

# SERVICES TO TROUBLED YOUTH

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A REVIEW AND RECOMMENDATIONS



General Assembly of the Commonwealth of Pennsylvania  
JOINT STATE GOVERNMENT  
COMMISSION • MARCH 1975

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The Joint State Government Commission was created by Act of 1937, July 1, P. L. 2460, as amended, as a continuing agency for the development of facts and recommendations on all phases of government for the use of the General Assembly.

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**GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA  
JOINT STATE GOVERNMENT COMMISSION**

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March 21, 1975

TO THE MEMBERS OF THE GENERAL ASSEMBLY:

The Joint State Government Commission is pleased to present this report of the Task Force on Services to Delinquent, Dependent and Neglected Children. The task force was appointed pursuant to House Resolution No. 169 of the Session of 1972 "to study all of the various services rendered to children and youth by all levels of government . . . relating to delinquency, dependent and neglected children and those in need of mental health services to determine who is responsible therefor . . . [and] the feasibility and advisability of establishing a new department which would be solely responsible for the administration of such services."

Under the able leadership of Representative Anthony J. Scirica, chairman, and Senator Michael A. O'Pake, vice chairman, the task force in the course of its study enlisted the assistance of many Pennsylvanians involved in the field of human services. Recommendations are embodied in proposed legislation establishing a Department of Youth Services and providing a coordinated delivery system, at both the State and local levels, for services to troubled children.

Gratitude is expressed to all who participated in this project. The task force wishes to acknowledge the cooperative efforts of Robert B. Wolf, Esq., member of the Board of Directors of the Citizens Crime Commission of Philadelphia, and Karl Purnell, staff member of the House of Representatives who was assigned to assist the task force chairman.

Respectfully submitted,

A handwritten signature in cursive script that reads "Fred J. Shupnik".

Fred J. Shupnik  
Chairman

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TASK FORCE ON THE STUDY OF SERVICES TO  
DELINQUENT, DEPENDENT AND NEGLECTED CHILDREN

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Senate Members

Michael A. O'Pake, Vice Chairman	William J. Moore
Charles F. Dougherty	*John N. Scales
Edward L. Howard	Joseph F. Smith

\*No longer member of General Assembly

## I. INTRODUCTION

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In May 1972, Judge Maurice B. Cohill, Jr.,<sup>1</sup> sent an open letter to Governor Milton J. Shapp and a number of legislators, department secretaries, commission chairmen and key citizen leaders who share a concern for children in Pennsylvania. Judge Cohill called attention to the myriad of departments and agencies at both the State and county levels that provide services for children. As a remedy for the resulting confusion and fragmentation in the delivery of services, he suggested the need for a policy- and decision-making cabinet-level post concerned only with the problems of youth.

In December 1972, the General Assembly enacted the Juvenile Act,<sup>2</sup> which had been proposed by a Joint State Government Commission task force, under the chairmanship of Senator Louis G. Hill. Although limited by its authorizing resolution to consideration of constitutional guarantees applicable to children required by the United States Supreme Court's Gault decision,<sup>3</sup> the task force was acutely aware of problems inherent in the existing systems for delivery of treatment, supervision and rehabilitation services for children. In Gault, the court supports its ruling allowing differentiation of treatment for children from those of criminals in its review of the juvenile court movement in this country:

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1. Court of Common Pleas of Allegheny County, Family Division, and chairman, Board of Fellows of the National Center for Juvenile Justice, Pittsburgh.

2. 1972, December 6, P.L. 1464, No. 333.

3. Application of Gault, 387 U.S. 1 (1967).

The early reformers . . . were profoundly convinced that society's duty to the child could not be confined by the concept of justice alone. They believed that society's role was not to ascertain whether the child was "guilty" or "innocent," but "What is he, how has he become what he is, and what had best be done in his interest and in the interest of the state to save him from a downward career." The child--essentially good, as they saw it--was to be made "to feel that he is the object of [the state's] care and solicitude," not that he was under arrest or on trial. . . . The apparent rigidities, technicalities and harshness which they observed in both substantive and procedural criminal law were therefore to be discarded. The idea of crime and punishment was to be abandoned. The child was to be "treated" and "rehabilitated" and the procedures, from apprehension through institutionalization, were to be "clinical" rather than punitive.<sup>4</sup>

Because of its concern regarding the delivery of services to children in Pennsylvania, the House of Representatives adopted 1972 House Resolution No. 169, directing the Joint State Government Commission to conduct a study of the various services rendered at all levels of government to "delinquent, dependent and neglected children"<sup>5</sup> and those in need of mental health services. This resolution, introduced by Representative Herbert Fineman and others, incorporated much of Judge Cohill's letter.

The legislative task force authorized by the Executive Committee of the Joint State Government Commission pursuant to House Resolution No. 169, organized at the call of its chairman, Representative Anthony J. Scirica, on September 17, 1973. At that time, the task force determined to schedule a series of meetings at which knowledgeable officials would articulate problems and issues for consideration.

In addition to testifying, the following were invited to observe and participate in these meetings:

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4. Ibid., 387 U.S. at 15, 16.

5. The Juvenile Act consolidated the prior statutory category of "dependent and neglected children" under the concept of "deprived" children; the latter term will be used throughout this report.



JUDGE MAURICE B. COHILL, JR., Allegheny County Court  
of Common Pleas

JUDGE FRANK J. MONTEMURO, Philadelphia Court of Common Pleas

DR. LEONARD ROSENGARTEN, Chief Deputy Court Administrator,  
Philadelphia Court of Common Pleas

CHRISTIAN ZANDER, Executive Director, Juvenile Court  
Judges' Commission

ANTHONY GUARNA, Chief Juvenile Probation Officer,  
Montgomery County

ROBERT SOBOLEVITCH, Director, Bureau of Youth Services,  
Department of Public Welfare

LARRY D. BARKER, Former Commissioner of the Office of  
Children and Youth, Department of Public Welfare

H. RICHARD ALLEN, Director, Special Services Office,  
Governor's Justice Commission

ROBERT B. WOLF, ESQ., Board of Directors, Citizens Crime  
Commission of Philadelphia

IAN H. LENNOX, Executive Vice President, Citizens Crime  
Commission of Philadelphia

Since the Citizens Crime Commission of Philadelphia had applied for a grant from the Governor's Justice Commission to undertake a similar study of services for children, the task force and commission agreed to work cooperatively, with the commission assuming responsibility for generating statewide citizen participation in the task force study. Robert Wolf and Ian Lennox of the Citizens Crime Commission held a series of seminars for professionals and concerned laymen, drafted statements of policy, obtained recommendations of professors and practicing specialists and kept the task force apprised of its activities.

Meeting seven times during the winter and spring of 1973-1974, the task force and observers reviewed delivery systems for youth services in Pennsylvania and in other states. Among matters receiving attention were statutory authorizations, fiscal and budgetary data, youth-services agencies of other states, youth authorities in California and Florida and recommendations of prior Joint State Government Commission studies.<sup>6</sup>

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6. Juvenile Delinquency, Penal Code and Penal Institutions, A Report of the Committee on Penal Code and Juvenile Delinquency, April 20, 1945; Report on Child Welfare Laws, Juvenile Delinquency, and Institutions, April 3, 1947; and Juvenile Delinquency and Child Welfare, February 1949. Also see Appendix B, p. 72.

The task-force study was supplemented by authoritative testimony presented by Secretary Helene Wohlgemuth of the Department of Public Welfare, Judge Richard S. Lowe of the Montgomery County Court of Common Pleas and Judge William W. Lipsitt of the Dauphin County Court of Common Pleas, chairman of the Juvenile Court Judges' Commission.

In order to focus ideas and criticisms, in May of 1974 the task force circulated to interested organizations and individuals a preliminary draft of proposed legislation amending The Administrative Code of 1929<sup>7</sup> to establish a Department of Youth Services. Subsequently, public hearings were held in Harrisburg, Philadelphia, Norristown and Pittsburgh. Lists of those who testified and submitted written comments and the organizations they represented are found in Appendix A, p. 66.

The task force and staff also benefited from the participation and proposals of representatives of other interested organizations working in the field, including Dr. C. Wilson Anderson, Pennsylvania State University, chairman of the Department of Public Welfare Task Force on Prevention, Treatment and Control of Juvenile Delinquency; Professors Daniel J. Katkin and Drew W. Hyman, Pennsylvania State University, members of the Task Force on Prevention, Treatment and Control of Juvenile Delinquency; Suzanne Yenchko, executive director, and members of the staff of the Joint Council on the Criminal Justice System; Patricia L. Quann, special assistant for criminal justice, Governor's Office; John T. Snavely, executive director, Governor's Justice Commission; and the speakers and participants at the "Children in Need of Services" Institute, sponsored by the Citizens Crime Commission of Philadelphia in cooperation with the Pennsylvania Joint Council on the Criminal Justice System.

At the close of the public hearings, Chairman Scirica appointed a drafting committee from among the membership of the task force to review the large number of suggestions and recommendations received. This drafting committee--composed of Representative Scirica, task force chairman, Senator Michael A. O'Pake, vice chairman, Senator Charles F. Dougherty, and Representatives Norman S. Berson, Ivan Itkin and Marvin E. Miller, Jr.--met on five occasions to formulate proposed legislation, which was presented to and approved by the task force on February 18, 1975.

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7. 1929, April 9, P.L. 177.

## II. EXISTING SYSTEMS: HISTORY AND DEVELOPMENT

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When examining existing systems for the delivery of services to children in Pennsylvania, the task force found statutory authorizations for six basic types of services.

### Juvenile Justice System

1. Juvenile Courts--In 1893, the General Assembly recognized the need for different treatment of children who had violated the penal laws of the Commonwealth in a statute providing that:

. . . no child under restraint or conviction, under sixteen years of age, shall be placed in any apartment or cell of any prison or place of confinement, or in any court room during the trial of adults, or in any vehicle of transportation in company with adults charged with or convicted of crime. . . .

All cases involving the commitment or trial of children for any crime or misdemeanor, before any magistrate or justice of the peace, or in any court, may be heard and determined by such court at suitable times to be designated therefor by it, separate and apart from the trial of other criminal cases, of which session a separate docket and record shall be kept.<sup>1</sup> (Emphasis supplied)

In 1933, the General Assembly created the first juvenile justice system and established juvenile courts with exclusive jurisdiction over delinquent, dependent and neglected children.<sup>2</sup>

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1. 1893, June 12, P.L. 459.

2. The Juvenile Court Law, 1933, June 2, P.L. 1433; Juvenile Court Law of Allegheny County, 1933, June 3, P.L. 1449.

This statutory system continued without significant change until the United States Supreme Court decision in Gault<sup>3</sup> mandated the thorough revision contained in the Juvenile Act of 1972.

2. Probation Subsidies--The General Assembly in 1959 established the Juvenile Court Judges' Commission, consisting of nine judges appointed by the Governor from a list submitted by the Chief Justice of the Supreme Court. The Juvenile Court Judges' Commission is charged with the following responsibilities:

(1) To advise the juvenile court judges of the Commonwealth in all matters pertaining to the proper care and maintenance of delinquent children.

(2) Examine the administrative methods and judicial procedure used in juvenile courts throughout the State, establish standards and make recommendations on the same to the courts.

(3) Examine the personnel practices and employment standards used in probation offices in the Commonwealth, establish standards and make recommendations on the same to the courts.

(4) Collect, compile and publish such statistical and other data as may be needed to accomplish reasonable and efficient administration of the juvenile courts.<sup>4</sup>

Beginning in 1968, specific appropriations were made available to the commission to make annual grants to political subdivisions for the development and improvement of probation services for juveniles.<sup>5</sup> Appropriations through 1974-1975 are presented in Table 1, p. 7. The General Assembly chose to place this responsibility upon the commission--an agency of the Department of Justice--rather than upon the Department of Public Welfare, despite arguments that this would further fragment the delivery of services.

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3. Application of Gault, 387 U.S. 1 (1967); in 1963, a Joint State Government Commission task force, under the chairmanship of Representative Herbert Fineman, anticipated Gault in proposed legislation known as the Juvenile Court Act of 1963, which provided for many of the requirements later established in Gault, including the right of the child to be informed as to the allegations, the right to counsel, right to confrontation of witnesses, and certain prohibitions against fingerprinting and photographing the child without court approval. House Bill 1535, Pr. No. 1811, was not reported out of the Senate Committee on Rules.

4. 1959, December 21, P.L. 1962.

5. 1968, July 2, P.L. 294, No. 147, adding Section 905.1 to The Administrative Code of 1929.

TABLE 1  
 JUVENILE COURT JUDGES' COMMISSION  
 EXPENDITURES FOR JUVENILE COURT ADVISORY SERVICES

Fiscal Year	Juvenile Court Advisory Services			State grants to counties for development and improvement of juvenile probation services
	State	Federal <sup>a</sup>	Total	
1959-61	\$ 7,203	\$ --	\$ 7,203	\$ --
1961-62	15,157	--	15,157	--
1962-63	19,122	--	19,122	--
1963-64	31,786	--	31,786	--
1964-65	50,205	--	50,205	--
1965-66	52,175	--	52,175	--
1966-67	51,526	--	51,526	--
1967-68	60,677	--	60,677	--
1968-69	82,960	--	82,960	720,000
1969-70	102,000	17,000	119,000	720,000
1970-71	114,000	15,000	129,000	720,000
1971-72	109,000	41,000	150,000	720,000
1972-73	128,000	52,000	180,000	1,320,000
1973-74	151,000	62,000	213,000	1,320,000
1974-75 <sup>b</sup>	164,000	107,000	271,000	1,320,000

SOURCES: Commonwealth of Pennsylvania, Annual Budgets.

a. Federal funds are appropriated under the Omnibus Crime Control and Safe Streets Act, 1968 Pub.L. 90-351, 82 Stat. 197.

b. Budgeted figures.

Lieutenant Governor Ernest P. Kline (then Senator) in discussing Senate Bill 677 on the floor of the Senate January 2, 1968, after noting that the bill placed the probation subsidy function in the Department of Justice rather than in the Department of Public Welfare, stated:

It goes against the best advice of every social agency in this Commonwealth, from the Department of Public Welfare to every one of the county agencies, to the Chiefs of Police Associations, to the American Legion, to the Catholic Welfare Conference and to all of the big city agencies that are concerned with juvenile problems in Pennsylvania.

It baffles me that this kind of a bill can sail through the General Assembly, largely because a few Judges want it. As I understand this bill, it will put into the hands of the Juvenile Court Judges' Commission the power to administrate a very delicate and sensitive function in the rehabilitation of juveniles who have been in trouble. . . .

The principal arguments that we present against these bills are these:

This program originated in the Department of Public Welfare, where it is presently handled and where it belongs, because there they have a comprehensive program of services to children. The trend in welfare services is for an amalgamation of splintered services to families in comprehensive programs, and not for further separation.

The trend in Court-operated administrative services is toward reduction and not expansion. Child welfare services have been removed from Court supervision during recent years. Adult parole and probation are also being removed and the recent Gault decision of the Supreme Court reasserts the role of a Juvenile Court as a judicial agency and not an administrative agency. The President's Crime Commission recommends against this kind of a move.

The Committee on Juvenile Delinquency of the Governor's Conference has long recommended that each State have a single co-ordinator of delinquency services. The Secretary of Public Welfare has been involved in that in the Commonwealth of Pennsylvania. I mention to you the vast number of people, including the County Commissioners' Association, which [are] opposed to this kind of a principle. . . .<sup>6</sup>

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6. Legislative Journal-Senate, January 2, 1968, pp. 1068-1069; also see Legislative Journal-House, June 24, 1968, pp. 930-934.

3. Pennsylvania Institutions for Children--Pennsylvania has a proud heritage of viable private institutions, both sectarian and nonsectarian, which accept voluntary placements and court commitments of delinquent and deprived children. Currently, approximately 75 such institutions are members of the Pennsylvania Association of Children's Institutions.<sup>7</sup>

Prior to 1956, the Commonwealth operated--through the Department of Justice--three institutions which accepted juvenile commitments: State Industrial School--White Hill, State Industrial Home for Women--Muncy, and Pennsylvania Institution for Defective Delinquents--Huntingdon. At the present time only "White Hill" accepts juvenile commitments, despite its authority to do so being restricted in the Juvenile Act. In 1956, the General Assembly authorized the Department of Public Welfare to establish and operate youth forestry camps, and in 1959, to establish and operate youth development centers.<sup>8</sup> The number of youth forestry camps and youth development centers steadily increased from 2 in 1959 to 13 by early 1968. Table 2, p. 10, shows the dates of establishment (and closing) of these institutions, their purported program capacity and their average daily population in 1974. At the current time, the department operates 6 youth development centers and 3 forestry camps. For the department's expenditures for these institutions, see Table 3, p. 32.

#### Child Welfare and Other Commonwealth Services

4. Child Welfare--In 1972, the Department of Public Welfare rendered services, both institutional and noninstitutional, to 176,647 children under 18.<sup>9</sup> For the same year, the juvenile courts reported a total caseload of 39,466.<sup>10</sup> The Department of Public Welfare included the latter figure in its total caseload (216,113) since services may have also been rendered to those children. It is obvious that focusing on the juvenile justice system ignores services rendered to children prior to their penetration into the system. The Department of Public Welfare's reported caseload of children who do not get into the juvenile justice system is four-and-one-half times greater than of those who do.

Since 1913, the General Assembly has provided subsidy payments to indigent, widowed and abandoned mothers for the partial

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7. Statement of Rev. Garnet Adams, president, Pennsylvania Association of Children's Institutions and superintendent of Bethany Children's Home, task force hearing, Norristown, June 13, 1974.

8. 1956, May 29, P.L. (1955) 1803; 1959, November 21, P.L. 1579.

9. See Appendix C, p. 79.

10. Ibid.

TABLE 2  
YOUTH DEVELOPMENT CENTERS AND FORESTRY CAMPS

Institution	Date opened	Current program capacity	Average daily population in 1974	Date closed
Camp #1	1956	52	58	--
Camp #2	1957	52	48	--
Canonsburg (Formerly Morganza)	1958	--	--	6/30/68
Waynesburg	1961	144	122	--
North Philadelphia	1961	--	--	6/30/68
Camp #3	1961	56	55	--
Warrendale	1962	130	124	--
Cresson	1963	--	--	12/5/68
Loysville	1963	140	131	--
South Philadelphia	1965	61	--	-- <sup>a</sup>
Philadelphia Day Treatment Center	1966	150	138	--
Cornwells Heights	1968	136	89	--
New Castle	1968	250	237	--
TOTAL		1,171	1,002	

a. Transferred to Philadelphia Day Treatment Center site, July, 1970.

SOURCE: Office for Children and Youth, Department of Public Welfare, Commonwealth of Pennsylvania.



support of children in their homes.<sup>11</sup> During the next twenty-year period, additional services and financial support for children were enacted. In 1937, institution districts were charged with the responsibility of maintaining child welfare payments and services.<sup>12</sup> This function is now exercised directly by the counties.

5. Mental Health and Mental Retardation--In 1966, the General Assembly established within the Department of Public Welfare a program of mental-health and mental-retardation services, organized at the county level around so-called "catchment areas" of existing hospital facilities.<sup>13</sup> While these services are available for both adults and children, it has been estimated that 9.5 percent of the children in youth development centers can be identified as classifiable retarded, for whom no special programs or services are available; the task force was further advised that in many areas no effort has been made to coordinate the mental-health and mental-retardation program with other public or private agencies which refer children to it.<sup>14</sup>

6. Rehabilitative and Educational Programs--Beginning with the current fiscal year, the Department of Education is providing educational services, mainly through the intermediate-unit boards of school directors, to the children in institutions within their jurisdictions. This educational program has primarily offered remedial courses in such fundamentals as English and mathematics. Review of three youth development centers reveals that the remedial program is being supplemented by additional vocational training.<sup>15</sup> Further, the Bureau of Vocational Rehabilitation in the Department of Labor and Industry provides qualified youth with vocational services, including diagnosis, counseling and guidance, training, physical restoration, selective job placement and equipment, and follow-up services. Except for the educational programs supervised by the Department of Education for institutionalized youth, no coordination of these services with other State and local services is known to exist.

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11. 1913, April 29, P.L. 118.

12. County Institution Districts Law, 1937, June 24, P.L. 2017.

13. 1966, October 20, 3rd Sp. Sess., P.L. 96.

14. Statement of Marliene A. Smoker, assistant director for governmental affairs, Pennsylvania Association for Retarded Citizens, task force hearing, Harrisburg, May 23, 1974.

15. See Appendix D, p. 92.

## Systems in Other States

The task force reviewed the laws of other states, particularly of seven which have developed youth authorities with statewide responsibility for the juvenile justice system. These authorities have sole responsibility for diagnostic and rehabilitative, probation and institutional services. Nine other states were found to have statutorily established agencies with statewide authority to coordinate activities, formulate plans and conduct research in the area of child welfare and juvenile justice.<sup>16</sup> Two others have statutorily provided for local (county) administrative agencies to coordinate and administer youth services. A review of the statutory basis for youth services agencies in other states is found in Appendix B, p. 72.

