

DELAWARE COUNTY JUVENILE DETENTION BOARD OF MANAGERS
TUESDAY February 20TH, 2024
5:30 PM
HYBRID: DELAWARE COUNTY COUNCIL MEETING ROOM AND VIRTUAL

Board Members Present:

Kevin Madden, Chairman/Councilman	Kelly Diaz
Elaine Schaefer, Councilwoman	Chris Eiserman
Marie N. Williams, Vice Chair	Nathaniel Nichols
Rev. James Turner	Chekemma Fulmore Townsend
Candice L. Linehan	

Call Meeting to Order: The meeting was called to order at 5:31PM.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Public Comment (Agenda Items Only): No public comment.

Approval of Minutes: The Meeting Minutes from Tuesday, January 16th, 2024, were approved.

Report:

Monthly Detained Youth Report, Juvenile Court and Probation Services - There is currently one (1) male being housed in the Montgomery County Juvenile Detention Center and one (1) male being housed at the Bucks County Juvenile Detention Center. There are two (2) direct file youths currently being housed at George Hill Prison and one (1) direct file youth housed at Abraxas Morgantown. Additionally, there is one (1) female direct file youth currently being housed in the Juvenile Unit at Pennsylvania State Corrections Institution Muncy.

Superintendent for Juvenile Justice Services, David Irizarry-
A. Mr. Irizarry introduced Honorable Judge Deborah Krull to the Board.

Judge Krull, recent appointee to the juvenile bench, introduced herself to the Board. Hon. Krull stated that prior to this position she had spent two years in the Family Court System. Judge Krull noted the importance of her recent appointment, and that Delaware County is at the beginning of a transitional phase that will be in good service to the youth and citizens of Delaware County. Judge Krull stated that she welcomes the opportunity to meet with constituents regarding the betterment of Delaware County and engaging with issues going on in the community. Judge Krull additionally stated that she is familiarizing herself with Delaware County's juvenile detention center alternative and has set up site visits to those locations and is reviewing the report and recommendations for the County by CCLP. Ms. Krull additionally stated that she is excited to be a part of this team and for the opportunity to be in service to the residents of Delaware County.

Councilwoman Schaefer welcomed Judge Krull to the Juvenile Justice efforts of Delaware County. Councilwoman Schaefer additionally stated that there are not enough options regarding detention and that there needs to be an effort to find an improvement in alternative options.

Judge Krull responded that there additionally needs to be greater clarity on what the available alternatives are for all parties involved in the juvenile justice system.

Chairman Madden thanked Judge Krull for joining the meeting today and emphasized the need for the Board and the juvenile justice system at large, to broaden engagement with the community to best serve the community.

Judge Krull responded that while there may be differences of opinion, the focus is the same and that community engagement is a necessary step in improving juvenile justice as evident by the community member turnout for the present meeting. Judge Krull additionally invited the Board to reach out to her for collaboration and that she would reach out to the Board as well.

B. Pre-trial Community Based Detention/Emergency Shelter Pilot, David Irizarry-Mr. Irizarry began by referencing last month's meeting (January 2024), where he discussed statistics surrounding Delaware County's juvenile detention information. Mr. Irizarry noted that he and Chief DiMatteo wanted to take action focusing on the demographic of youth who scored for detention but were turned away due to a lack of beds. Mr. Irizarry stated that he and Ms. DiMatteo are conceptualizing an emergency housing project to address that need. Although only one (1) percent of youths score for detention, however within that one percent, a good portion of youths could not be detained due to lack of available beds. In 2022, there were forty-five (45) instances wherein detention beds were unavailable. In 2023 that number rose to 66 instances, a forty-seven (47) percent increase from the previous year.

Mr. Irizarry stated his desire to cultivate this project and asked the Board for their support in this endeavor by endorsing request for quotes (RFQs) from potential providers and to provide oversight and measure the success of this project. Mr. Irizarry stated that as of now, protocol can only hold youth who score for detention for but are unable to be housed for six (6) hours, and that this project could allow for an additional thirty (30) days to hold those youths who had scored for detention.

Chairman Madden asked Mr. Irizarry for further clarification on the project, if specific state licensure would be required, and how this facility would be run in practice.

