



Legislative Budget and Finance Committee

A JOINT COMMITTEE OF THE PENNSYLVANIA GENERAL ASSEMBLY

Offices: Room 400 Finance Building, 613 North Street, Harrisburg

Mailing Address: P.O. Box 8737, Harrisburg, PA 17105-8737

Tel: (717) 783-1600 • Fax: (717) 787-5487 • Web: <http://lbfc.legis.state.pa.us>

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A Fiscal and Operational Review of the YDC/YFC System

October 2018

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REPORT SUMMARY

Understanding the YDC/YFC System

(Pages 6 to 19)

As discussed in the various sections of this report, Pennsylvania's Youth Development Centers (YDC) and Youth Forestry Camps (YFC) are a unique function of state government. Organizationally located within the Department of Human Services (DHS), and its Office of Children, Youth, and Families (OCYF), the five facilities that comprise the YDC/YFC system are the **state-owned** service delivery mechanism for juveniles who have been adjudicated delinquent.

Although sometimes considered to be the same, the YDC/YFC system and detention centers, have very different roles. Detention facilities are county-based facilities used to safely (and securely, if needed) house juveniles who are in crisis on a temporary basis.

YDC/YFC facilities provide longer-term services and offer specific programming needs for juvenile offenders (e.g., drug/alcohol rehabilitation, mental health, etc.).

Most individuals are unfamiliar with Pennsylvania's juvenile justice system and may (erroneously) view it as being similar to the adult criminal system. In fact, these systems are distinctly different. **Section II** of our report highlights a number of these distinctions. One important distinction is that a juvenile offender is not found "guilty," rather he/she is "adjudicated delinquent" by a juvenile court judge, who presides from the juvenile's home county. Once an adjudicated delinquent, the juvenile court judge must then make decisions about how to rehabilitate that juvenile. Juvenile court judges exercise considerable discretion in how to treat adjudicated youth.

Pennsylvania's juvenile justice system has witnessed significant reform over the past twenty years. The system is now centered on the principals of "Balanced and Restorative Justice." These tenets strive to achieve community protection, accountability, and competence, thereby leaving those impacted by the juvenile justice

Objectives and Scope

As adopted by the officers of the Legislative Budget and Finance Committee, our objectives for this *Fiscal and Operational Review of the Youth Development Center/Youth Forestry Camp System* (YDC/YFC) were as follows:

- ❖ Review the utilization of the YDC/YFC system including the number of children served annually by the system.
- ❖ Compare the cost to the counties to place adjudicated youth in the YDC/YFC system and similar alternative placements within the Commonwealth.
- ❖ Examine available recidivism rates upon completion of a program at the YDC/YFC system.
- ❖ Identify sources of funding for the YDC/YFC system.
- ❖ Enumerate the expenditures for the YDC/YFC system.
- ❖ Report the complement of employees at each facility within the YDC/YFC system.

Our study primarily covered the period July 1, 2014, through June 30, 2018. In some areas, our scope preceded July 1, 2014, because it was necessary to provide a historical context of relevant issues confronting Pennsylvania's juvenile justice system, and more specifically, the YDC/YFC system.

system with tangible benefits. More recently, Pennsylvania's juvenile justice system has been influenced by the "Juvenile Justice System Enhancement Strategy," which seeks to improve the decision-making about juvenile treatment from one of personal judgment to one in which decisions about the treatment and rehabilitation of youth are based on empirical research.

We emphasize the fact that the YDC/YFC system is state-owned, because within Pennsylvania, most juvenile rehabilitation programs are operated by private providers (for profit and not-for-profit) that contract with each of Pennsylvania's 67 counties. These providers offer a wide-array of programming options including: secure care, community-based services, wilderness-based camps, after school programming, as well as specialized services for mental health treatment or drug and alcohol rehabilitation. There are hundreds of different providers and each tailors its services for the specific needs of youth. In fact, in 2016, about 87 percent of all adjudicated delinquents were placed with one of these private providers.

Within Pennsylvania's juvenile justice system, the YDC/YFC system fills an important niche. **The most important aspect of the YDC/YFC system is that the system cannot deny a placement to one of its facilities.** This fact is a significant issue, because private providers can (and do) reject placements to their facilities because they are unable to meet the needs of the youth. As was mentioned to us by many of the juvenile justice stakeholders with whom we spoke, "the YDC/YFC system is the provider of last resort."

As a result, the YDC/YFC system typically serves youth with very difficult case histories (e.g., several prior placements) and/or youth with special medical conditions/needs. YDC/YFC placements may also be for youth who have committed particularly egregious crimes that require longer-term services, or for sexual offenders who have been unresponsive to treatment in prior placements. In support of this conclusion, we took a "snap shot" of the case history of the 298 youth who had been placed at a YDC/YFC facility as of April 30, 2018. We found the following:

- ❖ 84 percent had a prior placement.
- ❖ The average number of prior placements was 2.8.
- ❖ 45 percent had failed to adjust to a prior community-based placement.
- ❖ 51 percent had failed to adjust in a private provider residential setting.
- ❖ 74 percent had been diagnosed with a mental health disorder.
- ❖ 8 percent of the youth had prior adjudications for sexual offenses.