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16. A legislative proposal for a Pennsylvania Council on Youth with similar duties was contained in 1974 House Bill 2153, Pr. No. 2896, sponsored by Representative Daniel E. Beren and others; the bill was before the Senate Public Health and Welfare Committee at adjournment. The council would have been required to ". . . develop and adopt a State plan for the control, prevention, rehabilitation, research, education, recreation and training aspects of youth delinquency." See §4 of the bill.

### III. FINDINGS AND RECOMMENDATIONS

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In evaluating the delivery of services to Pennsylvania's youth, the task force became aware of serious deficiencies or needs in several basic areas--coordination and responsibility, funding, delinquency prevention and community-based services. Throughout this section, the task force recommendations addressing these concerns are presented, followed by a brief review of related findings, alternatives and provisions of the proposed legislation.

#### COORDINATION AND RESPONSIBILITY

- There is an imperative need for coordination of existing services to the delinquent and deprived child at the community level.
- There is an imperative need for the fixing of responsibility, at both the State level and local level, to oversee, coordinate and direct the multitude of public and private services presently available to delinquent and deprived children.

While a model may be devised to illustrate the current delivery systems of services to children and youth whose behavior suggests a need for public or private intervention,<sup>1</sup> former Public Welfare Secretary Helene Wohlgemuth more accurately described the existing realities:

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1. An intriguing model was devised by Professors Drew Hyman and Daniel Katkin, Pennsylvania State University, in A Fundamental Dilemma of American Society: The Case of Delinquency Prevention and Control Systems in Pennsylvania (American Public Welfare Association, 1973), p. 28.

The sporadic and uneven development of Pennsylvania's human services over the years has come about piecemeal, in response to varying stimuli: economic and social crisis, pressure group demands, and the incentive of Federal matching funds for specific programs. For each crisis a new "remedy" has been contrived, and around each "remedy" an entirely new bureaucracy to provide services. . . . I believe that the "non-system," administered and funded under various Departments of State and county governments, does not make maximum utilization of the monetary and personnel resources available. Nor is there any effective mechanism for coordination of the "non-system" to effect a rational delivery of services to the people who need them.<sup>2</sup>

Policy, administrative and funding responsibilities for a variety of services to delinquent and deprived children are fragmented at the State level among and within a number of departments and agencies with little coordination exercised. As outlined in Part II, in addition to the judiciary, the Departments of Public Welfare, Justice, Education and Labor and Industry, the State Police, the Governor's Justice Commission and the Governor's Council on Alcohol and Drug Abuse have significant responsibilities. Furthermore, many private statewide organizations function in policy advisory capacities to these State agencies and some also provide child-related services.<sup>3</sup>

This fragmentation is compounded at the local level where most services are delivered. A child who comes to the attention of the authorities may be placed with one or more of many agencies and institutions, with varying programs

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2. Ibid., p. 25. This fragmentation of services among public and private agencies has also been deplored by others studying the problem: in the Report of the Special Senate Committee on the Problems of Youth, Senator O'Pake's committee identified 16 organizations involved with the Department of Public Welfare (Harrisburg: General Assembly of the Commonwealth of Pennsylvania, 1974), p. 5. Also see Legislative-Executive Task Force on Reorganization (Corrections), Toward Reducing Crime in Pennsylvania (Harrisburg, 1970), passim; Legislative-Executive Task Force on Human Services, Human Services, a report to the Governor of Pennsylvania (Harrisburg, 1970), passim; and resolution of the Pennsylvania Association of Probation, Parole and Correction adopted at annual meeting, May 22, 1974, Lancaster.

3. Thirty concerned private agencies (and 46 public organizations) presented their considered views through testimony or written comments. See Appendix A, p. 66.

and philosophies as well as sources of funding and levels of governmental organization. These include:

- A county child welfare office
- A juvenile probation office supervised by the court
- One of many private or voluntary agencies or churches
- A mental health/mental retardation office
- A youth services bureau
- A juvenile detention home operated by a county
- A private juvenile institution
- A detention facility operated by a county
- A State hospital for the mentally ill
- A youth development center or youth forestry camp operated by the Department of Public Welfare
- The correctional institution operated by the Department of Justice.

Inefficiency and confusion are predictable consequences of fragmentation--a fact emphasized at task force hearings. For example:

Duplication and isolation of services are common practices, which need to be changed by way of improved liaison, coordination and inventory of services.<sup>4</sup>

Administrative difficulties are common results of fragmentation:

A vivid example of the problem is the invoicing procedures that County Child Care agencies need to follow in receiving reimbursement for children in placement under both the Juvenile Act of 1972 and through contractual arrangements with County Boards of Assistance. Two different sets of books need to be maintained because invoicing under the Juvenile Act uses the cash method, whereas invoicing under the Board of Assistance uses the accrued method.<sup>5</sup>

Because of the overall lack of coordination, total resources committed to youth services are not rationally allocated. Furthermore, there is no systematic attempt to

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4. Statement of Don Brian, D.Ed., Director, Brian Guidance Center, Meadville, task force hearing, June 19, 1974, Pittsburgh.

5. Statement of Samuel A. Yeagley, Jr., Administrator, Dauphin County Child Care Services, task force hearing, Harrisburg, May 23, 1974.

measure the relative efficiency of various programs and treatment strategies, nor can there be under the existing fragmented structure of funding and administration. Without a systematic and coordinated approach, the budgeting function becomes meaningless. Inefficient programs with committed funding persist and expand; potentially efficient programs and strategies cannot attract funding because of these commitments.

Consideration of these and other findings eventuated in task force concurrence in the conclusion by Judge John G. Brosky, Family Division, Court of Common Pleas of Allegheny County, and echoed in the testimony of many others:

Old concepts and fragmentations of youth services must give way to innovations, unification and coordination of all youth service agencies localized in one department, from which will flow guidance and direction to better serve the needs and challenges of our troubled youth today.<sup>6</sup>

The task force recommends implementing state-level coordination through the establishment of a Department of Youth Services and local-level coordination through youth services bureaus.

#### State-Level Coordination: Department of Youth Services

In formulating its proposals concerning the administration of youth services in the State bureaucracy, the task force reviewed the philosophy and functioning of the Department of Public Welfare relative to these services and considered recent competing proposals to decentralize the "human services" into separate department-level agencies.

The Department of Public Welfare--now serving as an "umbrella" human-services agency--is charged with primary policy responsibilities in such areas as public assistance, aging, mental health, mental retardation, child welfare, day care and with the administration of State institutions for juvenile delinquents, State mental hospitals, State general hospitals, mental retardation institutions and day care centers. In the budget for fiscal year 1975-1976, State appropriation requests for the Department of Public Welfare totaled more than \$1.52 billion and the department expects to administer another \$1.06 billion of federal and

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6. Statement, task force hearing, Pittsburgh, June 19, 1974.

other funds. Its budgeted amount for reimbursement to counties for child welfare services and institutions to socially rehabilitate and train youth is less than \$78 million; anticipated federal funds for these purposes are estimated at less than \$9 million. The latter budgeted amounts combined represent approximately 3 percent of the total to be administered by the department. Furthermore, Secretary Wohlgemuth stated that "the Department of Public Welfare has less than 40 people to plan and monitor the entire field of child welfare and supervision of children's institutions."<sup>7</sup> In view of these fiscal and personnel realities, the task force concluded that children and youth cannot presently receive adequate attention from a Secretary of Public Welfare, nor can the department be expected to fulfill its responsibilities to youth.

Because of its reluctance to extensively reorganize the current administrative apparatus or add to the State bureaucracy, the task force thoroughly considered the alternative of strengthening youth-services capabilities of the Department of Public Welfare and consolidating such services into a division of children and youth. The conclusion was reached, however, that because of prevailing fiscal and personnel realities and the firmly established programs and philosophies existing within the department, nothing less than an independently equal department could launch the concerted effort needed to implement the policies the task force found to be imperative.

The task-force conclusion that a new department be charged solely with the responsibility of providing statewide supervision of programs for children and youth was supported, without reservation, by a majority of those whose views were made known to the task force and by others who expressed reservations as to particular functions. Those who opposed the creation of a new department were primarily concerned with the threat of burgeoning bureaucracy and disruption of the present State-local relationships relative to delivery of services. The members of the task force shared these concerns and took them into consideration in formulating proposed legislation.

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7. Statement, task force hearing, June 25, 1974.

Duties of New Department--The task force recognized five major areas of responsibility which must be exercised by the proposed new department:

1. Provide leadership at the state level for the development of constructive and innovative special-emphasis prevention and treatment programs by

- Encouraging local private and public agencies to establish such programs.
- Developing a comprehensive statewide plan.
- Focusing public attention on such needs (§2301-A(b) (1), (2), (4)).

2. Coordinate the relevant programs administered by other State departments with those programs administered or supervised by the department (§2301-A(b) (6), (7), (13)).

3. Participate in the coordination of local service delivery programs by

- Administering a unified reimbursement program (§2305-A).
- Providing expert assistance upon the request of county municipal authorities (§2301-A(b) (3)).
- Reviewing regional plans and budgets (§2301-A(b) (3)).
- Developing standards for and licensing all facilities (§2301-A(b) (6), (7)).
- Initiating the establishment of youth services bureaus (§2304-A).
- Providing assistance to the courts in their post-adjudicatory function (§2301-A(b) (8), (9)).

4. Coordinate State and federal programs for the prevention of delinquency and strengthening of existing services (§2301-A(b) (5), (11), (12)).



5. Administer the child welfare and other programs formerly in the Department of Public Welfare (§2301-A (b) (14), (15), §2303-A).

Commission on Children and Youth--Existing statutory law creates the Advisory Committee on Children and Youth in the Department of Public Welfare and the Juvenile Court Judges' Commission in the Department of Justice. Their functions and others would be exercised in a Commission on Children and Youth serving as an advisory and policy review agency. The proposed commission consists of 33 members, including the Secretary of the Department of Youth Services, 9 judges,<sup>8</sup> 4 legislators and 19 others appointed by the Governor and representing diverse interests. The composition of the commission will qualify it as the State's advisory board to the Governor's Justice Commission for the supervision of federal juvenile delinquency prevention grants.<sup>9</sup> Hence, at least one-third of the members must be under the age of 26 when appointed and a majority may not be full-time employees at any level of government.

Section 2302-A of the proposed legislation empowers the commission to:

1. Review all programs of the department and advise it as to policies and standards (§2302-A (1), (4)).
2. Act as the State's advisory board to the Governor's Justice Commission in carrying out its duties under the Juvenile Justice and Delinquency Prevention Act of 1974 (§2304-A (2)).

Local-Level Coordination: Youth Services Bureaus

- The Commonwealth should not disrupt or impair the services presently provided by local public and private agencies, insofar as they are adequate for the needs of the community.
- The Commonwealth should encourage the private facilities and agencies by purchasing services offered and, further, encourage community participation to reduce State institutionalization wherever feasible.

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8. Section 7(a) of the proposed legislation transfers the existing members of the Juvenile Court Judges' Commission for the balance of their terms to the new commission.

9. Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93-415, 88 Stat. 1107, 1109, §207.

After considering alternatives for coordinating local public and private service delivery programs, the task force proposed establishment of youth services bureaus throughout the State. These were urged by the National Advisory Commission on Criminal Justice Standards and Goals to serve as centralized intake offices for "expediting access to the service, systematically following up to see that it has been provided, and intervening when the service has been unsatisfactorily delivered."<sup>10</sup> Four pilot youth services bureaus were recently instituted by the Department of Public Welfare under a federal grant.

As expressed in the proposed legislation, a major purpose of the bureaus would be "the diversion of youth from the juvenile justice system and the mobilization of all the available resources of the community's existing services to youth, fostering new services and prompting projects to eliminate the cause of delinquency in that community."  
(\$2304-A (d))

The proposed legislation requires youth services bureaus to be established for each county, or, in areas of sparse population, for an adjacent group of counties, or, in more densely populated areas, for a defined community (\$2304-A (a)). The members of the governing board of the youth services bureaus are to be appointed by the county commissioners and must represent the county child welfare board, the court, probation office, county mental health and mental retardation agency, public school system, private nonprofit or volunteer organizations rendering youth services, law enforcement officials and community organizations (\$2304-A(b)). Because the members are to be elected in Philadelphia, the initial members of a supervisory youth services commission are appointed by the Secretary of the proposed department (\$2304-A(b)).

Each youth services bureau is authorized to appoint a director and such staff as necessary to carry out its programs and functions and to purchase services from private facilities and agencies. However, the task force concurred in the following standard issued by the commission:

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10. Community Crime Prevention (Washington, D. C., 1973), Standard 3.1, pp. 70 and 77.

Youth services bureaus should, whenever possible, utilize existing services for youth through referral, systematic followup, and individual advocacy. Bureaus should develop and provide services on an ongoing basis only where these services are unavailable to the youth in the community or are inappropriately delivered. Services should be confidential and should be available immediately to respond skillfully to each youth in crisis. 11

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11. Ibid., Standard 3.4, p. 76.



## FUNDING

- There is a pressing need for identification of State and local responsibilities in the field of treatment of delinquent children and supervision of deprived children, and that a revision of the State-local funding responsibility be instituted to encourage the implementation of the policies set forth herein.

### State-Local Funding Responsibility

A brief review of the statutory authorizations for funding the delivery of youth services brings serious deficiencies into sharp focus. Traditionally, the counties and Philadelphia have had primary responsibility for funding the criminal and juvenile justice systems and general public welfare systems. County reimbursement with State and federal funds for child welfare programs was authorized in 1959 by the addition of §2310.1 to The Administrative Code of 1929, providing that:

The Department of Public Welfare shall have the power to enter into agreements with county commissioners to reimburse them, from State and Federal funds, for part of the cost of child welfare programs, including the cost of salaries, the cost of care and treatment in foster homes and private institutions, and the cost of services designed to keep children in their own homes. The amount of reimbursement in each county shall be calculated in accordance with a formula to be established by the department. (Emphasis supplied)<sup>12</sup>

In 1963, this provision was supplanted by §§2310.2, 2310.3 and 2310.4,<sup>13</sup> authorizing the Department of Public Welfare to make annual grants to counties:

. . . to defray part of the cost of child welfare programs authorized by law and developed jointly with the department in an amount up to one-half of the total of all such approved expenditures. . . .

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12. 1959, December 21, P.L. 1944.

13. 1963, August 24, P.L. 1152.

Upon approval of an annual plan and the estimated expenditures for a child welfare program, to compute an annual grant in accordance with a formula to be established by the department taking into account the relative need and the fiscal capability of the [counties] . . .

In the event that sufficient State funds to pay the full amount of the grants to which county institution districts, or their successors, may be entitled under the provisions of this section have not been appropriated, to distribute State funds among the [counties], by a formula reasonably designed to achieve the objectives of section 2310 of this act.<sup>14</sup> (Emphasis supplied)

These provisions were later codified into the Public Welfare Code as §§704, 705 and 706.<sup>15</sup>

On December 6, 1972, the Governor signed into law four bills that affect reimbursement of costs for State and local services. The Juvenile Act provided that certain expenses be paid one-half by the Department of Public Welfare and one-half by the county, upon certification by the court. In addition to court costs and medical examinations and treatment ordered by a court, these include:

The cost of care and support of a child committed to the legal custody of a public agency approved by the Department of Public Welfare other than one operated by the Department of Public Welfare, or to a private agency approved by the Department of Public Welfare, or individual other than a parent.<sup>16</sup>

Also on December 6, 1972, the Governor signed an amendment to §704 of the Public Welfare Code increasing the authorized maximum of Commonwealth reimbursement from "up to one-half" to "up to 60 percent,"<sup>17</sup> and two other bills which revised the requirements for county reimbursement to the Commonwealth for youth-development-center and youth-forestry-camp costs to the following:<sup>18</sup>

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14. Ibid., Section 2310.2 (a), (c) and (e).

15. 1967, June 13, P.L. 31, No. 21.

16. Ibid., Section 36 (2); the identical provision had been in the Juvenile Act when first introduced as 1970 Senate Bill 1359, Pr. No. 1628.

17. 1972, December 6, P.L. 1434, No. 316.

18. Public Welfare Code, §346, as amended 1972, December 6, P.L. 1435, No. 317; §354, as amended 1972, December 6, P.L. 1437, No. 318.

	<u>County</u>	<u>Commonwealth</u>
1971-1972	75%	25%
1972-1973	50	50
1973-1974	25	75
July 1, 1974 and thereafter	0	100

Prior to this amendment the counties' obligations for children committed to youth development centers or youth forestry camps were "not to exceed 50 percent of the daily rate."<sup>19</sup>

The current funding requirements have resulted in the following:

1. The Department of Public Welfare for the first relevant fiscal year paid the fixed Juvenile Act costs (one-half) before finally calculating the discretionary annual grants (up to 60 percent) provided for in the Public Welfare Code. This results in the counties' inability to properly budget for services reimbursable under the Public Welfare Code, since they do not know the amounts of reimbursement until long after the close of the fiscal year; final adjusted payments are currently being made for the county fiscal year ending December 31, 1973.

2. The various State funding arrangements plus funding obtained from federal and other sources require nonuniform administrative, budgetary and accounting procedures.

3. The level of county reimbursements for committed youth varies depending on whether court commitments are made to public or private institutions. While under the above schedule the counties' share of the costs for children committed to youth development centers and youth forestry camps decreased from 50 percent in 1972-1973 to 0 percent after July 1, 1974, the counties' share of costs for children committed to private institutions remains at 50 percent under §36 of the Juvenile Act.<sup>20</sup>

With respect to funding difficulties, C. Robert Budd, executive director, Pennsylvania State Association of County Commissioners, stated:

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19. 1959, November 21, P.L. 1579, §6; 1961, July 14, P.L. 622 amending 1956, May 29, P.L. 1803, §4.

20. For commitments of official cases, see Appendix C, p. 79.

A seemingly perpetual problem is the funding of the programs. A natural obstacle is built into the situation with the State and counties operating on different fiscal period calendars. This coupled with the uncertain amounts of State appropriations for county programs and the tardiness of approval of any appropriations in the State budget process make an effective administration of the programs almost impossible. Most all of the problems can be traced to uncertain funding.<sup>21</sup>

During the last session of the General Assembly, Senate Bill 125, Pr. No. 2011, as reported from the House Judiciary Committee in March 1974 provided for the payment of costs of court commitments to public institutions and private institutions approved by the Department of Public Welfare on a 75-percent Commonwealth and 25-percent county basis. This bill, as passed by the House of Representatives (Pr. No. 2271), was non-concurred in by the Senate and referred to a conference committee,<sup>22</sup> which discussed the funding difficulties at length.

The conclusions of the conference committee were reviewed by the task force and introduced as 1975 House Bill 214 and 1975 Senate Bill 105.<sup>23</sup> These bills provide for 50-percent county and 50-percent Commonwealth funding for all juvenile justice system costs and 75-percent Commonwealth and 25-percent county funding for the costs of "child welfare services, informal adjustment services . . . diversionary services approved by the Department of Public Welfare, including but not limited to youth services bureaus, foster home care, group home care, shelter care, community residential care and day treatment centers."

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21. Statement, task force hearing, Harrisburg, May 23, 1974. Similar concerns were expressed by Samuel A. Yeagley, Jr., supra, p. 15; Barbara Fruchter, executive director, Juvenile Justice Center, task force hearing, Norristown, June 13, 1974; and Thomas N. Carros, director, Allegheny County Child Welfare Services, task force hearing, Pittsburgh, June 19, 1974. Mr. Carros remarked that ". . . experience has shown that [statutory provisions] which allow reimbursement not to exceed certain percentages have in fact provided for a very low level of reimbursement of state funds."

22. Composed of Sens. Lamb, Hill and Bell and Reps. W. Wilt, Scirica and Hammock.

23. House Bill 214 introduced February 4 by Reps. Irvis, Berson, Scirica, Rhodes, Hammock, Itkin and M. E. Miller, Jr. Senate Bill 105 introduced February 10 by Sens. O'Pake, Dougherty, Lewis, Lentz, Jubelirer, Sweeney, Reibman and Messinger.

The task force incorporated this same funding arrangement in §2305-A of the proposed legislation and, in addition, would require the Auditor General, rather than the Department of Public Welfare, to calculate the actual costs of Commonwealth-operated institutions.

The reason for this latter recommendation is the history of the Department of Public Welfare's unrealistic costs for State institutions, on which county reimbursements to the department have been based. For example, for fiscal year 1970-1971, the department established a per diem cost of \$26 for juveniles in public institutions when the actual cost was approximately \$37 per diem.

#### Funding Special Emphasis Treatment and Prevention Programs

- The Commonwealth must commit funds for innovative special emphasis prevention and treatment programs for children.

In addition to the previously discussed revisions in State-local funding responsibilities, federal funding is expected by the task force to stimulate provision of special emphasis treatment and prevention programs. The task force was particularly interested in programs to divert juveniles from the juvenile justice system and to encourage as alternatives to institutionalization community-based treatment and rehabilitation of delinquent children. These concerns are discussed in more detail in the following pages of this report.

While the appropriations for 1974-1975 of the Federal Juvenile Justice and Delinquency Prevention Act of 1974 have yet to be funded by Congress, the Commonwealth's share of the first annual grant has been estimated at approximately \$3 million. This grant program requires a 10 percent State or local contribution. The Federal Act authorizes \$75 million for federal fiscal year 1974-1975, \$125 million for 1975-1976 and \$150 million for 1976-1977 to be distributed to the various states; 75 percent of the funds are to be spent for "advanced techniques" for juvenile delinquency prevention and treatment such as those recommended in §2301-A (b) (5) of the proposed legislation. The function of the proposed Commission on Children and Youth to advise the Governor's Justice Commission--the State planning agency under the Federal Act--will assure program coordination.