Mr. Irizarry responded that this would operate as a staff secured facility, under shelter licensure from the state. Under shelter licensure from the state, staff at the facility would have the inability to secure detained youth as they would in a detention facility. However, Mr. Irizarry stated that with cooperation from the courts, all residents would be under GPS monitoring and authorities would be immediately notified in the event that a youth were to abscond.

Mr. Irizarry additionally stated that this would be utilized for a very small demographic of youth and would afford probation and juvenile courts additional time to find adequate detention space for youths. This could serve as a viable community-based alternative. Mr. Irizarry stated that while there is not an existing program that operates in this fashion, there is interest among potential providers and community members. Mr. Irizarry additionally stated that his staff had toured a potential location for such facility in Coatesville, Pa.

Chairman Madden asked for clarification on which demographic of youth would be served by this type of facility.

Mr. Irizarry responded that when a youth scores for detention but there is no bed available, there is only six (6) hours before that youth can no longer be held by authorities. This demographic is typically issued home confinement under GPS monitoring. This proposed project would provide a community-based alternative wherein youth are under GPS monitoring at a nonsecure, staff operated emergency shelter while the courts continue to look for available beds.

Chief DiMatteo stated that this provides a hybrid approach of a nonsecure facility with house arrest. Ms. DiMatteo stated that this is not a

Board Member Linehan inquired as to if there would be criminal charges against any youth who were to abscond as the facility is not licensed as secure.

Mr. Irizarry responded that there is protocol if a youth were to abscond as there would be if the youth were to abscond from home confinement at their own residence. Typically, local authorities would be notified and return the youth to the facility. Regarding criminal charges in this event, Mr. Irizarry stated that that would be the determination of the courts.

Board Member Linehan asked Mr. Irizarry if the appropriate resources were in place to respond to a resident AWOL situation. For instance, if a facility is located in Coatesville, would local jurisdictions lead in searching for and returning that youth to the facility.

Mr. Irizarry responded affirmatively.

Board Member Nichols commented on the scoring process of these youths. Judge Nichols questioned what indicators factored into a score resulting in the need for detention and if there were preemptive actions that could be taken before a youth scores for detention.

Mr. Irizarry responded in agreement with Judge Nichols. Mr. Irizarry stated that he works closely with the courts and probation as well as members of the community to address preventative steps, however, there needs to be discourse and suitable solutions for the youth who do score for detention.

Chairman Madden commented that while there is skepticism of this model, this potential project is certainly worth exploration and could prove worthy.

Board Member Fulmore-Townsend asked Mr. Irizarry if he was requesting support from the Board for exploration of this pilot.

Mr. Irizarry responded that he would like to draft a formal proposal and go before the Council with a Request for Quotes (RFQ).

Chairman Madden stated that he would like to file a formal motion on the matter.

Board Member Linehan asked if there was any facility nationwide that was similar to this idea that has been used or tested.

Mr. Irizarry stated that community-based detention does exist nationwide, however it is typically not used in the pre-adjudicated setting.

Chairman Madden added that it would ultimately be up to the courts and juvenile probation to decide whether it is an appropriate option for individual youths.

Councilwoman Schaefer asked for clarification regarding if the facility would run in an already existing shelter. Ms. Schaefer further asked if pre-adjudicated delinquent youth would be sent to emergency shelters alongside dependent youth.

Mr. Irizarry responded that the plan would require acquiring space, gaining emergency shelter licensure, and operating as a shelter with residence who are placed on home confinement, independent from an emergency shelter with dependent youth.

Mr. Irizarry additionally stated that among the spaces that have been explored, they could gain licensure. Mr. Irizarry additionally stated his intention to eventually send a Request for Proposal (RFP) to possible providers. Regarding Councilwoman Schaefer's concern that delinquent youth would be in the facility, alongside dependent youth, Mr. Irizarry stated that the language of the proposal was important and would be very specific to denote that the licensure would be for an emergency shelter to house pre-adjudicated minors.

Councilwoman Schaefer additionally asked for clarification regarding the facility being staff secured rather than a secure facility.

Mr. Irizarry responded that the shelter would be run by clearance-acquired staff who hold keys to the facility but cannot technically lock the residents inside, whereas a secure facility can physically restrict the youth within the facility.

