



ADDRESSING RACIAL AND ETHNIC DISPARITIES IN PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM

There is no question that our society has come to face significant challenges during the unprecedented times in which we are living. Recent events have underscored the long-known reality of racial and ethnic disparities (RED) in the justice system and the need to find viable reforms. In order to secure the future and create equitable outcomes for all youth involved in the juvenile justice system, we must address the disparities that exist at different stages of juvenile justice decision-making and develop a plan for researching and intervening to reduce these disparities at the state and local levels. Undoubtedly positive progress has been made, yet we recognize issues of racial injustices have continued to occur and there is still much more work to be done.

In a press release on June 4, 2020, Governor Wolf announced his dedication to improving community relations with law enforcement and strengthening the accountability of such agencies. Among the efforts to initiate these necessary reforms, Governor Wolf recommended the following actions:

- **Creation of a Deputy Inspector General within the Pennsylvania Office of State Inspector General (OSIG)** focused on deterring, detecting, preventing, and eradicating fraud, waste, misconduct, and abuse amongst law enforcement agencies under the Governor's jurisdiction.
- **Creation of a Pennsylvania State Law Enforcement Advisory Commission** that reviews allegations of misconduct by law enforcement personnel under the governor's jurisdiction.
- **Providing technical assistance to municipalities** from the Pennsylvania Commission on Crime and Delinquency (PCCD) to encourage the creation of local citizen advisory boards.
- **Creation of a Racial and Ethnic Disparities Subcommittee** under the Criminal Justice Advisory Committee (CJAC) at PCCD.
- **Reviewing Training and Education of Officers.** All training academies for law enforcement must review current use of force training standards for law enforcement and form a workgroup to develop model training standards to ensure that all officers receive the best

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instruction in their interactions with the public. Departments should be striving to obtain state and or national accreditation. Accreditation is a key component in assisting departments in evaluation and improvement of their standards and practices.

- **Enhancing Officer Safety and Wellness.** Enhancing current mental health initiatives and offering targeted mental health supports for officers to deal with trauma and reduce stigma for getting help.
- **Supporting Legislative Reforms.** The governor will work with the legislature on reforms, including legislation proposed that provides for improved access to police videos, an oversight board for officer training and continuing education, a special prosecutor in deadly force cases, interdepartmental law enforcement hiring reform and PTSD evaluation for police officers. Earlier this week, members of the Police Reform Working Group, which includes state and local elected officials, the chief defender of the Defender Association of Philadelphia, as well as several attorneys, put forward proposals to address growing frustration with racism, oppression and rooting out law enforcement misconduct.

The JCJC remains committed to research evidence and truly developing a fundamentally fair and data-driven juvenile justice system. As such, the JCJC and the Pennsylvania Council of Chief Juvenile Probation Officers developed and initiated the Juvenile Justice System Enhancement Strategy (JJSES) in 2010. The JJSES emphasizes the employment of evidenced-based practices with fidelity at every stage of the juvenile justice process; collecting and analyzing the data necessary to measure the results of these efforts; and, with this knowledge, striving to continuously improve the quality of our decisions, services, and programs. This initiative adheres to the premise that the most effective juvenile justice system supports decision-making that is guided by research evidence, or data-driven decision-making. The JJSES has provided juvenile justice professionals throughout the Commonwealth with the ability to incorporate research evidence into their daily practices and implement the use of the Risk/Needs Assessments, Detention Assessments, Mental Health/Behavioral Health screening tools and Trauma screening tools in order to improve decision-making and produce more equitable outcomes for all youth involved with the juvenile justice system.

Research evidence suggests that youth who are at a low risk to recidivate according to Risk/Needs and Detention Assessments should receive less intrusive court intervention (e.g., diversion) than those considered moderate and high risk. With a greater focus on avoiding too much court involvement with low-risk youth, along with declines in serious delinquency, large declines in the use of secure detention and out-of-home placement have been observed between 2010 and 2018 (54% and 53%, respectively). Nevertheless, RED has continued to be a significant problem. In 2017, Black youth were 2.76 times more likely than White Non-Hispanic youth to receive secure pre-hearing detention than White Non-Hispanic youth, 19% less likely to receive diversion, and 2.56 times more likely to receive a post-adjudication disposition that involved secure confinement. Similarly, Hispanic youth were 1.93 times more likely to receive secure pre-hearing detention than White Non-Hispanic youth, and 2.32 times more likely to receive a post-adjudication disposition that involved secure confinement. These are a few examples of our need to further examine RED to ensure Pennsylvania's juvenile justice system is being implemented in ways consistent with the principle of "fundamental fairness," as we aspire it to be.

