



PENNSYLVANIA JUVENILE JUSTICE

The Newsletter of the Pennsylvania Juvenile Court Judges' Commission

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November 2018

2018 JAMES E. ANDERSON PENNSYLVANIA CONFERENCE ON JUVENILE JUSTICE

The 2018 James E. Anderson Pennsylvania Conference on Juvenile Justice, sponsored by the Juvenile Court Judges' Commission, the Pennsylvania Council of Chief Juvenile Probation Officers, the Pennsylvania Commission on Crime and Delinquency, and the Juvenile Court Section of the Pennsylvania Conference of State Trial Judges, was held on November 7-9, 2018 at the Harrisburg Hilton & Towers. This year, more than 950 individuals registered for the conference.

On Wednesday, November 7, 2018, judges and hearing officers from across the Commonwealth participated in a training session titled: "Protecting the Integrity of the Juvenile Court." Article V, Section 17(b) of the Pennsylvania Constitution states, in pertinent part: "Justices and judges shall not engage in any activity prohibited by law and shall not violate any canon of legal or judicial ethics prescribed by the Supreme Court."

The Supreme Court of Pennsylvania has also issued a "Code of Conduct for Employees of the Unified Judicial System", which includes "all county-level court employees who are under the supervision of the President Judge of a Judicial District of Pennsylvania, unless otherwise indicated by Supreme Court order or rule." The Honorable Nathaniel C. Nichols, Member of the Judicial Ethics Committee of the Pennsylvania Conference of State Trial Judges and the Juvenile Court Judges' Commission, and Robert N. Williams, Chief Probation & Parole Officer of Berks County and Chair of the Ethics Committee of the Pennsylvania Council of Chief Juvenile Probation Officers, led this very interactive session, which stimulated lively discussion by providing details regarding the expected behaviors by all juvenile court judges and employees, while also providing real-life examples and scenarios to examine the applicability of these guidelines.

Professional Caucuses

On Wednesday, November 7, 2018, participants of the 2018 James E. Anderson Pennsylvania Conference on Juvenile Justice had an opportunity to join with colleagues from their area of specialty/interest within Pennsylvania's juvenile justice system to discuss issues of mutual concern and interest. A summary of the professional caucus discussion will be included in next month's newsletter.

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ATTENTION:

The Juvenile Justice Academy, originally scheduled for December 10th and 11th has been postponed and rescheduled to April 28-30, 2019, at the Nittany Lion Inn, State College.

Juvenile Defender Training

On Wednesday, November 7, 2018, over fifty juvenile defenders from across Pennsylvania attended a training developed exclusively for them at the 2018 James E. Anderson Pennsylvania Conference on Juvenile Justice. Presentations for the juvenile defenders included: Protecting the Rights of Immigrant Juveniles, Managing the Juvenile Caseload, and Sex Offender Treatment: Strategies to Address the Treatment/Duty to Report Dichotomy.

A “Judges Roundtable” was also held on Thursday, November 8, 2018, at which time juvenile court judges joined the juvenile defenders for lunch and a roundtable discussion centered around restitution. A JDAP Board Meeting was also held Thursday afternoon.

Youth Awards Program

The 2018 Youth Awards Program was held on Wednesday evening, November 7th, and attended by over 500 people. Young people were recognized for being selected as winners in Creative Expression and Outstanding Achievement award categories. Additionally, the Juvenile Court Section of the Pennsylvania Conference of State Trial Judges presented two deserving youth with James E. Anderson Juvenile Justice Youth Scholarship Awards, each in the amount of \$1,500.

This year’s Youth Awards Speaker, Eric Michael Frazier, is a United States Marine Corps veteran and champion paralympic athlete who has won competitions in nordic skiing, hand cycling, marathons, alpine skiing, biathlon, and tennis. His journey from the rough



streets of Pittsburgh through the juvenile justice system to college and through the United States Marine Corps shaped his career as a paralympic athlete, wrestling coach, and inspirational speaker.

His journey is a memorable and

moving story that he shares to motivate, inspire, and provoke thought and reflection. His story has helped many to think differently about adversity. Eric’s life choices have led him to become a great father, husband, speaker, and friend to many. Come prepared to learn more about Eric, his journey, and the life lessons that resonate from overcoming challenges to inspiring and helping others.

Morning Plenary

On Thursday morning, November 8th, Judge Kim Berkeley Clark, Chair of the Juvenile Court Judges’ Commission, gave the “Conference Welcome”. The morning plenary session, “Do You Have a Pencil? Assisting Youth with Overcoming Obstacles” featured speaker

Since leaving EMCC, Brittany has launched her successful consulting practice, 10 Thousand Pencils, which works with colleges, high schools and communities to build



programs that support student athletes’ success and growth athletically, socially and academically. Brittany Wagner, a nationally respected athletic academic counselor, speaker, consultant and life coach. Brittany has garnered world-wide fame as the television star of the hit Netflix documentary series, “Last Chance U” – which follows the East Mississippi Community College (EMCC) Lions, three-time National Junior College Athletic Association (NJCAA) national champions during their 2015 and 2016 football seasons. Known for giving “troublemakers” their last chance at making it to the NFL, Ms. Wagner is the vivacious mentor and mother-figure to these men – often the driving factor behind their future successes. Her common question, “Do you have a pencil?” has become a phenomenon across the world since the show’s debut.

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build programs that support student athletes' success and growth athletically, socially and academically.

Workshops

Over 600 people registered to attend sixteen different workshops on Thursday, November 7th. In an effort to allow participants to maximize exposure to the selected topics, the morning workshops were repeated in an afternoon session. Workshops and materials if available are featured on www.jcjc.pa.gov on our Annual Conference page.

Thursday Afternoon Plenary Session

The afternoon plenary session entitled "We Are All Criminals: More Than Our Mistakes," featured Emily Baxter is the executive director of *We Are All Criminals*, a media-based advocacy project and organization that serves as a catalyst for conversations about crime, privilege, punishment, and second chances. Prior to this, Ms. Baxter served as the director of advocacy and public policy at the Council on Crime and Justice and as an assistant public defender at the Regional Native Public Defense Corporation representing indigent members of the Leech Lake and White Earth Bands of Ojibwe charged with crimes in Minnesota State court.