In §7 (c) and (d) of the proposed legislation, the unexpended balances of appropriations for the Department of Welfare's youth services functions and those for the Juvenile Court Judges' Commission are transferred to the proposed department. A Statewide program of probation subsidies in addition to the existing probation subsidies program will be administered by the department (See §2301-A (b) (5) (viii)).



DELINQUENCY PREVENTION AND  
COMMUNITY-BASED SERVICES

- There is an imperative need to develop and implement effective methods of preventing and reducing juvenile delinquency.
- A Statewide policy should be formulated to strengthen the utilization of the existing school system to identify antisocial behavior and needs of deprived children.
- A Statewide policy should be formulated to ensure that alternative education opportunities are developed by the community or the Commonwealth, to serve the needs of those children who do not presently benefit from the existing programs offered by the schools.
- A Statewide policy must be formulated and implemented to encourage community-based treatment programs and facilities for the rehabilitation of delinquent children to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization.

A major goal of the proposed legislation is to encourage and provide coordination for community services that would be effective in preventing and reducing delinquency. Essential in the formulation of specific policies and objectives to combat delinquency are valid insights into its underlying causes--a study beyond the purview of the task force but a vital area for serious and open-minded evaluation by the proposed Department of Youth Services.

Theories--often conflicting--abound concerning the causes of juvenile delinquency.<sup>24</sup> Many involved in human services lay blame on poverty and a deprived environment, on the breakdown of the family or on the values and pressures of modern society.

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24. See Sheldon and Eleanor Glueck, Delinquents and Nondelinquents in Perspective (Cambridge, Mass.: Harvard University Press, 1968); Malcolm W. Klein, Street Gangs and Street Workers (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1971); James Q. Wilson, "Lock 'Em Up and Other Thoughts on Crime," New York Times Magazine (March 9, 1975); and Marvin E. Wolfgang, Robert M. Figlio and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972). Also see Bibliography.

Others feel that personality and intelligence characteristics predispose some children to delinquent behavior. Still others claim that light penalties in the justice system and the shielding of serious juvenile offenders from social stigma encourage them to continue their exciting and often profitable antisocial life styles. As an introduction to the study of delinquency in Pennsylvania, the staff of the Joint State Government Commission has prepared statistical data on the nature and extent of juvenile delinquency in the Commonwealth and its counties and on the processing, adjudication and treatment of youth in the juvenile justice system. Quantitative techniques were used to gain some insight into a number of factors which may or may not contribute to delinquency. This analysis comprises Appendix C, p.79.

### Innovative Community Services

In focusing on how public and private services in the community can best function to combat delinquency and divert youth from the juvenile justice system, the task force saw particular need for innovative community-based services that would identify and diagnose predelinquent behavior, provide alternative education opportunities and provide noninstitutional treatment and rehabilitative care.

There is expert opinion that prevention of delinquency requires early recognition of predelinquent tendencies and skillful, timely intervention in order to divert the energies of potential delinquents into socially acceptable behavior. The President's Commission on Crime in the District of Columbia reports the following on experiments on early prevention of delinquency carried on under the Maximum Benefits Project operated by the District's Youth Council:

The delinquency diagnosis and prediction phase of the project was considered the most encouraging. A refinement of the Glueck Prediction Tables, revised for the District to take into account the large number of fatherless children in the project, proved to be 100 percent accurate in predicting nondelinquency and 81 percent accurate in predicting delinquency.<sup>25</sup>

Supporting the task force recommendation for alternative educational opportunities is expert opinion holding that "forcing certain types of children into the traditional mold [of educational curricula] results in increased tension, frustration, and displacement of frustration onto acts of revolt, delinquency and a mask of defiant 'toughness.'"<sup>26</sup>

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25. Glueck, Delinquents and Nondelinquents in Perspective, pp. 192-193. Wolfgang et al. in Delinquency in a Birth Cohort conclude that a strategic time for intervention may be after the third offense and have devised a model for predicting future delinquency at specific points in time.

26. Glueck, Ibid.

Almost unanimously those who testified before the task force were of the opinion that the care and treatment of delinquent children in the community is more economical and effective than institutionalization. This concept--reinforced by recommendations of the National Advisory Commission on Criminal Justice Standards and Goals and the Federal Juvenile Justice and Crime Prevention Act--was expressed in the following testimony:

. . . the Department must have the responsibility and power to develop supportive, diversified community-based short- and long-term facilities such as group homes, foster care, and day care facilities; and to provide services to children in their own homes when appropriate. The goal of these services would be to minimize delinquency and penetration into the system. . . .<sup>27</sup>

In addition, the proposed legislation recognizes the significance in delinquency prevention of innovative community programs in such areas as counseling and out-reach, drug and alcohol abuse education, recreation, mental health and mental retardation (§2301-A (b) (5)).

As discussed previously, the proposed Department of Youth Services and the Commission on Children and Youth at the State level and the youth services bureaus at the local level would be key agencies in policy and delivery coordination for such services. In addition, the alteration of existing statutory funding provisions, the expansion of the probation subsidy program and increased federal funding would supplement current financial resources.

In order to free the department to concentrate its initial energies upon delinquency prevention through innovative special emphasis prevention and treatment programs, the proposed legislation postpones transfer of management responsibility for the operation of youth development centers and youth forestry camps to July 1, 1979 (§7 (e)). However, the legislation would immediately involve the Department of Youth Services in policy, licensing, regulatory and fiscal supervision of these institutions (§2301-A (b) (6), (7) and (13) and §7 (e)).

Further, the Department of Justice would be prohibited from accepting juvenile commitments at White Hill (§4). Despite the prohibition in §27 (a) of the Juvenile Act against transferring a "child" to "a penal institution or other facility used primarily

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27. Statement of Barbara Fruchter, executive director, Juvenile Justice Center, task force hearing, Norristown, June 13, 1974.

for the execution of sentences of adults . . . unless there is no other appropriate facility available, in which case the child shall be kept separate and apart from such adults at all times," it has recently been reported that 120 children were accepted at this facility in December 1974 and January 1975.<sup>28</sup> The Department of Justice has been ordered to keep children and adults from intermingling.<sup>29</sup>

### Pennsylvania Institutions for Delinquents

In fulfilling its directive to study services to delinquent youth, the task force examined State institutions for delinquents.<sup>30</sup> The present institutional situation was summarized by a former youth development center director to the task force:

We do not have the problem of bleak "hell holes" like those documented by Howard James in his Christian Science Monitor Series, "Children in Trouble." With the exception of Camp Hill [White Hill], the facilities in Pennsylvania are all rather pleasant with relatively positive, enlightened programs. Nor in all of my experience in this state have I met . . . any brutal individual working in these institutions. Further, the problem is not a lack in the number of available beds. There are currently over 150 empty beds at YDC Cornwells Heights. Also, the problem is not a lack of funds. With the notable exception of a few states, we spend more money per child on institutionalization than most.<sup>31</sup>

Current data support the contention that Pennsylvania's public institutions for juveniles are well funded. Review of the expenditures of the Department of Public Welfare and Department of Education for youth development centers and youth forestry camps reveals that the 1974-1975 allotment for all youth development centers and youth forestry camps is \$18,960,969, with an average annual cost per resident of \$21,946, with individual institution costs ranging from a high of \$41,530 at Cornwells Heights to a low of \$12,318 at Forestry Camp No. 3. Table 3, p. 32, shows by institution relevant population and budgets of youth development centers and all youth forestry camps.

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28. The Sunday Bulletin (Philadelphia: March 2, 1975), Sec. 1, p. 36.

29. Commonwealth ex rel Parker v. Patton, 225 Pa. Superior Ct. 217 (1973).

30. See "Field Examination of Selected Youth Development Centers," a staff report of the Joint State Government Commission, Appendix D.

31. Statement of Timothy Baker, former director, Eastern Youth Development Center at Cornwells Heights, task force hearing, Philadelphia, June 6, 1974.

A review of Table 4, p. 33, which shows budgeted institutional costs for selected states, indicates Pennsylvania has one of the higher per capita costs. A study conducted by the Youth Development and Delinquency Prevention Administration (YDDPA) of the U.S. Department of Health, Education and Welfare indicates that the average expenditure for institutional care of juveniles by states is about \$5,700.<sup>32</sup>

Table 5, p. 34, shows per capita costs of private Pennsylvania institutions providing substantially similar programs as those for children committed as delinquents to State-operated institutions and similar data for State-subsidized institutions. The formers' average cost per student is about \$9,500 while the latter's is about \$24,500. This difference, in part, may reflect the private institutions' reliance upon volunteer, charitable or sectarian and nonsectarian assistance, both administrative and at the program service level. Further, the foregoing costs are not differentiated by the type or levels of service provided.

Pennsylvania institutions are also providing community-based noninstitutional care at costs below or comparable to institutional care. Currently, Loysville Youth Development Center is operating a program utilizing both foster and group home placement. This program services approximately 40 children with a per capita cost of about \$10,000.<sup>33</sup> The New Castle Youth Development Center maintains a 10-bed community residential center in Erie. This center's per capita cost was about \$19,000 with an average utilization during 1974 of 72 percent.<sup>34</sup> Harborcreek School for Boys, a private facility, operates four group homes, six beds each, at a daily rate of \$40.00 per resident (or \$14,500 annually).<sup>35</sup>

Although the task force did not make an in-depth study of every State institution providing care for delinquents, in its study and at task force hearings it was not made aware of any serious deficiencies in the services provided. The task force recognized the need for a secure facility for juveniles, operated by the proposed department, to replace the use of White Hill.

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32. Hyman and Katkin, A Fundamental Dilemma, p. 45.

33. Supplied by Loysville Youth Development Center, March, 1975. The per capita cost reflects total administrative costs of about \$143,000 and annual grants to "foster parents" of \$6,300 per student.

34. Supplied by New Castle Youth Development Center, March 1975.

35. Supplied by Harborcreek School for Boys, March, 1975.

TABLE 3  
CURRENT ALLOTMENTS FOR YOUTH DEVELOPMENT CENTERS AND FORESTRY CAMPS  
FISCAL 1974-1975

Institution	Average daily population calendar 1974	Welfare department allotment	Educational expense allotment	Total allotment	Total annual per capita cost
<u>Youth Development Centers</u>					
Cornwells Heights	89	\$ 3,310,647	\$ 385,500	\$ 3,696,147	\$41,530
Loysville	131	2,504,109	454,400	2,958,509	22,584
New Castle	237	3,838,924	625,000	4,463,924	18,835
Warrendale	124	2,475,671	416,500	2,892,171	23,324
Waynesburg	<u>122</u>	<u>2,380,551</u>	<u>350,000</u>	<u>2,730,551</u>	<u>22,382</u>
	703	14,509,902	2,231,400	16,741,302	
					Average 23,814
<u>Youth Forestry Camps</u>					
Camp No. 1	58	664,953	91,400	756,353	13,041
Camp No. 2	48	685,814	100,000	785,814	16,371
Camp No. 3	<u>55</u>	<u>594,834</u>	<u>82,666</u>	<u>677,500</u>	<u>12,318</u>
	161	1,945,601	274,066	2,219,667	
					Average 15,787
Philadelphia Day Treatment Center	138	2,546,603	282,692	2,829,295	20,502
Totals	<u>1,002</u>	<u>\$19,002,106</u>	<u>\$ 2,788,158</u>	<u>\$21,790,264</u>	
					Average, all institutions \$21,747

SOURCES: Office of Administration, Monthly Status of Allotments by Organization. The institutional population figures were gathered from business offices of the institutions; educational allotments from the Department of Education.

TABLE 4

ANNUAL PER CAPITA COSTS OF YOUTH DEVELOPMENT CENTERS  
AND/OR RESIDENTIAL TREATMENT CENTERS AS REPORTED IN  
STATE BUDGET FIGURES FOR SELECTED STATES

	Treatment or facility	Year	Budgeted Annual Per Capita Costs	
California	Care and control of juveniles	1972-1973	\$ 9,418	
Connecticut	Juvenile institutional care	1972	10,826	
Florida	Boys Training School	1973	8,336	
	Group treatment	1973	7,665	
	Detention services	1973	9,424	
Illinois	Institutional care	1971	11,000	
		1972	15,000	
		1973	20,000 <sup>a</sup>	
		1974	15,000	
		1975	12,500	
Iowa	Iowa Training School for Boys	1971	10,010	
	State Juvenile Home	1971	10,899	
Kansas	Residential Treatment Cost	1972	8,500	
Maryland	Boys Village of Maryland	1973	8,416	
	Maryland Children's Center	1973	9,193	
	Group living facilities	1973	3,683	
	Maryland Training School	1973	9,280	
Massachusetts	Juvenile institutional care (these institutions are no longer in existence)	1971	11,612	
		Group care setting	1974	7,838
		Foster home care	1974	2,133
		Nonresidential care	1974	3,261
Ohio	Residential care	1971	5,475	
Pennsylvania	State Institutional Care, YDC's, YFC's and Philadelphia Day Care Center	1972-1973	19,415	
		1973-1974	18,696	
		1974-1975	21,747	
Rhode Island	R. I. Training School for Boys	1971-1972	15,494	
		1973-1974	20,988	

a. The institutional population was reduced from 2,000 in 1971 to 1,000 in 1973. Per capita costs rose substantially, but are expected to fall in the future.

SOURCE: Budget materials of states indicated.

TABLE 5  
CAPACITY, POPULATION AND COSTS  
PRIVATE AND SEMI-PRIVATE INSTITUTIONS  
FOR DELINQUENT CHILDREN, 1974

Institution	Rated capacity	Average daily population	Total expenditures	Annual per capita costs
<u>Private</u>				
Berks County Boys' School	25	16	\$ 60,000	\$ 3,750
New Life Boy's Ranch	50	40	496,000	12,400
Gannondale School for Girls	46	28	169,977	6,071
George Junior Republic of Pennsylvania	300	268	1,983,695	7,402
Gilmary School for Girls	96	41	361,220	8,810
Harborcreek School for Boys	65	106	864,000	8,151
Good Shepherd Institutions				
Tekakwitha Hills School	70	51	585,914	11,489
Lourdesmont School	65	51	368,003	7,216
Discovery School for Girls	50	56	600,858	10,730
Diagnostic Center for Girls	--	22	295,304	13,422
St. Gabriels' Hall	<u>198</u>	<u>202</u>	<u>2,575,000</u>	<u>12,748</u>
Totals	<u>965</u>	<u>881</u>	<u>\$ 8,359,971</u>	
Average annual per capita costs				\$ <u>9,489</u>
<u>Semi-Private</u>				
Glen Mills School	275	83	\$ 1,831,567	\$ 22,067
Sleighton Farm School for Girls	<u>175</u>	<u>85</u>	<u>\$ 2,292,332</u>	<u>\$ 26,969</u>
Total	<u>450</u>	<u>168</u>	<u>\$ 4,123,899</u>	
Average annual per capita costs				\$ <u>24,547</u>

SOURCES: Supplied by the listed institutions, February-March, 1975.



## IV. SUMMARY OF PRINCIPAL PROVISIONS AND PROPOSED LEGISLATION

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### SUMMARY OF PRINCIPAL PROVISIONS

The proposed legislation (presented in full, pp. 39-64) establishes a Department of Youth Services to assume primary responsibility for coordinating all programs for troubled youth. It transfers to the proposed department certain functions of the Department of Public Welfare and all functions of the Juvenile Court Judges' Commission. Amending The Administrative Code of 1929, the bill includes the following principal provisions:

§2301-A--This section enumerates the basic operating powers and duties of the department, including research and development of programs, dissemination of information, total licensing and regulatory responsibility for institutions and programs dealing with children and youth, authority to review program budgets of all State departments and agencies offering youth services and authority to review commitment orders of any child placed in an institution under the Juvenile Act of 1972.

Specifically, §2301-A(b) (1), (2) and (3) establish within the department responsibility for maintaining an on-going program of research and development. Clause (3) also authorizes local authorities to request the department to conduct comprehensive surveys and develop plans for strengthening and coordinating education, welfare, health, recreational and law enforcement programs within their jurisdictions.

Clause (4) charges the department with responsibility for developing constructive and innovative special emphasis prevention and treatment programs, strengthening and coordinating all services to children rendered by State agencies and fixing functional responsibility for all aspects of these programs among various State agencies.

Clause (5) incorporates as illustrative of the types of services necessary provisions similar to those of §§223-224 of the Federal Juvenile Justice and Delinquency Prevention Act of 1974. This authority is not intended to be inclusive.

Clauses (6) and (7) confirm the licensing and regulatory authority of the department, specifically mandating such powers over all agencies and organizations within the State-- public or private--which render child welfare, juvenile justice, delinquency prevention and other services. Clause (6) also provides that the department shall have the duty to assure that services are provided in compliance with its regulations; if an agency providing services is not in compliance, the department can independently contract for or establish and maintain its own program of services until the noncompliance is remedied or bring appropriate litigation. The department is required to inspect on at least a biennial basis all public and private facilities receiving financial assistance from the Commonwealth.

Clause (8) recognizes the need for liaison between the department, agencies rendering services to children and the juvenile justice system. At the request of the court, the department must provide an employee to establish and maintain this liaison and, further, assist the court in developing treatment programs for children.

Clause (9) provides that the department shall at the request of any public or private institution, or on its own initiative may, review the program of treatment and care of any child committed under the provisions of the Juvenile Act. This clause further provides that if the child has been in the placement for a period of three months or greater and his progress within the institution warrants, the department may propose a transfer to a less secure facility. This transfer would be effectuated if, within twenty days after receiving notification of the proposed transfer, the committing court does not hold a hearing to review the child's commitment order. If the department desires to transfer the child to a more secure facility, it must first obtain the approval of the committing court. Such approval can only be given after the court holds a hearing on the order.

Clauses (10), (11) and (12) generally enable the department to apply for federal funding, with clause (12) requiring the department to work with the Governor's Justice Commission in obtaining Law Enforcement Assistance Agency funding for programs relating to juveniles.

Clause (13) empowers the department to review and approve all State funding and program budgets pertaining to youth services and places it in a position of advocacy for all programs relating to children and youth in the Commonwealth.

Clauses (14) and (15) transfer to the department the responsibility for administering the Interstate Compact on Juveniles and the Interstate Compact on the Placement of Children.

§448(q); §2302-A-- A Commission on Children and Youth is created to advise, assist and review the actions of the department. The commission would consist of 33 members: the Secretary of the Department of Youth Services, ex officio; 9 judges; 4 legislators; and 19 others appointed by the Governor and representing many diverse interests. At least one-third of the members must be under the age of 26 when appointed and a majority may not be full-time employees at any level of government. The makeup of the commission was primarily designed to meet the requirements set forth in the Federal Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93-415, 88 Stat. 1109, in order to qualify it as the State's advisory board to the Governor's Justice Commission.

§2302-A (6) and (7) insure the viability of the commission by requiring regularly scheduled meetings, selection of officers by its members, and employment of staff independent of the department. The task force views an independent commission as essential to supply continuing expert and community evaluation of proposed department policies.

§2303-A--The supervision of county child welfare boards is transferred from the Department of Public Welfare to the Department of Youth Services--with the language of existing provisions of the Welfare Code retained.

§2304-A--Youth services bureaus are required to be established throughout the State. A youth services bureau is to be certified by the department for each county; or a group of counties, or a defined area within a city of the first class or county, to provide for maximum community participation in the development, planning and provision of services for children and youth. The members of the youth services bureaus are appointed by the county commissioners--except in Philadelphia--with representation from various agencies set forth in subsection (b). Youth services commissions are provided where two or more youth services bureaus are established within a jurisdiction. In Philadelphia, the initial youth services commission is appointed by the Secretary for the purpose of immediately providing for elections of the members for the various youth services bureaus. Youth services commissions and youth services bureaus shall employ professional staffs.

§2305-A--The department is charged with the responsibility for supervising reimbursement to counties for expenses incurred relating to youth services. Subsection (a) provides for the Auditor General to ascertain the actual expense of institutionalization of a child committed by the court to legal custody of a private or public agency.

Subsection (b) provides reimbursement of one-half of the expense incurred for children committed to public and private agencies.

Subsection (c) provides reimbursement of three-fourths of the costs of child welfare services, informal adjustment services rendered under the Juvenile Act, youth services bureaus, foster-home care, group-home care, shelter care, day-treatment centers and other programs approved by the department.

Other Provisions--The bill, which takes effect 120 days after its enactment (§9), provides for transfer of affected personnel, equipment, files, obligations, records and unexpended appropriation balances from the Department of Public Welfare. Similarly, in the case of the Juvenile Court Judges' Commission, transfer is provided for all of the foregoing, except personnel. However, the bill retains the management of the youth development centers and the youth forestry camps in the Department of Public Welfare, subject to policy review by the Department of Youth Services, until 1979. The authority to discontinue or modify these programs is placed exclusively in the Department of Youth Services (§7). The authority of the Department of Justice (Bureau of Corrections) over juveniles is terminated(§911).