It is evident that the partnerships and collaborative work among juvenile justice stakeholders have been imperative to the success of previous reform efforts, and this will remain true as we continue working to reduce RED. Pennsylvania's juvenile justice system has developed partnerships among strong leadership groups that are necessary to address the mandates of the Federal Juvenile Justice and Delinquency Prevention Act, one of which is to address RED at key decision points in the system. The JCJC, PCCD and its Juvenile Justice and Delinquency Prevention Committee (JJJPC), and the Pennsylvania Council of Chief Juvenile

Probation Officers work collaboratively to provide leadership, guidance, training, data analysis, and policy advice to advance Pennsylvania's juvenile justice system. The JCJC endeavors to build upon and strengthen these partnerships in order to identify the nature and causes of RED and collectively work to reduce those disparities.

In addition, PCCD has partnered with the Center for Juvenile Justice Reform (CJJR) at Georgetown University to bring their Reducing Racial and Ethnic Disparities in Juvenile Justice Certificate Program (RED Certificate Program) to Pennsylvania. The program curriculum helps jurisdictions identify the most promising areas for reform at key decision points in the juvenile justice system and provides information about specific strategies to address racial and ethnic disparities at those decision points. PCCD is working to determine interest from counties that have the highest numbers of system-involved Black and Hispanic youth based upon JCJC's Annual Disposition Reports. Participating counties will develop a team comprised of key stakeholders and high-level policy makers (judges, district attorneys, juvenile probation staff, children and youth staff, police) that have the ability to address locally identified areas of concern related to RED. CJJR will assist each team through the process of analyzing data, identifying priorities, and developing a "Capstone Project" to reduce issues concerning RED in their counties. Over the course of twelve months, teams will work on this project with technical assistance from CJJR. Recognizing that collaborative partnerships, research, data collection, and data analysis are essential components of reform efforts, the JJSES Leadership Team has requested the opportunity to send a state-wide team to participate in the RED Certificate Program.

As a demonstration of their dedication to the advancement of system improvement and RED reform efforts, the Pennsylvania Council of Chief Juvenile Probation Officers created a new ad-hoc committee that will review issues centered around RED. Philadelphia County's Chief Juvenile Probation Officer, Faustino Castro-Jimenez, has been appointed as the committee's Chair. This committee will endeavor to focus on practical deliverables that may impact key decision points within the different layers of Pennsylvania's juvenile justice system. Further emphasizing the importance of this work, Chief Castro-Jimenez provided the following statement:

"Indeed, the number of delinquency cases are at a historic low, and importantly, tremendous strides have been made in reducing the amount of youth in residential care. While we are encouraged by our successes, we also recognize that there is always room for improvement. Addressing racial and ethnic disparities for our most vulnerable population is one of the ways we can look at key decision points to hopefully find practical solutions and recommendations that may reduce additional contacts at different stages of our system."

During Pennsylvania's involvement with the Models for Change (MfC) juvenile justice reform initiative from 2005 to 2010, reducing RED within the juvenile justice system was one of three targeted areas. While a great amount of work was done during this time to identify strategies, policies, and practices to positively impact and reduce RED, our data indicates we have fallen short on achieving our desired results. The racial injustices that have occurred are devastatingly unacceptable and the time for reform is now. We recognize our responsibility to ensure that policies and practices are truly being implemented in a fundamentally fair way. The JCJC is committed to system improvement and working collaboratively with stakeholders including PCCD's RED subcommittee of the JJDPC and the Pennsylvania Council of Chief Juvenile Probation Officers, among others, in order to produce equitable outcomes for all youth and families in Pennsylvania.

NEXT MONTH: WHAT DOES PENNSYLVANIA'S DATA TELL US ABOUT RED?