Ms. Baxter is a former fellow at the University of Minnesota Law School's Robina Institute of Criminal Law and Criminal Justice. Ms. Baxter began developing *We*



Are All Criminals through an Archibald Bush Leadership Fellowship in 2012. She resides in Durham, North Carolina. Emily Baxter. Ms. Baxter is the executive director of *We Are All Criminals*, a media-based advocacy project and organization that serves as a catalyst for conversations about crime, privilege, punishment, and second chances. Prior to this, Ms. Baxter served as the director of advocacy and public policy at the Council on Crime and Justice and as an assistant public defender at the Regional Native Public Defense Corporation representing indigent members of the Leech Lake and White Earth Bands of Ojibwe charged with crimes in Minneso-

ta State court. Ms. Baxter is a former fellow at the University of Minnesota Law School's Robina Institute of Criminal Law and Criminal Justice. Ms. Baxter began developing *We Are All Criminals* through an Archibald Bush Leadership Fellowship in 2012. She resides in Durham, North Carolina.

Annual Awards Program and Dinner

Thursday's activities concluded with the 38th 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



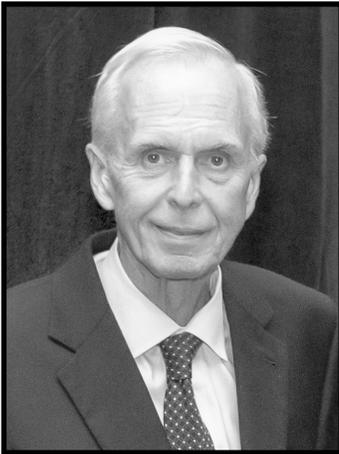
outstanding work in Pennsylvania's juvenile justice system (See pages 4-5 for this year's award winners).

Resource Day

The 2018 Pennsylvania Conference on Juvenile Justice concluded with Resource Day on November 9th. 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. Attendees of Resource Day, which totaled more than 500 people, were eligible to participate in a raffle sponsored by the Pennsylvania Council of Chief Juvenile Probation Officers.

The Juvenile Court Judges' Commission congratulates all of the

2018 Award Winners

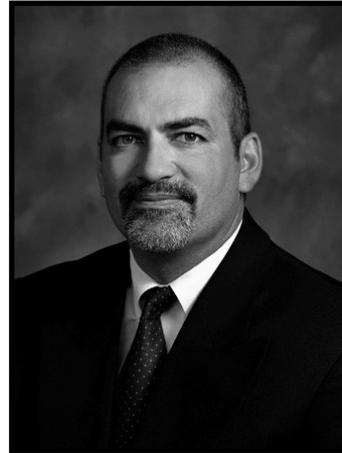


OUTSTANDING LEADERSHIP AWARD
Hon. Stewart J. Greenleaf
Pennsylvania State Senate



DR. THOMAS L. AUSTIN
UNDERGRADUATE SCHOLARSHIP AWARD
Victoria Burns
Lancaster, PA

DR. ANTHONY F. CEDDIA
AWARD FOR
OUTSTANDING
SCHOLARSHIP IN
JUVENILE JUSTICE
Stacey Wellman
Franklin County



RESIDENTIAL PROGRAM
OF THE YEAR
Mark Amendola
Perseus House
Boys Enhanced
Residential Treatment



COURT OPERATED
PROGRAM OF THE YEAR
Amanda Gallagher
Washington County LEADER Program

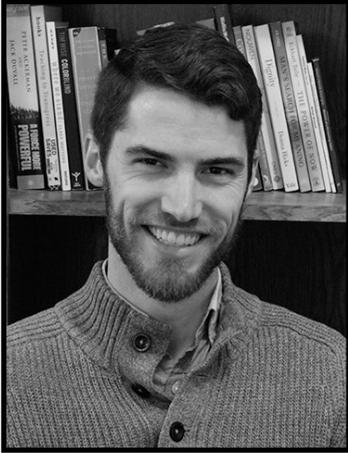
COMMUNITY-BASED
PROGRAM OF THE YEAR
Carleshia Roberson
NorthEast Treatment Centers,
Evening Reporting Center



Congratulations!

The Juvenile Court Judges' Commission congratulates all of the

2018 Award Winners



VICTIM ADVOCATE
OF THE YEAR
Aaron Erb
Victim Offender Dialogue Program,
Allegheny County



JUVENILE COURT SUPPORT
SERVICE AWARD
Terri Greeley
Chester County

MERITORIOUS
SERVICE AWARD
Micheline Barkley
Beaver County



JUVENILE PROBATION
OFFICER OF THE YEAR
Tonya Miller
Mercer County



CHIEF JUVENILE PROBATION
OFFICER OF THE YEAR
Bob Daugherty
Venango County



JUVENILE PROBATION
SUPERVISOR OF THE YEAR
Jeff Grego
Berks County



Congratulations!

