

## Legislation Text

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Authorizing the City Council Committee on Children and Youth to hold hearings on Philadelphia's juvenile probation system, examining opportunities to reduce racial inequities, review formal supervision and confinement, and support youth accessing programming, employment, and other resources.

WHEREAS, Ideally, juvenile probation provides court-involved youth an opportunity to remain in their communities while participating in therapeutic and constructive activities supporting their positive development which helps youth become better equipped to meet their needs and helps keep our city safer; and

WHEREAS, Research on juvenile justice outcomes is clear regarding the importance of diversion and support rather than the surveillance typically associated with probation. For youth who are assessed as low-risk for rearrest, diversion programs are significantly more successful than traditional juvenile justice systems in reducing recidivism; and

WHEREAS, Racial disparities persist throughout the juvenile justice system. According to data from the Pennsylvania Juvenile Court Judges Commission (JCJC), despite only constituting 50% of the juvenile population in the city, Black youth accounted for 77% of all written allegations and detentions, and 83% of delinquent adjudications in 2019. Black and Hispanic youth accounted for 96% of all youth over the age of 11 sent to residential placement in fiscal year 2018. Disparities also exist across the state, with youth of color spending more time on probation than their white peers. Further, national data from the Office of Juvenile Justice and Delinquency Prevention shows that youth of color are given fewer opportunities at diversion than their white peers, no matter the offense. For example, white youth involved in person-related offenses such as aggravated assault are nonetheless more likely to be diverted than Black youth charged with more minor public order offenses such as graffiti or trespassing; and

WHEREAS, A variety of pre-court diversion pathways exist in Philadelphia, such as informal adjustments, warning and release, school-based diversion, restorative justice programs, and youth aid panels. The Office of the District Attorney collaborates with the First Judicial District, Philadelphia Police Department, School District of Philadelphia, and others to operate many different youth diversion programs, often in partnership with community organizations focusing on a wide variety of programming from arts engagement to substance abuse treatment; and

WHEREAS, JCJC's Juvenile Court Annual Reports show that juvenile delinquency dispositions in Philadelphia decreased from 3,068 in 2015 to 2,426 in 2019. However, detention rates in Philadelphia remained steady between 2015 and 2019, with roughly 2,500 youth detained each year, despite declines at the state level in the use of juvenile detention; and

WHEREAS, At an April 2021 hearing of City Council’s Special Committee on Gun Violence Prevention, juvenile probation leadership from the First Judicial District testified that there were 864 youth under formal supervision, 50 of whom were identified as especially high-risk for potential future involvement in gun violence activity and under more intensive supervision via a partnership with the Philadelphia Police Department; and

WHEREAS, Probation supervision can impose burdensome requirements on youth and families, including a variety of fines and fees and other obligations; and

WHEREAS Juvenile probation, including informal probation, can put youth at greater risk of revocation and deeper system involvement. In Philadelphia, probation violations are the most common pathway to placement for youth. The Pew Charitable Trusts report “Re-Examining Juvenile Incarceration” reviews a body of research demonstrating that these out-of-home residential placements are ineffective at reducing recidivism. Further, residential placement can expose youth to abusive practices, including strip searches, harmful restraints, and solitary confinement; and

WHEREAS, Collective efforts in recent years on the part of the City and Philadelphia’s youth, advocates, and institutional leaders have resulted in major reductions in the use of residential placement as well as the decision to end the practice of charging families for detention fees in 2017, and indicate the potential for collaborating even further to advance local reforms; and

WHEREAS, It is critical that we as a city ensure that the youth on probation are accessing the positive supports they need to be able to fully participate in their education, maintain stable housing, and achieve meaningful employment or connection to paid programming relevant to their needs and interests; now, therefore be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, authorizes the City Council Committee on Children and Youth to hold hearings on Philadelphia's juvenile probation system, examining opportunities to reduce racial inequities, review/limit unnecessary formal supervision and confinement, and support youth accessing programming, employment, and other resources.