



Pennsylvania Juvenile Justice Task Force

Task Force Charge

“Our charge to this interbranch initiative is to develop data-driven policy recommendations through stakeholder consensus with the goals of:

1. protecting public safety,
2. ensuring accountability,
3. containing costs, and
4. improving outcomes for youth, families, and communities.”

Tom Wolf Governor	Thomas Saylor Chief Justice	Joseph Scarnati Senate President Pro Tempore (former)	Mike Turzai Speaker of the House (former)
Jay Costa Senate Minority Leader	Bryan Cutler Speaker of the House	Frank Dermody House Minority Leader (former)	Jake Corman Senate President Pro Tempore

Task Force Members

- **Sen. Lisa Baker (Co-chair)**, Senate District 20
- **Sen. Jay Costa (Co-chair)**, Senate District 43
- **Rep. Tarah Toohil (Co-chair)**, House District 116
- **Rep. Mike Zabel (Co-chair)**, House District 16
- **James Anderson**, Former Executive Director (retired), Pennsylvania Juvenile Court Judges' Commission
- **Andrew Barnes**, Executive Deputy Secretary of Policy and Planning, Office of Governor Tom Wolf
- **Kevin Bethel**, Special Adviser for School Safety, School District of Philadelphia
- **Meghan Black**, Deputy District Attorney, Allegheny County
- **Rep. Karen Boback**, House District 117
- **Quimon Broady**, Youth Member
- **Russell Carlino**, Chief Probation Officer, Juvenile Probation Department, Allegheny County
- **Judge Kim Berkeley Clark**, 5th Judicial District
- **Dominick DiSalvo**, Senior Director of Clinical Services, KidsPeace
- **Cynthia Figueroa**, Deputy Mayor, Office of Children and Families, City of Philadelphia
- **Steven Guccini**, Commissioner, Pike County
- **Helen Gym**, Councilwoman At-Large, Philadelphia City Council
- **Rep. Kristine Howard**, House District 167
- **Dan Jurman**, Executive Director, Office of Advocacy and Reform
- **Sen. Scott Martin**, Senate District 13
- **Haundray Muir**, Youth Member
- **Michael Pennington**, Executive Director, Pennsylvania Commission on Crime and Delinquency
- **Tara Piechowicz**, Deputy Secretary of Policy and Planning, Office of Governor Tom Wolf
- **Judge Douglas Reichley**, Lehigh County Court of Common Pleas
- **Jonathan Rubin**, Deputy Secretary, Office of Children, Youth, and Families, Pennsylvania Department of Human Services
- **Tiffany Sizemore**, Assistant Professor of Clinical Legal Education, Duquesne University School of Law
- **Richard Steele**, Executive Director, Pennsylvania Juvenile Court Judges' Commission
- **Matthew Stem**, Deputy Secretary, Office of Elementary and Secondary Education, Pennsylvania Department of Education
- **Scott Talley**, Director, Office of Mental Health and Substance Abuse Services, Bureau of Children's Behavioral Health Services, Pennsylvania Department of Human Services
- **Joseph Werner**, School Social Worker, Pennridge School District
- **Sen. Anthony H. Williams**, Senate District 8