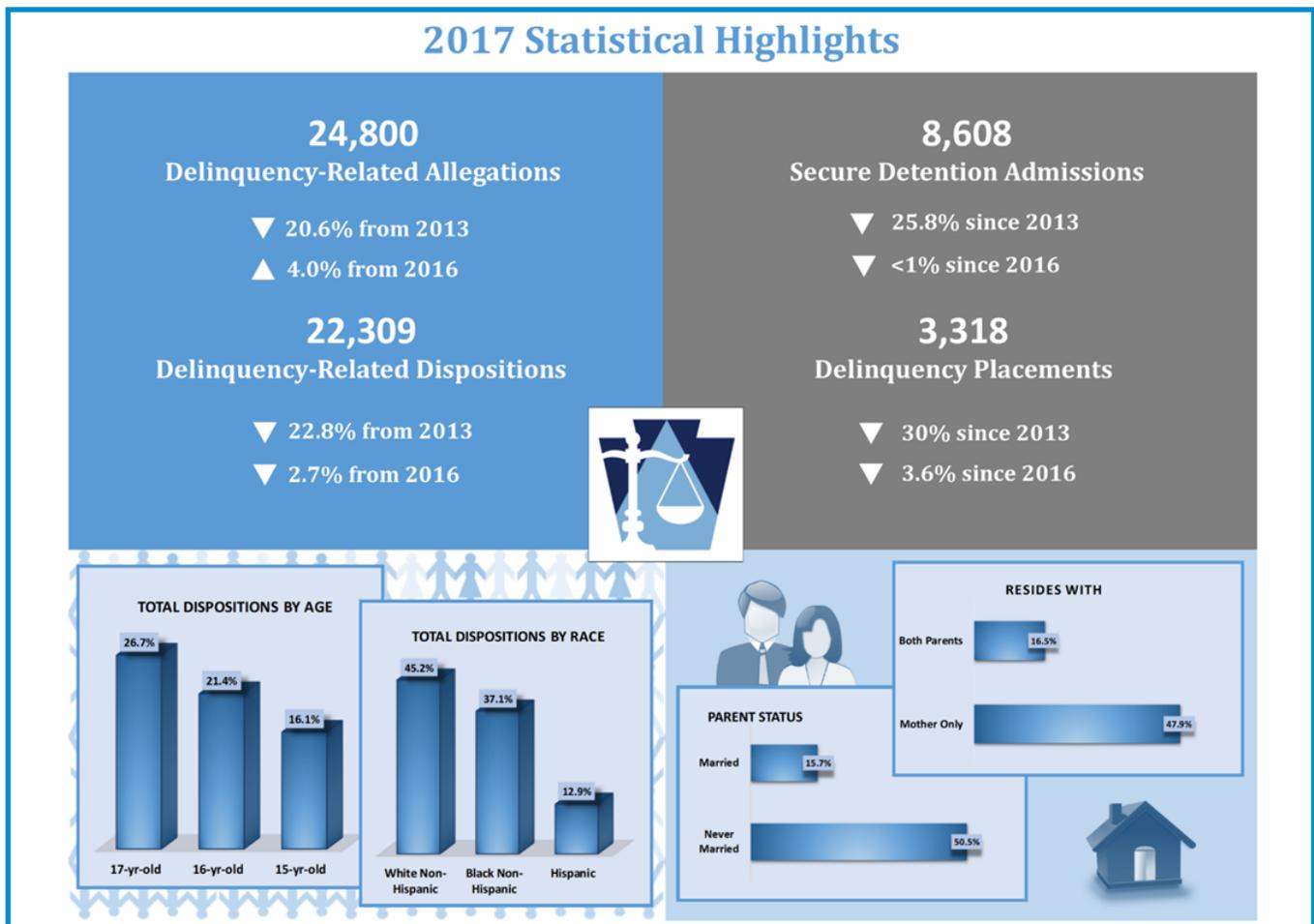
2017 PENNSYLVANIA JUVENILE COURT ANNUAL REPORT RELEASED

The Juvenile Court Judges' Commission (JCJC) is pleased to announce the release of the first edition of its Juvenile Court Annual Report. Prior to the publication of this report, Pennsylvania juvenile court statistics were presented in a yearly series entitled Pennsylvania Juvenile Court Dispositions. The series, which ran from 1972 to 2016, focused primarily on juvenile court dispositions. While the report was a valuable resource for juvenile probation departments, juvenile court judges, and other agency stakeholders, it did not include several key indicators necessary to gauge the total workload of the juvenile courts or juvenile probation departments.



This year, the annual report has been enhanced to include additional juvenile court statistics to better measure and quantify work across the state by juvenile justice professionals. Specifically, information related to delinquency allegations received by each juvenile probation department is included. Key indicators including the volume of allegations received, allegation sources, and the most serious alleged offense by youth are presented. This information is critical to understanding who is coming through the “front door” of Pennsylvania’s juvenile justice system. It is anticipated this report will continue to evolve over time and will eventually include additional measures of juvenile justice workflow in Pennsylvania. Juvenile delinquency dispositions continue to be summarized in this report, as in the past.

Below are the statistical highlights of the 2017 Pennsylvania Juvenile Court Annual Report. To view the report in its entirety, please visit: <https://www.jcjc.pa.gov/Research-Statistics/Disposition%20Reports/2017%20Juvenile%20Court%20Annual%20Report.pdf>



ALLEGHENY COUNTY JUVENILE JUSTICE WEEK

By Marchelle Wright

Allegheny County Juvenile Probation held a number of events during Juvenile Justice Week. The week's activities are planned by the Department's Community Education Initiative (CEI) Committee, which includes Assistant Chief Probation Officer John Fiscante, Administration Support Manager Jamie Mariana, Administrative Clerical Supervisor Marchelle Wright, Administrative Services Supervisor Laura Ruperto, Placement Management Unit Supervisor Maria Mandalakas, Drug & Alcohol Unit Supervisor Val Ketter and Probation Officers Emilinda Jarrett, Thomas O'Connor, Jim Miller, Kacey Simpson and Gib Pohodich. The committee decides on the staff training workshops, speakers, and youth essay award winners. In addition, an event is planned each Juvenile Justice Week to recognize current and former probation staff. After the events are scheduled, staff always step up, volunteering to assist with the various week's activities.

The week opened on Monday October 1, with the BARJ pledge, taken by Family Division Administrative Judge Kim Eaton, Chief Russell Carlino, Assistant Chiefs David Evrard, Shawn Forbes, John Fiscante, and Kim Booth. On Tuesday, there were staff training workshops on a number of subjects including; the Second Chance Grant's Reintegration Specialists, the Truancy Case Managers, the Educational Specialists, OVR (Office of Vocational Rehabilitation), Electronic Home Monitoring, and the Heroin Epidemic. There were also informational tables staffed by providers.

On Wednesday, there was an Open House for juveniles that included 4 different workshops. Each year, the CEI committee sends out invitational letters to school districts for Juvenile Justice Week. This year North Allegheny High School, Moon High School, Quaker Valley High School and Clairton High School participated. Students rotated between four workshops: a Drug & Alcohol workshop that included three former juveniles who shared their stories and answered questions; a Collateral Consequences workshop presented by Deputy District Attorney Meghan Black; a Probation Officer workshop where POs Gib Pohodich and Kacey Simpson discussed the role of a PO; and finally a tour of the facility was provided by Deputy Scholtz of the Sherriff's Office.

