

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
3101 North Front Street, Harrisburg, PA

June 13, 2023 Commission Meeting
MINUTES

Before: Chairman Austin A. Davis
Vice-Chairman John P. Delaney, Jr.
Honorable John T. Adams, Commissioner
Dr. Valerie Arkoosh, Commissioner
Honorable Bruce R. Beemer, Commissioner
Mr. Mark H. Bergstrom, Commissioner
Dr. Debra Bogen, Commissioner
Honorable Tim Briggs, Commissioner
Sheriff James Custer, Commissioner
Dr. Latika Davis-Jones, Commissioner
Mr. Michael J. Deery, Designee for Honorable Vincent Hughes
Honorable Elizabeth Doyle, Commissioner
Mr. Andrew Dudziak, Designee for Honorable Sheryl Delozier
Ms. Allie Dutrey, Designee for Honorable Devlin Robinson
Honorable Diane Ellis-Marseglia, Commissioner
Ms. Suzanne V. Estrella, Commissioner
Ms. Kirsten Heine, Designee for Honorable Michelle Henry
Mr. Joseph Hill, Commissioner
Dr. Scott Kuren, Designee for Dr. Khalid Mumin
Honorable Timika Lane, Commissioner
Honorable Megan McCarthy King, Commissioner
Ms. Jennifer Lopez-Cerrato, Commissioner
Mr. Sean T. McGinley, Commissioner
Dr. Edward B. Michalik, Commissioner
Commissioner Michael Muldrow, Commissioner
Dr. Edward P. Mulvey, Commissioner
Colonel Christopher L. Paris, Commissioner
Ms. Courtney Richardson, Designee for Honorable Jordan Harris
Mr. Kevin J. Schreiber, Commissioner
Honorable Russell D. Shurtleff, Commissioner
Mayor Derek Slaughter, Commissioner
Mr. Terry Trego, Designee for Honorable Scott Martin
Mr. Mike Vereb, Commissioner
Ms. Phoenicia D. Wallace, Commissioner

Guests: Ms. Ana Arcs
Ms. Liddy Ballard
Ms. Deborah Carpenter
Mr. Steven D'Ettorre
Mr. Frank Donley
Ms. Donna George
Mr. Neil Hartnett
Mr. Bradley Keen
Ms. Eileen McKinstry
Ms. Melissa Myers
Ms. Shelley Neff
Ms. Emily O'Connor
Mr. Michael Pipe
Mr. Craig Westover

Staff: Michael Pennington, Executive Director
Sally Barry, Director, Office of Justice Programs
Kathleen Buckley, Director, Office of Victims' Services
Kirsten Kenyon, Director, Office of Research, Evaluation and Strategic Policy Development
Derin Myers, Director, Office of Financial Management and Administration
Debra Sandifer, Chief Counsel
Robert Ancheff
Charlotte Anspach
Vicki Bonner
Cory Brady
Stacie Brendlinger
Corinne Burr
Kathy Clarke
Christina Cosgrove-Rooks
Stephen Ekema
Jennifer Ely
Chris Epoca
James Haas
Gregory Harhigh
Nancy Heisler
Heather Hewitt
Emily Jackson
William Jennings
Samantha Koch
Geoffrey Kolchin
Crystal Lauver
Michael Leister
Elizabeth Locke
Levi Looks
Zoe Miner
Jason Palmer
John Pfau
John Polheber
Riley Schaefer
Jennie Seigler
Alyssa Subsinsky
Brian Swoyer
Rebecca Szczypta
Jacqueline Weaknecht
Teresa Wilcox
Gregory Young

I. Call to Order

The June 13, 2023 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) was called to order at 10:00 a.m. by Chairman Austin A. Davis. Roll call was requested. He informed members that the meeting was being recorded, to which there were no objections.

II. Chairman's Report

Chairman Austin A. Davis

- The first order of business was to approve the minutes from the March 8, 2023 meeting. The current version has been updated to reflect Senator Robinson's delegation.