2020 JAMES E. ANDERSON PENNSYLVANIA CONFERENCE ON JUVENILE JUSTICE CANCELLED

Given the unfortunate realities associated with the COVID-19 pandemic, the Juvenile Court Judges' Commission has decided to cancel the 2020 James E. Anderson Pennsylvania Conference on Juvenile Justice, originally scheduled for November 6 – 8, 2020.

The JCJC is examining ways to recognize all 2020 Youth and Professional award winners, typically acknowledged during the annual conference. The JCJC is also exploring the possibility of delivering virtual workshops and training events typically associated with the event. Additional details regarding both matters will be provided in future newsletters.

The 2021 James E. Anderson Pennsylvania Conference on Juvenile Justice is scheduled for November 3 – 5, 2021 at the Harrisburg Hilton and Towers.

VIRTUAL STATEWIDE MEETING ON THE IMPACT OF THE CORONAVIRUS

The monumental impact of the coronavirus pandemic is unparalleled. Courts and juvenile probation departments across the Commonwealth have altered the way they conduct daily operations in order to minimize the negative impact of this pandemic. In the midst of these unprecedented times, creative solutions have been developed to continue essential operations while maintaining the health and safety of all stakeholders involved in the juvenile justice system. The Juvenile Court Judges' Commission (JCJC) partnered with the Pennsylvania Council of Chief Juvenile Probation Officers to conduct a Statewide Virtual Meeting for chiefs, deputy chiefs, and supervisors to collectively discuss local responses to the pandemic.

The meeting was held on June 5, 2020 and followed the format of a panel discussion conducted via Skype. The panel, moderated by JCJC Executive Director, Richard D. Steele, consisted of the following individuals:

- Chad Libby, Chief Probation Officer, Dauphin County
- Beth Fritz, Chief Juvenile Probation Officer, Lehigh County
- Russ Carlino, Chief Juvenile Probation Officer, Allegheny County
- Cheri Modene, Chief Juvenile Probation Officer, Lancaster County
- Josh Leskovac, Deputy Chief Juvenile Probation Officer, Mercer County

Panelists provided insights related to the following topics: adjustments made to juvenile probation intake functions; creative efforts to maintain consistent and effective service delivery; emerging plans to resume office-related operations; and the long-term impacts the pandemic may have on juvenile probation practice. As panelists discussed these topics, a common theme of perseverance and determination emerged. Although the coronavirus pandemic has had a tremendous impact on the way in which juvenile probation departments operate, juvenile justice professionals across the Commonwealth have risen to these challenges and found creative solutions in order to carry out many critical juvenile justice practices.

The use of advanced communication technology, such as Microsoft Teams, Skype, and Zoom, has offered juvenile justice professionals the ability to continue interacting with youth. Stakeholders have collaborated to ensure intake appointments, supervision of youth on probation, service delivery, and court proceedings continue to take place. Some panelists gave examples of ways in which local police departments and other service providers went above and beyond the call of duty by making donations to youth in need. These donations took many different forms, including access to advanced communication technology, access to educational services, and meals for youth and their families.

In closing, panelists commended staff and other juvenile justice stakeholders for their creativity, flexibility, and determination to provide essential juvenile justice services during this unprecedented time. Although modifications have been made in order to carry out essential operations during this pandemic, the spirit of juvenile justice remains in the people, the partnerships, and the relationships that lead to positive outcomes for youth and their families.

CHANGES IN PCCD LEADERSHIP

In September 2019, Governor Tom Wolf named Michael Pennington to serve as Executive Director of the Pennsylvania Commission on Crime and Delinquency (PCCD). His appointment ended the 3-year term of interim Acting Executive Director, Derin Myers, who resumed his position as Director of the Office of Financial Management and Administration at PCCD.

Prior to his appointment, Mr. Pennington served as the Director of PCCD's combined Office of Juvenile Justice and Delinquency Prevention (OJJDP) and Office of Criminal Justice System Improvements (OCJSI). He previously served as the Director of PCCD's OJJDP from 2005 to 2013 and 2016 to present. The Office managed the administration of state and federal funds to support programs to improve the state's juvenile justice system and to prevent violence, substance abuse and other problem behaviors among children and youth.