Section III discusses our work addressing each of our objectives. We found the following:

Utilization

(Pages 20 to 27)

In 2016, approximately 13 percent of all out-of-home juvenile delinquency placements were to a YDC/YFC facility. For the period FY 2014-15 through FY 2017-18, key points include the following:

- ❖ On average, the system provides services to about 775 juveniles per year.
- ❖ YDC/YFC placements have been increasing over the past four years, by approximately 14 percent.
- ❖ However, in terms of length of stay for those placements, the increase grew more modestly at only 2 percent. This fact indicates that while more youth are assigned to the system, they are generally for shorter lengths of stay.
- ❖ Additionally, in terms of county utilization of the YDC/YFC system, we found that Philadelphia County was by far the largest “sending county” representing approximately 42 percent of the YDC/YFC total days of care. The second most frequent sending county was York County, with approximately 10 percent of the total days of care.

Cost

(Pages 28 to 39)

YDC/YFC facilities are expensive, with costs driven by the complex case histories of the juveniles assigned to the YDC/YFC system, and the fact that it is the “provider of last resort.” For FY 2017-18, we found the estimated YDC/YFC per diem rate—the rate that the system “bills” counties for sending its youth to a YDC/YFC facility—was \$577 (40 percent of which is paid by the sending county). Other matters we discuss in this section include:

- ❖ Based on the Juvenile Court Judges’ Commission data, the median length of stay at a secure YDC facility was 200 days, and 128 days at a non-secure YFC or non-secure YDC facility. As a result, costs can quickly escalate—\$65,750 for non-secure and over \$110,000 for a secure stay.
- ❖ Paying for YDC/YFC facilities is a shared state/county responsibility. The state pays 60 percent and the county pays 40 percent. These amounts are reconciled through each county’s needs based budget (NBB) for Children and Youth Services.
- ❖ The Department of the Auditor General (DAG) certifies YDC/YFC per diem rates for each facility. We found that while Department of Human Services (DHS)

makes an annual estimate as to the upcoming fiscal year's per diem rate, that estimate is usually lower than the final DAG-certified rate. In the three years that we reviewed (FY 2014-15 through FY 2016-17), only twice did the YDC/YFC's certified rate end up being less than the initial estimated per diem. As a result, counties frequently end up "paying" more for YDC/YFC services than anticipated (i.e., through the NBB).

- ❖ A key issue in calculating the YDC/YFC per diem rates is "days of care." In theory, the more days of care that the system provides, the more likely it is to be able to achieve economies of scale. However, stated simply, the YDC/YFC system has a poor business model for trying to increase its days of care. First, the YDC/YFC system has no ability to increase placements, as that authority lies with county juvenile judges. Second, there has been an increased emphasis on moving youth out of secure placements and into community-based systems. In fact, the Commonwealth provides an incentive for these type of placements, offering an 80/20 percent shared reimbursement versus the 60/40 percent share for secure placements. Finally, there has been a significant decrease in juvenile cases—a 41 percent decline from 2008 to 2017—and looking forward, the juvenile population is expected to decrease by nearly 2 percent through 2030. The possible impact is this: with fewer juveniles, by extension, there should be fewer juvenile delinquency cases, which means it will be difficult to increase days of care. To be clear, less juvenile crime is a positive societal trend, but when viewed from the economic lens of controlling YDC/YFC costs, it increases the challenges of lowering costs. These trends will need to be monitored for its impact to the YDC/YFC system.
- ❖ Finally, we attempted to compare YDC/YFC costs to similar private providers. We found, however, that because the YDC/YFC system and private providers operate under such vastly different parameters that comparisons could not be made with any reasonable level of accuracy or reliability. Nevertheless, we did make general comparisons between the YDC/YFC system and several private provider secure placements. We verified these costs with private providers, and with selected county juvenile probation offices, which contract with private providers for secure placements. Without question, YDC/YFC placements were the most expensive option for treating adjudicated youth—often by \$200 or more, per day. However, we caution that these comparisons are not "apples to apples" for numerous reasons. One reason being that YDC/YFC facilities cannot deny placements, and further the YDC/YFC system cannot seek Medicaid reimbursement, as private providers are able to do.