Motion: Adams. **Seconded:** Custer. **Abstentions:** None
Aye Votes: 33 No Votes: 0 Motion Adopted

- Chairman Davis introduced new Commissioner, Representative Jordan Harris. Representative Harris serves as Majority Chair of the House Appropriations Committee and has represented the residents of the 186th Pennsylvania Legislative District in Philadelphia since 2012. He was most recently re-elected as the Democratic Caucus Whip for the 2022-2023 legislative session. Chief Counsel Courtney Richardson will serve as Representative Harris's delegate.
- The School Safety and Security Committee met on May 31 and took action on two important initiatives. First, the Committee adopted Revised Physical Security and Behavioral Health Baseline Criteria Standards. These standards play an important role in the School Safety and Security Grants Program since school entities are required by statute to meet some of the more basic elements identified in these standards before they can use PCCD grant funding for additional eligible activities. The revised standards were developed with input from a broad range of educational stakeholders. PCCD updated their website and issued guidance to schools last week with information about these revised standards and related updates and next steps.

The Committee also voted to approve a new, comprehensive statewide evaluation initiative to examine the impact of programs funded through PCCD's Violence Intervention and Prevention Grants Program. The University of Chicago's National Opinion Research Center (NORC), in partnership with Temple University, was approved for an award of approximately \$2.8 million in federal VIP funds to conduct this evaluation. During this two-year project, the research team will work closely with PCCD and other project partners to design and deploy ways to understand successes and challenges of a subset of VIP Grants, as well as projects supported through the 2022 Coordinated Community Violence Intervention Strategies Pilot Sites. This project represents an important first step in understanding the impact of state investments made to date. It's also reflective of the Shapiro-Davis Administration's commitment to addressing gun violence as a top public safety priority.

- On June 9, Chairman Davis and PCCD Director of Victims' Services, Kathy Buckley, joined members of Pennsylvania's Congressional delegation, victim advocates, gun violence survivors, and others in Philadelphia to announce a new initiative that will be spearheaded by PCCD's Victims' Services Advisory Committee (VSAC). The "Resources for Victims of Gun Violence Initiative" tasks VSAC with identifying existing resources, as well as gaps and recommendations for improvement over the next year. The program is modeled on proposed federal legislation that has been introduced by Senator Bob Casey and Representative Dwight Evans that would establish a federal Advisory Council similar in composition and responsibility to what we have already in place in Pennsylvania. This initiative will collect input from stakeholders to identify, promote, coordinate, and disseminate information, resources, and best practices to help people and communities impacted by gun violence meet a wide range of needs.
- Chairman Davis acknowledged VSAC Chair John Delaney and his many years of dedicated public service in support of PCCD's mission, as today marks his last Commission meeting. PCCD Executive Director Mike Pennington shared additional remarks in recognition of Mr. Delaney.

Chairman Davis also recognized Jennifer Lopez-Cerrato, Chair of the Mental Health and Justice Advisory Committee and Executive Director of the Friends Association in Chester County. Ms. Lopez-Cerrato is a dedicated professional and has been a long-time partner in PCCD's work, and she has agreed to serve as Commission Vice Chair.

- In 2022, the federal Bipartisan Safer Communities Act was signed into law. The Act included a number of provisions designed to reduce gun violence and improve responses to behavioral health crises. Among these provisions, the law authorized the Byrne State Crisis Intervention Program (SCIP) which provides formula-based funding to states to implement crisis intervention court proceedings and related programs or initiatives. Designated state administering agencies – like PCCD – are responsible for oversight of Byrne SCIP funds. Pennsylvania's two-year combined allocation for FY 2022-23 is \$8,548,557.

Under SCIP guidelines, states must form or identify an existing group of diverse individuals to serve as a Crisis Intervention Advisory Board to inform the state's SCIP planning efforts. In Pennsylvania's FY 2022-23 SCIP application, the Commission was identified as the Crisis Intervention Advisory Board given its composition and structure. States must demonstrate coordination with and approval by this Board of its SCIP Funding Plan in order to comply with requirements outlined by BJA.

As with its Strategic Framework and Byrne JAG planning process, PCCD utilized a Committee of Chairs to inform the development of the Byrne SCIP Program Plan and Budget. The Committee of Chairs met on May 24, 2023 to review and provide feedback on this Plan.

Today, PCCD is presenting the result of those efforts for consideration and action. The enclosed FY 2022-23 SCIP Funding Plan details priorities and activities identified through a three-phased planning process that included significant stakeholder engagement, data analysis, and deliberation.