The Awards Ceremony was held Thursday evening. Various juveniles were recognized for their essay submissions, several of the County's JCJC Award nominees were recognized, and a Parent of the Year Award was presented. A check was presented to the Center for Victims from money raised at the Annual CISP Carwash event. Fred Hodges, Director of Multicultural Student Services at Robert Morris University, was the keynote speaker.

On Friday a staff recognition luncheon was held and a number of staff were recognized for their outstanding performances throughout the year. Several retired staff also attended the luncheon.

The week's events concluded on Saturday October 6, with over 100 staff and juveniles participating in the Annual AIDS Awareness Walk in McKeesport.

WELCOME CHIEF CYNTHIA CUMMINGS TO LACKAWANNA COUNTY JUVENILE PROBATION



On October 19, 2018, Cynthia “Cindy” Cummings was appointed as Chief Juvenile Probation Officer in Lackawanna County. Ms. Cummings was officially sworn in as Chief on October 23, 2018, by the Honorable Trish Corbett, Administrative Juvenile Court Judge. Ms. Cummings’ nephew, Owen Cummings (age 3), held the Cummings family bible during the swearing-in ceremony.

Ms. Cummings began her employment at Lackawanna County as a probation officer in September 1984. Ms. Cummings was subsequently promoted to the position of Probation Officer II in 2005. Over the course of her career, Ms. Cummings’ responsibilities included line probation officer, intensive probation officer, and Intensive Court Coordinator. Ms. Cummings graduated from the University of Scranton in 1982 with a Bachelor of Science in Law Enforcement. When asked about her vision as Chief of the Lackawanna County Juvenile Probation Department, Ms. Cummings offered the following words, “As Chief, I want to ensure that each child, parent, guardian and family member who is involved with our department is treated with respect, dignity and a true sense of fairness and justice. I share Judge Corbett’s philosophy that we want all juveniles that come before us to leave us better than they came to us.”

EPICS COACHES FORUM

The first EPICS Coaches Forum took place in State College on October 4, 2018. The Coaches Forum was designed to booster the skills of coaches and create an environment where coaches could learn from one another. Participation was fantastic with 56 EPICS Coaches in attendance representing 13 counties. EPICS project director, Dr. Jennifer Pealer from East Tennessee State University provided instruction to increase attendees coaching and coding skills. Dr. Pealer also elicited questions and facilitated discussion which provided an opportunity for attendees to dialogue about county implementation.

GRADUATED RESPONSES USER GROUP



On October 16, 2018 a Graduated Response User Group was held in Mechanicsburg. The User Group was designed to provide juvenile probation staff with an opportunity to discuss and share their challenges, successes, and resources in their efforts to effectively implement a Graduated Response System. The User Group was attended by 44 individuals representing 18 counties. The event kicked off with Dr. Naomi Goldstein from Drexel University discussing the conceptual highlights and noted challenges of graduated responses. Following Dr. Goldstein’s presentation, the larger group dispersed into small workshops. These small workshops allowed attendees to select from a variety of topics central to the development and implementation of graduated response materials and policy and protocol.

JUVENILE PROBATION OFFICERS ATTEND LEVEL 1 SPEP™ TRAINING

The Standardized Program Evaluation Protocol (SPEP™), a Stage 3 activity of the Juvenile Justice System Enhancement Strategy (JJSES), continues to expand as more counties commit to have juvenile probation officers trained to implement the SPEP™. In June 2018, Chester, Erie, Franklin, Lancaster and Montgomery Counties completed an application process and a readiness assessment to join the 12 counties already implementing the SPEP™. On October 23, 24 & 25, 2018, eleven juvenile probation staff from seven Pennsylvania counties received the initial training as Level 1 SPEP™ Specialists. Staff from Lebanon, Lehigh, and Lycoming joined in this training to build their existing capacity in implementing the SPEP™.

There are now more than 50 persons trained and certified by Vanderbilt University to implement the SPEP™ in Pennsylvania. In order to receive certification as a SPEP™ Specialist, the trainees will participate in shadowing experiences in the field and will complete related assignments or tasks to meet SPEP™ training requirements. Certification as a SPEP™ Specialist is expected to be completed in 12 months or less.



Pictured from left to right in front row: Andrew Backlund, Montgomery, and Charles Root, Montgomery. Second row: Nicole Mattern, Dauphin; Mary Jo Battle, Erie; Lisa Fetzer, Montgomery; Dawn Hooton, Lebanon; Shannon O’Lone, Penn State; Amy Herb, Penn State; Christa Park, Penn State; Stacey Wellman, Franklin; Shawn Peck, Penn State; Matt Yonkin, Lycoming; and Jeff Gregro, Berks. Back row: Tracie Davies, Lehigh; Lisa Freese, Penn State; Heather Perry, Penn State; Eva Frederick, Lehigh; Kelli Davis, Lancaster; Cheri Modene, Lancaster; Anthony Stukes, Penn State, and Angel Cobbold, Montgomery.

The SPEP™ is a validated, data-driven assessment tool used to determine how well the characteristics of an existing program match research evidence for that type of intervention. The SPEP™ is based on a meta-analysis by Dr. Lipsey of more than 700 research studies of programs designed to reduce delinquency. Pennsylvania was one of the first states to pilot the SPEP™ beginning with Berks County’s participation in the Juvenile Justice System Improvement Project through Georgetown University’s Center for Juvenile Justice System Reform in 2011.

In 2013, the pilot expanded to include Bucks, Lehigh, Allegheny, and Dauphin Counties. In 2014, Pennsylvania became the first state to have Vanderbilt-certified Level 2 SPEP™ Trainers and has served as a model implementation site for the SPEP™. In 2015, Luzerne, Lycoming, McKean, Mercer, Venango, and York Counties joined the project. In 2017, Lebanon County was included at the request of the JJSES Leadership Team. In 2018, Vanderbilt University developed a Level 3 Master SPEP™ Trainer certification for the Penn State Level 2 SPEP™ Trainers in order to train additional juvenile probation officers as Level 2 SPEP™ Trainers.