System Success

(Pages 40 to 47)

Our third objective asked us to review available recidivism rates upon completion of a program at a YDC/YFC facility. Recidivism is a technical term that refers to whether an

individual reoffends after rehabilitation. Pennsylvania, through the efforts of the Juvenile Court Judges Commission (JCJC), has recently improved its tracking of juvenile recidivism rates. We worked with staff from JCJC and the Administrative Office of Pennsylvania Courts (AOPC) to determine what the recidivism rates were for two cohorts of delinquent youth who had been discharged from a YDC/YFC facility. Our first cohort included youth who were discharged in FY 2014-15 (n=450), while the second cohort included youth discharged in FY 2015-16 (n=510).

We found the following:

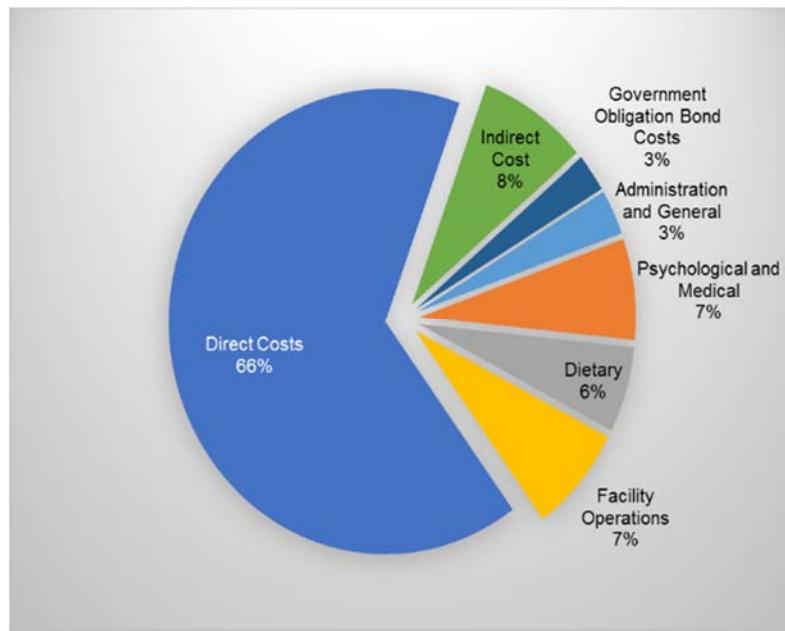
- ❖ Youth Level of Service (YLS) is a critical factor that must be considered when calculating recidivism rates. YLS is a standardized assessment tool, which is used to measure a youth's propensity to recidivate. Using the YLS matrix, youth are scored on 42 different issues, which cover eight criminogenic domains. Once assessed on these issues, youth are categorized as: Low, Moderate, High, or Very High to recidivate. YDC/YFC youth are at the higher spectrum of YLS scoring. We found that more than 97 percent of the youth in our cohorts had YLS scores that placed them at a moderate to very high risk to recidivate. By comparison, statewide, 50 percent of all juvenile delinquent offenders are categorized as Low on YLS.
- ❖ Working with JCJC staff, we developed a meaningful definition for YDC/YFC recidivism, which was this: Within two years of discharge from a YDC or YFC facility, did the youth have a subsequent adjudication of delinquency or conviction in criminal court for a felony or misdemeanor offense? It is important to consider adult criminal convictions, because many of the youth in the YDC/YFC system are older; thus, subsequent offenses would likely be criminal and not juvenile.
- ❖ After compiling juvenile and adult case information, the results showed a very high recidivism rate—slightly more than half of the juveniles (51.6 percent and 55.9 percent, respectively) who were discharged from a YDC/YFC facility had either an additional juvenile adjudication or a criminal conviction within two years of discharge.
- ❖ While this number is high; it needs to be placed within the context of the youths' YLS scores. In this context, because 97 percent were likely to recidivate—with proper interventions and case management strategies—the fact that only slightly more than half actually did recidivate is an improvement. JCJC staff concurred with this assessment, noting that YDC/YFC youth are generally “the highest of the high risk youth” within the juvenile justice system; thus, these were better than expected results. Overall, BJJS staff noted they are continuing to improve outcomes so the recidivism rate can be as low as possible, and staff will continue to target the specific criminogenic risk factors of the youth placed in the YDC/YFC system through the YLS/Case Plan process.

Funding and Expenditures

(Pages 48 to 60)

We combined the fourth and fifth objectives and reviewed the YDC/YFC system's funding and expenditures. We found the following:

- ❖ The YDC/YFC system is predominantly funded (approximately 85 percent) through the Commonwealth's General Fund. The system also receives federal funding through Title XX of the Social Security Act, as well as other smaller federal sources.
- ❖ Additionally, in reviewing funding, it is important to note that although the system bills counties for the services it provides, that money does not return to the YDC/YFC system. Instead, those dollars are reimbursed back to DHS through reconciliation with each county's children and youth NBB.
- ❖ In reviewing expenditure information, we reviewed the YDC/YFC system's cost reporting and found that YDC/YFC expenditures grew by nine percent over the period reviewed. System-wide expenditures were nearly \$70 million for FY 2016-17.
- ❖ As shown in the following exhibit, the largest expenditure category was Direct Costs, which consisted of 66 percent of all expenditures for the three-year period we reviewed.



