

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

March 13, 2019 Commission Meeting

MINUTES

Before: Mr. John Adams, Esq., Commissioner
Ms. Karen Baker, Commissioner
Mr. Mark H. Bergstrom, Commissioner
Ms. Mary Jane Bowes, Commissioner (via telephone)
Mr. Philip Damiani, Commissioner (via telephone)
Ms. Gwenn Dando, Designee for Honorable Wayne Langerholc, Jr. (via telephone)
Mr. Thomas Darr, Commissioner
Mr. Michael Deery, Esq., Designee for Honorable Vincent Hughes (via telephone)
Mr. John Delaney, Jr., Esq., Commissioner
Honorable Diane Ellis-Marseglia, Commissioner
Lt. Colonel Robert Evanchick, Commissioner
Honorable James J. Fitzgerald III, Commissioner
Honorable Anthony Harvilla, Commissioner
Honorable David W. Heckler, Commissioner (via telephone)
Mr. Thomas King, Commissioner (via telephone)
Ms. Carol Lavery, Commissioner (via telephone)
Ms. Lindsey Mauldin, Designee for Honorable Teresa Miller
Dr. Edward Michalik, Jr., Commissioner
Ms. Mary Onama, Commissioner (via telephone)
Mr. Kevin Schreiber, Commissioner
Mr. Keith Snyder, Commissioner
Mr. Richard Steele, Commissioner
Mr. Ryan Stevens, Designee for Honorable Sheryl Delozier
Mr. Mike Vereb, Commissioner
Dr. David Volkman, Designee for Sec. Pedro Rivera, Commissioner
Mr. David Wade, Designee for Honorable Josh Shapiro
Mr. William Ward, Esq., Commissioner
Ms. Vicki Wilken, Esq., Designee for Honorable Patrick Browne (via telephone)

PCCD Staff: Derin Myers, Acting Executive Director
Kirsten Kenyon, Director, Office of Research and Children's Advocacy
Valerie McMahon, Director, Office of Victims Services
Mike Pennington, Director, Office of Juvenile Justice and Delinquency Prevention and
Acting Director, Office of Criminal Justice System Improvements
Debra Sandifer, Chief Counsel
Pamela Bennett
Jeff Blystone
Stacie Brendlinger
Danielle Chubb
Kathy Clarke
Christina Cosgrove-Rooks
Chris Epoca
Lynn Fidler
Theresa Ford
Mike Fowler
Nancy Heisler
Geoff Kolchin
Michael Leister
Jim McAlpine
Natalie Novotny-Goles
Robert Orth
Ross Pelusi
John Pfau
Beth Romero
Marcella Szumanski
Jackie Weaknecht

I. Call to Order

In Chairman Ramsey's absence, Vice Chairman Delaney called the March 13, 2019 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) to order at 10:02 AM, welcomed members and guests, and verified participation by a quorum.

II. Chairman's Report

The first order of business was to review the Minutes from the December 12, 2018 Meeting. *Commissioner Adams made a motion to approve the Minutes from the December 12, 2018 PCCD Commission Meeting. Commissioner Vereb seconded the motion and the minutes were approved by unanimous vote, with the abstention of new member Diane Ellis-Marseglia.*

Vice Chairman Delaney welcomed and gave a brief biography of four newly named Commission Members:

- Senator Wayne Langerholc (represented by his chief of staff, Ms. Gwenn Dando);
- Mr. Kevin Schreiber, President and CEO of the York County Economic Alliance;
- Bucks County Commissioner Diane Ellis-Marseglia; and
- Mr. Keith Snyder, as Chairman of the Juvenile Justice and Delinquency Prevention Committee

Vice Chairman Delaney also recognized three members who Governor Wolf recently reappointed to the Commission for an additional term of service: Mr. David Heckler, Judge Elizabeth Doyle, and Mr. William Ward, who Chairman Ramsey also named as Chairman of the Mental Health and Justice Advisory Committee. Congratulations were expressed to these new and reappointed Commissioners.

III. Executive Director's Report

Acting Executive Director Derin Myers provided updates and an overview of recent activity within PCCD, particularly regarding Performance-Based Budgeting, the state budget and school safety and security.

Performance-Based Budgeting

As was mentioned at the last meeting, PCCD staff testified at the Performance-Based Budgeting hearing in January. Mr. Myers provided an overview of the process, which, according to the way the law is written, will occur for every state agency once every five years.

The review is a challenging process involving PCCD monetizing the effort that goes into each agency activity and providing data that demonstrates impact. PCCD committed to evaluating expenditures by activity area and capturing certain types of outcome data to be included in the next review, such as recidivism for IPP, grants satisfaction survey, percentage of grant applications funded, number of unique VCAP claimants, constables that receive training but don't provide service to the court, etc.