THE STONELEIGH FOUNDATION ANNOUNCES FIVE NEW FELLOWSHIP OPPORTUNITIES FOR GRADUATING STUDENTS AND RECENT ALUMNI

The [Stoneleigh Foundation](#) recently announced five new [Emerging Leadership Fellowship](#) opportunities for graduating students and recent alumni in the greater Philadelphia area. The Stoneleigh Emerging Leader Fellowship is a two-year, full-time, hands-on position for early career professionals. Fellows work collaboratively with a host organization and the Stoneleigh Foundation to execute a project that advances the missions of these organizations and enhances Fellows' professional skills and leadership development. The Fellowship provides salary, benefits, and a stipend for professional development.

The following five Stoneleigh Emerging Leader Fellowship projects are being offered for the 2019-2021 fellowship cycle:

PROJECT NAME: YOUTH-LED APPROACH TO CONFRONTING GUN VIOLENCE IN PENNSYLVANIA HEALTH HOST ORGANIZATIONS: PROMOTION COUNCIL & CEASEFIREPA

The Fellow will work with [Health Promotion Council](#) (HPC) in partnership with [CeaseFirePA](#) to strengthen the role of youth voice in gun violence prevention policy efforts in Pennsylvania. The Fellow will adapt HPC's Advocacy Institute youth training program to specifically focus on gun violence prevention and policy advocacy, implement the program with a cohort of youth participants, and work to elevate the voices of young people in broader policy activities.

PROJECT NAME: ENHANCING JUVENILE PROBATION THROUGH GRADUATED RESPONSE IMPLEMENTATION HOST ORGANIZATION: DREXEL UNIVERSITY'S JUVENILE JUSTICE RESEARCH AND REFORM LAB

The Fellow will work with [Drexel University's Juvenile Justice Research and Reform Lab](#) to enhance and expand the implementation of a Graduated Response approach to juvenile probation across Pennsylvania. The Fellow will establish and oversee a technical assistance mentorship team model that will connect counties that are already implementing the approach with those that are still working on developing their Graduated Response systems.

PROJECT NAME: EXPANDING HEALTH ACCESS FOR PHILADELPHIA'S ADOLESCENTS AND YOUNG ADULTS HOST ORGANIZATION: PHILADELPHIA FIGHT'S YOUTH HEALTH EMPOWERMENT PROJECT (Y-HEP) HEALTH CENTER

The Fellow will work with [Philadelphia FIGHT's Youth Health Empowerment Project \(Y-HEP\) Health Center](#) to develop a new model for care that expands health access and improves outcomes for young people ages 13-24 in Philadelphia. The Fellow will assess the need for adolescent and young adult healthcare delivery in community-based settings and design and launch a satellite healthcare clinic in Philadelphia.

PROJECT NAME: ADDRESSING ADOLESCENT PARENTS’ MENTAL HEALTH NEEDS

HOST ORGANIZATION: POLICYLAB AT CHILDREN’S HOSPITAL OF PHILADELPHIA

The Fellow will work with PolicyLab at Children’s Hospital of Philadelphia to improve how the mental health needs of parenting teens are addressed. The Fellow will identify current gaps in knowledge and practice; incorporate best practices into pediatric healthcare services; and elevate the specific needs of parenting teens within local, state, and national policy efforts.

PROJECT NAME: PATHWAYS TO KINSHIP CARE

HOST ORGANIZATION: TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

The Fellow will work with Temple University Beasley School of Law — specifically, the Temple Legal Aid Office and the Sheller Center for Social Justice — to expand the percentage of child welfare-involved youth who are in kinship care in Philadelphia. This Post-JD Fellowship will include designing resource tools and trainings for attorneys, parents, and potential caregivers; engaging in policy implementation efforts related to kinship care; and providing direct legal representation to a limited number of potential kinship caregivers.

Candidates should apply directly to the organization(s) that interest them by the deadlines indicated.



It’s hard to believe 2018 is almost over. It has been a busy year here at the Juvenile Court Judges’ Commission’s (JCJC) Center for Juvenile Justice Training and Research (CJJT&R). Reflecting on the year, recapping what we have accomplished, and evaluating where we are all help us set new goals for 2019. In 2018 we released 3 new versions of PaJCMS. Some of the more notable enhancements included:

- ✓ Graduated Responses Module,
- ✓ Supervisor Module,
- ✓ Outcome Measures Enhancements, and
- ✓ Victim Module enhancements.

In 2018 we also began data sharing from our PaJCMS juvenile detention screens to PCCD’s JHELD application. This gives the JHELD application up-to-date detention information without the need for duplicate entry.

Additionally, this year JCJC/CJJT&R decided to embark on a rewrite of the PaJCMS application. The project will include a total rewrite of all PaJCMS screens using a new development platform. This opens the doors to lots of exciting other new technologies within PaJCMS, including mobile and GPS upgrades. The process of finding a vendor to kick off the project is currently in progress, and working on the rewrite is scheduled to begin in early 2019.

The Information Technology team here at CJJT&R is excited about the upcoming year and the new features and tools we hope to offer to our users!



LEGISLATIVE UPDATES

As the 2017/18 Pennsylvania legislative session moves toward conclusion, Governor Tom Wolf has approved several pieces of legislation of interest to the stakeholders of juvenile justice, including:

Act 95 of 2018

HB 163 P.N. 4271 was signed into law by Governor Tom Wolf on October 24, 2018, becoming Act 95 of 2018.

Act 95 amends Titles 4 (Amusements), 18 (Crimes and Offenses), and 75 (Vehicles) to eliminate driver's license suspensions for crimes not related to motor vehicle violations in many cases. It originally focused on adult offenders and crimes related to drug offenses, but also includes other offenses committed by both adults and juveniles, including the following Title 18 sections:

§ 6305. Sale of tobacco

§ 6307. Misrepresentation of age to secure liquor or malt or brewed beverages.