- ❖ We also conducted a limited analytical review of each facility's expenditures and identified increases or decreases of greater than 15 percent. Changes in how the Commonwealth structured its human resource and support-related function have impacted the YDC/YFC facilities. Administrative and General Costs generally decreased, but there was a system-wide increase of more than 31 percent for Indirect Costs.

Complement

(Pages 61 to 65)

To report the complement of employees at each YDC/YFC facility, we used complement control reports and categorized employees by direct juvenile support (e.g., youth counselors and aides), indirect juvenile support (e.g., nurses, drug/alcohol specialists, etc.), and facility operations (e.g., security and tradesmen). We noted the following:

- ❖ As of April 27, 2018, there were a total of 711 positions within the Bureau of Juvenile Justice Services (the bureau oversees the YDC/YFC system and its facilities). Of these positions, 624 were filled (43 of which are on injury status and 3 are on other leave status) and 87 were vacant. The YDC/YFC complement has decreased over the review period. In FY 2014-15, the complement peaked at a total of 763 positions.
- ❖ The YDC/YFC system is labor intensive. However, due to the variation of moderate to very high risk level of youth assigned to the YDC/YFC system, higher staffing ratios are necessary for the protection of youth and staff. Approximately three-quarters of the complement are involved with the direct support of juveniles.
- ❖ Private providers must adhere to DHS' Chapter 3800 regulations. YDC/YFC facilities—although not required to do so—also follow these standards as a guideline. For secure care, these regulations specify a required number of child care workers to be present per child; however, the number may vary based on “awake” or “sleeping” hours, which are not defined and may vary from facility to facility. Consequently, it is difficult to calculate compliance with the inconsistency of the regulation or determine its efficacy.
- ❖ We compared total complement to each YDC/YFC facility’s bed capacity. While this comparison does not yield precision for measuring compliance to regulations, it does allow for a summative comparison of the facilities within the system. We found that the complement to bed ratio was as high as 2.23 at one YDC and as low as 1.30 at the YFC camps. A higher bed capacity ratio is expected given that the bed must be staffed for a 24-hour period, and staff typically work eight hour shifts.

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I. Introduction, Objectives, Scope, and Methodology.

Introduction

The Officers of the Legislative Budget and Finance Committee (LBFC) directed LBFC staff to review and analyze the Department of Human Services' (DHS) operation of the Youth Development Center (YDC) and Youth Forestry Camp (YFC) system. As discussed later in Section II, the YDC/YFC system maintains a unique role within the Commonwealth's juvenile justice network.

Objectives

Our report—a *Fiscal and Operational Analysis of the YDC/YFC System*—had six objectives:

1. Review the utilization of the YDC/YFC system, including the number of children served annually by the system.
2. Compare the cost to the counties to place adjudicated youth in the YDC/YFC system and similar alternative placements within the Commonwealth.
3. Examine available recidivism rates upon completion of a program at the YDC/YFC system.
4. Identify sources of funding for the YDC/YFC system.
5. Enumerate the expenditures for the YDC/YFC system.
6. Report the complement of employees at each facility within the YDC/YFC system.

Scope

Our study primarily covered the period July 1, 2014, through June 30, 2018. In some areas, our scope preceded July 1, 2014, because it was necessary to provide a historical context of relevant issues confronting Pennsylvania's juvenile justice system, and more specifically, the YDC/YFC system.

Methodology

Much of our work relied on information we obtained from the Bureau of Juvenile Justice Services (BJJS) within the Department of Human Services, (DHS), Office of Children, Youth, and Families. Where necessary, we tested the validity and reliability of the information we received from DHS with other available independent sources. We also consulted with the Juvenile Court Judges' Commission (JCJC) with respect to data it maintains about juveniles who have been adjudicated delinquent, as well as Pennsylvania's juvenile courts.

Beyond DHS and the JCJC, we spoke with a number of interested and knowledgeable stakeholders about our methodology for this study. In particular, we spoke with a targeted selection of county juvenile probation offices, two private providers who offer residential secure facilities, the Pennsylvania Association of Juvenile Detention Centers and Alternative Programs, and the Pennsylvania Council of Children, Youth, and Families.

We also conducted research on Pennsylvania's juvenile justice system, including its historical origins and its current foundations. We reviewed applicable statutes and regulations for applicability to the YDC/YFC system. Specifically, we reviewed the Juvenile Act of 1972, as amended, and DHS' Chapter 3800 regulations, which govern Child Residential and Day Treatment Facilities.