In February of 2019, to support intra-agency collaboration and coordination, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and Office of Criminal Justice System Improvements (OCJSI) merged to create the Office of Justice Programs (OJP). The OJP, led by newly hired Director Sally Barry, includes the Unit of Criminal Justice Initiatives (headed by Deputy Director Jackie Weaknecht), the Unit of Gun Violence Prevention and Violence Prevention (headed by Deputy Director Geoffrey Kolchin), the Unit of Juvenile Justice Initiatives (headed by Deputy Director Gregory Young) and the Bureau of Training Services (headed by John Pfau). The Office continues to coordinate with all levels of government and various criminal and juvenile justice agencies to identify their issues, develop statewide policies and programs, and implement solutions that enhance public safety.

MARCELLA M. SZUMANSKI RETIRES FROM THE PCCD

After 40 years of service to the Pennsylvania juvenile justice system, Marcella Szumanski retired from the Pennsylvania Commission on Crime and Delinquency on April 24, 2020. Marcy began her career as a juvenile probation officer in Bucks County Juvenile Probation Department in 1977. In 1986, Marcy joined the Center for Juvenile Justice Training and Research as Pennsylvania's first Director of Secure Detention. One of her first key responsibilities included assisting in the development of the Pennsylvania Secure Detention Standards as well as the auditing system responsible for compliance with these standards. In 1999, Marcy joined the Pennsylvania Commission on Crime and Delinquency and became responsible for the monitoring of the Juvenile Accountability Incentive Block Grant. In 2005, Marcy was promoted to a Program Manager for the Office of Juvenile Justice and Delinquency Prevention.

While at PCCD, Ms. Szumanski was lead staff for numerous Juvenile Justice Programs and grant funding which included but not limited to:

- Oversight of funding for Balance and Restorative Justice Program working directly with the Juvenile Court Judges' Commission's Susan Blackburn.
- Lead staff for several subcommittees for mental health, secure detention, female services and federal compliance monitoring which was later merged into the System Enhancement Subcommittee.
- Lead staff for oversight of the development of the Pennsylvania Commission on Crime and Delinquency electronic reporting compliance system known as JHELD.
- Lead staff for oversight of Pennsylvania's Juvenile Justice Federal Compliance system and annual report on Secure Monitoring.
- Responsible for completing various federal reports and submitting applications to help ensure PCCD maintained compliance and continued to receive federal funds to support our juvenile justice system; and
- Key contributor in helping to write PCCD's Bi-annual Juvenile Justice and Delinquency Prevention Plan to the Governor.

Marcy has been an invaluable member of PCCD's juvenile justice work and will be missed greatly. Ms. Szumanski holds a B.S. degree in Criminal Justice from Trenton University and a Masters in Administration of Justice from Shippensburg University. Marcy hopes to continue lifelong work in some areas of juvenile justice during her retirement along with doing some traveling.

STAFF DEVELOPMENT HIGHLIGHTS

VIRTUAL TRAINING SERIES BEGINS

On June 22nd and 24th of 2020, 11 juvenile probation officers representing 3 counties participated in the first virtual training offered by the Juvenile Court Judges' Commission (JCJC) through the Peer Trainer Network. The Four Core Competencies for Line Staff curriculum was led by Nicole Mattern (Dauphin County) and Jonathan Kuykendall (Lehigh County). This training was designed to provide juvenile probation staff with an opportunity to learn about the four core competencies essential for risk reduction in their daily work. Nicole and Jon provided instruction increasing participant's knowledge of the four core competencies through the facilitation of role playing and other guided activities. Throughout this two-day training Nicole and Jonathan provided an interactive, virtual learning experience for all participants.

The JCJC is eager to continue expanding the availability of virtual training offerings. Development is currently underway to offer virtual training events for the Four Core Competencies for Supervisors, Brief Intervention Tools (BITS) and the Carey Guides. Please stay tuned to upcoming newsletters for more detailed information on the expansion of virtual training offerings through the JCJC's Professional Development Program.