§ 6308. Purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

§ 6310.3. Carrying a false identification card.

Additionally, Title 75 was amended so that persons convicted of any offense involving the possession, sale, delivery, offering for sale, holding for sale or giving away of any controlled substance would no longer be required to have their driver's license suspended. For purposes of this statute, "conviction" includes any conviction or adjudication of delinquency for the listed offenses. Of note, individuals 21 years of age or younger convicted or adjudicated of Pa. C.S. § 2706 (relating to terroristic threats) committed on or against any school property would continue to be subject to license suspensions.

Act 95 becomes effective on April 22, 2019.

Act 130 of 2018

SB 554 P.N. 2054 was signed into law by Governor Tom Wolf on October 24, 2018, becoming Act 130 of 2018. Act 130 amends Chapter 30 of Title 18 by adding a new Subchapter D.1, "Safe Harbor for Sexually Exploited Children". A "sexually exploited child" would be defined as any person under eighteen years of age who has been subject to sexual exploitation because the person is a victim of human trafficking or is a victim of an offense committed under 18 U.S.C. § 1591 (relating to sex trafficking of children or by force, fraud or coercion).

Act 130 requires DHS to develop a statewide protocol to coordinate the provision of specialized programs and services to sexually exploited children, and ensure that these programs receive sufficient training and understand the unique circumstances surrounding the victimization of sexually exploited children.

Act 130 also requires DHS, in conjunction with county agencies, to develop specialized programs and services for sexually exploited children that address a victim's needs including, but not limited to, the following: safe and stable housing; access to education; employment and life-skills training; comprehensive case management; physical and behavioral health care including trauma therapy; treatment for drug or alcohol dependency; medical and dental care; access to personal care items and adequate clothing; and other needs that sexually exploited children may have as determined by the department or the county agencies.

Additionally, the Municipal Police Officers' Education and Training Commission and the Pennsylvania State Police are required to provide training to appropriate law enforcement officers. The training is required to focus on methods used to identify a sexually exploited child, methods used to interview and engage with a sexually exploited child, and relevant in-

formation to provide assistance with access to victims' services for a sexually exploited child. A "Safe Harbor for Sexually Exploited Children Fund" will be established in the State Treasury, with funds to be used as follows: at least 50% of the fund may be expended by the department to provide victim services either directly by the department or through grants: at least 40% of the fund may be expended to increase public awareness through an anti-demand campaign; and not more than 10% of the fund may be expended by the department for the costs of operating and maintaining the fund.

Any individual who is convicted of an offense under section 3011 (relating to trafficking in individuals), 3012 (relating to involuntary servitude), 3013 (relating to patronizing a victim of sexual servitude) or 5902(b) or (b.1) (relating to prostitution and related offenses) shall be ordered to pay a fine of \$5,000 for each offense. An individual who is convicted of an offense under section 5902(e) shall be ordered to pay a fine of \$2,500 for each offense. An individual who is convicted of an offense under section 5902(e), when the individual knew or should have known the victim was under 18 years of age, shall be ordered to pay a fine of \$5,000 for each offense.

Act 130 also amends Chapter 30 of Title 18 (Crimes and Offenses) by adding a new § 3065 (relating to Safe Harbor for Sexually Exploited Children) which provides:

(A) Safe Harbor. --If it is determined by a law enforcement officer, after reasonable detention for investigative purposes, that an individual is under 18 years of age and is determined to be a sexually exploited child as defined in section 3001 (relating to definitions), the individual shall be immune from:

(1) prosecution or adjudication as a delinquent child for a violation of sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses).

(2) revocation of an existing term of probation or parole arising from a conviction or adjudication for another offense, if the revocation is based on conduct under paragraph (1).

(B) Exceptions to safe harbor. --The safe harbor under subsection (A) shall not:

(1) interfere with or prevent an investigation, arrest, charge, prosecution, delinquency adjudication or revocation for violations other than a violation under subsection (A).

(2) bar the admission of evidence in connection with the investigation and prosecution for a violation other than a violation under subsection (A).

(3) bar the admission of evidence in connection with an investigation and prosecution of an individual who does not qualify for safe harbor as provided under this section.

(C) Detainment.--An individual determined to be a sexually exploited child as defined in section 3001 (relating to definitions) shall be detained no longer than necessary and only to assist the child in securing specialized services available under section 3062 (relating to specialized services for sexually exploited children) or to refer the child to a county agency if required under 42 Pa.C.S. § 6329 (relating to dependency in lieu of delinquency).

(D) Immunity.-- In addition to any other immunity or limitation on civil liability, a law enforcement officer or prosecuting attorney who, acting in good faith, investigates, detains, charges or institutes delinquency proceedings against an individual who is thereafter determined to be entitled to immunity under this section, shall not be subject to civil liability for the actions.

Act 130 also amends the Juvenile Act by creating a new § 6328 (relating to dependency in lieu of delin-

quency). § 6328 would require that a child be referred to the county agency when: a specified offense is committed as a direct result of being a sexually exploited child; or is directly related to having been subject to human trafficking as defined in 18 Pa.C.S. § 3001 (relating to definitions).

The specified offenses contained in § 6329 as mandating initial referral to the county agency include:

- (1) 18 Pa.C.S. § 3503 (relating to criminal trespass).
- (2) 18 Pa.C.S. § 4914 (relating to false identification to law enforcement authorities).
- (3) 18 Pa.C.S. § 5503 (relating to disorderly conduct).
- (4) 18 Pa.C.S. § 5506 (relating to loitering and prowling at night time).
- (5) An offense for simple possession of a controlled substance under section 13(a)(16) and (31) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

§ 6328 also provides that if treatment and social services are unsuccessful while the dependency petition is pending, as evidenced by the child's behavior, and the county agency believes that juvenile justice services are necessary and warranted, the county agency shall refer the child's case to the juvenile probation department or district attorney's office for the commencement of delinquency proceedings. When this occurs, upon the final discharge of supervision, juvenile court records relating to an offense listed above shall be expunged by the court under 18 Pa.C.S. § 9123 (relating to juvenile records).