Discussion with the Independent Fiscal Office (IFO) resulted in two recommendations:

1. Enhance the reporting of county criminal justice statistics on an annual basis to better inform local decision making. For example, further analysis of the connections with corrections data could enhance understanding the differences across counties in SCI commitments, county jail spending and county probation caseload sizes.
2. Create special funding for justice reinvestment at the county level. PCCD staff noted that this is an interesting idea, similar to the work done through the Justice Reinvestment Initiative (JRI).

State Budget

The Governor released his proposed budget in February, which included funding for PCCD at a level generally consistent with last year's final enacted budget. A few line items were increased, such as one more year of funding for Naloxone. PCCD staff testified at both the House and Senate Appropriations Committees' hearings, along with colleagues from the Department of Corrections, Board of Probation and Parole, and Juvenile Court Judges' Commission. There were a few questions related to the Victims

of Crime Act funding, such as who receives that money and how it is used, but most of the questions pertained to the School Safety and Security Program.

School Safety and Security

The School Safety and Security Committee (SSSC) issued their finding reports to over 600 school entities regarding their overall safety preparedness, and have heard anecdotally that the reports are helping to raise awareness and prompt action at the local level. The SSSC initially made \$12.5 million in awards to school districts, and current efforts are focused on reviewing the competitive applications for the remaining \$47.5 million. The submissions initially totaled over \$360 million in requests, so school entities were asked to review and prioritize their applications, which came back at approximately \$225 million in requested funding. The SSSC will consider those applications at their next meeting at the end of April.

Acting Executive Director Myers noted that the 2017-2018 PCCD Annual Report has been posted on the PCCD website. He thanked staff for their efforts in compiling and publishing the report, which includes 42 separate initiatives, even while in the midst of a number of other competing priorities. He also commended Victim Services staff for their work and redoubled efforts to roll funds out in a reasonable and equitable way.

Acting Executive Director Myers concluded his remarks by inviting Robert Orth to present an overview of the [Pennsylvania Crime Trends and Statistics](#) report that PCCD has compiled through federal grant funding from the Bureau of Justice Statistics as the federally identified Statistical Analysis Center for Pennsylvania. Given that it appears to be a unique report that has not otherwise been prepared for Pennsylvania and ties in with performance-based budgeting and data to inform work and decisions moving forward, PCCD is looking to institutionalize publication of this report on an annual basis, based on the feedback received.

Mr. Orth presented the report, noting that it looks at five years of data, from 2012 to 2016, and ties it all together into one comprehensive report, with the results showing where the system is as a whole and where it's trending. He pointed out that it's organized sequentially as individuals move through the criminal justice system and afterwards with supervision. He acknowledged that there is no juvenile data this time, but they plan to incorporate it in future reports.

Mr. Orth reviewed the executive summary information and looked at the spread on some of the data, noting that the top three counties accounted for over a third of the offenses, and the top 10 counties account for 60% of the offenses. In going over the report, he pointed out some other interesting findings, including:

- The top 10 police departments account for nearly a third of the offenses
- Nearly one out of every two new court cases are for drugs and/or DUI offenses
- Drug sentences comprise one in every four sentences within the top two counties
- More people are being diverted to supervision rather than sentenced to state prison
- There's an uptick in recidivism in parole violations

The last page features an interesting spread on newsworthy events that could have impacted these trends, of what got traction in the media and/or was picked up by the legislature to address.

Mr. Orth concluded his presentation by focusing on the future, stating that PCCD wants to dig more into the county data and bring in the juvenile data. He does not think this has been done at all nationwide, and hopes this initiative will spread and inspire other states to conduct similar analysis.

Mr. Orth responded to the following questions from participants:

- Any impact that this data is from months ago? Anticipate that the trends will continue, especially in the aggregate; and it gives a good benchmark for measuring.
- Any plan to go back and look at trends over a longer period of time? Would love to do that, the only limitation is the reliability and validity of the available data.

- Has there been discussion of creating a framework of how this data can/should be related to funding issues? They haven't had this conversation across the system, but internally have been doing interesting things with mapping, such as with drop-out rates and school districts, and so are creating the foundation for doing things like that. PCCD can look at building this in to the strategic planning process and cross reference funding decisions with that plan.
- How long / what is the lag time to add 2017 or 2018? Just waiting for the UCR data to become available. We have the infrastructure framework and template in place to be able to incorporate current data as soon as it becomes available.

IV. **Victims' Services Advisory Committee Report**

Committee Chair, Mr. John Delaney, acknowledged Ms. Lindsay Mauldin, who gave the Victims' Services Advisory Committee (VSAC) Report, including four (4) informational updates, and two (2) action items, as described starting on page 1 of the Commission meeting materials. She noted the rescheduled meeting due to inclement weather, and reviewed highlights of the informational updates, providing a few comments as follows before moving on to the action items.