The Plan describes the amount of funds available to support Local Share, State Share, and Under \$10K initiatives falling under three overarching priority areas:

- Improving crisis intervention services and supports across behavioral health, civil legal, and other settings, with a focus on reaching people and communities experiencing gun violence.
- Improving coordination of services and responses to gun violence victimization.
- Addressing the intersections of domestic violence and intimate partner violence with gun violence.

This Plan will serve as a roadmap for new initiatives that can help improve the lives of Pennsylvanians and build safer communities – from improving access to resources for gun violence survivors to assessing the landscape of Pennsylvania's crisis response and intervention programs, and beyond.

Action Item: Byrne State Crisis Intervention Program (SCIP) Plan

Motion: Delaney. **Seconded:** Lane. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

PCCD will submit the adopted SCIP Plan to BJA for review and approval, which is a requirement before we can post any solicitations or commit any funding. A copy of the adopted Plan will be posted on PCCD's website.

- The second action item is the approval of the 2024/2025 Justice Assistance Grant (JAG) Funding Plan, which is included as a separate document in the Commission packet.

The JAG Funding Plan includes the priorities and activities identified through the strategic planning processes of PCCD's Advisory Committees and details the amount of funds available to support Local Share, State Share, and Under \$10K initiatives. The Committee of Chairs met on May 24, 2023 to review and provide feedback to develop the 2024/2025 JAG Funding Plan included in today's meeting materials.

Action Item: 2024/25 Justice Assistance Grant (JAG) Funding Plan

Motion: Michalik. **Seconded:** Lopez-Cerrato. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

III. Executive Director's Report

Michael Pennington, Executive Director

- Mr. Pennington reiterated that the First Chance Trust Fund was created within PCCD for the purposes of establishing and operating a scholarship program for students, or providing grants to programs that benefit youth, in regions of the Commonwealth with statistically higher high school dropout rates, incarceration rates, or high crime rates.

As noted during the March meeting, PCCD established a First Chance Trust Fund Workgroup made up of members of the Commission, JJDPC, VSAC, and the School Safety & Security Committee to devise a solicitation to issue that funding. The Workgroup met several times over the past few months to determine which school districts meet the law's regional requirements (i.e., those that meet the criteria of having statistically higher dropout and incarceration rates) and focusing the intention of the solicitation. With only \$1.3 million to expend at this time, the Workgroup decided to focus the solicitation toward community-based organizations and school districts to implement a blended scholarship opportunity for at-risk students with programmatic supports, such as mentoring, individual counseling and therapeutic services, case management, academic assistance, and other supports.

In May, PCCD released a SurveyMonkey Letter of Intent solicitation, and received 57 applications requesting approximately \$17 million in funding by the June 1, 2023 deadline. More information about the Letter of Intent solicitation can be found in the meeting materials.

In an effort to expedite the availability of these funds so they can be awarded in July, and hopefully used in the fall, PCCD respectfully requests that the Commission delegate authority to the Executive Director to approve, with the approval of the PCCD Chairman and the First Chance Trust Fund Workgroup, up to \$1.3 million in 2023 First Chance Trust Fund Program funds to support successful applications received under this year's solicitation.

Staff and the Chairman recommend approval of this Delegation of Authority and will provide an informational update to the Commission at the next meeting in September.

Action Item: Delegation of Authority – 2023 First Chance Trust Fund Program

Motion: Vereb. **Seconded:** Schreiber. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

- Regarding the Naloxone Distribution Expansion Grants that were discussed during the March meeting, the Department of Drug and Alcohol Programs (DDAP) and PCCD have notified all applicants of their status, and recommended entities have been invited to submit a formal, non-competitive application for funding in PCCD's Egrants System. It is anticipated that these projects will be up and running later this summer.

These efforts will build on PCCD and DDAP's broader partnership to make naloxone available at no cost to people and communities who need this lifesaving medication. PCCD is working to reimagine our Naloxone for First Responders Program in the coming months to include various harm reduction tools. In addition to providing naloxone, PCCD is also expecting to be able to use

funds provided by DDAP to purchase fentanyl and xylazine test strips to distribute statewide. We are working closely with DGS as they get procurement mechanisms up and running to facilitate that process. Test strips were recently legalized and have been recognized as an effective way to save lives by detecting the presence of these harmful and deadly substances.