Act 130 becomes effective on December 23, 2018.

Act 147 of 2018

SB 916 P.N. 2086 was signed into law by Governor Tom Wolf on October 24, 2018, becoming Act 147 of 2018. Act 147 amends Title 42 (Judiciary and Judi-

cial Procedure) to provide for expanded capacity for postconviction DNA testing at any time through motion for the performance of DNA testing on specific evidence that is related to the investigation or prosecution that resulted in the judgement of conviction. The evidence may have been discovered either prior to or after the applicant's conviction. The evidence shall be available for testing as of the date of the motion. If the evidence was discovered prior to the applicant's conviction, the evidence shall not have been subject to the DNA testing requested because the technology for testing was not in existence at the time of the trial or the applicant's counsel did not seek testing at the time of the trial in a case where a verdict was rendered on or before January 1, 1995, or the evidence was subject to the testing, but newer technology could provide substantially more accurate and substantially probative results, or the applicant's counsel sought funds from the court to pay for the testing because his client was indigent and the court refused the request despite the client's indigency.

Act 147 also amends Title 44 (Law and Justice) relating to the submission of DNA samples by individuals convicted of, adjudicated delinquent for or accepted into ARD for felony sex offenses and other specified offenses. Specifically, SB 916 would expand the definition of "other specified offenses" at § 2303 to include all misdemeanors of the first degree and certain misdemeanors of the second degree, including:

(6) An offense graded as a misdemeanor of the second degree under any of the following:

- 18 Pa.C.S. § 2701 (relating to simple assault).
- 18 Pa.C.S. § 2903 (relating to false imprisonment).
- 18 Pa.C.S. § 3127 (relating to indecent exposure).
- 18 Pa.C.S. Ch. 39 (relating to theft and related offenses).
- 18 Pa.C.S. § 4105 (relating to bad checks).

18 Pa.C.S. § 4106 (relating to access device fraud).

18 Pa.C.S. § 4952 (relating to intimidation of witnesses or victims).

18 Pa.C.S. § 4953 (relating to retaliation against witness, victim or party).

18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).

18 Pa.C.S. § 5121 (relating to escape).

18 Pa.C.S. § 5126 (relating to flight to avoid apprehension, trial or punishment).

18 Pa.C.S. § 5131 (relating to recruiting criminal gang members).

18 Pa.C.S. § 5510 (relating to abuse of corpse).

18 Pa.C.S. § 5511 (relating to cruelty to animals).

18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

Act 147 also reestablishes the Statewide DNA Data Base within the State Police to store forensic DNA profiles under the former DNA Act, mandates a yearly report containing information regarding the collection and testing of DNA samples, and outlines limited circumstances under which DNA samples may be expunged.

The expansion of the definition of “other specified offenses” contained in Act 147 becomes effective on December 1, 2019.

Should you have any questions regarding any of the matters contained in this Legislative Update, feel free to contact Rick Steele at 717-787-6910 or at ricsteele@pa.gov.

DR. THOMAS L. AUSTIN UNDERGRADUATE SCHOLARSHIP

In 1986, the graduates of the Juvenile Court Judges’ Commission Graduate Education program established the Shippensburg University Juvenile Justice Scholarship Fund, and each year since, the JCJC has awarded a \$1,000 scholarship to a worthy undergraduate student at Shippensburg University majoring in Criminal Justice. This scholarship is named in honor of Dr. Thomas L. Austin, who taught in the JCJC-sponsored Graduate Education Program at Shippensburg University from its inception in 1982 until his retirement in 2011. The criteria for this scholarship are academic excellence and an interest in juvenile justice.

JCJC will be awarding this year’s scholarship recipient at the 2018 James E. Anderson Pennsylvania Conference on Juvenile Justice. The scholarship has traditionally been funded by donations from the graduates of the JCJC Graduate Education Program, however donations from any person are accepted and greatly appreciated!

Many of the past recipients of this scholarship have gone on to careers in Pennsylvania’s juvenile justice system, including the last four award winners. The fact that past award winners have served, or are currently serving, as juvenile justice professionals in Pennsylvania attests to the value of the scholarship program.

If you would like to contribute to the scholarship fund, simply go to the following secured website and complete the requested information: <https://tinyurl.com/JJScholarshipFund>. Thank you in advance for your generous gift!



NATIONAL JUVENILE JUSTICE ANNOUNCEMENTS

The following announcements are reprinted from JUVJUST, an OJJDP news service:

APPLICATIONS BEING ACCEPTED FOR YOUTH IN CUSTODY PRACTICE MODEL INITIATIVE

The [Center for Juvenile Justice Reform](#) (CJJR) at Georgetown University's McCourt School of Public Policy, in partnership with the [Council of Juvenile Correctional Administrators](#) (CJCA), is accepting applications for its [Youth in Custody Practice Model initiative](#). This program will help state and county juvenile correctional agencies and facility providers implement a comprehensive service delivery approach for youth in residential care. Up to four sites will be selected to receive 18 months of training and technical assistance from CJJR, CJCA, and a team of juvenile justice experts. Applications are due by January 11, 2019.

RESOURCES:

Email Darlene Conroy for more information or call (781) 843-2663.

REGISTRATION OPEN FOR SCHOOL ENGAGEMENT PROFESSIONAL DEVELOPMENT SERIES

The [National Center for School Engagement](#) is offering a [Professional Development Series](#) from January 14-18, 2019, in Colorado Springs, CO. This interactive training, including a new unit on vicarious trauma, will provide educators, counselors, judges, and administrators with strategies to support youth and their families to be engaged at school.

The schedule is the following:

[January 14: Developing a Problem-Solving Truancy Court](#)

[January 15 and 16: Improving School Attendance](#)

[January 17: Creating a Trauma Informed School](#)

[January 18: Addressing Vicarious Trauma for Staff and Students](#)

[Register](#) to attend the entire week or any combination of training days.