- Reviewed the decision at the November 2018 meeting to approve an augmentation of the existing Center for Victims VOCA grant and the progress of related efforts supporting a long-term collaborative response addressing the needs of both the individuals and community impacted by the Tree of Life Synagogue shooting
- Congratulated Office of Victim Services staff on the successful launch of the human trafficking website
- Noted that the statewide VOCA training ended and the final report was submitted in December 2018, reviewed outcomes

Action Items:

Ms. Mauldin provided an overview of the funding requests recommended in the two action items for the Commission's consideration, as described starting on page 3 of the Commission meeting materials.

Federal Victims of Crime Act (VOCA) Funds

First, Ms. Mauldin shared the Committee's recommendation to approve 130 applications responding to the VOCA 2019-2021 Non-Competitive funding announcement.

Staff and the Victims' Services Advisory Committee recommend approval of 130 applications submitted for non-competitive (VOCA) funding not to exceed \$20,511,351, pending resolution of any outstanding programmatic and/or fiscal concerns.

Designee Mauldin made the motion for approval of this action item, which was seconded by Commissioner Vereb. Vice Chairman Delaney asked if there was any comment.

Commissioner Baker stated that the Pennsylvania Coalition Against Rape continues to have concern with Pike County's Safe Haven project, has discontinued them as an affiliate, and recommended that PCCD consider doing the same. Acting Executive Director Myers responded PCCD is aware of the concerns and are monitoring them.

Hearing no further comment and no public voice, Vice Chairman Delaney called for a vote. The motion carried, with the Commissioners and Designees voting as noted:

Voting Aye: Commissioners Adams, Bergstrom, Bowes, Damiani, Darr, Delaney, Ellis-Marseglia, Evanchick, Fitzgerald, Harvilla, Heckler, King, Schreiber, Snyder, Steele, Vereb, and Ward, and Designees Dando (Langerholc), Deery (Hughes), Mauldin (Miller), Stevens (Delozier), Volkman (Rivera), Wade (Shapiro), and Wilken (Browne)

Voting Nay: None

Abstaining: Baker, Lavery, Michalik, and Onama

Federal Victims of Crime Act (VOCA) Funds

Next, Ms. Mauldin related VSAC's recommendation to approve 87 applications responding to the "Victims of Crime Act 2019-2021 Competitive #3" funding announcement.

Staff and the Victims' Services Advisory Committee recommend approval of 87 applications submitted for competitive (VOCA) funding not to exceed \$42,444,053, pending resolution of any outstanding programmatic and/or fiscal concerns.

Designee Maulden made the motion for approval of this action item, which was seconded by Commissioner Michalik. Vice Chairman Delaney asked if there was any comment, and hearing none and no public voice, called for a vote. The motion carried with the Commissioners voting as noted:

Voting Aye: Commissioners Adams, Baker, Bergstrom, Bowes, Damiani, Darr, Delaney, Ellis-Marseglia, Fitzgerald, Harvilla, Heckler, King, Michalik, Schreiber, Snyder, Steele, Vereb, and Ward, and Designees Dando (Langerholc), Deery (Hughes), Mauldin (Miller), Stevens (Delozier), Volkman (Rivera), Wade (Shapiro), and Wilken (Browne)

Voting Nay: None

Abstaining: Evanchick, Lavery, and Onama

V. Juvenile Justice and Delinquency Prevention Committee Report

Mr. Keith Snyder, Committee Chair, provided the Juvenile Justice and Delinquency Prevention Committee (JJDP) Report, which begins on page 73 of the Commission meeting materials. Mr. Snyder highlighted the informational items of interest in the absence of any action items for the Committee's approval.

- The final version of the 2019 JJDP Plan to the Governor is at the printers, acknowledged Jim Anderson's work in its compilation and completion
- The new federal Juvenile Justice Reform Act was signed into law on December 31, 2018; OJJDP will be providing guidance to states on the new legislation
- Looking at juvenile justice reinvestment strategies
- Released competitive grant announcement for state Violence and Delinquency Prevention Programs Fund, applications will be presented at the June meeting
- Acknowledged Mike Pennington and his staff, noted that they are few but accomplish much

VI. Mental Health and Justice Advisory Committee Report

Committee Acting Chair, Mr. William Ward, reviewed information from the Mental Health and Justice Advisory Committee (MHJAC) Report, which can be found on page 74 of the Commission meeting materials. There were no action items to present to the Commission. Noted a few items at feb 6 mtg, presentation by York co, and was part of ongoing effort to bring funding recipients in to hear what they do, update by dr. martin on implementation across the commonwealth on stepping up initiative, how it's taking route and ccounties are seeking tA

Statewide CIT mtg coming up on march 26, 2019

VII. Children's Advocacy Center Advisory Committee Report

The Honorable David W. Heckler, Committee Chair, provided an overview of the Children's Advocacy Center Advisory (CACAC) Report, referencing page 76 of the Commission meeting materials.