PROPOSED LEGISLATION

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," creating a Department of  
21 Youth Services and a Commission on Children and Youth  
22 therein; granting powers and placing duties upon the  
23 department, the commission, other State departments and  
24 agencies, the courts, the several counties, and cities of the  
25 first class; providing for regional offices of the department  
26 and for the creation of youth services bureaus and youth  
27 services commissions; mandating a juvenile delinquency  
28 prevention program; and repealing certain parts of acts.

29 The General Assembly adopts the findings and recommendations  
30 of the legislative task force of the Joint State Government  
31 Commission, established to study the services to delinquent,

1 dependent and neglected children, which findings are as follows:

2 1. There is an imperative need for coordination of existing  
3 services to the delinquent and deprived child at the community  
4 level.

5 2. There is an imperative need for the fixing of  
6 responsibility, at both the State level and local level, to  
7 oversee, coordinate and direct the multitude of public and  
8 private services presently available to delinquent and deprived  
9 children.

10 3. There is an imperative need to develop and implement  
11 effective methods of preventing and reducing juvenile  
12 delinquency.

13 4. The Commonwealth should not disrupt or impair the  
14 services presently provided by local public and private  
15 agencies, in so far as they are adequate for the needs of the  
16 community.

17 5. The Commonwealth should encourage the private facilities  
18 and agencies by purchasing services offered and, further,  
19 encourage community participation to reduce State  
20 institutionalization wherever feasible.

21 6. A Statewide policy must be formulated and implemented to  
22 encourage community-based treatment programs and facilities for  
23 the rehabilitation of delinquent children to divert juveniles  
24 from the traditional juvenile justice system and to provide  
25 critically needed alternatives to institutionalization.

26 7. A Statewide policy should be formulated to strengthen the  
27 utilization of the existing school system to identify antisocial  
28 behavior and needs of deprived children.

29 8. A Statewide policy should be formulated to ensure that  
30 alternative education opportunities are developed by the

1 community or the Commonwealth, to serve the needs of those  
2 children who do not presently benefit from the existing programs  
3 offered by the public schools.

4 9. There is a pressing need for identification of State and  
5 local responsibilities in the field of treatment of delinquent  
6 children and supervision of deprived children, and that a  
7 revision of the State-local funding responsibility be instituted  
8 to encourage the implementation of the policies set forth  
9 herein.

10 10. The Commonwealth must commit funds for innovative  
11 special emphasis prevention and treatment programs for children.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Sections 201, 203, 206 and the first paragraph of  
15 subsection (a) of section 207, act of April 9, 1929 (P.L.177,  
16 No.175), known as "The Administrative Code of 1929," amended  
17 December 3, 1970 (P.L.834, No.275), are amended to read:

18 Section 201. Executive Officers, Administrative Departments  
19 and Independent Administrative Boards and Commissions.--The  
20 executive and administrative work of this Commonwealth shall be  
21 performed by the Executive Department, consisting of the  
22 Governor, Lieutenant Governor, Secretary of the Commonwealth,  
23 Attorney General, Auditor General, State Treasurer, and  
24 [Superintendent of Public Instruction] Secretary of Education;  
25 by the Executive Board, and the Pennsylvania State Police; by  
26 the following administrative departments: Department of State,  
27 Department of Justice, Department of the Auditor General,  
28 Treasury Department, Department of [Public Instruction]  
29 Education, Department of Military Affairs, Insurance Department,  
30 Department of Banking, Department of Agriculture, Department of

1 Transportation, Department of Health, Department of Labor and  
2 Industry, Department of Public Welfare, Department of Property  
3 and Supplies, Department of Revenue, Department of Commerce,  
4 Department of Community Affairs, [and] Department of  
5 Environmental Resources, and Department of Youth Services; and  
6 by the following independent administrative boards and  
7 commissions: Pennsylvania Game Commission, Pennsylvania Fish  
8 Commission, State Civil Service Commission, Pennsylvania Public  
9 Utility Commission, and the Pennsylvania Historical and Museum  
10 Commission.

11 All of the provisions of this act, which apply generally to  
12 administrative departments, or generally except to the  
13 Department of the Auditor General and the Treasury Department,  
14 shall apply to the Executive Board and to the Pennsylvania State  
15 Police.

16 Section 203. Advisory Boards and Commissions.--The following  
17 advisory boards and commissions are placed in and made parts of  
18 the respective administrative departments, as follows:

19 In the Department of Military Affairs,

20 State Military Reservation Commission,

21 State Veterans' Commission;

22 In the Department of Environmental Resources,

23 Citizens Advisory Council;

24 In the Department of Health,

25 Advisory Health Board;

26 In the Department of Labor and Industry,

27 Industrial Board,

28 Advisory Council on Affairs of the Handicapped,

29 Advisory Board on Problems of Older Workers;

30 In the Department of Public Welfare,



1 State Board of Public Welfare,  
2 Advisory Committee for the Aging,  
3 Advisory Committee for the Blind,  
4 Advisory Committee for General and Special Hospitals,  
5 [Advisory Committee for Children and Youth,]  
6 Advisory Committee for Public Assistance,  
7 Advisory Committee for Mental Health and Mental  
8 Retardation;

9 In the Department of Property and Supplies,  
10 General Galusha-Pennypacker Monument Commission;

11 In the Department of Commerce,  
12 Board of the Pennsylvania Science and Engineering  
13 Foundation;

14 In the Department of Youth Services,  
15 Commission on Children and Youth.

16 Section 206. Department Heads.--Each administrative  
17 department shall have as its head an officer who shall, either  
18 personally, by deputy, or by the duly authorized agent or  
19 employe of the department, and subject at all times to the  
20 provisions of this act, exercise the powers and perform the  
21 duties by law vested in and imposed upon the department.

22 The following officers shall be the heads of the  
23 administrative departments following their respective titles:

24 Secretary of the Commonwealth, of the Department of State;  
25 Attorney General, of the Department of Justice;  
26 Auditor General, of the Department of the Auditor General;  
27 State Treasurer, of the Treasury Department;

28 [Superintendent of Public Instruction] Secretary of  
29 Education, of the Department of [Public Instruction]  
30 Education;

1     Adjutant General, of the Department of Military Affairs;  
2     Insurance Commissioner, of the Insurance Department;  
3     Secretary of Banking, of the Department of Banking;  
4     Secretary of Agriculture, of the Department of Agriculture;  
5     Secretary of Transportation, of the Department of  
6         Transportation;  
7     Secretary of Health, of the Department of Health'  
8     Secretary of Labor and Industry, of the Department of Labor  
9         and Industry;  
10    Secretary of Public Welfare, of the Department of Public  
11         Welfare;  
12    Secretary of Property and Supplies, of the Department of  
13         Property and Supplies;  
14    Secretary of Revenue, of the Department of Revenue;  
15    Secretary of Commerce, of the Department of Commerce;  
16    Secretary of Community Affairs, of the Department of  
17         Community Affairs;  
18    Secretary of Environmental Resources, of the Department of  
19         Environmental Resources;  
20    Secretary of Youth Services, of the Department of Youth  
21         Services.

22    Section 207. Appointment.--The Governor shall nominate and,  
23    by and with the advice and consent of two-thirds of all the  
24    members of the Senate, appoint:

25    (a) The Secretary of the Commonwealth, the Attorney General,  
26    the [Superintendent of Public Instruction] Secretary of  
27    Education, the Adjutant General, the Insurance Commissioner, the  
28    Secretary of Banking, the Secretary of Agriculture, the  
29    Secretary of Transportation, the Secretary of Health, the  
30    Commissioner of the Pennsylvania State Police, the Secretary of

1 Labor and Industry, the Secretary of Public Welfare, the  
2 Secretary of Property and Supplies, the Secretary of Revenue,  
3 the Secretary of Commerce, the Secretary of Community Affairs,  
4 the Secretary of Environmental Resources, the Secretary of Youth  
5 Services, and the members of all independent administrative  
6 boards and commissions.

7 \* \* \*

8 Section 2. The first paragraph of clause (l) of section 448,  
9 amended July 9, 1970 (P.L.470, No.161), is amended and a clause  
10 is added to read:

11 Section 448. Advisory Boards and Commissions.--The advisory  
12 boards and commissions, within the several administrative  
13 departments, shall be constituted as follows:

14 \* \* \*

15 (l) The following advisory committees are hereby created:

16 Advisory Committee for the Aging,  
17 Advisory Committee for the Blind,  
18 Advisory Committee for General and Special Hospitals,  
19 [Advisory Committee for Children and Youth,]  
20 Advisory Committee for Public Assistance,  
21 Advisory Committee for Mental Health and Mental  
22 Retardation.

23 \* \* \*

24 (g) The Commission on Children and Youth shall consist of  
25 the Secretary of the Department of Youth Services as a member ex  
26 officio; nine judges appointed by the Governor from a list of  
27 judges serving in the juvenile or family divisions, submitted by  
28 the Chief Justice of the Supreme Court of Pennsylvania; four  
29 members appointed by the Governor from the membership of the  
30 General Assembly; two Senators recommended by the President pro

1 tempore and two members of the House of Representatives  
2 recommended by the Speaker of the House, and nineteen other  
3 members appointed by the Governor with the advice and consent of  
4 the Senate. The persons appointed shall have training,  
5 experience or special knowledge concerning the prevention and  
6 treatment of juvenile delinquency, or the needs of children  
7 requiring services from State or local public or private  
8 agencies, or the administration of juvenile justice; they shall  
9 include representatives of (i) cities of the first class and  
10 counties, (ii) law enforcement and juvenile justice agencies  
11 such as probation personnel, (iii) public agencies concerned  
12 with delinquency prevention or treatment such as child welfare,  
13 social services, mental health, retardation, education and youth  
14 services bureaus, (iv) private organizations concerned with  
15 delinquency prevention or treatment, deprived children, the  
16 quality of juvenile justice, education or social services for  
17 children, (v) volunteer organizations which work with children  
18 in need of services, community-based delinquency prevention or  
19 treatment programs and (vi) organizations which represent  
20 employees affected by this act. A majority of the commission  
21 shall not be full-time employes of Federal, State or local  
22 governments, and at least eleven of the persons appointed shall  
23 be under the age of twenty-six at the time of appointment. The  
24 term of office of each member shall be four years. The  
25 commission shall, annually, select one of their number to be  
26 chairman and one to be secretary.

27 Section 3. Sections 905.1 and 905.2 of the act are repealed.

28 Section 4. Section 911 of the act, amended July 16, 1968  
29 (P.L.350, No.172), is amended to read:

30 Section 911. The Department of Justice shall have the power

1 and its duty shall be to supervise and control the State  
2 Correctional Institution at Philadelphia, State Correctional  
3 Institution at Pittsburgh, State Correctional Institution at  
4 Rockview, State Correctional Institution at Graterford, State  
5 Correctional Institution at Huntingdon, State Correctional  
6 Institution at Camp Hill, State Correctional Institution at  
7 Muncy, State Correctional Institution at Dallas and such State  
8 regional jails, forestry camps and other State penal or  
9 correcticnal off-institution grounds, facilities or  
10 installations which have been and which may be established by  
11 law: Provided, however, That the Department of Justice shall  
12 exercise no supervision or control over any institution or  
13 facility at which children are committed for treatment,  
14 supervision or rehabilitation pursuant to the provisions of the  
15 act of December 6, 1972 (P.L. 1464, No. 333), known as the  
16 "Juvenile Act."

17 Section 5. The introductory paragraph of section 2328 of the  
18 act, amended July 9, 1970 (P.L. 470, No. 161), is amended to read:

19 Section 2328. Powers and Duties of Advisory Committees.--The  
20 Advisory Committee for the Aging, the Advisory Committee for the  
21 Blind, the Advisory Committee for General and Special Hospitals,  
22 [the Advisory Committee for Children and Youth,] the Advisory  
23 Committee for Public Assistance and the Advisory Committee for  
24 Mental Health and Mental Retardation, shall, concerning matters  
25 within their respective special fields of interest, have the  
26 power and their duty shall be:

27 \* \* \*

28 Section 6. The act is amended by adding an article to read:

29 ARTICLE XXIII-A

30 POWERS AND DUTIES OF THE DEPARTMENT OF YOUTH SERVICES

1     Section 2301-A. Powers and Duties in General.--(a) The  
2 Department of Youth Services shall, subject to any inconsistent  
3 provisions in this act contained, exercise the powers and  
4 perform the duties by law vested in and imposed upon the said  
5 department.

6     (b) The Department of Youth Services shall:

7     (1) Carry on a continuing study and research of the needs of  
8 all children in this State and to seek to focus public attention  
9 on such needs through development of a comprehensive Statewide  
10 plan to meet these needs. The first such plan shall be completed  
11 within one year of the effective date of this act.

12     (2) Make studies and provide programs and information to  
13 strengthen the family in meeting its responsibility as the  
14 fundamental source for standards of personal integrity and for  
15 maximizing social and civic responsibility.

16     (3) Assist local authorities of any county or municipality,  
17 when so requested by the governing body thereof, in surveying  
18 the needs of their youth and the extent to which these are not  
19 being met, and in developing, strengthening and coordinating  
20 educational, welfare, health, recreational and law enforcement  
21 programs which have as their purpose service to youth,  
22 including, without limitation, those programs relating to  
23 rehabilitation, manpower development and training, counseling to  
24 families, law enforcement assistance, after-care and probation,  
25 detention, health research facilities, mental retardation  
26 facilities and community mental health centers, juvenile  
27 delinquency, health professions, educational assistance,  
28 hospital and medical facilities, community health services,  
29 higher education, economic opportunity, comprehensive health  
30 planning, elementary and secondary education and recreation. The

1 department may establish regional offices throughout the  
2 Commonwealth for the purposes of aiding counties and local  
3 governments and their agencies, private or public agencies,  
4 institutions, nonprofit organizations or individuals in  
5 implementation of programs and services in accordance with the  
6 purposes of this act; and for surveys of problems and needs and  
7 for the development of comprehensive plans and budget requests.  
8 In each region, all counties and local governments and their  
9 agencies, public and private agencies, institutions, nonprofit  
10 organizations or individuals receiving State funds under this  
11 act shall assist the department's regional offices in a  
12 comprehensive survey of problems and needs and in development of  
13 a comprehensive plan outlining proposals, programs, services and  
14 budget needs to implement the purposes of this act. Regional  
15 plans and proposed regional budgets shall be submitted to the  
16 secretary for final approval.

17 (4) Develop constructive and innovative special emphasis  
18 preventicn and treatment programs to provide, strengthen and  
19 coordinate all Commonwealth services to all children throughout  
20 the State; and to that end to supervise and allocate functional  
21 responsibility for those aspects of delinquent and deprived  
22 children's needs among the various State agencies having primary  
23 responsibility for meeting said problems.

24 (5) Without limiting or adversely affecting existing  
25 adequate programs for children, assure the availability of  
26 necessary services by assisting in their establishment, by  
27 contracting for and purchasing services from public and private  
28 agencies, groups or individuals, in order to develop and  
29 maintain programs designed to prevent juvenile delinquency, to  
30 divert juveniles from the juvenile justice system, and to

1 provide community-based alternatives to juvenile detention and  
2 correctional facilities; the aforementioned programs shall  
3 include but not be limited to:

4 (i) community-based programs and services for the prevention  
5 and treatment of juvenile delinquency through the development of  
6 foster-care and shelter-care homes, group homes, halfway houses,  
7 homemaker and home health services, and any other designated  
8 community-based diagnostic, treatment or rehabilitative service;

9 (ii) community-based programs and services to work with  
10 parents and other family members to maintain and strengthen the  
11 family unit so that the juvenile may be retained in his home;

12 (iii) youth services bureaus and other community-based  
13 programs to divert youth from the juvenile justice system, or to  
14 support, counsel or provide work and recreational opportunities  
15 for delinquents and youth in danger of becoming delinquent;

16 (iv) comprehensive programs of drug and alcohol abuse  
17 education and prevention and programs for the treatment and  
18 rehabilitation of drug-addicted youth and drug-dependent youth;

19 (v) educational programs or supportive services designed to  
20 keep delinquents, and to encourage other youth to remain, in  
21 elementary and secondary schools or in alternative learning  
22 situations;

23 (vi) expanded use of probation and recruitment and training  
24 of probation officers, other professional and paraprofessional  
25 personnel, and volunteers to work effectively with youth;

26 (vii) youth-initiated programs and outreach programs  
27 designed to assist youth who otherwise would not be reached by  
28 assistance programs;

29 (viii) a Statewide program through the use of probation  
30 subsidies, other subsidies, other financial incentives or



1 disincentives to units of local government, or other effective  
2 means, that may include but are not limited to programs designed  
3 to (i) reduce the number of commitments of juveniles to any form  
4 of juvenile institution as a percentage of the State juvenile  
5 population, (ii) increase the use of nonsecure community-based  
6 facilities as a percentage of total commitments to juvenile  
7 facilities, and (iii) provide alternatives to the use of secure  
8 incarceration and detention; the foregoing shall be in addition  
9 to the existing probation subsidy program;

10 (ix) human resource development programs for the vocational  
11 education, vocational training, job development and placement  
12 and other human resource development of youth and young adults;

13 (x) day programs for children who might otherwise become  
14 deprived or delinquent, or who are in need of supervision.

15 (6) Issue licenses and promulgate regulations and guidelines  
16 for (i) all agencies and organizations within the State  
17 rendering child welfare, juvenile justice and delinquency  
18 prevention services to children, such as, but not limited to,  
19 detention facilities, youth development centers, youth forestry  
20 camp, foster homes, group homes, county child welfare boards,  
21 youth services bureaus, and other services as stated in clause  
22 (5) above, and (ii) with the approval of the Governor, any other  
23 State agency or service which in the department's judgment is  
24 essential to the welfare, delinquency prevention and human  
25 resource development of youth. In those counties where such  
26 facilities are not available or the local governing bodies are  
27 not complying with regulations and standards of the department,  
28 it shall be the duty of the department to institute or contract  
29 for such services or to assume responsibility for their proper  
30 maintenance by assuming administrative control or assure

1 compliance with the standards established pursuant to this  
2 section through mandamus or other legal action instituted in the  
3 appropriate court.

4 (7) Visit, examine and inspect, at least biennially, all  
5 public and private facilities within the Commonwealth which  
6 receive financial assistance from the Commonwealth, either  
7 directly or indirectly, for services to delinquent or deprived  
8 children and prepare a report on its findings, a copy of which  
9 shall be sent to the facility; promulgate rules and regulations  
10 relating to methods of instruction, discipline, detention, care  
11 and treatment, administration and management of the welfare of  
12 the children committed to or treated in such facility. For these  
13 purposes the Secretary of the Department of Youth Services shall  
14 have free and full access to the facility and its records and  
15 books, together with full opportunity to interview any child  
16 residing therein, and the persons charged with the management of  
17 the facility are hereby directed and required to give to the  
18 Secretary of the Department of Youth Services complete access to  
19 the facility and its records and books.

20 (8) At the request of a court, assign a liaison employe to  
21 the court to assist it in its juvenile dispositions and,  
22 further, assist the court by providing a comprehensive list of  
23 all diagnostic, developmental, rehabilitative, and educational  
24 programs available to children brought before the court and a  
25 copy of the regional plan developed for their jurisdiction.

26 (9) At the request of any public or private institution, or  
27 on its own initiative may, review the progress of treatment and  
28 care of any child committed to or placed in the institution  
29 under the act of December 6, 1972 (P.L.1464, No.333), known as  
30 the "Juvenile Act." After three months after the placement of

1 the child, and if his progress within the institution warrants  
2 it, the department may transfer said child to a less secure  
3 facility including a community-based group home or foster  
4 boarding home, after notification to the committing court. If  
5 the court objects to such transfer, it shall hold a hearing  
6 within twenty days after receipt of the notification for the  
7 purpose of reviewing its commitment order. At the hearing, the  
8 court may reaffirm or modify its commitment order as provided in  
9 section 26 of the act of December 6, 1972 (P.L.1464, No.333),  
10 known as the "Juvenile Act." Except as otherwise provided  
11 herein, if the department desires to transfer a child for  
12 reasons of health, security or morale, to any other facility, it  
13 shall first obtain the approval of the committing court; if the  
14 transfer is to a more secure facility the court shall hold a  
15 hearing prior to giving its approval.

16 (10) Through the secretary or his designee, accept or refuse  
17 grants, appropriations, contributions or unencumbered property,  
18 real, personal or mixed, tangible or intangible, or any interest  
19 therein, for the purposes set forth in this article, from the  
20 Federal Government, the Commonwealth and any donor. All grants,  
21 appropriations and contributions of money accepted shall be held  
22 by the State Treasurer as custodian for the Department of Youth  
23 Services and shall be paid out on its requisition to further the  
24 objectives of this article.

25 (11) Except as provided in clause (12), act as the sole  
26 agency of the State when applying for, receiving and using  
27 Federal funds for the financing in whole or in part of programs  
28 in fields in which the department has responsibility; develop  
29 and submit State plans or other proposals to the Federal  
30 Government, to promulgate regulations, establish and enforce

1 standards and to take such other measures as may be necessary to  
2 render the Commonwealth eligible for available Federal funds or  
3 other assistance; and make surveys and inventories of existing  
4 facilities and services as required in connection with such  
5 State plans, and to assess the need for the acquisition,  
6 construction, or modernization of additional youth services  
7 facilities or consolidation of existing facilities, and to  
8 determine priorities with respect thereto.