September

24 Standardized Program Evaluation Protocol (SPEP™) Informed Training
State College

Registration available at
www.jcjcjems.state.pa.us

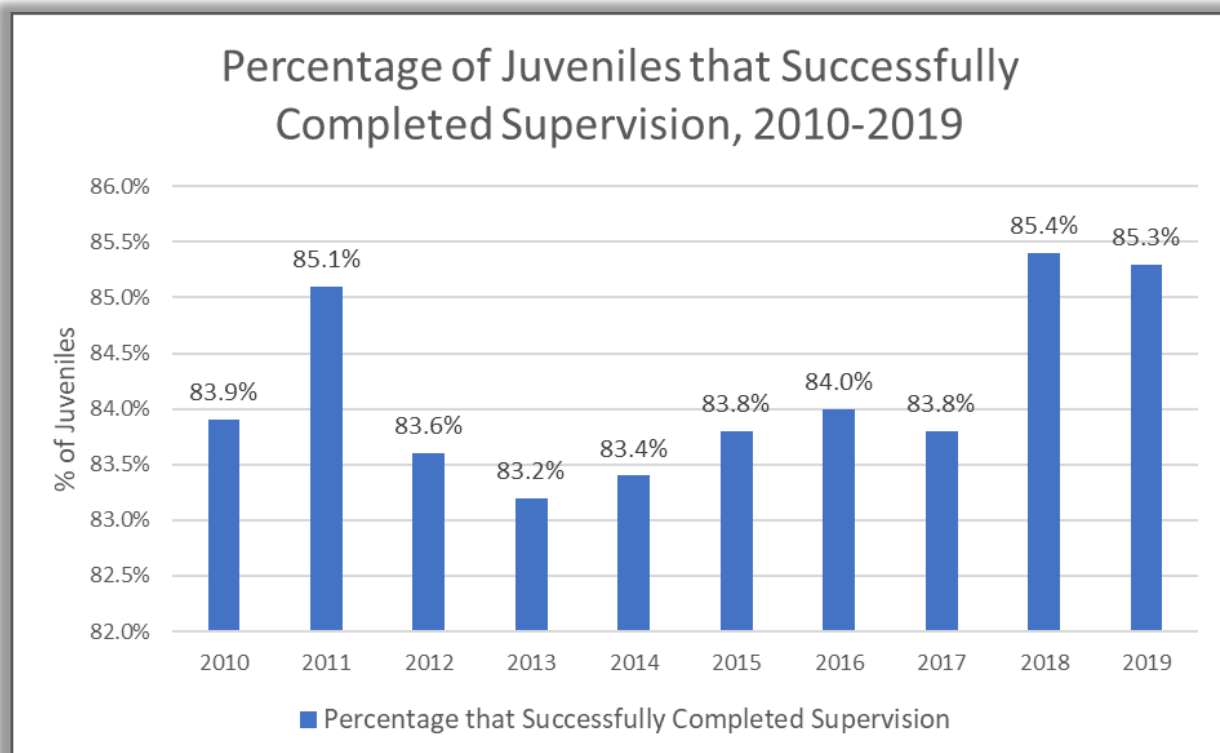
2019 PENNSYLVANIA JUVENILE JUSTICE SYSTEM OUTCOME MEASURES - COMMUNITY PROTECTION

The 2019 Pennsylvania Juvenile Justice System Outcomes Report has been released and can be viewed at <https://www.jcjc.pa.gov/Research-Statistics/Documents/2019%20Pennsylvania%20Juvenile%20Justice%20Outcome%20Measures%20Report.pdf>.