- In March, PCCD requested a delegation of authority to approve up to \$1.1 million in Nonprofit Security Grant Fund awards. This was our fifth solicitation in four years for the program. On April 5, we announced 32 awards totaling \$1.1 million to support a wide range of public safety security enhancement projects for nonprofits and religious institutions who have been targeted, or are susceptible to being targeted, by hate crimes. Since the program's inception, 488 entities have been recommended for awards totaling approximately \$16 million. Grant recipients have used funding to support a wide range of physical security needs, including equipment purchases and security upgrades. A full listing of the 32 recipients approved in this most recent round of grants is available in the meeting packet and on PCCD's website.
- PCCD hosted its annual Criminal Justice Advisory Board (CJAB) Conference in State College on March 21-22. This year's convening was our biggest yet, with approximately 450 participants joining to learn about a range of topics aligned with the theme of "Strengthening Collaborations and Partnerships."

IV. Victims' Services Advisory Committee Report

Mr. John Delaney

Ms. Kathy Buckley

- Committee Chair John Delaney provided the Victims' Services Advisory Committee (VSAC) report, which begins on page 1 of the Commission meeting materials. Mr. Delaney provided brief highlights from the VSAC meeting, held on May 9, 2023, and presented two informational updates and one action item for the Commission's consideration.

Action Item: Federal STOP Violence Against Women Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of an application from the Crime Victim Center of Erie County, submitted for federal STOP Grant funds, not to exceed \$120,000, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Delaney. **Seconded:** Lane. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

V. Juvenile Justice and Delinquency Prevention Committee Report

Ms. Sally Barry, Mr. Geoffrey Kolchin, Mr. Gregory Young

- Director Sally Barry provided the Juvenile Justice and Delinquency Prevention Committee (JJDC) report, which begins on page 4 of the Commission meeting materials. Ms. Barry provided brief highlights from the JJDC meeting, held on May 4, 2023, and presented six informational updates and five action items for the Commission's consideration.

Action Item: State Violence & Delinquency Prevention Programs Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one application requesting a total not to exceed \$1,200,000 in state VDPP funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Shurtleff. **Seconded:** Ellis-Marseglia. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Violence & Delinquency Prevention Programs Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one augmentation requesting a total not to exceed \$20,000 in state VDPP funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Michalik. **Seconded:** Doyle. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Violence & Delinquency Prevention Programs Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of six applications requesting a total not to exceed \$1,199,998 in state VDPP funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Ellis-Marseglia. **Seconded:** Delaney. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of ten applications requesting a total not to exceed \$1,862,481 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Lane. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Substance Abuse Education and Demand Reduction Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of five applications requesting a total of \$1,143,705 in state SAEDR funds, pending the resolution of any outstanding fiscal and/or programmatic concerns.

Motion: Schreiber. **Seconded:** Lopez-Cerrato. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

VI. Criminal Justice Advisory Committee Report

Mr. Mike Vereb

Ms. Sally Barry and Ms. Jacqueline Weaknecht

- Committee Chair Mike Vereb provided the Criminal Justice Advisory Committee (CJAC) report, which begins on page 20 of the Commission meeting materials. Mr. Vereb provided brief highlights from the CJAC meeting, held on May 10, 2023, and presented six action items for the Commission's consideration.

Action Item: Paul Coverdell Forensic Science Improvement Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of six applications requesting a total not to exceed \$997,734 in federal Coverdell funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Heine. **Abstentions:** Adams, Mulvey.

Aye Votes: 31 No Votes: 0 Motion Adopted

Action Item: Project Safe Neighborhoods – PSN Eastern District Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$252,358 in federal PSN – Eastern District funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Briggs. **Abstentions:** Heine.