To review the utilization of the YDC/YFC system, we obtained and reviewed monthly census data from DHS. From these reports, we were able to calculate the number of clients (i.e., juveniles) served, the juveniles' home counties, and the total days of care provided. We also obtained information pertaining to capacity (i.e., number of beds available), and the total number of children served by facility.

To compare the county cost to place adjudicated youth in the YDC/YFC system and similar alternative placements within the Commonwealth, we reviewed DHS' annual Children, Youth, and Families bulletins, which addressed annual per diem rates. We also obtained and reviewed the Department of the Auditor General's most recent YDC/YFC certification audit, which covered the fiscal years (FY) ended, June 30, 2012, 2013, 2014, 2015, and 2016. We further obtained DHS' 2017 Cost Apportionment Report.

In looking at YDC/YFC cost, we also identified other trend data, which may impact the YDC/YFC system. Specifically, we obtained and reviewed historical juvenile population data, as well as, projected population estimates for certain juvenile age groups by county. We also reviewed statistical information on caseload processing from the JCJC.

We also compared YDC/YFC costs to other selected measures, including Pennsylvania's median household income, PSU tuition, and Pennsylvania Department of Corrections' prisoner spending. We were unable to make specific cost comparisons to other similar providers (as outlined in objective 2), in part because other similar providers

function under markedly different operating conditions. These differences skewed any precision when trying to compare per diem costs between private providers and the YDC/YFC system. We were; however, able to make general comparisons to other providers, which we verified through interviews with relevant stakeholders.

To examine available recidivism rates, we identified two juvenile cohorts: those that completed a YDC/YFC program in FY 2014-15, and those that completed a YDC/YFC program FY 2015-16. We then worked with staff from the JCJC and the Administrative Office of Pennsylvania Courts (AOPC) to obtain arrest data (juvenile and adult) for a two year period concluding completion of the program. We also worked with BJJS staff to obtain descriptive case history data (when available) about the juveniles in these cohorts.

For report presentation purposes, we combined our objectives on funding and expenditures into one section. To answer these objectives, we reviewed the Governor's Executive Budgets, as well as the resulting appropriation acts for FY 2014-15, through FY 2018-19. We also reviewed available information on applicable federal funding sources. Regarding the enumeration of YDC/YFC expenditures, we did not audit YDC/YFC expenditures, but instead reviewed the Department of the Auditor General's certification audits, as well as BJJS' Cost Apportionment reports. Staff from the Department of the Auditor General conducted accuracy and completeness testing on YDC/YFC expenditures in the Commonwealth's accounting system; therefore, we concluded that the information constituted sufficient and appropriate evidence for the purposes of our review. To aid in our understanding of YDC/YFC cost accounting, we also reviewed DHS' *Cost Apportionment Manual*.

To answer our objective on the complement of employees working at YDC/YFC facilities, we obtained complement control reports for BJJS. We categorized employees by facility and by employment classification: direct, indirect, or facilities support. We also compared the number of employees to the bed capacity, per facility.

Frequently Used Abbreviations and Definitions

Throughout this report, we use a number of abbreviations for government-related agencies, terms, and functions. These abbreviations are defined as follows:

Abbreviation	Name	Definition
AOPC	Administrative Office of Pennsylvania Courts	The AOPC is the administrative arm of Pennsylvania's judicial branch of government.
BJJS	Bureau of Juvenile Justice Services	The bureau within the Department of Human Services that oversees YDC/YFC facilities. BJJS is located within OCYF.
DHS	Department of Human Services	The state agency that oversees Pennsylvania's most vulnerable individuals and families. There are seven program offices that oversee a multitude of federal and state services.
FY	Fiscal Year	The Commonwealth's fiscal year begins each year on July 1 and ends on June 30.
JCJC	Juvenile Court Judges' Commission	The state agency that collects and disseminates juvenile court statistics, establishes administrative and procedural standards for juvenile courts, and sets personnel practices and employment standards for juvenile probation departments.
OCYF	Office of Children, Youth, and Families	One of the seven program offices within DHS and has regulatory responsibility over Pennsylvania's child welfare system.
YDC	Youth Development Center	There are three YDCs: Loysville, South Mountain, and North Central.
YFC	Youth Forestry Camp	There are two YFCs: Camp # 2 and Camp # 3.
YDC/YFC system	See above	The combined system of (5) state-owned juvenile rehabilitation facilities administered by BJJS.
YLS/CMI™	Youth Level of Service/Case Management Inventory	Developed by researchers Hoge/Andrews, YLS/CMI is a risk/needs assessment and case planning tool.

Acknowledgements

We thank the staff of DHS' Office of Children, Youth, and Families and specifically, the Bureau of Juvenile Justice Services. Additionally, staff from the Pennsylvania Juvenile Court Judges' Commission were instrumental in providing us with information necessary to answer our objectives. The Administrative Office of Pennsylvania Courts further assisted this project by providing us with supplementary data. We also thank the representatives from private juvenile rehabilitation providers, county juvenile probation offices, and the juvenile welfare-related associations, who all provided us with added insights into Pennsylvania's juvenile justice system.