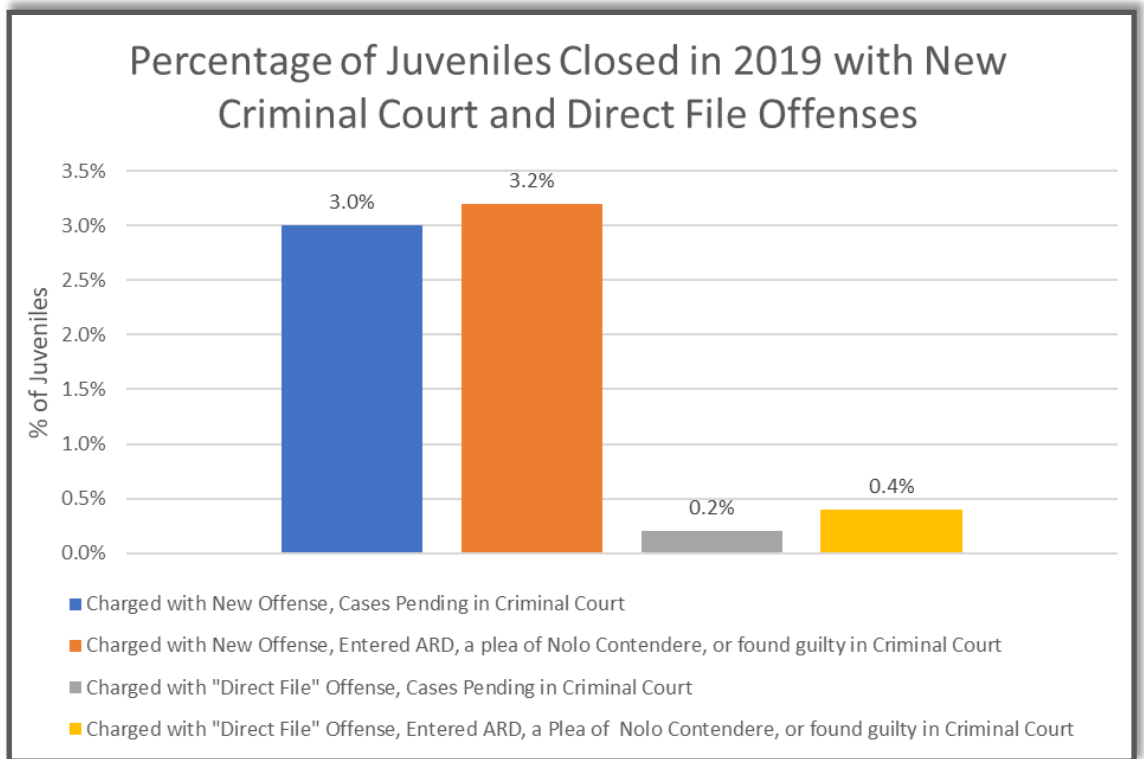
Each time a case is closed within a juvenile probation office, juvenile probation officers are required to provide information specific to the services that the youth received and their behavior while under court supervision. Through a collaboration between the Juvenile Court Judges' Commission (JCJC) and the Pennsylvania Council of Chief Juvenile Probation Officers, additional fields were added this year to allow for deeper analysis. These measures offer a more detailed look at juvenile outcomes in the areas of Community Protection, Victim Restoration, Competency Development, and Risk Level Change. Over the next few months, we will take a closer look in the newsletter at each of these areas, with a focus on the new fields that were added to this year's report.

This month's report begins by examining Community Protection outcomes. New fields for Community Protection that were added this year include: the percentage of juveniles who were required to be fingerprinted and photographed and the percentage among this group that was fingerprinted and photographed; the percentage of juveniles who were required to submit a DNA sample and the percentage among this group that submitted a DNA sample; more detailed information on the percentage of juveniles closed with technical violations (see below); more detailed information on the percentage of juveniles closed who were charged with adult offenses (see below).