REGISTRATION OPEN FOR GLOBAL YOUTH JUSTICE TRAINING

On January 29-31, 2019, [Global Youth Justice](#), in collaboration with the [National African American Drug Policy Coalition](#), will host its [21st Global Youth Justice Training](#)

in Las Vegas, NV. Participants will learn strategies to establish or enhance local volunteer-driven juvenile justice and youth justice diversion programs called Youth/Teen/Student/Peer Court or Peer Jury. Training will address administrative, operational, programmatic, and fiscal topics related to implementing these early intervention programs. [Register](#) for the training.



"SHINE A LIGHT" ON THE RUNAWAY AND HOMELESS YOUTH CRISIS IN NOVEMBER

[National Runaway Prevention Month](#), observed in November, brings awareness to the issues faced by hundreds of thousands of runaway and homeless youth. The observance provides several opportunities for organizations, communities, and individuals to get involved. The U.S. Department of Health and Human Services' Family and Youth Services Bureau supports the [National Runaway Safeline](#), which provides a crisis hotline and online services 24 hours a day, 365 days a year to help youth at risk of running away, those who have run away or are homeless, and their families.

APPLICATIONS BEING ACCEPTED FOR REDUCING RACIAL AND ETHNIC DISPARITIES IN JUVENILE JUSTICE CERTIFICATE PROGRAM

The [Center for Juvenile Justice Reform](#) (CJJR) and the [Center for Children's Law and Policy](#) are accepting applications for a second cohort of the [Reducing Racial and Ethnic Disparities in Juvenile Justice Certificate Program](#), to be held March 25-29, 2019 in Washington, DC. The training will identify areas for reform at key juvenile justice system decision points, including arrest, referral, diversion, detention, disposition, and post-disposition. This training will also focus on strategies for jurisdictions to reduce overrepresentation and address racial and ethnic disparities in their juvenile justice systems through a local Capstone Project reform effort. Only a limited number of applicants will be accepted to join the existing teams. [Apply](#) by December 14, 2018.

RESOURCES:

View the [curriculum](#) and [application guidelines](#).

Learn about all of [CJJR's Certificate Programs](#).

OJJDP ACCEPTING NOMINATIONS FOR NATIONAL MISSING CHILDREN'S DAY AWARDS

Each year, the U.S. Department of Justice, through OJJDP, recognizes individuals, organizations, and agencies that have made a difference in recovering abducted children and protecting children from exploitation. The Department honors the awardees each May at the annual National Missing Children's Day ceremony in Washington, DC to be held on May 22, 2019.

Access the nomination forms for the 2019 National Missing Children's Day awards online:

[Missing Children's Law Enforcement Award](#)

[Missing Children's Citizen's Award](#)

[Missing Children's Child Protection Award](#)

[Attorney General's Special Commendation](#)

The deadline for nominations is January 23, 2019.

RESOURCES:

Visit the [Missing Children's Day](#) webpage and the [nomination](#) webpage for nomination guidelines, eligibility requirements, and judging criteria.

OJJDP'S TRIBAL YOUTH TRAINING AND TECHNICAL ASSISTANCE CENTER TO HOST TRIBAL YOUTH CONFERENCE

The [OJJDP Tribal Youth Training and Technical Assistance Center](#) will host the [2018 National Tribal Youth Conference](#) on December 3-4, 2018, on the Agua Caliente Reservation in Palm Springs, CA. The conference theme is "Reclaiming the Sacred Circle: Justice and Healing for Tribal Youth through Prevention, Intervention, and Treatment." This event will bring together OJJDP Tribal Youth Program and Juvenile Healing to Wellness Court grantees and other intervention, prevention, and court-based programs serving tribal youth. The conference is being coordinated by the Indian Country Child Trauma Center. [Register](#) to attend and [view the conference agenda](#).



RESOURCES:

[Learn more](#) about OJJDP's Tribal Youth Programs.

FALL ISSUE OF AMBER ADVOCATE NEWSLETTER NOW AVAILABLE

OJJDP has released the fall 2018 issue of [The AMBER Advocate](#) newsletter. This issue features articles on:

- The Ashlyne Mike AMBER Alert in Indian Country Act.
- Faces of the AMBER Alert Network.
- The role AMBER Alert played in a Colorado child's recovery.
- AMBER Alert briefs.
- AMBER Alert international news.



The U.S. Department of Justice and the [National Center for Missing & Exploited Children](#) coordinate the [AMBER Alert program](#) nationally. AMBER Alerts have led to the safe recovery of more than 930 abducted children to date.

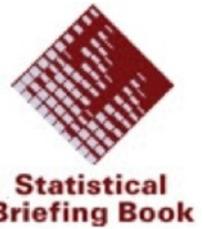
RESOURCES:

Access [previous issues](#) of the newsletter.

[Learn more](#) about the AMBER Alert program.

OJJDP ADDS COURT DATA TO STATISTICAL BRIEFING BOOK

OJJDP has updated its [Statistical Briefing Book](#) to include national estimates of delinquency and petitioned status offense cases processed in juvenile courts through 2016.



Resources include:

A [Data Snapshot](#) describing the characteristics and processing outcomes of delinquency cases handled in juvenile court in 2016.

Data Analysis and Dissemination Tools, including: [Easy Access to Juvenile Court Statistics](#) and [Easy Access to State and County Juvenile Court Case Counts](#).

Frequently Asked Questions about [Juveniles in Court](#) and [Juveniles on Probation](#).

A [Special Topics](#) section, including detailed tables that describe delinquency cases involving Hispanic youth.

Developed for OJJDP by the [National Center for Juvenile Justice](#), the research division of the [National Council of Juvenile and Family Court Judges](#), the Statistical Briefing Book offers easy online access to statistics on a variety of juvenile justice topics.

RESOURCES:

Access the full list of [Data Snapshots](#) and [Data Analysis Tools](#) available from the Statistical Briefing Book.

Learn more about the OJJDP-sponsored [National Juvenile Court Data Archive](#).

This publication is produced monthly by the Juvenile Court Judges' Commission. Guest articles are welcome; please submit by e-mail to ra-oajcnews@pa.gov.

To subscribe to Pennsylvania Juvenile Justice, please send your request to ra-oajcnews@pa.gov to be added to the distribution list. You will receive an e-mail alert each month when the latest edition is available.