Important Note

This report was developed by the staff of the Legislative Budget and Finance Committee, including Stephen Fickes, Project Manager, and Shanika Mitchell-Saint Jean, Analyst. The release of this report should not be construed as an indication that the Committee as a whole, or its individual members, necessarily concur with the report's findings, conclusions or recommendations.

Any questions or comments regarding the contents of this report should be directed to the following:

*Patricia A. Berger, Executive Director
Legislative Budget and Finance Committee
P.O. Box 8737
Harrisburg, Pennsylvania 17105-8737
717-783-1600
Email: lbfcinfo@palbfc.us*

II. Background Information on Pennsylvania's Juvenile Justice System and the YDC/YFC System

In this section of the report, we present background information relevant to our study's objectives, and the report findings which follow in Section III.

Part A below presents a high-level overview of Pennsylvania's juvenile justice system. It is important to note that the juvenile justice system has distinct differences from the adult criminal justice system. The most obvious difference is that the juvenile justice system deals with youths, typically between the ages of 10-17, although supervision may continue until a juvenile reaches age 21.

Part B of this section provides background information on the unique characteristics of the YDC/YFC system and how its service delivery model fits within the larger juvenile justice system.

A. Pennsylvania's Juvenile Justice System

Legal and Historical Perspectives

According to research from the Pennsylvania Juvenile Court Judges' Commission (JCJC)¹, prior to the establishment of juvenile courts in Pennsylvania, children over the age of 14 were generally considered to be adults; thus, they were prosecuted and sentenced as adults for the crimes they committed.²

In very basic terms, early Pennsylvania common law recognized children as either infants or adults. Children under the age of 7 were conclusively presumed incapable of forming the intent to commit crime and therefore could employ an "infancy defense."³ This infancy defense was extended to children between the ages of 7 and 14, but it was rebuttable by prosecutors who could present evidence to show that children of this age group were capable of criminal intent, and thus could be charged with and convicted of crimes. Children over the age of 14 could not use the infancy defense and were prosecuted and punished as adult criminals.⁴

Recognizing the fundamental weaknesses with this approach, through the intervening decades, Pennsylvania has adopted various legal reforms in an effort to more humanely

¹ The Pennsylvania Juvenile Court Judges' Commission is a statutorily created body that collects and disseminates juvenile court statistics, establishes administrative and procedural standards for juvenile courts, and sets personnel practices and employment standards for juvenile probation departments.

² PA Juvenile Court Judges' Commission, *Pennsylvania Juvenile Delinquency Benchbook*, January 2008, p. 20.

³ Ibid.

⁴ Ibid.

and effectively deal with juvenile offenders. These reforms ultimately culminated with the Juvenile Act of 1972, which was based on national reformation efforts developed by the National Conference of Commissioners on Uniform State Laws. The Juvenile Act continues to provide the procedural structure for Pennsylvania's modern juvenile justice system.

While the Juvenile Act provides the procedural structure for the system, more recent changes in 1995 and 2011 have impacted the mission and the delivery of services within the juvenile justice system. These reformations have arguably significantly improved Pennsylvania's juvenile justice system. In fact, some experts consider Pennsylvania a "bellwether" state for juvenile justice reform.⁵

Act 33 of 1995. When the General Assembly passed Act 33 of 1995, the system was realigned along the principles of Balanced and Restorative Justice (BARJ). This realignment gave the system a clear focus: the protection of the community, the imposition of accountability for offenses committed, and the development of competencies among juveniles. Further, BARJ required that crime victims and the community (including juvenile offenders) should receive balanced attention that leads to tangible benefits from their interactions with the juvenile justice system. Exhibit 1 that follows discusses BARJ's tenets and the restorative justice mission.

⁵ As an example, owing to Pennsylvania's reform efforts, the John D. and Catherine T. MacArthur Foundation selected Pennsylvania as the first state to participate in its *Models for Change* initiative. This initiative focused on highlighting states whose leadership could be followed by other states to reform juvenile justice systems in targeted areas of improvement.

Exhibit 1

Pennsylvania's Balanced and Restorative Justice Tenets*



*/ Act 33 specifically outlines the three goals of community protection, accountability, and competency development for the juvenile justice system.

Source: Developed by LBFC staff from information obtained from the Juvenile Court Judges' Commission.