9 (12) Assist the State planning agency for Pennsylvania  
10 established under section 203 of Title I of the Federal Omnibus  
11 Crime Control and Safe Streets Act of 1968, Pub.L. 90-351, 82  
12 Stat. 199, as it requires to supervise the preparation and  
13 administration of the plan required by Title II of the Federal  
14 Juvenile Justice and Delinquency Prevention Act of 1974, Pub.L.  
15 93-415, 88 Stat. 1109, in order to qualify the Commonwealth for  
16 the formula grants provided for in the latter statute;  
17 promulgate regulations implementing the policies required to  
18 qualify for said Federal funds and recommend such legislation  
19 for the consideration of the General Assembly necessary to  
20 assure the eligibility of the Commonwealth to participate in  
21 such funds.

22 (13) Disburse or review and approve all State funds and  
23 program budgets pertaining to youth services including but not  
24 limited to those set out in section 2305-A. The final budget of  
25 the department will stipulate dollar amounts for all services  
26 including reimbursements to counties and local governments and  
27 their agencies, public or private agencies, institutions,  
28 nonprofit organizations or individuals, for the costs of  
29 treatment, residential care or institutionalization of youth in  
30 public or private facilities in accordance with the provisions

1 for incentive funding under clause (5) above. All funds will be  
2 expended on a calendar year basis in order to provide a  
3 six-month planning period between the appropriation by the  
4 Legislature and the annual expenditures.

5 (14) Through the secretary of the department or a deputy  
6 secretary of the department designated by the Governor,  
7 promulgate rules and regulations authorized by Article XII of  
8 the Interstate Compact on Juveniles, section 731 of the act of  
9 June 13, 1967 (P.L.31, No.21), known as the "Public Welfare  
10 Code," and carry out the duties placed upon the compact  
11 administrator by sections 732, 733 and 734 of the Public Welfare  
12 Code.

13 (15) Through the secretary of the department or a deputy  
14 secretary of the department designated by the Governor,  
15 promulgate rules and regulations and carry out the duties  
16 authorized by Articles V(a), VI, and VII of the Interstate  
17 Compact on the Placement of Children, section 761 of the Public  
18 Welfare Code.

19 Section 2302-A. Powers and Duties of the Commission on  
20 Children and Youth.--The commission shall have the powers and  
21 its duties shall be to:

22 (1) Review and advise the Department of Youth Services with  
23 regard to youth services programs including, but not limited to,  
24 such matters as standards of eligibility, nature and extent of  
25 service, amounts of payments to individuals, standards of  
26 approval, certification and licensure of facilities and  
27 agencies, ways and means of coordinating public and private  
28 welfare activities, subsidies, and such other matters as may by  
29 law require citizen review or may be referred to the commission  
30 by the department.

1       (2) Advise the State planning agency established under  
2 section 203 of Title I of the Omnibus Crime Control and Safe  
3 Streets Act of 1968 as required by section 223(a)(3) of Title II  
4 of the Juvenile Justice and Delinquency Prevention Act of 1974.

5       (3) Promote better public understanding of the programs and  
6 objectives of the department.

7       (4) Make recommendations to the Secretary of the Department  
8 of Youth Services on matters referred to the committee for  
9 consideration and advice, or as may be required to promote the  
10 effectiveness of the programs of the department.

11       (5) Arrange for and conduct such public hearings as may be  
12 required by law or which they deem necessary and advisable.

13       (6) With the approval of the majority of the commission, the  
14 chairman shall appoint and fix the compensation of a director  
15 and such assistants, clerks and stenographers as are necessary  
16 to enable the commission to perform the powers and duties vested  
17 in it. The compensation of the director and such assistants,  
18 clerks and stenographers shall be fixed within limitations fixed  
19 by the Executive Board. The commission shall submit to the  
20 Secretary of the Department of Youth Services a proposed budget  
21 for inclusion in the annual request for appropriations.

22       (7) Hold regularly scheduled meetings and shall also meet at  
23 the call of the chairman or the Secretary of the Department of  
24 Youth Services. Each member attending such meeting shall be paid  
25 one hundred dollars (\$100) per diem plus his necessary expenses  
26 incurred in attending such meeting.

27       Section 2303-A. Child Welfare.--The department shall:

28       (1) Assure within the Commonwealth the availability and  
29 equitable provision of adequate public child welfare services  
30 for all children who need them, regardless of religion, race,

1 settlement, residence or economic or social status.

2 (2) Consult with and assist each board of county  
3 commissioners or the county institution district or its  
4 successor in carrying out child welfare duties and functions as  
5 authorized by law.

6 (3) Make and enforce all rules and regulations necessary and  
7 appropriate to the proper accomplishment of the child welfare  
8 duties and functions vested by law in the boards of county  
9 commissioners, county institution districts or their successors.  
10 All rules and regulations which the department is authorized by  
11 this section to make with respect to the duties and functions of  
12 the boards of county commissioners, county institution districts  
13 or their successors shall be binding upon them.

14 (4) Prescribe the time at, and the form on which boards of  
15 county commissioners, county institution districts or their  
16 successors shall submit to the department annual plans for, and  
17 annual estimates of the expenditures of the county or county  
18 institution districts for their child welfare programs.

19 (5) Provide, maintain, administer, manage and operate a  
20 program of child welfare services in a county or county  
21 institution district when the department determines, after  
22 hearing, that such board of county commissioners, county  
23 institution district, or its successor is not complying with the  
24 regulations prescribing minimum child welfare services or  
25 minimum standards of performance of child welfare services or  
26 minimum standards of child welfare personnel administration on a  
27 merit basis, and that, as a result, the needs of children and  
28 youth are not being adequately served.

29 When in pursuance of this section, the department takes  
30 charge of, and directs the operation of the child welfare

1 services of a county or county institution district, the county  
2 shall be charged and shall pay the county's share of the cost of  
3 such services, including reasonable expenditures incident to the  
4 administration thereof incurred by the department.

5 The amount due the Commonwealth may be deducted from any  
6 Commonwealth funds otherwise payable to the county. All sums  
7 collected from the county under this section, in whatever manner  
8 such collections are made, shall be paid into the State Treasury  
9 and shall be credited to the current appropriation to the  
10 department for child welfare.

11 The department shall relinquish the administration of the  
12 child welfare program of the county or county institution  
13 district when the department is assured that the regulations of  
14 the department will be complied with thereafter and that the  
15 needs of children and youth will be adequately served.

16 Section 2304-A. Youth Services Bureaus.--(a) The department  
17 shall certify for each (i) city of the first class, (ii) county  
18 or counties or (iii) defined geographical area within a city of  
19 the first class or county, one or more youth services bureaus,  
20 which shall be organized as provided by regulations of the  
21 department with maximum community participation to render such  
22 services and perform such administrative and other functions as  
23 the department shall determine by regulations and standards  
24 promulgated by it. In cities of the first class a youth services  
25 bureau shall service an area of not more than five hundred  
26 thousand persons. In cities of the first class or counties  
27 having more than one youth services bureau, there shall be a  
28 youth services commission which shall coordinate the activities  
29 of the youth services bureaus.

30 (b) The governing board of each youth services bureau shall



1 consist of at least twelve residents of the community and shall  
2 when appointed include the chairman of a county child welfare  
3 board, a judge of a court of common pleas who regularly presides  
4 over juvenile proceedings, a chief probation officer, a county  
5 administrator for mental health and mental retardation, a  
6 representative of the public school system, three  
7 representatives of private not-for-profit or voluntary  
8 organizations rendering services to children and youth; a law  
9 enforcement officer; and at least three representatives of  
10 community organizations concerned with the needs of children and  
11 youth. The initial governing board of a youth services bureau or  
12 the initial governing board of a youth services commission  
13 shall, except in cities of the first class, be appointed by the  
14 commissioners of the county or counties, and thereafter shall be  
15 appointed pursuant to rules and regulations adopted by the  
16 governing board of the youth services commission or the youth  
17 services bureau and approved by the Secretary of Youth Services.  
18 In cities of the first class the initial youth services  
19 commission shall be appointed by the Secretary of Youth  
20 Services; the commission shall immediately provide for elections  
21 for the governing board of each youth services bureau by the  
22 residents of each community which it serves. After the governing  
23 boards of the youth services bureaus have been organized, they  
24 or their representatives shall constitute the youth services  
25 commission. The terms of members of governing boards may be  
26 staggered to insure continuity of membership.

27 (c) Each youth services bureau and each youth services  
28 commission shall have a director or other executive officer,  
29 selected by its governing board, and such other employes as are  
30 necessary to carry out the programs and functions assigned to it

1 by the department. The youth services bureau shall have  
2 authority within the funds appropriated to it by the county or  
3 counties, municipality or the Commonwealth or grants obtained  
4 from the Federal Government, to purchase such services from  
5 private facilities and agencies as are necessary to meet the  
6 needs of the children and youth of the community.

7 (d) A youth services bureau shall have as its purpose the  
8 diversion of youth from the juvenile justice system and the  
9 mobilization of all the available resources of the community to  
10 service its youth by strengthening the community's existing  
11 services to youth, fostering new services, and promoting  
12 projects to eliminate the causes of delinquency in that  
13 community. The bureau shall establish an easily accessible place  
14 in the community for intake purposes to which youth requiring  
15 services may be referred by police, probation officers, courts,  
16 schools, parents, existing public and private agencies or to  
17 which the youth themselves may apply. Any child for whom  
18 referral to a social agency is required by section 8(a) of the  
19 act of December 6, 1972 (P.L. 1464, No. 333), known as the  
20 "Juvenile Act," may be referred to the youth services bureau.  
21 The youth services bureau may also provide the programs  
22 described in section 2301-A(b)(5).

23 Section 2305-A. Reimbursement for Community Children and  
24 Youth Services Programs.--(a) The Auditor General shall  
25 ascertain the actual expense for fiscal year 1973-1974 by the  
26 Department of Public Welfare for each of the several counties  
27 and each city of the first class whose children resident within  
28 the county or city of the first class directly received the  
29 benefit of the Commonwealth's expenditure. The Auditor General  
30 shall also ascertain for each Commonwealth institution or

1 facility rendering services to delinquent or deprived children  
2 the actual average daily cost of providing said services. The  
3 Auditor General shall certify to each county and city of the  
4 first class the allocated Commonwealth expenditures incurred on  
5 behalf of its children and notify the Secretary of Youth  
6 Services and each county and city of the first class of same.

7 (b) Beginning July 1, 1975 and thereafter, the following  
8 expenses shall be paid one-half by the Commonwealth through the  
9 Department of Youth Services and one-half by the county: The  
10 actual cost of care and support of a child committed by the  
11 court to the legal custody of a public or private agency  
12 approved or operated by the Department of Youth Services, other  
13 than those services described in subsection (c); the share of  
14 the Commonwealth of the actual cost of care and support of a  
15 child committed to a youth development center or youth forestry  
16 camp operated by the Department of Public Welfare shall be paid  
17 through the Department of Public Welfare out of appropriations  
18 made to it for such purpose.

19 (c) Beginning July 1, 1975 and thereafter, the following  
20 expenses shall be paid three-fourths by the Department of Youth  
21 Services and one-fourth by the county: The cost of child welfare  
22 services; informal adjustment services set forth in section 8 of  
23 the act of December 6, 1972 (P.L. 1464, No. 333), known as the  
24 "Juvenile Act," and services approved by the Department of Youth  
25 Services including but not limited to youth services bureaus,  
26 foster home care, group home care, shelter care, community  
27 residential care, and day treatment centers.

28 (d) For purposes of this section for determining  
29 reimbursement to the Commonwealth, costs of care and support  
30 shall not include compensation to campers at forestry camps for

1 services rendered to the Commonwealth. The department shall  
2 establish rules and regulations respecting circumstances under  
3 which compensation may be paid and the amount of such  
4 compensation.

5 (e) The department shall also establish rules and  
6 regulations to carry out the intent of this section.

7 Section 7. (a) The present members of the Juvenile Court  
8 Judges Commission, appointed under the act of December 21, 1959  
9 (P.L.1962, No.717), shall continue to serve for the balance of  
10 their term on the Commission on Children and Youth.

11 (b) The functions, powers and duties of the Department of  
12 Public Welfare with regard to the supervision and licensing of  
13 children's institutions and State institutions for juvenile  
14 delinquents and dependent children as set forth in Articles IX  
15 and X of the act of June 13, 1967 (P.L.31, No.21), known as the  
16 "Public Welfare Code," are hereby transferred to the Department  
17 of Youth Services.

18 (c) All personnel, equipment, files, obligations and records  
19 of the Department of Public Welfare employed in the performance  
20 of the powers and duties transferred by this act are hereby  
21 transferred to the Department of Youth Services; and the  
22 balances of any appropriations for the payment of salaries and  
23 other expenses in connection therewith are hereby appropriated  
24 to the Department of Youth Services for the same purpose as  
25 expressed in the act making them.

26 (d) All equipment, files, obligations and records of the  
27 Juvenile Court Judges' Commission are hereby transferred to the  
28 Department of Youth Services and the balances of any  
29 appropriations made to the Juvenile Court Judges' Commission are  
30 hereby appropriated to the Department of Youth Services.

1 (e) All of the State youth development centers and youth  
2 forestry camps shall continue to be operated by the Department  
3 of Public Welfare as provided by law until July 1, 1979; during  
4 this transitional period the Department of Public Welfare shall  
5 consult with the Secretary of Youth Services and prior to  
6 modifying existing facilities and programs obtain the approval  
7 of the Secretary of Youth Services. The Secretary of Youth  
8 Services may direct the Department of Public Welfare to close or  
9 modify existing facilities or programs. On July 1, 1979 all  
10 personnel of such institutions and all appropriations,  
11 contracts, agreements, equipment, files and obligations of the  
12 Department of Public Welfare respecting such institutions shall  
13 thereby be transferred to the Department of Youth Services with  
14 the same force and effect as if said contracts, agreements and  
15 obligations of the Department of Public Welfare had been  
16 incurred or entered into by the Department of Youth Services;  
17 and the balances remaining in any such appropriations shall  
18 thereby be appropriated to the Department of Youth Services for  
19 the same purpose as expressed in the act making them. The  
20 Secretary of Youth Services shall have the authority to open,  
21 modify or close State-operated facilities.

22 (f) All positions in the Department of Youth Services shall  
23 be deemed to be included in the list of positions set forth in  
24 clause (d) of section 3 of the act of August 5, 1941 (P.L.752,  
25 No.286), known as the "Civil Service Act," and all personnel  
26 transferred pursuant to this act shall retain any civil service  
27 employment status assigned to said personnel.

28 (g) All orders, permits, regulations, decisions and other  
29 actions of the Department of Public Welfare or any agency whose  
30 functions have been transferred by this act shall remain in full

1 force and effect until modified, repealed, suspended, superseded  
2 or otherwise changed by appropriate action of the Department of  
3 Youth Services.

4 (h) The salary of the Secretary of Youth Services shall be  
5 the same as the salary provided by law for the Secretary of  
6 Public Welfare.

7 Section 8. (a) Sections 346, 354, 701, 702, 703, 704, 705,  
8 706, 707, 708, 721, 722, 723, 724, 725, 763(1), and 763(2) of  
9 the act of June 13, 1967 (P.L.31, No.21), known as the "Public  
10 Welfare Code," are repealed absolutely.

11 (b) Sections 341, 342, 343, 344, 345, 351 and 353 of the act  
12 of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare  
13 Code," are repealed absolutely, effective June 30, 1979.

14 (c) Sections 303, 746 and Articles IX and X of the act of  
15 June 13, 1967 (P.L.31, No.21), known as the "Public Welfare  
16 Code," are repealed in so far as they are inconsistent with this  
17 act.

18 (d) Sections 301, 302, 304, 309 and 346 of the act of June  
19 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code,"  
20 are repealed in so far as they are inconsistent with this act,  
21 effective June 30, 1979.

22 (e) Clause (2) of section 36 of the act of December 6, 1972  
23 (P.L.1464, No.333), known as the "Juvenile Act," is repealed  
24 absolutely.

25 (f) All other acts and parts of acts, general, local and  
26 special, are repealed in so far as they are inconsistent  
27 herewith.

28 Section 9. This act shall take effect in 120 days.

APPENDIXES

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APPENDIX A

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INDIVIDUALS WHO TESTIFIED OR  
PROVIDED WRITTEN COMMENTS

PUBLIC HEARING TESTIMONY

Public Hearing, Harrisburg, May 23, 1974

MARLIENE A. SMOKER, Assistant Director for Governmental Affairs,  
Pennsylvania Association for Retarded Citizens

SAMUEL A. YEAGLEY, JR., Administrator, Dauphin County Child Care Service

DANIEL JAFFE, Youth Advocate, York Community Progress Council

REVEREND RUSSELL AULTS, Teen Encounter, York

MILDRED HAND, State Legislation Chairman, National Council of  
Jewish Women

IAN H. LENNOX, Executive Vice President, Citizens Crime  
Commission of Philadelphia

DAVID HOKE, Youth Outreach Worker, YMCA Outreach, York

C. ROBERT BUDD, Executive Director, Pennsylvania State  
Association of County Commissioners

ORA G. GRUVER, Director, Child Welfare Services, York County

STEPHEN R. REED, Chairman, Dauphin County Board of Assistance

Public Hearing, Philadelphia, June 6, 1974

CONSTANCE VOYNOW, Juvenile Justice Center, Philadelphia

EDWIN D. WOLF, Esquire, Fellowship Commission



EDNA THOMAS, Youth Conservation Services, Philadelphia

TIMOTHY BAKER, Former Director, Eastern Youth Development  
Center at Cornwells Heights

GEORGE BRITT, Chairman, Conference of Minority Administrators

Public Hearing, Norristown, June 13, 1974

ANTHONY GUARNA, Chief Juvenile Probation Officer, Montgomery  
County

ROBERT W. HONEYMAN, Judge, Court of Common Pleas of  
Montgomery County

TERRYLL LYNN SCHASSE, Director, Huntingdon County Child  
Welfare Service

H. ALLEN HANDFORD, M.D., Regional Council of Child Psychiatry

BARBARA FRUCHTER, Chairman, Governor's Advisory Committee to  
Office of Children and Youth; Executive Director, Juvenile  
Justice Center, Philadelphia

RICHARD I. CLEARY, MSS, Former Director, Eastern Youth  
Development Center at Cornwells Heights

MRS. SHANE KING, First Vice President, Advisory Committee,  
Chester County Children's Services

JAMES GIOMATTI, Director of Social Services, Children's Home  
of Reading

MARY Y. SPRINGER, Executive Director, Berks County Children's  
Services

REVEREND DOCTOR GARNET O. ADAMS, President, Pennsylvania  
Association of Children's Institutions; Superintendent,  
Bethany Children's Home

JOSEPHINE W. JOHNS, Juvenile Probation Officer, Montgomery County;  
Chairlady, Juvenile Task Force, Pennsylvania Association of  
Probation, Parole and Corrections

JOHN JACIN, Montgomery County Federation of Youth Services  
Bureaus

PETER L. STOLLERY, Community Commitment, Inc.

Public Hearing, Pittsburgh, June 19, 1974

LEONARD C. STASEY, Chairman, Allegheny County Board of  
Commissioners (Statement presented by Thomas N. Carros)

THOMAS N. CARROS, Director, Child Welfare Services of  
Allegheny County

DON W. BRIAN, D.ED., Director, Brian Guidance Center, Meadville

JOHN G. BROSKY, Administrative Judge, Family Division, Court  
of Common Pleas of Allegheny County

BARBARA K. SHORE, Ph.D., School of Social Work, University of  
Pittsburgh

PATRICIA J. EVEY, Public Affairs Chairman, Pennsylvania  
Federation of Women's Clubs

THOMAS HALLORAN, Citizen Education/Action Group for Criminal  
Justice

RICHARD L. COHEN, M.D., Director, Children's Services, Western  
Psychiatric Institute and Clinic; Executive Director,  
Pittsburgh Child Guidance Center

NED KROUSKOPF, President, Board of Trustees, Western  
Pennsylvania Youth Development Center

CHARLOTTE S. GINSBERG, Pittsburgh Project Director, Pennsylvania  
Program for Women and Girl Offenders (Statement presented by  
Thomas Hollander, Esquire, Vice Chairman, Youth Development  
Centers)

ERNEST PATTON, Superintendent, State Correctional Institution  
at Camp Hill

J. H. LANGLEY, Executive Director, Youth Services, Inc.

JEROME PELKOWSKI, Executive Director, Harborcreek School  
for Boys

MONSEIGNEUR JOHN CONWAY, Executive Director, Catholic Charities  
of the Diocese of Greensburg

LESLIE DELPIZZO, Director, Mental Health/Mental Retardation  
Services, South Hills Health System; Chairman, Legislative  
Committee, Pennsylvania Association of CMH/MRCs

REVEREND RICHARD R. MOWRY, Executive Director, The Whale's Tale

KENNETH WINOGRAD, Associate Administrator, Allegheny County  
Mental Health/Mental Retardation Program

CECELIA A. COGGINS, Private Citizen, Beaver, Pennsylvania

WILL BRINKER, Representative, Pennsylvania Council of Chief  
Juvenile Probation Officers

MICHAEL LOUIK, Assistant Attorney General, Community Advocate  
Unit, Allegheny County Health and Welfare Association

GARY REISWIG, Representative of Executive Committee, Children's  
Lobby of Western Pennsylvania

HERBERT T. CHASE, Executive Director, Allegheny County Children  
and Youth Services Council, Inc.