Timeline and Process



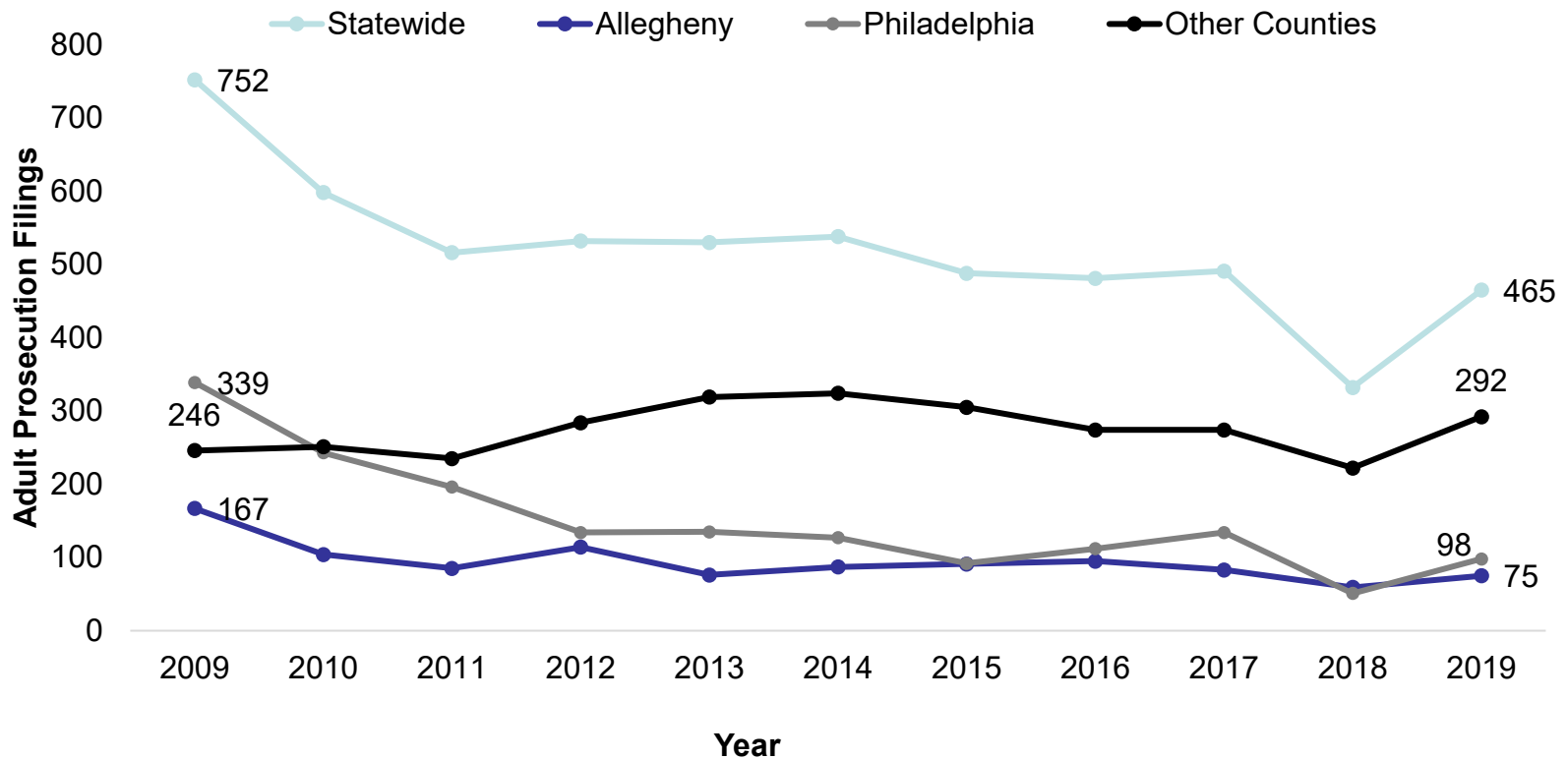
Key Data Findings

- In Pennsylvania, following a 1995 law, some youth's cases must be filed directly in adult court, without juvenile court review
- Any felony alleged against a child age 14 or older may be transferred by the juvenile court for criminal prosecution
- Research indicates charging youth in the adult criminal justice system does not serve as a deterrent and can lead to higher rates of reoffending.



Philadelphia, Allegheny Counties are driving large decreases in filings for adult prosecution; other counties up since 2009