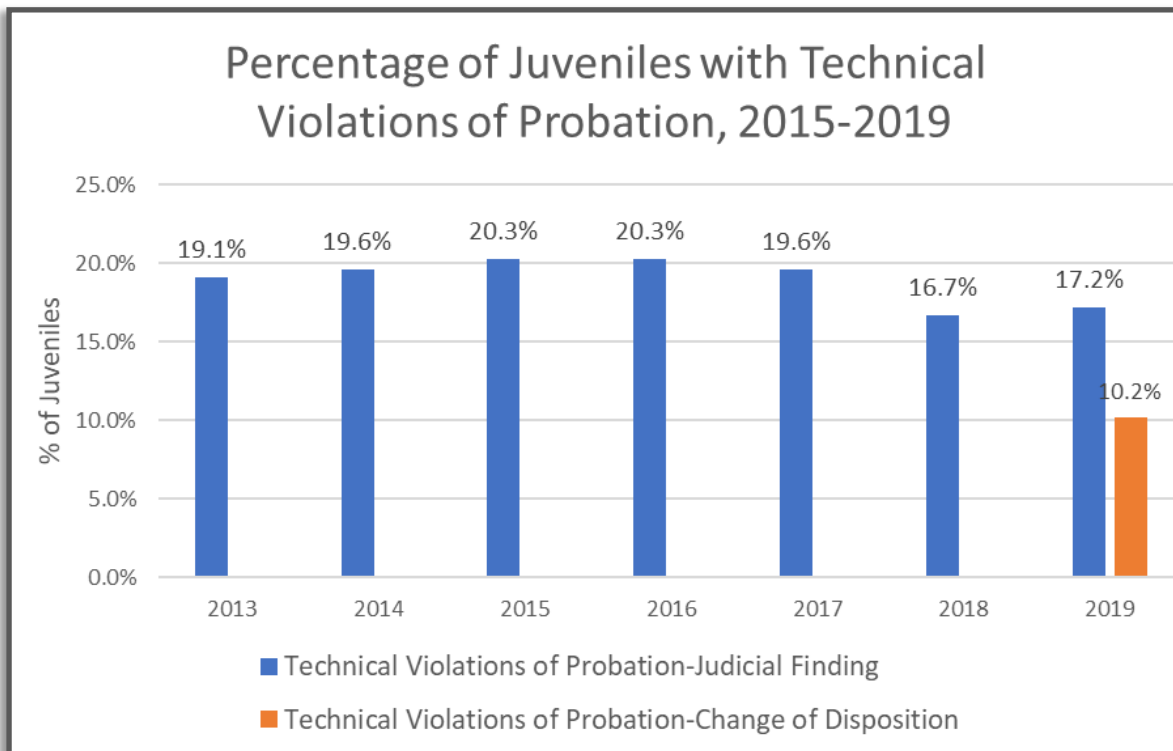
1. 85.3% of youth successfully completed supervision without a new offense resulting in a Consent Decree, Adjudication of Delinquency, ARD, Nolo Contendere, or finding of guilt in a criminal proceeding. This year's successful completion rate of 85.3% is second only to last year's rate of 85.4% and remains above the average successful completion rate of 83.9% for the years 2010-2017 combined.



2. Overall, 6.2% of juveniles closed in 2019 had been charged with a new adult offense that either was pending (3.0%) or had led to an ARD sentence, a plea of Nolo Contendere, or a finding of guilt in criminal court (3.2%). Only 0.6% had been charged with a “Direct File” offense that either was pending (0.2%) or had led to an ARD sentence, a plea of Nolo Contendere, or a finding of guilt in criminal court (0.4%).



3. 17.2% of juveniles closed in 2019 had a judicial finding of a technical violation of probation, a slight increase from the year before but below the average of 19.8% for the years 2013-2017 combined. 10.2% of juveniles had a change of disposition for a technical violation of probation. This is the first year that we have recorded the percentage of juveniles with a change of disposition due to a violation of probation, which only captures violations that impact court decisions. The below measure (17.2%)



captures all technical violations regardless of whether there was a change in the juvenile’s disposition. JCJC and the Chiefs’ Council continue to examine ways to measure and analyze technical violations.



TECHNOLOGY CORNER

Did you know... according to the Pennsylvania Rules of Juvenile Court Procedure, the definition of a juvenile court record “is the information collected and retained by juvenile justice agencies concerning juveniles, and arising from the initiation of delinquency proceedings, consisting of identifiable descriptions, dates and notations of arrest, written allegations, petitions, other formal charging documents, official court records, and any dispositions arising from those records. The juvenile record does not include intelligence information or investigative information that is maintained separately by law enforcement agencies.” (Pa.R.J.C.P. 120).

Juvenile court records are generally confidential and only the following people may see and make a copy of a child’s court records (42 Pa. Cons. Stat. § 6307):

- The Child, Child’s attorney, or Victim(s)’ attorney
- Department of Corrections, the Parole Board, or any agency providing supervision or having custody of the child
- Court personnel, including judges, officers, and professional staff
- Administrative Office of Pennsylvania Courts

So, what does that mean for you and me?