Harrisburg, June 25, 1974

HELENE WOHLGEMUTH, Secretary of Public Welfare

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INDIVIDUALS WHO SUBMITTED  
WRITTEN COMMENTS

MARVIN F. BREIGHNER, Chief Clerk, Adams County Commissioners

ROBERT P. CASEY, Auditor General

RICHARD D. GRIFFO, Judge, Court of Common Pleas of  
Northampton County

WILLIAM J. SHOEMAKER, Executive Director, Columbia County  
Board of Assistance

JOHN A. MacPHAIL, President Judge, Court of Common Pleas of  
Adams County

RICHARD J. P. BRADY, Administrator, Lycoming-Clinton County  
Mental Health/Mental Retardation Program

PAUL J. SMITH, Secretary of Labor and Industry

EDWARD R. GOLOB, Administrator, Cambria County Board of Assistance

DONALD E. FOWLER, for C. H. McConnell, Deputy Secretary, Resources Management-Department of Environmental Resources

WILLIAM E. GRAFFIUS, Executive Director, The Easter Seal Society

JAMES R. NEELY, President, The Hospital Association of Pennsylvania

PATRICIA E. SACKETT, Former Director of Day Care for Cameron County

WELFARE COMMITTEE, OFFICERS AND STAFF, Pennsylvania State Association of County Commissioners

JOAN E. LYON, Acting Director, Cameron County Office of Child Welfare

ANNE M. GARROTT, Chairperson, Conference of Executives, United Community Services

JOSEPH A. NEWTON, Chairman, County Commissioners of Cameron County

E. ELAINE ABDULLAH, Member, State Board of Public Welfare

MARTIN I. STOVER, Executive Director, Berks County Board of Assistance

RICHARD C. SCHENKEL, Administrator, Butler County Mental Health/Mental Retardation Program

REVEREND H. ELWOOD WILLIAMS, President, Berks County Foster Parents Association

CORRINNE S. HALPERIN, Executive Director, Council on Volunteers for Erie County

LAWRENCE C. HARDICK, Public Welfare Administrator IV, Armstrong County Board of Assistance

PATRICK R. TAMILIA, Judge, Family Division, Juvenile Section, Court of Common Pleas of Allegheny County

MILTON LUGER, Director, Division for Youth, New York State Executive Department

THOMAS F. HALLORAN, Community Advocate Unit, Chairman, Juvenile Justice Committee, Citizen Education/Action Group for Criminal Justice

PETER S. BODENHEIMER, Administrator, Bucks County Department  
of Mental Health/Mental Retardation

CARL A. TRIOLA, ACSW, President, Pennsylvania Council of  
County Child Welfare Administrators

JESSE R. COPENHAVER, Public Welfare Administrator, Venango  
County Board of Assistance

MARGARET DARKEN, American Association of University Women

REVEREND MONSEIGNEUR KENNETH T. HORAN, M.S., Diocesan  
Director, Catholic Social Services, Diocese of Scranton

REVEREND MONSEIGNEUR JOHN C. McCARREN, Chairman, State  
Board of Public Welfare

STANLEY B. MORGENLANDER, M.D., Chairman, Ad Hoc Committee  
on Legislative Affairs, Pittsburgh Regional Council on  
Child Psychiatry

LOIS WOODHULL BARNUM, President, Community Services of  
Pennsylvania

JOHN L. WACHTER, ACSW, Director, Mental Health Institute for  
Children, Allentown State Hospital

CLARK SUTTON, Chairman, Allegheny County Regional Planning  
Council, Governor's Justice Commission

ROBERT M. MANLEY, Executive Director, Allentown Human  
Relations Commission

MAX LEVINE, Esquire, Child Advocacy Division, Neighborhood  
Legal Services Association

DENNIS MOUNTJOY, Social Worker, Child Advocacy Division,  
Neighborhood Legal Services Association

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STATUTORILY AUTHORIZED  
YOUTH SERVICES AGENCIES IN OTHER STATES  
(Staff Report of Joint State Government Commission)

With respect to functions, statutorily created state agencies charged with responsibilities for services to delinquent and deprived children are of two general types:

1. A statewide authority which has sole administrative authority over the entire juvenile justice system from intake through the courts to release after probation.
2. A statewide commission or similar body charged with the limited duty of researching the area of child care and protective services and the juvenile justice system within the state.

Seven states--California, Maryland, Massachusetts, North Dakota, Tennessee, Texas and Wisconsin--have developed state youth authorities which have the administrative responsibility for the juvenile justice system within the state. These authorities, established under an administrator, have the sole responsibility for all probation and institutional services as well as diagnostic and rehabilitative programs. Table 1 shows for each of these seven states the name of the agency, the department with which it is associated, the method of appointment of the director and the scope of authority.

The statutory duties of the Maryland State Department of Juvenile Services, as set forth in the Maryland Code, are typical of those provisions found in the other six states:

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1. Two other states, Indiana and Kentucky, have statutorily created local (county) administrative agencies to coordinate and administer child services solely within the county.

TABLE 1  
 STATUTORILY CREATED  
 STATE YOUTH SERVICE AGENCIES

State (1)	Name of Agency (2)	Department (3)	Appointed By (4)	Scope of Authority (5)
California	Department of Youth Authority	Human Relations Agency	Governor	Controls probation, institutions and diagnostic and rehabilitative services
Maryland	State Department of Juvenile Services	Department of Health and Mental Hygiene	Governor	Controls probation, institutions and diagnostic and rehabilitative services
Massachusetts	Department of Youth Services	Independent	Governor	Controls probation, institutions and diagnostic and rehabilitative services
North Dakota	State Youth Authority	Social Service Board	Board	Controls only diagnostic and rehabilitative programs and may only contract for institutional care
Tennessee	Assistant Commissioner for Youth Services	Department of Corrections	Commissioner of Corrections w/approval of Governor	Controls probation, institutions and diagnostic and rehabilitative services
Texas	State Youth Development Council	Independent	Governor	Controls probation, institutions and diagnostic and rehabilitative services
Wisconsin		Department of Public Welfare	Secretary of Public Welfare	Controls institutions and diagnostic and rehabilitative services.

SOURCES: Statutes of the various states.

(a) Administrative agency for enumerated juvenile services; programs for pre-delinquent child; reports to Secretary of Health and Mental Hygiene.--The State Department of Juvenile Services is the central administrative agency for juvenile intake, detention authorization, investigation, probation, protective supervision and after-care services and for State juvenile, diagnostic, training, detention, and rehabilitation institutions as hereinafter more specifically provided. The State Department of Juvenile Services shall also develop programs for the pre-delinquent child whose behavior tends to lead to contact with law-enforcement agencies. It shall carry out the policies of the Secretary of Health and Mental Hygiene with respect to these matters, and the Director shall report regularly to the Secretary of Health and Mental Hygiene.

(b) Services to juvenile courts.--It shall provide such services as are requested by the juvenile courts as are described in this article and in §§ 57, 59, and 61 of Article 26 of this Code (1957 Edition, as amended) and judges sitting in other equity courts who are dealing with persons under the age of 18 years.

(c) Commitment of delinquent, mentally handicapped, dependent or neglected child or child in need of supervision; duty of agency or institution given custody; continuing jurisdiction of court.--Any juvenile court judge may commit: (1) any delinquent child that has been so adjudicated by said judge to, the custody of the Secretary of Health and Mental Hygiene, or to any public or private institution or agency other than the Department of Health and Mental Hygiene, or to the custody of a person selected by said judge; (2) any child in need of supervision that has been so adjudicated by said judge to the custody of the Secretary of Health and Mental Hygiene, or to any public or private institution or agency other than the Department of Health and Mental Hygiene or to the custody of a person selected by said judge; (3) any mentally handicapped child that has been so adjudicated by said judge to the custody of the Secretary of Health and Mental Hygiene; (4) any dependent child that has been so adjudicated by said judge to the local social services department, or to any other public or private agency which provides facilities for dependent children, or to the custody of a person selected by said judge; (5) any neglected child that has been so adjudicated by said judge to the local social services department or to any public or private agency that provides facilities or services for neglected children. Any agency or institution which has thus been given custody of a child shall proceed in accordance



with the provisions of Article 26 of this Code and Chapter 900 of the Maryland Rules of Procedure. Any child who has been determined in need of care or treatment within the provisions of §§ 51 through 90, inclusive, of Article 26 of this Code shall remain under the continuing jurisdiction of the court in which his case was heard until that court finally terminates jurisdiction.

(d) Social service and public assistance programs not to be administered by Department.--The Department of Juvenile Services shall not administer the aid to families with dependent children program, the foster-care program, or the several other child welfare programs of the State Department of Social Services. (Md. Code, Art. 52A, Sec. 5)

Except for North Dakota, each of the state administrators has the authority to operate state institutions providing services to children; all seven have the power to contract for various services from private or other public agencies. Except for Wisconsin and North Dakota, all have the power to operate probation services. In North Dakota probation services are provided by the Department of Corrections and in Wisconsin by county probation officers.

All seven authorizing statutes specifically state that the youth services authority, by whatever name, shall not administer child welfare programs, such as aid to families with dependent children and foster care. It should be noted that these administrators have jurisdiction solely over delinquents and those deprived or handicapped children adjudged to be in need of institutional care.

Eleven states have established an agency to carry on research and appraise services to children within the state.<sup>2</sup> These agencies are normally set up in a commission format and fall administratively within the Governor's office or an existing department, e.g., departments of welfare, justice or human resources.

Table 2 sets forth for each state the agency authorized to carry on research and appraise services available for children, and the department to which it is attached.

The Hawaii statute illustrates the duties of these commissions in the eleven jurisdictions noted in Table 2:

Duties of the commission; reports. (a) The commission on children and youth shall form two subcommittees to serve:

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2. Four of the states which operate juvenile services programs described above also have specific authority to provide research and appraisal of child services; these four are California, Maryland, Massachusetts and North Dakota.

(1) Children from conception through age twelve to be known as the coordinated child care committee; and

(2) Youths from ages thirteen through twenty-four, to be known as the action committee for young adults.

(b) The commission shall:

(1) Study the facts concerning the needs of children and youth in the State through action research studies, such research to be carried on whenever possible through the departments or agencies of the state and county governments responsible for providing services to children and youth. When such research cannot be done within such established agencies, it shall be carried out by public or private organizations capable of conducting action research.

(2) Review legislation pertaining to children and youth and appropriations made for services in their behalf in such fields as health, child development, social service, education, recreation, child labor, family courts, probation and parole service, and detention and correctional facilities, and consider and present revisions and additions needed and report to the Governor and to the legislature regarding such legislation.

(3) Appraise the availability, adequacy, and accessibility of all services for children and youth within the State.

(4) Ascertain the facts concerning the operations and the operating policies, affecting children and youth, of all state and county departments and agencies responsible for providing services for children and youth, including, without limitation to the generality of the foregoing, the department of health, the department of social services and housing, the department of education, the department of labor and industrial relations, the police departments, the family and other courts and the probation departments and detention facilities thereof, and, report such facts and the commission's recommendations to the governor and to the legislature. The executive heads of all such departments and agencies shall make available to the commission such information as the commission deems necessary for the effective discharge of its duties under this chapter.

(5) Maintain contacts with local, state and federal officials and agencies concerned with planning for children and youth.

(6) Encourage and foster local community action in behalf of children and youth through the local county committees.

(7) Develop and promote plans and programs for the prevention and control of juvenile delinquency.

(8) Cooperate with the national commission on children and youth and arrange for the participation by representatives of the State in the decennial White House conference on children and youth. (Hawaii Rev. Stats., Ch. 581-2)

Like the Hawaii statute, the laws in the other jurisdictions fail to place any administrative responsibility on the commissions and do not contemplate their implementation of any developed plans and programs affecting juveniles.

TABLE 2

STATE AGENCIES AUTHORIZED TO CONDUCT RESEARCH  
OR APPRAISE SERVICES RELATING TO CHILDREN

State (1)	Name of Agency (2)	Department (3)	Makeup of Commission (4)
Delaware	Council on Youth Services	Department of Corrections	Seven members, appointed by the Governor.
Hawaii	Commission on Children and Youth	Governor's Office	Fifteen to 21 members, appointed by the Governor plus four department heads. At least 1/3 of the members shall be under 25 years of age.
Illinois	Commission on Children	Independent	Fifteen citizens appointed by the Governor, plus six members of the General Assembly and nine department heads.
New Jersey	New Jersey State Youth Commission	Department of Community Affairs	Nine members appointed by the Governor.
North Carolina	Youth Services Commission	Independent	Five members appointed by Governor.
Oregon	Children's Services Division	Department of Human Resources	Set up as a research section of the department.
Rhode Island	Rhode Island Committee on Children and Youth	Department of Social and Rehabilitative Services	One hundred members appointed by Governor.
Tennessee	Commission on Children and Youth	Independent	Nine members appointed by Governor.
Texas	State Youth Development Council	Independent	Six citizen members appointed by Governor and three department heads.
Virginia	Commission for Children and Youth	Governor's Office	Fifteen members appointed by the Governor.
Wyoming	Wyoming Youth Council	Independent	Nine citizen members appointed by Governor plus four department heads and one member of each house of the legislature.

SOURCES: Statutes of various states.

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STATISTICAL EVALUATION OF JUVENILE JUSTICE SYSTEM  
(Staff Report of Joint State Government Commission)

This report traces the flow of cases into and through the Pennsylvania juvenile justice system and evaluates county juvenile processing rates.

Reported Crimes and Juvenile Arrests

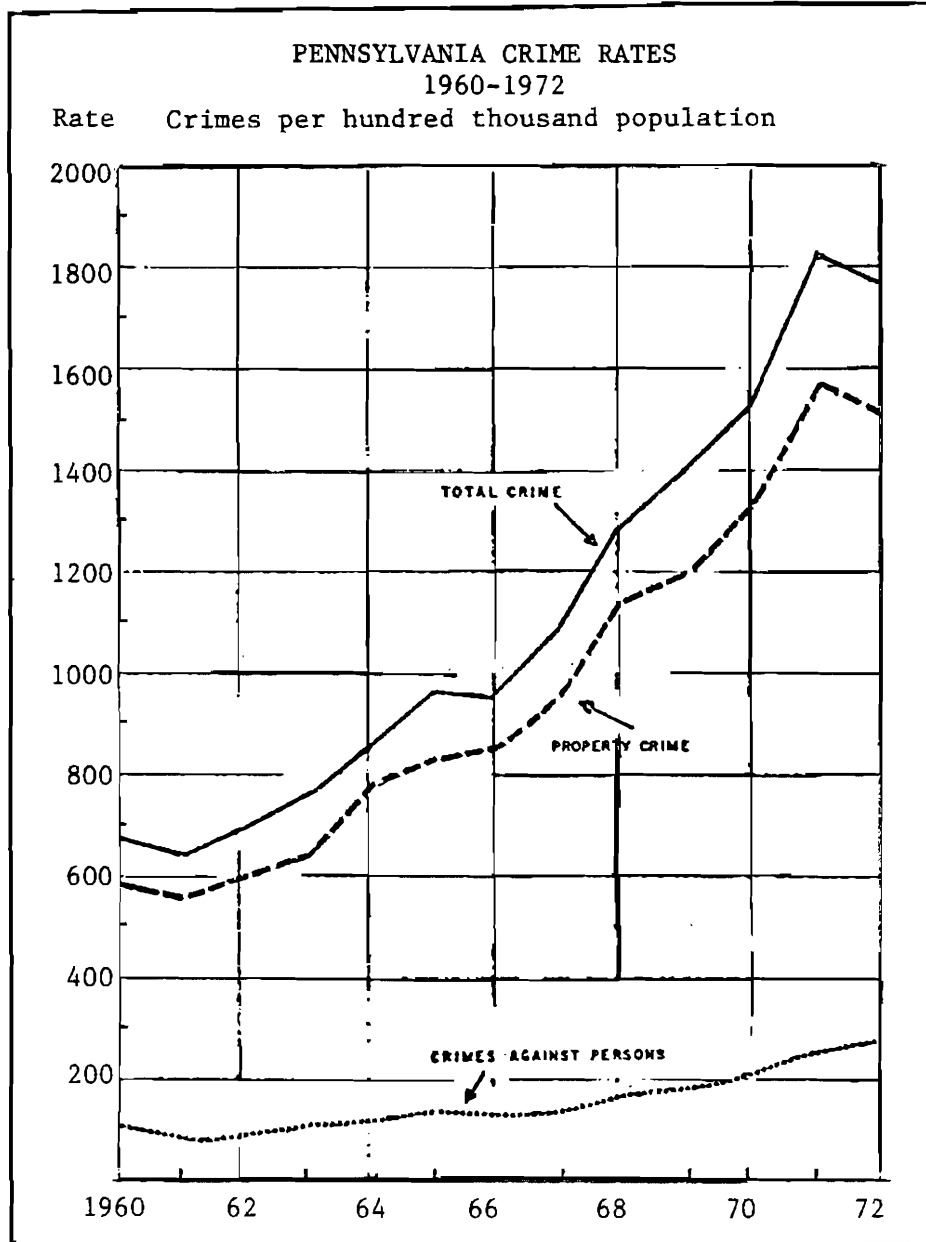
Juveniles approach the justice system by way of crime reports to and arrests by the police. Charts I and II, pp. 80 and 82, present data on total crimes reported and juvenile arrests in Pennsylvania. While Chart I, indicating reported crimes, does not differentiate between crimes committed by juveniles and those by adults, the Governor's Justice Commission reports "that the bulk of all crimes are committed by the 15-to 24-year-old group."<sup>1</sup> As Chart I illustrates, the number of crimes reported per 100,000 population increased more than 150 percent between 1960 and 1972--from 690 to 1,780. Although reported crimes in Pennsylvania peaked in 1971, the slight decrease in 1972 is not sufficient evidence of a continuing downward trend in the crime rate.

Chart II and Table 1, pp. 82 and 83, show that total juvenile arrests in Pennsylvania have increased 63 percent between 1965 and 1972, with the sharpest increase between 1971 and 1972 when the total leaped more than 22 percent--from 91,800 to 112,200. Arrests for less serious (part II) offenses account for virtually all of the upsurge--increasing from approximately 48,700 in 1965 to 90,100 in 1972. These offenses--categorized as "miscellaneous offenses"--include sexual crimes other than rape, simple assault, disorderly conduct, arson, forgery, fraud and embezzlement, stolen property, vandalism, minor theft, drunkenness, violation of liquor and drug laws, vagrancy, prostitution, gambling and others.

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1. Governor's Justice Commission, Crime and the Pennsylvania Justice System (Harrisburg: Department of Justice, 1973), p. 11-5.

CHART I



SOURCE: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Crime and the Pennsylvania Criminal Justice System (Harrisburg: Department of Justice, 1973).

Arrests for selected serious crimes have increased only modestly. In 1965 total arrests were 20,001; in 1970 they peaked at approximately 24,500 and then declined to 22,000 by 1972. Selected serious (part I) offenses are itemized on Table 1.

Table 2, presenting somewhat comparable arrest data for Philadelphia, is particularly interesting because it indicates that, contrary to the statewide trend, arrests for total juvenile offenses in that city have decreased significantly between 1971 and 1972. Also, juvenile arrests for major crimes in Philadelphia consistently have outnumbered arrests for minor crimes; throughout the state, the situation has been the reverse. In 1972, for example, statewide juvenile part I (serious offense) arrests were less than 20 percent of the total juvenile arrests. These data suggest that criteria for arrest may vary among the various police agencies. Similarly, reporting criteria may change from year to year and jurisdiction to jurisdiction.