Adult Prosecution Filings* by County: 2009 - 2019

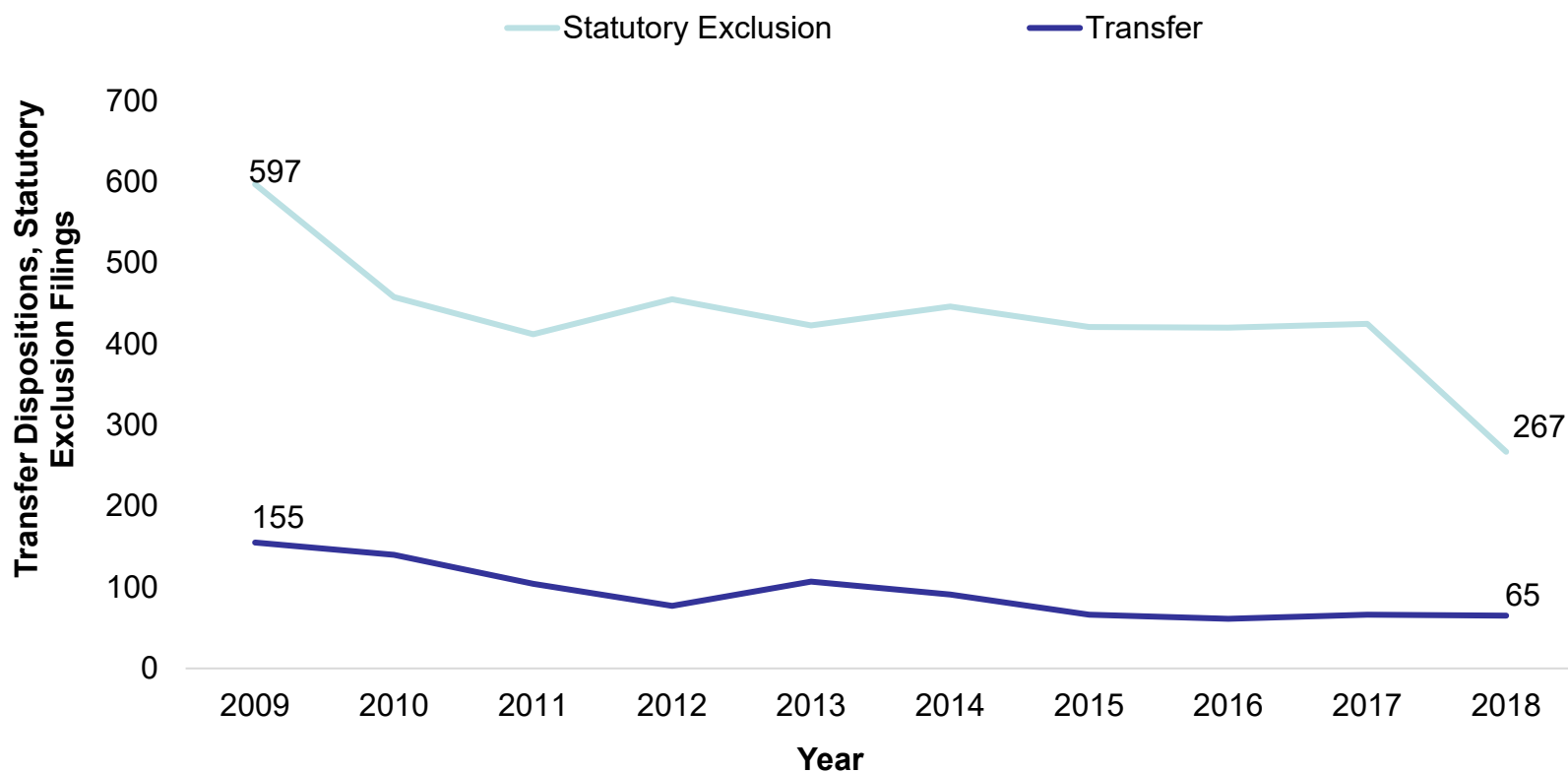


*Figures represent the total number of transfer dispositions that occurred in Pennsylvania Juvenile Courts and the number of statutory exclusion cases filed with Pennsylvania Minor Courts. Any cases that were decertified are omitted from these figures.



Youth are more likely to come under criminal court jurisdiction due to statutory exclusion than transfer

Total Number of Transfer Dispositions* and Statutory Exclusion Filings: 2009-2018**