Aye Votes: 32 No Votes: 0 Motion Adopted

Action Item: Project Safe Neighborhoods – PSN Middle District Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$155,117 in federal PSN - Middle District funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Ellis-Marseglia. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Criminal Indigent Defense Training Initiative

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$100,000 in state GGO funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Lane. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Local Law Enforcement Funds – Augmentation

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total augmentation not to exceed \$11,790 in federal ARPA funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Schreiber. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Substance Abuse Education and Demand Reduction Funds – Category 1, Adult Focus

Staff and the Criminal Justice Advisory Committee are recommending approval of seven applications requesting a total not to exceed \$1,556,295 in state SAEDR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Briggs. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

VII. Mental Health and Justice Advisory Committee Report

Ms. Jennifer Lopez-Cerrato

Ms. Sally Barry and Ms. Jacqueline Weaknecht

- Committee Chair Jennifer Lopez-Cerrato provided the Mental Health and Justice Advisory Committee (MHJAC) report, which begins on page 35 of the Commission meeting materials. Ms. Lopez-Cerrato provided brief highlights from the MHJAC meeting, held on May 3, 2023. There were no action items for the Commission's consideration.

VIII. Children's Advocacy Center Advisory Committee Report

Honorable David W. Heckler

Ms. Kirsten Kenyon

- Director Kirsten Kenyon provided the Children's Advocacy Center Advisory Committee (CACAC) report, which begins on page 37 of the Commission meeting materials. Ms. Kenyon provided brief highlights from the CACAC meeting, held on May 23, 2023. There were no action items for the Commission's consideration.

IX. County Adult Probation and Parole Advisory Committee Report

Honorable Russell D. Shurtleff

Honorable Timika Lane

Ms. Sally Barry

- Committee Co-chair Judge Timika Lane provided the County Adult Probation and Parole Advisory Committee (CAPPAC) report, which begins on page 39 of the Commission meeting materials. Judge Lane provided brief highlights from the CAPPAC meeting, held on May 11, 2023 via Zoom, and presented three action items for the Commission's consideration.

Action Item: FY2023-2024 Intermediate Punishment Treatment Program Initiative

Staff and the County Adult Probation and Parole Advisory Committee are recommending approval of 58 applications requesting a total not to exceed \$16,408,806 in Intermediate Punishment Treatment Program funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Deery. **Seconded:** Vereb. **Abstentions:** Ellis-Marseglia, Lane, Mulvey, Shurtleff.
Aye Votes: 29 No Votes: 0 Motion Adopted

Action Item: Delegation of Authority – Intermediate Punishment Treatment Program Funds
Staff and the County Adult Probation and Parole Advisory Committee are recommending approval of a request for a Delegation of Authority for Intermediate Punishment Treatment Program funds.

Motion: Vereb. **Seconded:** Adams. **Abstentions:** Lane.
Aye Votes: 32 No Votes: 0 Motion Adopted

Action Item: 2023 Evidence Based Practices Coordination and Implementation Initiative
Staff and the County Adult Probation and Parole Advisory Committee are recommending approval of one application not to exceed \$1,000,000 in state share Byrne Justice Assistance Grant (JAG) funds and state General Government Operations funds, pending the resolution of any outstanding program and/or fiscal concerns.

Motion: Lane. **Seconded:** Michalik. **Abstentions:** None.
Aye Votes: 33 No Votes: 0 Motion Adopted

X. Constables' Education and Training Board Report

Mr. Craig Westover

Mr. John Pfau

Board Chairman Craig Westover provided the County Adult Probation and Parole Advisory Committee (CAPPAC) report, which begins on page 47 of the Commission meeting materials.

Action Item: PA Constables' Training Code of Conduct

Staff and the Constables' Education and Training Board recommend the approval of the Revised Act 49 Training Policy Statement. It has been updated in Sections 1 and 3.

Motion: Vereb. **Seconded:** Schreiber. **Abstentions:** None.
Aye Votes: 33 No Votes: 0 Motion Adopted

XI. Sheriff and Deputy Sheriff Education and Training Board Report

Mr. John Pfau

Chairman Davis noted that there was no report for the Sheriff and Deputy Sheriff Education and Training Board other than the material that is included as part of the packet.

XII. Other Business

No other business was brought before the Commission.

XIII. Public Voice

Liddy Ballard, State Policy Manager with Brady, respectfully urged that at least 10% of SCIP funding be invested in public education campaigns around safe firearms storage, in order to reduce gun violence in Pennsylvania.

XIV. Adjournment

Chairman Davis noted that the next meeting will be held on September 20, 2023.

Hearing no further comment, Chairman Davis called for a motion for adjournment. Commissioner Vereb made the motion, which was seconded by Commissioner Lane. The motion carried unanimously, and the meeting concluded at 11:05 a.m.