibilities on the Department of Public Welfare (DPW) to develop a model grievance policy and procedure for use by county children and youth agencies and private foster care agencies. Each county or private foster care agency is required to adopt the model grievance policy and procedure, or revise its current grievance policy and procedure to include the provisions of Act 119.

Act 119 also places new responsibilities on county children and youth agencies and private foster care agencies to explain the provisions of this statute to any child who is placed in foster care, the child’s parents as well as any such child’s resource family.

Act 119 provides that children in foster care must be provided with the following:

- Treatment with fairness, dignity and respect.
- Freedom from discrimination because of race color, religion, disability, national origin, age or gender.

- Freedom from harassment, corporal punishment, unreasonable restraint and physical, sexual, emotional and other abuse.
- The ability to live in the least restrictive, most family-like setting that is safe, healthy, comfortable and meets the child's needs.
- Proper nourishment.
- Clothing that is clean, seasonal and age and gender appropriate.
- Access to medical, dental, vision, mental health, behavioral health and drug and alcohol abuse and addiction services consistent with the laws of this Commonwealth and for which the child qualifies.
- Information related to services under paragraph (7), including, but not limited to, medication and medication options and the opportunity to communicate a preference regarding a treatment plan, medication or medication options. If a child objects to a treatment plan, his or her objection shall be noted in the child's case record.
- Opportunity to consent to medical and mental health treatment consistent with applicable laws.
- Permission to visit and have contact with family members, including siblings, as frequently as possible, consistent with the family service plan and the child's permanency plan, unless prohibited by court order, but no less than that prescribed by statute or regulation.
- The contact information of the child's guardian ad litem, attorney, court-appointed special advocate and members of the integrated services planning team and the opportunity to contact those persons.
- An environment that maintains and reflects the child's culture as may be reasonably accommodated.
- Education stability and an appropriate education consistent with the laws of this Commonwealth, including the opportunity to participate in extracurricular, cultural and personal enrichment activities that are reasonably available and accommodated and consistent with the child's age and developmental level.
- The opportunity to work and develop job skills at an age-appropriate level, consistent with the laws of this Commonwealth and as may be reasonably accommodated.
- The ability to receive appropriate life skills training and independent living services to prepare the child for the transition to adulthood, as consistent with Federal and State laws.
- Notice of and the ability to attend court hearings relating to the child's case and to have the opportunity to be heard consistent with 42 Pa. C. S. Ch. 63.
- Confidentiality consistent with the laws of this Commonwealth.
- First consideration for placement with relatives, including siblings. In the absence of relatives, to have any kinship resource be considered as the preferred placement resource if the placement is consistent with the best interest of the child and the needs of other children in the kinship residence.
- Consideration of any previous resource family as the preferred placement resource, if relative and kinship resources are unavailable and the placement resource is consistent with the best interest of the child.
- If the child in foster care has a child of his or her own, and that child has been placed in the same resource family with the parent, the child in foster care may exercise parental and decision-making authority over his or her own child, so long as there are no safety concerns on the part of the county child welfare agency or determined by the juvenile court.
- Permission to participate in religious observances and activities and attend religious services of the child's preference or the religion of the child's family of origin or culture as may be reasonably accommodated.
- A permanency plan and transition plan developed in conjunction with the child, and reviewed with the child, that provides the child with:
  - Safety.
  - Stability.
  - Permanence and well-being, including stable and safe housing, opportunities for postsecondary education and training and employment and a stable source of income, health insurance and a plan for future treatment.
  - Connections with reliable adults.
- Notification that the child may request to remain under the court's jurisdiction under paragraph (3) of the definition of "child" under 42 Pa.C.S. § 6302 (relating to definitions).
- The grievance policy and procedure from a county agency or private agency (which would be based on the DPW model).
- The ability to file a grievance related to any of the provisions under this section to the appropriate official overseeing the child's care in accordance with a county or private agency's grievance policy and procedure.

## *JDCAP Conference held in Lancaster*

The Juvenile Detention Centers' Association of Pennsylvania (JDCAP) held their annual conference at the Lancaster Host Resort and Conference Center, Lancaster PA from October 5-8, 2010. The conference, themed "Juvenile Detention: Detention an Intervention" was well attended given the travel restrictions imposed by many counties. Conference attendees were welcomed to Lancaster County by County Commissioner Scott Martin, who encouraged all to experience the variety of local cultural and entertainment opportunities within Lancaster. JDCAP also used the conference to celebrate 10 years of involvement with the MAYSI project. The conference featured workshops identified to highlight the accomplishments of Pennsylvania's detention centers individually and corporately by improving the quality of care and increasing access to services. Additionally, conference sessions provided attendees with information on the unique interventions offered by local centers, new services available to youth, and other special population program approaches.

This year's Awards Banquet included the recognition of the large number of individuals who have dedicated years of service to youth and their community. All JDCAP facility employees with years of service exceeding ten, received individual recognition awards. Additionally, JDCAP recognized the following individuals for their outstanding service and achievement:

- Jennifer Beck, Chester County Youth Center – Rookie Staff of the Year;
- Matt Howard, Chester County Youth Center – Staff Person of the Year;
- Frank Thompson, Bucks County Youth Center – Educator of the Year;
- Tawanda Roberts, RN, Shuman Detention Center, Allegheny County – Nurse of the Year;
- Howard Fleming, Shuman Detention Center, Allegheny County – Distinguished Service Award Within the Field of Juvenile Detention;
- Scott Feifer, The Writing Circle – Distinguished Service Award Outside the Field of Juvenile Detention;
- BCYC Olympic Games, Bucks County Youth Center – Special Program of the Year; and
- Youth Yoga, Shuman Detention Center, Allegheny County – Special Event of the Year.

York County Youth Development Center was recognized for their accomplishments and support to the association with the President's Award. Julia N., a Berks County youth who was accompanied by her proud mother and father, was the winner of the annual poetry contest. As the winner, Julia received a one hundred dollar savings bond for her entry.

Elections for the offices of President, Vice President and Treasurer took place during the conference. Jim Jones (Central Counties Youth Center) was re-elected President, John Corr (Bucks County Youth Center) was elected Vice President, and William "Jack" Simmons (Allegheny County – Shuman Juvenile Detention Center) was elected Treasurer.

JDCAP's 2011 Annual Conference will be held in October at the Nittany Lion Inn, State College.

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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