Juvenile Justice System Enhancement Strategy. The second modern adjustment to the juvenile justice system occurred in 2011, with the Juvenile Justice System Enhancement Strategy (JJSES). This initiative was driven by a desire to move the juvenile justice process away from one which was largely based on professional judgment and "best guess", to one in which treatment and rehabilitation is based on empirical research on "what works." Consequently, juvenile justice stakeholders created a new framework to enhance the ability of Pennsylvania's juvenile justice system to achieve the BARJ mission. This framework calls on providers to employ evidence-based practices (i.e., using methods which have proven to be effective through valid research) at every stage of the juvenile justice process. System partners are to make a commitment to data collection, analysis, and research, and to demonstrate a commitment to continuous quality improvement in every aspect of the juvenile justice system.⁶

⁶ Ibid.

Juvenile Justice System Overview

Distinction from criminal courts. Beyond the evident age distinctions between offenders in the juvenile justice system and the adult criminal justice system, the juvenile justice system is structured differently and uses different terminology. For example, youth in the juvenile justice system are not found “guilty” as defendants in the criminal justice system may be found. Youth also do not have jury trials, as adult offenders may have in criminal cases.⁷

Instead, youth are charged with allegations of delinquent acts that would be a crime, if committed by an adult.⁸ Youth offenders face “adjudication hearings,” which are held before a juvenile court judge or master. During the hearing, the court determines if the youth broke the law—and if so—the youth may be “adjudicated delinquent” and in need of treatment, supervision, or rehabilitation.

Another key distinction between juvenile courts and criminal courts is the early involvement of county probation officers in the proceedings.⁹ In the criminal process, probation officers are typically used to monitor a defendant’s compliance with parole provisions, after a guilty plea or a court’s determination. In the juvenile justice system, however, county probation officers are involved at the beginning of the process and strive to factor in the social needs of the juvenile. In this way, probation officers seek to more successfully rehabilitate the juvenile from criminogenic conditions.

Procedural Stages within the Juvenile Justice System. As mentioned above, Pennsylvania’s juvenile justice system is built upon the foundation of BARJ, which strives to protect the community, hold the juvenile accountable for his acts, and develop the competency of the juvenile so that he/she leaves the system more capable of living responsibly and productively. Within this foundation, the system takes great effort to protect the child while balancing support for the victim and the community.

Pennsylvania’s Constitution gives each of the state’s 67 county-based Courts of Common Pleas “unlimited original jurisdiction in all cases except as may otherwise be provided by law.”¹⁰ This general authority extends to juvenile delinquency cases. To that end, according to the JCJC, some counties have established permanent juvenile divisions within its Court of Common Pleas, while other counties will simply hold regularly

⁷ It is important to note that the Juvenile Act does allow youth to be charged as adults. For example, murder charges are always in adult criminal court, but may be transferred to juvenile court through a decertification hearing. Violent crimes involving the use of a deadly weapon may also result in adult criminal proceedings. Additionally, certain summary offenses with extenuating circumstances may be adjudicated as an adult. These cases are moved from the county juvenile court’s jurisdiction to the criminal court.

⁸ Although law enforcement is one of the primary entry points for youth into the juvenile justice system, school officials as well as neighbors or others may make written allegations of delinquency.

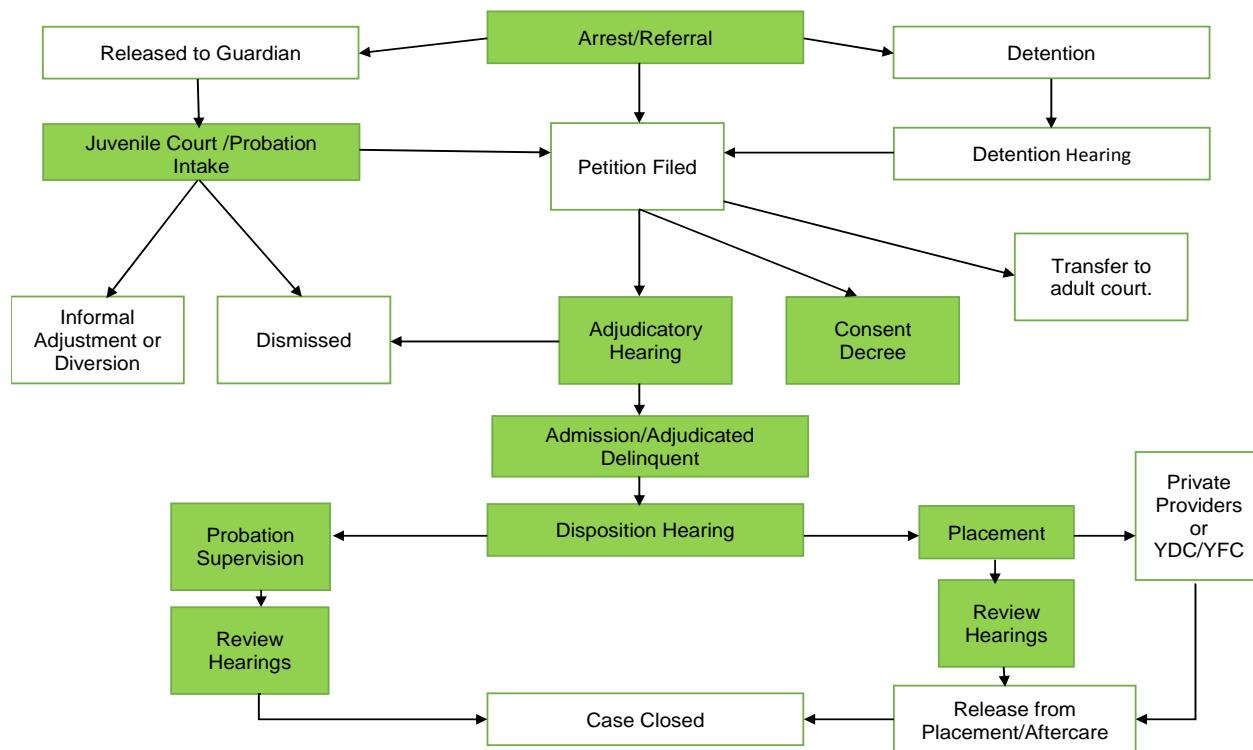
⁹ Larger counties typically have probation officers assigned specifically for juveniles. Smaller, or more rural counties that do not have as many juvenile cases may have probation officers who are assigned to both juvenile and adult offenders.