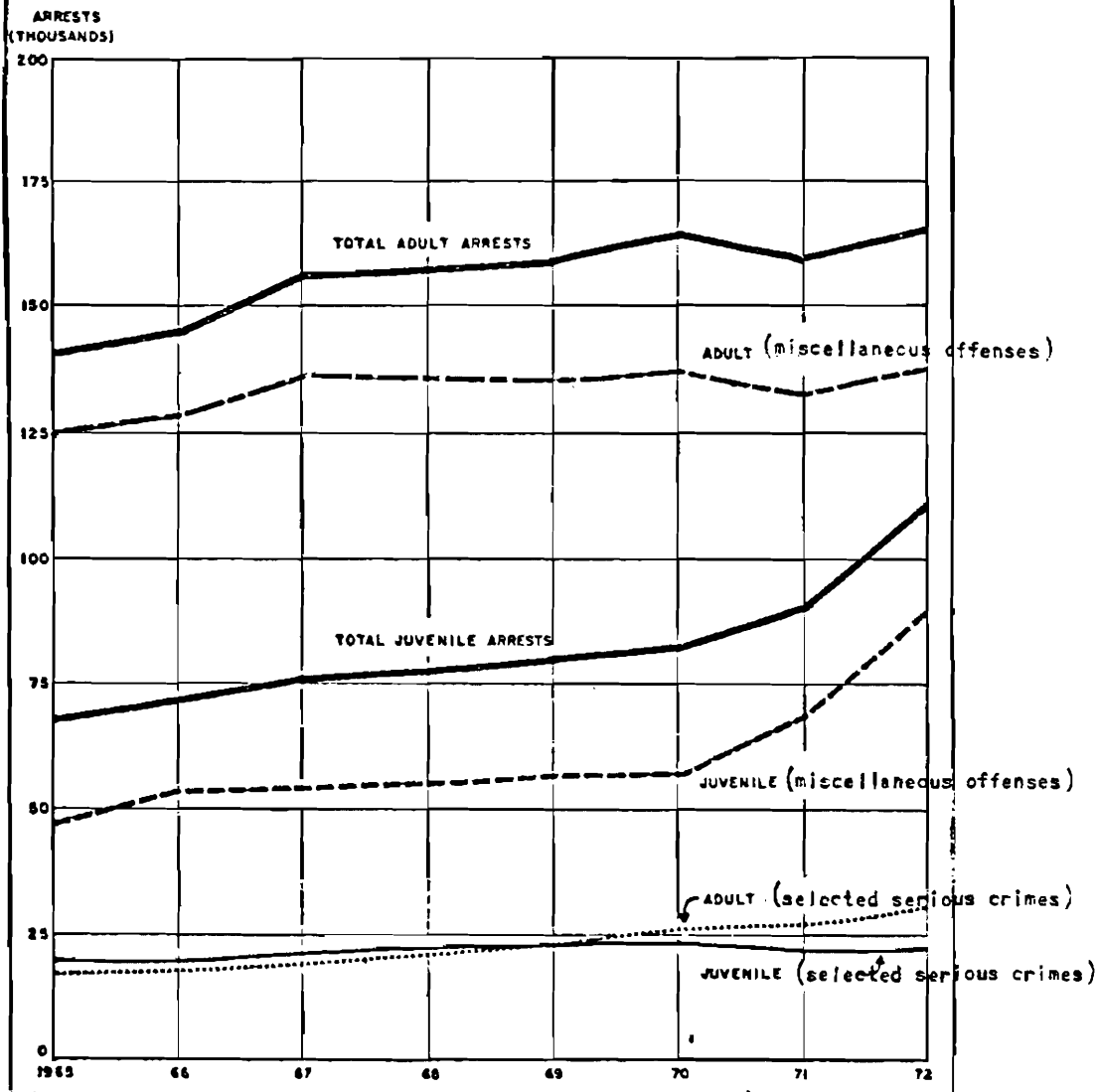
#### Juveniles Processed in Justice System

After an arrest and perhaps detention, a youth enters the juvenile court system. Table 3 shows the total juveniles processed by the courts and the reasons for referral to the justice system. As indicated, 79 percent of all juveniles processed are delinquency offenders who are referred to the court because of offenses applicable to both juveniles and adults. About 16 percent of all juveniles processed are status offenders who are referred because of offenses applicable to juveniles only. The remaining 5 percent of the juveniles processed are traffic offenders and juveniles in court because of parental neglect or dependency.

Table 4 below shows the totals for juveniles processed for the 1969-1973 period, as well as the breakdown between delinquency offenses and status offenses and those processed for dependency and parental neglect. Total cases processed peaked in 1971. Delinquency offenses processed are down somewhat from their 1971 high, a pattern which is consistent with reported crime data in Chart I and the juvenile arrests for serious offenses in Tables 1 and 2. Status offenses are declining both absolutely and as a proportion of total processed offenses since 1969.

CHART II

PENNSYLVANIA  
ADULT AND JUVENILE ARRESTS  
1965 - 1972



SOURCE: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Crime and the Pennsylvania Criminal Justice System (Harrisburg: Department of Justice, 1973), Table 2, p. 6-2.



TABLE 1

ARRESTS REPORTED (UNIFORM CRIME REPORT) FOR PENNSYLVANIA BY  
OFFENSE, 1965 TO 1972 (DATA NOT AVAILABLE FOR 1968)

	1965	1966	1967	1969	1970	1971	1972
<u>Total juvenile arrests</u>	68,670	72,517	76,270	80,878	82,612	91,801	112,211
<u>Total juvenile part I arrests</u> (selected serious crimes)	20,001	20,116	21,341	23,337	24,476	22,568	22,015
Total juvenile arrests for crimes against persons (part I)	2,195	2,450	2,584	3,554	3,845	3,992	3,937
Murder	48	73	79	153	157	140	137
Manslaughter	22	16	20	14	11	7	19
Rape	225	194	190	252	216	251	298
Robbery	853	991	1,105	1,728	2,025	2,037	2,084
Aggravated assault	1,047	1,176	1,190	1,407	1,436	1,557	1,399
Total juvenile property arrests (part I)	17,806	17,666	18,757	19,783	20,631	18,576	18,078
Burglary	5,691	5,911	6,401	7,178	6,726	5,471	6,264
Larceny	9,231	8,768	8,677	8,905	10,122	10,345	9,137
Auto theft	2,884	2,987	3,679	3,700	3,783	2,760	2,677
<u>Total juvenile part II arrests</u> (miscellaneous offenses)	48,669	52,401	54,929	57,541	58,136	69,233	90,196
Number of agencies reporting	250	266	331	328	345	273	320

SOURCE: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Crime and the Pennsylvania Criminal Justice System (Harrisburg: Department of Justice, 1973), Table 2, p. 6-2.

TABLE 2  
COMPARISON OF JUVENILE ARRESTS IN PHILADELPHIA  
BY OFFENSE, 1966, 1970-1972

	1966	1970	1971	1972	Percentage change 1972 Compared to 1971
<u>MAJOR CRIMES</u>					
<u>Crimes against the person</u>					
Homicide	48	145	129	127	-1.6%
Rape	121	118	179	182	+1.7
Aggravated assault <sup>a</sup>	710	944	1,101	744	-32.4
Robbery	<u>538</u>	<u>1,541</u>	<u>1,518</u>	<u>1,546</u>	<u>+1.8</u>
Total	<u>1,417</u>	<u>2,748</u>	<u>2,927</u>	<u>2,599</u>	<u>-11.2</u>
<u>Crimes against property</u>					
Burglary	1,539	2,542	2,508	2,010	-19.9
Larceny over \$50	1,553	2,057	2,452	1,945	-20.7
Auto Theft	<u>1,002</u>	<u>1,832</u>	<u>1,457</u>	<u>1,105</u>	<u>-24.2</u>
Total	<u>4,094</u>	<u>6,431</u>	<u>6,417</u>	<u>5,060</u>	<u>-21.1</u>
Total major crimes	<u>5,511</u>	<u>9,179</u>	<u>9,344</u>	<u>7,659</u>	<u>-18.0</u>
<u>MINOR CRIMES</u>					
Other assaults	933	1,214	1,039	618	-40.5
Vandalism	432	668	1,170	746	-36.2
Weapons	342	722	759	751	-1.1
Disorderly conduct	1,265	1,062	1,353	1,150	-15.0
Narcotics	65	857	644	490	-23.9
All others	<u>2,397</u>	<u>2,644</u>	<u>2,919</u>	<u>2,578</u>	<u>-11.7</u>
Total minor crimes	<u>5,434</u>	<u>7,167</u>	<u>7,884</u>	<u>6,333</u>	<u>-19.7</u>

a. An aggravated assault is an assault with a deadly weapon or one resulting in serious injury.

SOURCE: Pennsylvania Economy League, in association with the Bureau of Municipal Research, The Gang Problem in Philadelphia (Philadelphia: Report No. 375, June 1974), p. 16.

TABLE 3

REASONS FOR REFERRAL - ALL  
JUVENILES PROCESSED, 1973

Offenses	Total	Percent of total
State total of juveniles processed	41,377	100.0%
<u>Delinquency Offenses</u> - total	32,605	78.8
Murder and non-negligent manslaughter	84	0.2
Murder by negligence	27	0.1
Forcible rape	343	0.8
Robbery: Purse snatching	119	0.3
Robbery: Excluding purse snatching	2,026	4.9
Aggravated assault	1,054	2.5
Assault: Excluding aggravated	2,931	7.1
Burglary	6,108	14.8
Auto theft: Unauthorized use	1,217	2.9
Auto theft: Excluding unauthorized use	1,407	3.4
Larceny: Shoplifting	1,345	3.3
Larceny: Excluding shoplifting	3,514	8.5
Weapons: Possession	915	2.2
Sex offenses: Excluding forcible rape	471	1.1
Drug law violations: Narcotics	1,905	4.6
Drug law violations: Excluding narcotics	1,629	3.9
Drunkenness	148	0.4
Disorderly conduct	3,249	7.9
Vandalism	1,385	3.3
Arson	209	0.5
Other	2,519	6.1
<u>Status Offenses</u> - total	6,549	15.8
Runaway	2,403	5.8
Truancy	629	1.5
Curfew violation	48	0.1
Ungovernable behavior	2,276	5.5
Possession - drink, liquor	1,054	2.5
Other	139	0.4
Traffic offenses, total	900	2.2
Dependent and neglected children, total	1,323	3.2

SOURCE: Pennsylvania Governor's Justice Commission, Bureau of Criminal Justice Statistics, Pennsylvania Juvenile Court Dispositions (Harrisburg Department of Justice, 1973), Table 6, p. 19.

Table 4

CASES PROCESSED  
JUVENILE JUSTICE SYSTEM  
1969-1973

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Delinquency offenders	28,895	32,097	35,730	29,929	32,605
Status offenders	a	8,159	7,942	7,315	6,549
Traffic offenders	a	1,347	1,238	1,238	900
Dependent and neglected children	a	<u>2,234</u>	<u>1,260</u>	<u>984</u>	<u>1,323</u>
Total	<u>40,975</u>	<u>43,837</u>	<u>46,170</u>	<u>39,466</u>	<u>41,377</u>

a. Breakdown not available for 1969.

SOURCES: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Crime and the Criminal Justice System (1973) and Pennsylvania Juvenile Court Dispositions (1973).

Table 5 below, indicating the agencies or persons which referred the delinquency offenses to the court, confirms that the police are the single greatest source of initial contact and referral for youths subsequently processed as delinquents.

Table 5

CASES BY REFERRING AGENCY  
JUVENILE JUSTICE SYSTEM  
1969-1973

<u>Referring Agency</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Police	26,025	29,169	15,461	14,278	27,950
Family	258	205	165	181	226
School	143	160	177	146	206
Other	2,469	2,563	2,232	2,618	4,189
Unknown	<u>0</u>	<u>0</u>	<u>17,695</u>	<u>12,706</u>	<u>34</u>
Total	<u>28,895</u>	<u>32,097</u>	<u>35,730</u>	<u>29,929</u>	<u>32,605</u>

SOURCES: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Crime and the Criminal Justice System (1973) and Pennsylvania Juvenile Court Dispositions (1973).

The juvenile justice system processes juveniles officially when a formal hearing before a judge is required and unofficially where a less formal procedure is followed and a judge does not hear the case. Unofficial cases are usually resolved by dismissal with a warning, with probation, or with a referral to another agency.<sup>2</sup>

Official processing is often given to more serious crimes and to second or third offenders, although this is not a consistent practice throughout the State. Table 6 presents the disposition of all official cases which resulted in a transfer of custody of the child, whereby "The court divests the parents of their parental responsibilities toward the child and vests custody of the child to an individual, institution or agency."<sup>3</sup>

Total transfers of custody are down somewhat from their 1970 high point and total transfers to both private and public institutions for delinquents have fallen by 1,000 since 1970. Commitments to public institutions are 951 below their 1970 high. Most of the fall in commitments has been in the public institutions, whereas private institutional commitments were higher in 1973 than in 1972.

Table 7 refers to county data on the total number of juveniles processed by the juvenile court 1970-1973 and the rate (average 1972-1973) per 1,000 youth population for total cases processed, cases officially processed and transfers of custody by the court.

As indicated, at the State level, 10.5 youths per 1,000 (or approximately 1 percent of all youths under 18) entered the juvenile justice system. Of these, about 6 per 1,000 get processed officially, and slightly more than 1 in 1,000 get subjected to a transfer of custody. Less than one-half youth per 1,000 is put in an institution for juveniles.

Review of Columns (1) through (4) of the table suggests that there is no clearly discernible trend in the data for most counties. Some counties (Adams, Chester, Crawford, Greene, Huntingdon, Lawrence, Montgomery, Somerset and Washington) have experienced substantial reductions in the number of juveniles processed from 1970 to 1973; others (Allegheny, Clearfield, Erie, Fayette, Lancaster, Lycoming, Mercer, Venango and Westmoreland counties) have experienced significant increases.

The statewide rates are heavily influenced by the extreme cases of Philadelphia and Allegheny counties where the processing rates are more than 50 percent greater than the State average. When the data for those jurisdictions are deleted, the rates for the remaining 65 counties fall from 10.5 to 4.6 for total cases processed per 1,000 youth population, from 5.9 to 2.8 for cases officially processed, and from 1.1 to .5 for custody transfers. The processing rates in several counties indicate a "delinquency" problem in

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2. Ibid., Table 3.

3. Ibid., p. 3.

TABLE 6  
DISPOSITION OF ALL OFFICIAL CASES  
RESULTING IN TRANSFER OF CUSTODY  
1970-1973

	1970	1971	1972	1973
<u>Total legal transfers of custody</u>	5,488	4,344	3,981	4,740
<u>Waived to criminal court</u>	207	60	180	206
<u>Public institution for juveniles</u>	<u>2,551</u>	<u>2,172</u>	<u>1,642</u>	<u>1,600</u>
Delinquency offenders	2,265	1,683	1,252	1,323
Status and traffic offenders and dependent and neglected children	286	489	390	277
<u>Other public institutions (mental)</u>	359	74	80	149
<u>Public agency or department</u>	1,112	801	817	1,070
<u>Private institution</u>	<u>629</u>	<u>409</u>	<u>441</u>	<u>574</u>
Delinquency offenders	523	266	242	349
Status and traffic offenders and dependent and neglected children	106	143	199	225
<u>Individual</u>	295	128	120	118
<u>Other</u>	335	700	701	1,023

SOURCES: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Pennsylvania Juvenile Court Dispositions (Harrisburg: Department of Justice, 1971, 1972 and 1973); data for 1970 was derived from worksheets supplied by Bureau of Criminal Justice Statistics.

TABLE 7  
TOTAL JUVENILES PROCESSED, 1970-1973

	1970	1971	1972	1973	1972-1973 average per 1,000		
					youth population (under age 18)		
					Total processed	Officially processed	Custody transfers
State	42,751	46,170	39,466	41,377	10.5	5.9	1.1
Adams	256	218	194	109	7.5	7.5	2.3
Allegheny	7,871	6,843	7,562	8,618	15.8	7.6	2.7
Armstrong	106	78	152	100	5.0	4.9	0.2
Beaver	658	560	764	610	9.7	1.6	0.9
Bedford	149	170	145	182	10.9	6.1	0.3
Berks	596	704	417	407	4.6	1.6	0.1
Blair	470	495	558	441	11.4	4.9	1.1
Bradford	229	196	205	197	9.2	2.9	2.4
Bucks	1,032	1,213	1,082	1,055	6.7	3.1	0.5
Butler	307	478	592	377	10.6	3.5	0.9
Cambria	398	306	417	364	6.2	5.6	0.3
Cameron	7	7	0	12	2.4	1.6	0.2
Carbon	118	102	94	115	6.8	6.7	0.6
Centre	--	267	4	152	2.7	.7	0.2
Chester	827	1,077	617	742	7.0	1.6	0.6
Clarion	37	64	68	61	5.1	4.2	0.5
Clearfield	85	176	179	114	5.7	3.1	0.8
Clinton	28	12	39	7	1.9	.3	0.2
Columbia	66	53	63	82	4.3	2.1	0.7
Crawford	189	297	261	31	5.3	5.2	0.6
Cumberland	616	677	643	589	11.7	5.9	2.4
Dauphin	903	747	636	758	9.9	4.6	2.8
Delaware	--	1,207	662	813	3.7	3.6	0.5
Elk	16	29	25	50	2.6	1.7	0.2
Erie	337	590	698	711	7.5	3.7	1.0
Payette	173	357	346	386	7.1	5.7	0.6
Forest	5	4	3	2	1.5	1.2	0.0
Franklin	306	392	356	271	9.1	8.5	0.5
Fulton	20	35	25	19	5.7	5.6	0.9
Greene	337	181	142	135	11.9	11.7	3.2
Huntingdon	119	103	85	66	5.8	1.6	0.7
Indiana	58	95	68	95	3.2	3.0	0.4
Jefferson	73	111	91	76	5.9	0.6	0.3
Juniata	20	32	32	41	6.2	3.0	1.0
Lackawanna	250	331	328	193	3.8	3.8	0.6
Lancaster	330	618	604	633	5.6	2.1	0.4
Lawrence	415	325	230	190	5.9	0.7	0.3
Lebanon	214	184	187	298	7.3	1.6	0.3
Lehigh	605	592	512	596	7.0	2.6	0.7
Luzerne	731	776	685	878	7.9	7.9	1.0
Lycoming	121	125	92	233	4.3	4.1	0.5
McKean	56	75	49	66	3.2	2.8	0.2
Mercer	21	247	200	217	4.8	4.6	0.8
Mifflin	52	29	41	21	2.0	2.0	0.1
Monroe	12	--	--	--	--	--	--
Montgomery	1,714	1,731	1,327	1,369	6.4	6.4	0.5
Montour	1	--	--	20	4.1	4.1	0.9
Northampton	772	895	848	881	13.0	3.8	1.8
Northumberland	121	140	137	84	3.6	3.4	0.9
Perry	0	72	51	38	4.5	1.4	0.2
Philadelphia	18,218	19,310	14,315	15,298	24.4	13.6	1.6
Pike	1	9	7	3	1.4	1.0	0.2
Potter	28	44	32	40	6.1	2.5	0.6
Schuylkill	398	257	372	264	6.8	5.5	0.5
Snyder	0	0	18	7	1.3	1.3	0.3
Somerset	325	312	273	255	10.5	5.7	0.8
Sullivan	22	14	25	23	11.6	9.2	3.9
Susquehanna	3	14	8	3	0.4	0.4	0.1
Tioga	91	104	59	131	6.9	2.3	0.9
Union	11	6	7	21	1.7	1.7	0.5
Venango	44	69	88	86	4.1	3.5	0.3
Warren	138	167	137	122	8.1	2.2	0.8
Washington	428	373	116	206	2.4	2.4	1.1
Wayne	3	7	19	16	1.8	1.7	0.3
Westmoreland	705	833	945	892	7.3	7.1	0.7
Wyoming	45	70	73	41	8.4	8.2	2.8
York	464	565	456	464	5.0	0.9	0.4

SOURCES: Governor's Justice Commission, Bureau of Criminal Justice Statistics, Pennsylvania Juvenile Court Dispositions (Harrisburg: Department of Justice, 1971, 1972 and 1973). Data for 1970 were derived from worksheets supplied by the Bureau of Criminal Justice Statistics. The worksheet total for all counties in 1970 does not correspond with the total reported by the Governor's Justice Commission in Crime and the Criminal Justice System (1973), shown in Table 4.

that their rates are twice or more the State average, exclusive of Philadelphia and Allegheny counties. These counties include Beaver, with a processing rate of 9.7 cases per 1,000 youth population; Bedford, 10.9; Blair, 11.4; Bradford, 9.2; Butler, 10.6; Cumberland, 11.7; Dauphin, 9.9; Greene, 11.9; Northampton, 13.0; Somerset, 10.5; and Sullivan, 11.6.

A number of counties with few juveniles processed also tend to have lower processing rates per 1,000 youth population. Among these counties are Cameron, Clinton, Elk, Forest, McKean, Mifflin, Pike, Snyder, Susquehanna, Union and Wayne. The two largest counties with substantially lower than average rates of processing per 1,000 youth population are Indiana and Washington.

Inspection of the processing rates in Table 7 suggests that there are substantial differences in the court procedures among counties. For example, in Adams and Washington counties all of the juveniles processed in 1972-1973 were brought before a judge for hearing and 30 percent in Adams and 45 percent in Washington counties resulted in a transfer of custody. In contrast, Huntingdon county processed only 28 percent of its cases officially and about 44 percent of these official cases resulted in a transfer of custody. Blair county processed officially 43 percent, with 22 percent of these subject to transfer of custody. Clearly, there are substantial differences in the counties' processing and commitment practices which are not easily explained by the available data.

#### Statistical Analysis of County Processing Rates

A statistical analysis of county juvenile processing rates was undertaken using a selected number of demographic and socioeconomic variables suggested by some of the literature on delinquency. The variables used in the analysis were: the level of urbanization inclusive within a Standard Metropolitan Statistical Area, population density, several measures of poverty, unemployment rates, the percentage of families receiving Aid to Dependent Children payments, the percentage of children receiving noninstitutional care, the percentage of working mothers in the population, racial characteristics, education levels attained, and high school dropout rates.<sup>4</sup> The statistical evaluation was conducted both including Philadelphia and excluding Philadelphia. When Philadelphia is excluded from the data, the results of the analysis are less satisfactory than when Philadelphia is included. However, Philadelphia's impact in the regression analysis is such that its inclusion with the other counties may result in misleading conclusions.