Chairman Heckler noted that the Committee convened on February 5, 2019 and briefly shared the group's informational updates, noting that there are no action items.

- Shared some highlights of the human trafficking overview presentation by Alison Gray and Abby Newman, noted that there are many projects underway in Pennsylvania to stop human trafficking, particularly for child victims

- Noted the survivor leader forum in November at which adult survivors of child human trafficking spoke and shared their perspectives on options for change
- Progress in developing curriculum for CACs and MDITs

VIII. Criminal Justice Advisory Committee Report

Mr. Michael Vereb presented the Criminal Justice Advisory Committee (CJAC) Report, which begins on page 77 of the Commission meeting materials. Mr. Vereb highlighted several informational updates before reviewing the action item for the Committee’s approval.

- The February 13 meeting included a presentation on reentry and the Montgomery County Women’s Reentry Initiative (WRI)
- The 2019 CJAC conference is coming up April 9-10, have increased registration over last year

Action Item:

The Criminal Justice Advisory Committee has one action items for the Commission’s consideration, as described starting on page 78 of the Commission meeting materials. Mr. Vereb provided an overview of the request and the funding recommended.

Reentry Planning Funds

Action is requested on three applications requesting up to \$45,000 in federal Byrne Justice Assistance Grant (JAG) funds to support comprehensive county reentry planning efforts.

Staff and the Criminal Justice Advisory Committee are recommending approval of up to \$45,000 in federal Byrne JAG funds, contingent upon the availability of the funds.

Commissioner Vereb made the motion for approval of this action item, which was seconded by Commissioner Ward. Vice Chairman Delaney asked if there was any comment, and hearing none and no public voice, called for a vote. The motion carried with the Commissioners voting as noted:

Voting Aye: Commissioners Adams, Baker, Bergstrom, Bowes, Damiani, Darr, Delaney, Ellis-Marseglia, Evanchick, Fitzgerald, Harvilla, Heckler, King, Lavery, Michalik, Onama, Schreiber, Snyder, Steele, Vereb, and Ward, and Designees Dando (Langerholc), Deery (Hughes), Mauldin (Miller), Stevens (Delozier), Volkman (Rivera), Wade (Shapiro), and Wilken (Browne)

Voting Nay: None

Abstaining: None

IX. Sheriff and Deputy Sheriff Education and Training Board

Bureau of Training Services Manager John Pfau briefly mentioned the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) Report, which is detailed on page 80 of the Commission meeting materials, stating that there are no action items or other pertinent information for the Commission beyond what is contained in the report.

X. Constables’ Education and Training Board

Likewise, Mr. Pfau directed Commissioners to review the Constables’ Education and Training Board (CETB) Report on page 81 of the Commission meeting materials. He reviewed the one action item, regarding the Constables’ Education and Training Account (CETA) Surplus Funds. Last time it was allocated was in 2008, as training costs continue to increase. Due to the declining revenues coming in to the Training Fund, staff recommended to the Board that no stipend be provided to constables and deputy constables this training year and each subsequent training year until such time that the account monies are sufficient to meet ongoing expenses.

Based on the status of the CETA, the Board voted to not approve payments under Title 44, Section 7149(f) to constables and deputy constables for the Training Year 2018 until sufficient funds are available to allocate any surplus to a stipend payment.

Staff and the Constables' Education and Training Board are recommending that no constable training stipend be approved for the 2018 Training year.

Commissioner Darr made the motion for approval of this action item, which was seconded by Commissioner Snyder. Vice Chairman Delaney asked if there was any comment, and hearing none and no public voice, called for a vote. The motion carried with the Commissioners voting as noted:

Voting Aye: Commissioners Adams, Baker, Bergstrom, Bowes, Damiani, Darr, Delaney, Ellis-Marseglia, Evanchick, Fitzgerald, Harvilla, Heckler, King, Lavery, Michalik, Onama, Schreiber, Snyder, Steele, Vereb, and Ward, and Designees Dando (Langerholz), Deery (Hughes), Mauldin (Miller), Stevens (Delozier), Volkman (Rivera), Wade (Shapiro), and Wilken (Browne)

Voting Nay: None

Abstaining: None

XI. Other Business

Vice Chairman Delaney invited anyone with other business to bring before the Commission to share. Hearing none, he moved on to the next item in the agenda.

XII. Public Voice

Vice Chairman Delaney opened the floor for public voice. When no one spoke, he concluded the agenda.

XIII. Adjournment

Vice Chairman Delaney noted that the next Commission Meeting is June 12, 2019, and that the quarterly meetings and other events are listed on the agenda.

Commissioner Vereb made a motion to adjourn, which was seconded by Commissioner Fitzgerald. The motion carried unanimously and the meeting concluded at 11:05 AM.