It means that we must safeguard access to all juvenile information we work with from anyone not permitted access from the list above according to (42 Pa. Cons. Stat. § 6307). Simply put, we should safeguard juvenile information from being seen, heard, or touched by unauthorized individuals. Following are a few guidelines to protect the juvenile data you may work with, especially if you are working at home:

- ✓ Position computer monitors in such a way as to prevent unauthorized individuals from viewing juvenile information.
- ✓ Encrypt all outgoing mail to third parties and/or business partners that includes juvenile information.
- ✓ When walking away from your computer lock it by pressing the “Windows” key and the “L” key on your keyboard. Another good idea is to auto lock your computer via a screen saver. You can set your PC to lock automatically when the screen saver is displayed in your computers “Power and Sleep” settings.
- ✓ Documents containing juvenile information should never be accessible to unauthorized individuals. Store all documents that you may need later in a locked area such as a filing cabinet. Immediately destroy all documents that you do not need by shredding or incineration.
- ✓ Safeguard any conversations that you may have regarding juvenile information. When conversing with persons from the list above (42 Pa. Cons. Stat. § 6307) about juvenile information, please be aware of unauthorized individuals that may be within hearing distance.

Resources:

Juvenile Law Center, Juvenile Records Factsheet, available at

<https://juvenilerecords.jlc.org/juvenilerecords/documents/publications/factsheet-PA.pdf>.

Criminal Justice Information Service (CJIS) Security Policy – FBI, available at

https://www.fbi.gov/file-repository/cjis-security-policy-v5_6_20170605.pdf

Pa. Rules of Juvenile Court Procedures, available at

<http://www.pacourts.us/assets/files/setting-1744/file-1560.pdf?cb=498227>

USING DATA TO IMPROVE OUTCOMES FOR JUVENILES: SPEP™ IMPLEMENTATION WITH SERVICE PROVIDERS

A virtual training with service providers will be facilitated by Penn State Evidence-based Prevention & Intervention Support (EPIS) to provide a better understanding of the SPEP™ process and its impact. Service providers that have been through the SPEP™ process will serve on a panel to discuss their experiences associated with data collection and describe how to prepare for the implementation of the SPEP™. Additionally, there will be discussion about how the SPEP™ has been influential in the services they deliver.

This virtual training will be held on July 28, 2020 from 10:00 AM – 12:30 PM. Registration is \$20.00. Service providers interested in attending this training should register at [SPEP Implementation Training](#).

Contact Wayne Bear at wbear@pacounties.org with any training questions.



NATIONAL JUVENILE JUSTICE ANNOUNCEMENTS

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

OJJDP OBSERVES NATIONAL MISSING CHILDREN'S DAY



In 1983, President Ronald Reagan proclaimed May 25 as National Missing Children's Day in memory of Etan Patz, a 6-year-old boy who disappeared from a New York City street corner. Each year, National Missing Children's Day encourages parents, guardians, caregivers, and others concerned with the well-being of children to make child safety a priority. On May 20, 2020, the Department of Justice [announced](#) the winners of the National Missing Children's Day awards.

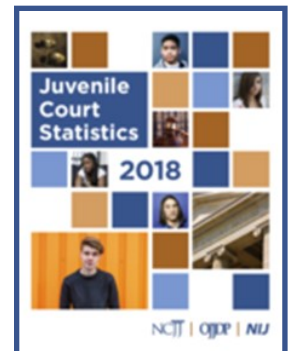
The recipients were recognized for their extraordinary efforts to find missing children and bring child sexual predators and child pornographers to justice. The Department also [declared](#) Oregon fifth-grader Elliana Conrad the winner of this year's [poster contest](#). This year, in lieu of an in-person ceremony, the Department commemorated National Missing Children's Day virtually through a [website](#) featuring additional information about the awardees, poster contest winner, and related resources. Read DOJ's "Commemorating National Missing Children's Day" [blog](#).

RESOURCES:

- Visit OJJDP's Missing and Exploited Children [website](#).
- Follow OJJDP on [Twitter](#) and [Facebook](#).

JUVENILE COURT STATISTICS 2018 NOW AVAILABLE

The [National Center for Juvenile Justice](#) has released "[Juvenile Court Statistics 2018](#)." The report draws on data from the [National Juvenile Court Data Archive](#), funded by OJJDP and managed by the National Institute of Justice. This report describes delinquency cases and petitioned status offense cases that courts with juvenile jurisdiction processed in 2018 and presents trends since 2005. In 2018, courts with juvenile jurisdiction handled an estimated 744,500 delinquency cases and an estimated 97,800 petitioned status offense cases.



[Download Now](#)

RESOURCES:

- See OJJDP's [Statistical Briefing Book](#) for additional information on juvenile court case processing.
- Follow OJJDP on [Twitter](#) and [Facebook](#).

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

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