The results of the statistical analysis, with Philadelphia excluded, are reported below:<sup>5</sup>

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4. Most of the statistical data used in the evaluations were taken from the 1970 Census of Population. Other variables used were taken from materials supplied by The Pennsylvania Department of Welfare.

5. Several tabulations of the values of the independent variables and detailed results of the regression analysis are available upon request.



(1) Higher rates of total processing, official processing and transfers of custody are positively related to population density and to inclusion within a Standard Metropolitan Statistical Area (SMSA). Higher processing rates and a higher percentage of blacks in the population also coincide. However, because the black population is typically located in the more densely populated SMSA's in the State, all three of these variables are highly correlated. In consequence, it is impossible to discern the independent influence of any one of these variables. Transfer of custody is strongly related to the percent of population which is black.

(2) Processing rates and the percentage of youths age 14-17 in school appear to be strongly and consistently related. But the relationship is not the expected one. The processing rate is higher in those counties with a higher percentage of these children in school. The juvenile processing rate is lower the higher the dropout rate. This association is obviously not to be interpreted as showing that a high dropout rate "causes" a lower rate of juvenile delinquency; it does suggest that high dropout rates are not associated with high processing rates.

(3) Processing rates and the number of youths receiving noninstitutional care per 1,000 youth population are strongly and positively related. Noninstitutional care consists of services such as foster homes and adoptive homes as well as public and voluntary agency services to parents, relatives or independent living arrangements. Youths in this category also receive day-care services including social services, O. E. O., W. I. N., Title IV, and attend physically handicapped centers. Many children receiving these welfare services are probably from broken homes and the statistical relationship between noninstitutional care and processing rates may be a confirmation of the broken home or welfare recipient and delinquency relationships often observed in the literature.<sup>6</sup>

In general, the socioeconomic data do a better job of "explaining" the variations of rates of custody transfers than of other processing rates. Counties with higher percentages of black population, youth in low-income families and poor children who receive noninstitutional care have higher rates of custody transfers.

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6. According to Ruby Yaryan, "We know that welfare families have the highest rate of delinquency of any high risk group": "The Community Role in Juvenile Delinquency Programs," in U. S. Department of Justice, Criminal Justice Monograph (Washington D. C.: LEAA, 1973), p. 181. Also see James Q. Wilson, "Lock 'Em Up and Other Thoughts on Crime," New York Times Magazine (March 9, 1975), p. 11 et seq.

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FIELD EXAMINATION OF SELECTED YOUTH DEVELOPMENT CENTERS  
(Staff Report of Joint State Government Commission)

Background

Three institutions were selected for field examination by the staff-- Cornwells Heights, Loysville and Warrendale. All youth development centers are operated by the Department of Public Welfare to promote and safeguard the social well-being and general welfare of juveniles adjudicated delinquent and committed to them by the courts under the Juvenile Act.

The origin of each of the three centers is different. Cornwells Heights was built by the State on about 110 acres situated in lower Bucks county adjacent to U.S. Route No. 1. Free access to all buildings on the campus is afforded the students, with the facility secured by a barbed-wire topped cyclone fence around the perimeter and with gate guards and a motorized night patrol provided by the Southeastern Pennsylvania Institutional Area Service Unit (SPIASU). Loysville was originally built as a Lutheran orphanage in rural Perry county. The buildings are quite old, and those still in use have been adapted to present usage. There are no fences, and security is provided by eight employees of the institution. Warrendale, in Allegheny County, is located 21 miles north of Pittsburgh and is similar to Loysville in that the residences are old and were built originally as cottages for a county juvenile institution. No fences are present and security is provided by five employees. The security personnel at both Warrendale and Loysville transport students for medical treatment or court appearances, and pick up apprehended runaways.

Facilities on campus at Cornwells Heights consist of (1) five residences (two of which are closed), (2) an education building which contains a gymnasium, cafeteria, swimming pool, auditorium and snack bar in addition to classrooms and educational offices, (3) the administration building, which is also used by SPIASU without apparent charge, and (4) a garage and maintenance building which is also used by SPIASU. The Loysville campus consists of (1) six residential cottages including the diagnostic unit, (2) an administration building, (3) the director's residence, (4) food service and educational administration building, (5) school building and several other support structures.

Warrendale consists of (1) seven cottages, (2) an administration building, (3) a food service building, (4) a maintenance barn and warehouse, (5) a school building, (6) director's residence and several other support structures.

Population

These three centers have a capacity of 396 students--Loysville, 130; Warrendale, 130; and Cornwells Heights, 136.<sup>1</sup> However, the actual number of students in residence may only be one-third the reported census count. This difference stems from students on extended leaves, passes, absent without leave (AWOL), at other institutions, or in foster care or community residences. At Cornwells Heights the August 7, 1974, census was 243, broken down as follows:

Total Census		243
Less: AWOL	71	
Trial visit	12	
Additional disposition	80	
Pass	2	165
Head count		78

The "additional disposition" list contains many youths who were originally AWOL and later apprehended and assigned to the Philadelphia Youth Study Center, as well as some youths transferred to various other facilities as long ago as 1971. Some on the AWOL list have been carried on the census since 1970. One youth admitted on April 21, 1970 went AWOL three days later. On August 19, 1970, his first day back from this AWOL, he went AWOL again and is still carried on the center's census. The records of the 243 youths on the current census show 248 instances of AWOL among 139 youths, with one youth's record revealing nine incidents.

At Warrendale, on October 18, 1974, the census was 146 youths. Capacity of the institution was 130 and there were 120 youths in residence. The difference resulted from 6 students who were AWOL and 20 students who were on extended leave. Records of the 146 students on the current census show 187 instances of AWOL among 139 students. This institution appears to be a minimum security facility, with students expressing a desire to improve their behavior as they "don't want to go to New Castle." Many of these AWOL's (63 percent), were for periods of one day or less. The supervision is tight, as the grounds are an old farm with private residences abutting the property and several main highways and transportation facilities within a mile of the institution.

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1. Commonwealth of Pennsylvania, Budget, 1974-1975 (Harrisburg, 1974), p. 288.

Loysville is in a rural community setting. Students leaving the grounds would find little or no public transportation available and residents' knowledge of the presence of the institution makes hitchhiking difficult. In November, 1974 Loysville had a census count of 199. The actual head count was 107, with 16 students in foster homes, 19 AWOL, and 57 on extended leave. A review of the files revealed a record of 140 instances of AWOL for 106 students. One student had been AWOL 7 times, and at one time 7 students had been involved in one escape. Over the past 33 months there has been an AWOL once every three days.

A discussion of population would not be complete without mention of the special situation present at Cornwells Heights brought about as a result of a suit against the Department of Public Welfare by the National Association for the Advancement of Colored People. The average student population for 1974 was 89. This population is below the 1972 population of 124 because of planned attrition. Currently the developmental unit has been further reduced to 46 to comply with the desegregation plan resulting from the court suit. Plans are to add white students until a balanced population of about 96 is achieved. The current capacity of 136 represents 96 students in the developmental unit (48 in each of two residences, with two residences closed), and 40 students in the diagnostic unit.

#### Intake and Diagnostic Function

The intake and diagnostic work performed at each institution varies widely, as does the staff. While there are 13 part-time and full-time medical and dental personnel on the grounds at Cornwells Heights, Warrendale and Loysville contract for medical and dental services and only provide a nurse on the grounds.

At Loysville 19 students and at Cornwells Heights 31 students were in the diagnostic facilities. At Warrendale 18 were in the induction center for initial diagnosis and placement in a cottage. The diagnostic units at both Cornwells Heights and Loysville are designed to provide the courts with information on the general physical, social and psychiatric characteristics of the youths, culminating in a recommendation for placement and treatment. Intake assignments at Warrendale are made to a specific cottage with a specific treatment program based on the characteristics of the child involved and his expected predisposition for success in a particular treatment mode.

The intake and diagnostic cottage receives all youths committed to Warrendale. Its function is to provide in-depth diagnostic information (demographic, psychological, medical, educational, social) regarding each child's delinquent behavior and to then recommend cottage placement based upon the child's needs.

All youths committed to Cornwells Heights undergo the following: (1) complete physical examination, (2) complete dental examination, (3) educational testing by the RCA unit, (4) physical fitness examination by the RCA unit, and (5) psychological counseling by a caseworker. In addition, the children in the diagnostic unit undergo a psychiatric workup essentially derived from a 50-minute interview with a staff psychiatrist.

A random sample of 38 files of students discharged from the diagnostic unit during the past two years revealed the following:

1. The average length of stay in the diagnostic unit is 12 weeks.
2. Disposition recommendations by the unit are followed in 91 percent of the cases.
3. One-third of the youths passing through the unit are then assigned to the developmental units.
4. The racial breakdown of the population is 91 percent black and 9 percent white.
5. Philadelphia's committals represent 88 percent of the cases.

At Loysville, youth in the diagnostic cottage are separate from the those already committed. No intake functions are performed in this unit, and a 60-day commitment is the usual term for a youth in the unit. The children in the diagnostic unit attend a special school set up for the diagnostic youths. In fact, in Loysville, the diagnostic unit in all aspects is kept segregated from the developmental unit; whereas, in Cornwells Heights, the diagnostic unit is completely integrated with the developmental program. One apparent difference between the Loysville and Cornwells Heights diagnostic units is that the Loysville unit is more home oriented. That is, the staff and students visit with the parents of the child in the unit more or less on a regular basis.

### Programs

Cornwells Heights' Developmental Unit conducts an extended rehabilitation program. Both the diagnostic and developmental programs are designed around the educational program which is administered by the Radio Corporation of America (RCA) through a contract with the Department of Education.

While at Cornwells Heights, youths in both the diagnostic and developmental units attend the school operated by RCA. After administering a thorough educational workup on each youth, the school develops a learning program to meet his individual needs. Instruction is given on 220-days-a-year, five-days-a-week, six-hours-a-day basis with a design capacity of 150 to 160 students. All classes except reading are on a nongrade level basis. Most classes have six or seven students with the lower-level reading classes having only two or three.

Subjects offered include mathematics, art, science, social studies, English, vocational sampling, electronics, auto shop, general educational development and reading on four levels.

The developmental program at Cornwells Heights is best described by a staff memorandum on the purposes and philosophy of the institution:

Cornwells Heights serves as the residential site for reality training preparatory to reality testing in the community-based programs. Properly utilized, Cornwells Heights can also serve as a "crash-pad" for those youth whose coping skills and strengths fail during their tenure in the community-based programs.

Basically, the focus of the rehabilitation program is on: (1) Improving educational achievement; (2) acculturation/socialization processes; (3) strengthening family relationships; (4) determining readiness for re-entry into the community. The average length of stay is approximately six to nine months.

More specifically, the program focus is upon:  
(1) Remedial reading, mathematics, and writing; (2) G.E.D. Tutorial Program; (3) development of environmental skills and knowledge; and (4) development of social and cultural awareness. Individualized treatment plans developed by the youth and staff reflect these four areas of programmatic emphasis.<sup>2</sup>

As noted above, the developmental program and the educational program are enmeshed into a program emphasizing basic education, vocational training and job placement. In addition to the more formal educational programs, the staff also emphasizes informal training:

There is a great need among youth committed to Cornwells Heights for, essentially, informal education and socialization outside of a school system which has been the scene of failure for most of them and which they resist strongly. In order to focus that informal education/socialization on something other than gang fighting and burglary and to short-circuit what a youth learns in any institution, i.e., what the counselors expect of him; what the other youngsters expect of him; and, how to successfully negotiate between these often conflicting expectations plus acquire a minimum of necessary creature comforts that make life tolerable

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2. Materials obtained from Cornwells Heights' Director Wycliff Martin, August, 1974.

within the institution; the cottage experience will be intensively geared to an emphasis on socialization skills through group and individual counseling and structured "rap sessions" in areas relevant to the personal experience of the youth and reinforcing other areas.

In summary, the Cornwells Heights program places less emphasis on problems of surface adjustment and more emphasis on deeper, more fundamental recognized needs and changes. We emphasize the internalization of norms, the possible change in one's basic conception of himself, his sense of dignity and self-worth rather than overt compliance to the setting in question.<sup>3</sup>

Based upon conclusions of the intake and diagnosis cottage, youths are assigned to differential treatment modalities at Warrendale. The Institution's description of each cottage's program follows:

GGI/Behavior Therapy--The objective of the GGI/Behavior Approach Cottage is to use the two primary reward systems involved in human behavior (internal and external rewards) to develop individually learned, socially acceptable, and lawful patterns of behavior that are self-fulfilling to the child; i.e., internally rewarding. Everyday privileges (external rewards) such as TV, special dormitory use, extra privileges, et cetera, will be used to reward our children for their pro-social behaviors. An individual and/or a group token system will be used. The key feature is the use of external rewards to both elicit and reward and continue pro-social behaviors commensurate with the GGI culture.

Reality Therapy--This approach will combine the emotional involvement of the counselor and emphasis upon responsibility and learning of alternative behaviors (Reality Therapy) with the use of peer pressure to assist the child in the development of responsible self-fulfilling behavior. Children placed in this cottage would typically have a very low self-concept, need the genuine and intense interest of an adult and simultaneously respond to peer pressure.

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3. Ibid.

Family Therapy--The Family Treatment Unit will have as its frame of reference the systems approach. The approach is on a "here and now" basis rather than a medical model of "sick" behavior. The family is viewed as an inter-acting system of parts, - its members, - which affect and are affected by the interaction of the other members. Major emphasis will be upon communications within the family. Elements of the program will include home visits, family visits on grounds, weekend experiences between the family and therapist, couples groups involving three parental couples, and family groups involving two or more families.

Individual Counseling--Primary focus will be placed upon the selected child's need for one-to-one individual counseling in an attempt to provide stability and develop independent socially-acceptable functioning. Use of adjunctive therapies such as psychodrama, play therapy, and activity therapy will be employed as indicated. The development of a complete sponsor system will provide the basis of the individual counseling.

Guided Group Interaction--The initiation of differential treatment modalities will permit selectivity for the Guided Group Interaction modality, resulting in a pure and more "true" G.G.I. This will permit more authentic use of peer pressure to elicit behavioral change which is the core of this modality. Criterion for the child's placement in a G.G.I. cottage would include peer group orientation, a hostile, non-conforming and anti-system/authority attitude, an awareness of power (status, image, et cetera), role consciousness, social maturity, gregariousness, and not severely disturbed, homosexual, nor pre-institutionalized.<sup>4</sup>

In addition to the various treatment modalities outlined above, Warrendale's school program is an integral part of the treatment process and is involved in the daily schedule of every resident. The school session is a full-day session that runs 220-days-a-year.

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4. Excerpt from a review entitled "Differential Treatment Modalities" prepared by the Youth Development Center at Warrendale, June 11, 1974.



The school staff and program at Warrendale are supplied by the Allegheny County Intermediate Unit, which provides the usual instructional programs and remedial programs as well. Child-care workers are assigned to work along with instructional staff in facilitating the adjustment process whenever new pupils arrive. Child-care workers are also involved in administrative duties such as managing tutorial programs, submitting reports and coordination of the treatment and school program. Emphasis is currently being placed on improving and upgrading the vocational training program by purchasing new equipment, staff and facilities.

The Loysville Youth Development Center is similar to the other two centers in that a 220-day-a-year school program fills the schedule of every youth in residence. The school program is staffed by the West Perry County Intermediate Unit, and the overall program is geared to help children with some problems in adjusting to their own school's environment. The open classroom approach is used and individualized instruction is used in those cases where it is needed. Daily grading is employed to attain immediate gratification for work completed.

A vocational learning and resource center is being placed in Loysville, but at the present time, the vocational educational program is not a strong point of the Loysville educational program. Currently, arts and crafts courses and workshops constitute a large part of the vocational training of students.

Loysville's developmental program is similar in some respects to that of Warrendale and Cornwells Heights. Emphasis is given to reality training, and group counseling sessions are used extensively as a treatment tool. At Loysville children are grouped into residences by age and size rather than by treatment mode. There are no well defined and specialized cottage treatment methods similar to the program at Warrendale. As a result, the treatment strategy at Loysville is much more homogeneous than that found at Warrendale.

Loysville does, however, differentiate its treatment strategy for a segment of its population that is placed in the Loysville foster home program. This is a rather new and innovative program that takes selected children from the institutional population and places them into foster homes in the surrounding counties. While living at the foster home or group home, a youth works at a job or attends the neighborhood school as a regular student. The results of this type of program are not available so that a systematic evaluation can be made of the program, but preliminary reports are quite favorable. This program services approximately 40 children at any given time, and the program is staffed and administered by Loysville personnel. A new group care center is beginning in Altoona. This center supplies group care facilities including an educational program within the premises.

Personnel and Costs

A breakdown of staffing by program at the three centers, taken from departmental payrolls, follows:

TABLE 1

Program	Loysville	Cornwells Heights	Warrendale
Executive	10	16	14
Canteen	--	1	1 (part-time)
Nursing <sup>a</sup>	66	101	68
Medical	5	13	5
Volunteer Service	2 (part-time)	--	1
Housekeeping	2	--	2
Laundry	1	3	1
Dietary	7	--	12
Maintenance	3	--	1
Power Plant	3	--	--
Garage	1	--	1
Other Buildings	5	--	15
Grounds	1	--	1
Warehousing	1	--	2
Safety & Security	8	--	5
Foster Homes	<u>1</u>	<u>--</u>	<u>1</u>
	116	134	130

<sup>a</sup>The term nursing includes counseling staff and house parents.

Cornwells Heights shows no personnel in many programs as those services are provided by SPIASU, a unit within the Department of Public Welfare which provides various services to certain institutions in the area. Those services include maintenance, all utilities except telephone and electricity, laundry, dietary planning, food, security and automotive pool. During the fiscal year 1973-1974, the unit billed Cornwells Heights \$600,000 for these services. This represents a total cost of \$5,357 per student. A breakdown of per capita costs by service follows:

Maintenance	\$2,623
Laundry	55
Dietary Services	2,250
Security	268
Automotive	161
	<u>\$5,357</u>

TABLE 2  
 YOUTH DEVELOPMENT CENTERS' COSTS PER STUDENT FOR  
 SELECTED DISBURSEMENTS AS PER 1974-75 BUDGET ALLOTMENTS

	Cornwells Heights	Warrendale	Loysville
1974 average population	89	124	131
Budget item:			
Personnel services	\$24,191	\$15,581	\$12,863
Contracted repairs	81	--	115
Specialized services	7,488	81	265
Contracted social services	20	258	1,870
Telephone & telegraph	506	226	103
Travel	191	65	73
Utilities:	<u>2,022</u>	<u>474</u>	<u>562</u>
Electricity	2,022	151	104
Sewage & water	--	81	--
Heating fuel	--	242	458
Maintenance	634	129	134
Drugs & medical supplies	35	36	19
Wearing apparel	281	443	341
Food	--	968	840
Educational supplies	765	790	15
Recreational supplies	395	65	41
Maintenance supplies & services	12	202	96
Fixed assets	<u>483</u>	<u>218</u>	<u>1,084</u>
Total selected disbursements per student	\$37,092	\$19,536	\$18,421

SOURCES: Office of Administration, Monthly Status of Allotments by Organization. The institutional population figures were gathered from business offices of the institutions.

Table 2 shows the per capita costs of selected budget items for the three youth development centers. A direct comparison of the services performed by SPIASU is not possible, because the services are not always comparable. However, other disbursements are essentially comparable between the three institutions. As the table indicates, the personnel cost, specialized services and utilities items in the budget allotments account for most of the differences in costs per student among Loysville, Warrendale and Cornwells Heights. Cornwells Heights' costs per student are high partly because of a low student population. The specialized services item in the Cornwells Heights allotment is the fiscal 1974-1975 allotment for the SPIASU unit, and the fiscal 1973-1974 cost and services breakdown for the SPIASU unit are given above. Even with a full capacity complement of students, the cost per student would be higher at Cornwells Heights than its counterparts Warrendale and Loysville.

Another reason advanced for the high per capita costs at Cornwells Heights is the fact that this institution services the courts in the area by processing youths through its diagnostic unit. The direct evidence for this contention is not convincing as the presence of the diagnostic unit in operation generates only an additional \$100,000 in direct personnel costs. Furthermore, the rather high utilization of the diagnostic unit's capacity generally reduces the per capita expenses for the whole institution. The indirect evidence does not indicate that servicing the courts with a diagnostic unit results in higher per capita costs. Loysville is a case in point. Loysville's diagnostic unit is similar in function to Cornwells Heights', but Loysville's costs are not higher than the average costs of all youth development centers.

#### Closing Observations

Most of the relevant factual information gathered on the field examinations of Cornwells Heights, Loysville and Warrendale is reported above. Facts on such matters as staffing, costs, payrolls, student populations and programs were readily available, and the cooperation of the staffs at all three institutions was generally excellent. However, little or no evidence was available on the overall impact of institutional care on the juveniles treated. Follow-up studies and comparisons of the effectiveness of various treatment modes are not attempted. To rationally set policies and objectives concerning future treatment of delinquent children is impossible without such information. Further, since institutional care of juveniles in Pennsylvania is quite costly, some measure of accountability should be expected.

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