Chairman Madden clarified that this is an existing detention/placement model and that licenses exist for this type of facility.

Councilwoman Schaefer asked if this was akin to house arrest, but in a shelter location.

Mr. Irizarry responded affirmatively.

Chairman Madden stated that he would like to file a motion in this matter.

Judge Nichols directed the motion for the proposal.

Councilwoman Schaefer second the motion.

The Board unanimously passed the motion for the Emergency Shelter Community Based Detention pilot.

Old Business: No old business.

New Business: No new business.

Public Comment: Dawn Davis, Lynnwood, Pa- Ms. Davis stated that there is a juvenile delinquency issue in her community and that police have told her that there is no criminal action that can be taken against criminal behaviors such as vandalism.

Tasliym Morales, Chester-Upland, Pa- Ms. Morales-asked the Board for an update regarding the timeline for the new detention facility. Ms. Morales acknowledged that while there is some opposition to building a new facility, the new facility is a far better detention location for Delaware County Youth than the Juvenile Wing at SCI Muncy or other adult facilities.

Mr. Irizarry responded that demolition is scheduled for this calendar year (2024) between June and October and that Chairman Madden had submitted a letter to the state Environmental Protection Agency requesting to expediate the demolition process. Mr. Irizarry additionally stated that Public Works would provide a facility update during the next Board of Manager meeting in March 2024.

Ingrid Byrd, Havertown, Pa, - Ms. Byrd, a victim's advocate, responded to a public comment made back in November from Rev. Diana Esposito of Covenant United Methodist Church. Rev. Esposito noted that youths were being held in detention due to the inability to pay court costs. Ms. Byrd stated that that was incorrect and that juveniles have not been required to pay those costs in over two (2) years, nor have they been confined due to outstanding restitution. Ms. Byrd implored Rev. Esposito to reach out to the Victim Service Department to help provide assistance to both juveniles and victims. Ms. Byrd additionally thanked Judge Krull for attending the meeting. Ms. Byrd additionally responded to Ms. Davis' comment and agreed that juveniles are acting out in Delaware County and attributed that to a perceived sense of lawlessness and that Mr. Irizarry's data supports that.

Board Member Comment: Board Member Linehan, in response to Ms. Davis' comment, stated that the Board recognizes and understands the concerns, frustrations, and fear among community members that are impacted by juvenile delinquency throughout the County. Ms. Linehan additionally stated that it is the Board's responsibility to communicate clearly with the community on what the County is doing to mitigate these issues.

Mr. Irizarry additionally stated that he and Board Member Eiserman had recently visited different police jurisdictions within the County to discuss the issues.

Board Member Eiserman responded to Ms. Davis and advised her to contact her local Police Chief and Mayor to discuss issues regarding criminal mischief and vandalism, which are typically not detainable offenses. Board Member Eiserman additionally stated that while there is no detention center in Delaware County, detention is still procedural for more serious offenses.

[Inaudible]

Chairman Madden summarized a comment from Ms. Davis in response to Board Member Eiserman. Chairman Madden stated that Ms. Davis had already made unsuccessful efforts to meet with local law enforcement. Chairman Madden informed her that the Juvenile Detention Board of Managers email is listed online and to please follow up via email so they can help her contact the appropriate channels within her jurisdictions to resolve these issues.

Councilwoman Schaefer commented that issues regarding juvenile delinquency and detention are statewide as many counties continue to deal with issues of staffing shortages. While there are some overflow facilities such as Abraxas Morgantown, their additional beds are being sought by multiple counties aside from Delaware. Ms. Schaefer additionally stated that the lack of a detention center is not the root cause of these juvenile delinquency issues.

Chairman Madden added that the Board of Managers is composed of a diverse range of backgrounds that unanimously agree that there is a need for a juvenile detention center in Delaware County. Mr. Madden additionally stated that Delaware County's past history regarding juvenile detention has been rightfully scrutinized and that moving forward, this Board is going to be very intentional with how the facility will be designed, constructed, and operated. Chairman Madden additionally responded that it is not possible to expedite the completion of the secure portion of the facility before the nonsecure portion.

Adjourn: The meeting was adjourned at 6:17PM.