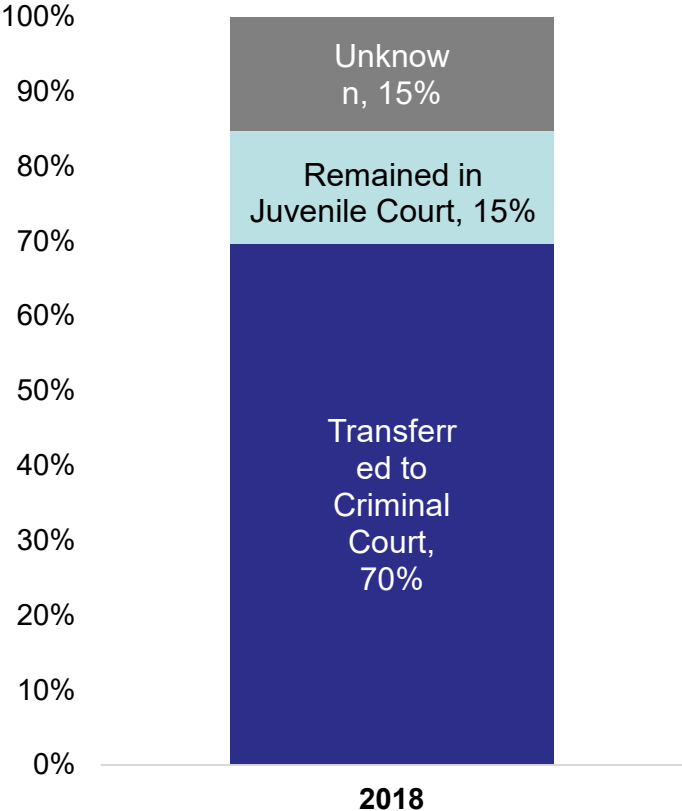
*Figures represent the total number of transfer dispositions that occurred in Pennsylvania Juvenile Courts.

**Figures represent the number of statutory exclusion cases filed with Pennsylvania Minor Courts.



At transfer hearings, juvenile court judges send youth to adult court for criminal prosecution at least 70% of the time

**Outcome of Transfer Hearing:
2018**





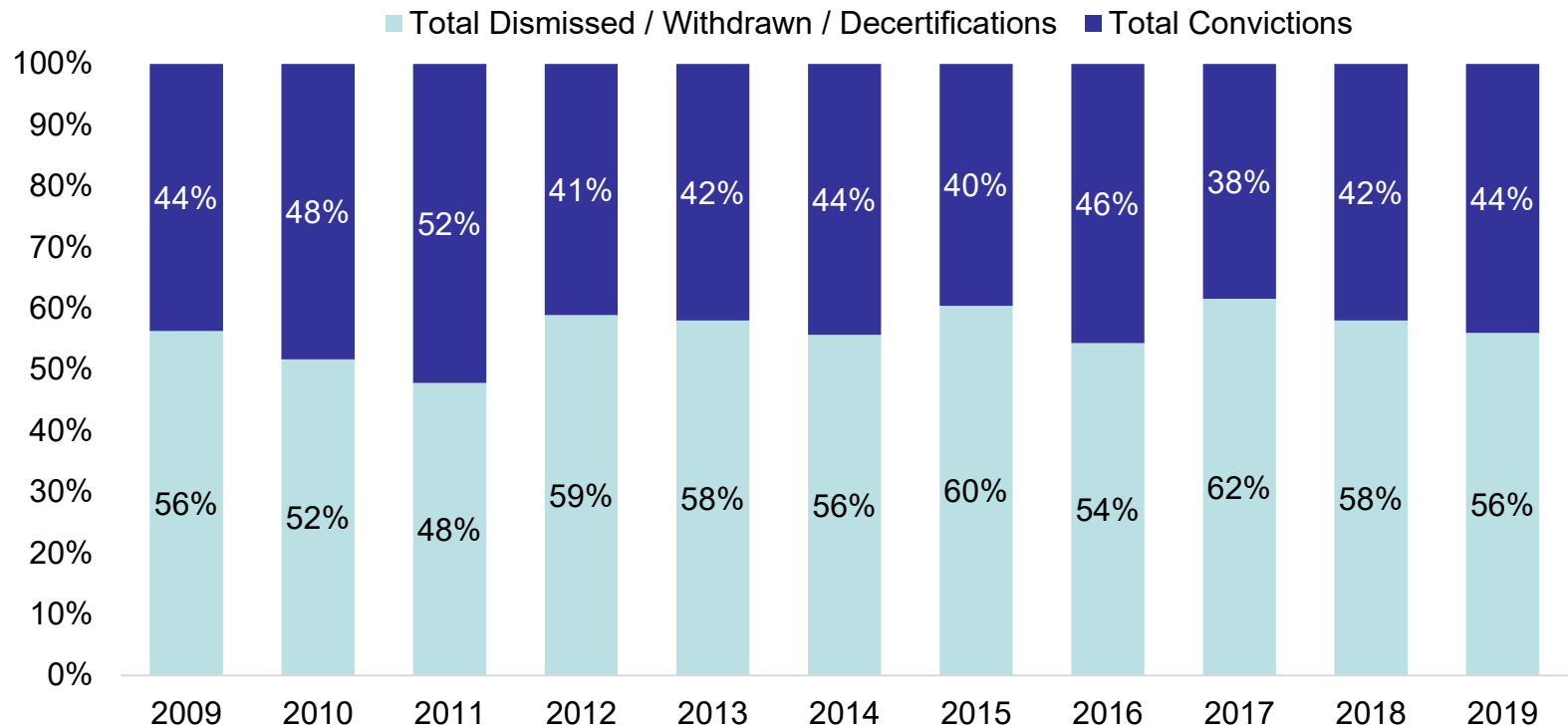
Theft, possession with intent to deliver drugs are most common offenses among youth transferred to criminal court

Rank	Top 5 Offenses (2018): Transfer Filings	% of Transfer Filings	Top 5 Offenses (2018): Transfer Dispositions	% of Transfer Dispositions
1	Possession with Intent to Deliver Drugs	24%	Possession with Intent to Deliver Drugs	22%
2	Theft-Related* Offense	19%	Theft-Related* Offense	22%
3	Firearm-Related** Offense	15%	Firearm-Related** Offense	17%
4	Aggravated Assault	10%	Involuntary Deviate Sexual Intercourse	7%
5	Involuntary Deviate Sexual Intercourse	8%	Robbery	7%
	Total	76% (100%)	Total	76% (100%)

*A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle. **A firearm-related offense includes unlawful possession of a firearm, unlawful use of a firearm, carrying a firearm without a license, and possession of firearm by minor.

Among all cases where adult prosecution is pursued, nearly 60% get dismissed/withdrawn or end up in juvenile court

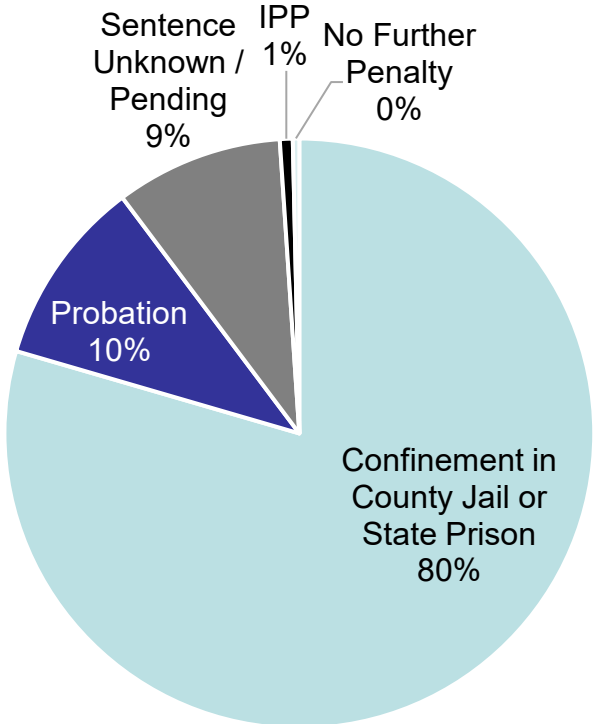
Outcome of Adult Prosecution Proceedings for Transfer and Statutory Exclusion Cases* : 2009- 2019



*Includes youth who had a transfer to criminal court hearing but ultimately remained in juvenile court and youth who had filings in the Minor Courts or the Court of Common Pleas that were ultimately dismissed or withdrawn.

Approximately 80% of youth convicted in criminal court are sentenced to time in a county jail or state prison

**Sentences of Youth Convicted in Criminal Court:
2019**



Average Minimum Confinement Sentence: 28 months

What is the Task Force recommending be done about it?

- Eliminate statutory exclusion from juvenile court (“direct file”).
- Raise the minimum age at which a youth may be transferred by a judge to criminal court for certain serious offenses to 16.
- Shift the burden of establishing that the “public interest is served” by the transfer of the case to criminal court to the Commonwealth in all cases.
- Youth under the age of 18 shall not be held in county jails, even if the youth is charged as an adult.

Additional Information

Task Force Website:

<http://www.pacourts.us/pa-jvenile-justice-task-force>

- Adult prosecution data from Wednesday
- September 30, 2020