¹⁰ Pennsylvania State Constitution, Article V, Judiciary. See <http://www.duq.edu/academics/gumberg-library/pa-constitution/texts-of-the-constitution#5>

scheduled “juvenile days.” By custom, however, whenever a county Court of Common Pleas is hearing a juvenile matter, it is referred to as “juvenile court.”¹¹

As shown in Exhibit 2, although the juvenile justice system is decentralized and relies upon each respective county’s Court of Common Pleas for administration, procedurally all juvenile courts operate along an established path flowing from arrest/referral, through an adjudication hearing, to a disposition hearing, and ultimately, case closure. Key stages of the process are highlighted in green, and a high-level overview of these stages follows the exhibit.

Exhibit 2



Source: Developed by LBFC staff from information obtained from the Council of Chief Juvenile Probation Officers.

Arrest/Referral – Entry into the juvenile justice system begins with an arrest by law enforcement or by a written allegation of alleged acts of juvenile delinquency. In most cases, after the arrest the child is released to his/her parent/guardian. However, if the crime is especially serious, or if the child is an immediate threat to himself/herself or the community, the child may be placed in a juvenile detention facility, which are county-operated, secure facilities designed specifically for juveniles. Children placed in detention centers have additional screening and intake procedures and must have certain hearings within prescribed timeframes. Detention centers are not residential treatment facilities.

¹¹ PA Juvenile Court Judges’ Commission, *Pennsylvania Juvenile Delinquency Benchbook*, January 2008, p. 22.

Juvenile Court/Probation Intake – Following an arrest, the county juvenile probation department will begin a process known as “intake.” During intake, the probation officer assigned for intake may order various assessments, conduct interviews, and develop a case file with the intent of making a recommendation to the juvenile court about how the case should proceed. In some instances the intake officer may recommend dismissal of charges with a warning. For lesser offenses, or first offenders, the intake officer may recommend that the juvenile participate in an “informal adjustment” or “diversion.” These programs require the juvenile to adhere to certain rules and/or participate in counseling. If the juvenile follows these rules for a certain period of time, the charges will be dismissed. If diversion is not a possibility, or if the juvenile disputes the allegations, a formal juvenile delinquency petition will be filed with the court and a hearing will be placed on the docket.

Consent Decree – After a petition has been filed, the court may decide to suspend further action in an attempt to continue the juvenile’s successful path toward rehabilitation. In these cases, a consent decree will be developed. A consent decree is a formal agreement between the parties (the juvenile judge, the district attorney, and the juvenile) outlining expected behaviors for a period of time, usually six months. It requires the juvenile to accept responsibility for his/her actions, but allows the juvenile to avoid the stigma of a juvenile delinquency admission, if he/she successfully completes the terms of the consent decree. A consent decree also allows the court to maintain its judicial authority to further compel compliance.

Adjudicatory Hearing – If the case cannot be diverted or handled through a consent decree, an adjudicatory hearing is held. At this hearing, the county district attorney’s office presents a case that the juvenile committed the crime. Evidence is presented and witnesses may testify before a juvenile court judge. The juvenile is entitled to an attorney to present a defense. There are no jury trials in juvenile court.

Admission Adjudicated Delinquent – After the hearing, the judge will make a decision as to whether the juvenile committed the act(s) in the petition beyond a “reasonable doubt.”¹² If the judge believes the standard has not been met, the case is dismissed. If the judge believes the standard has been met, the judge will move to the next phase and hear evidence whether the juvenile is need of treatment, supervision, or rehabilitation.

Disposition Hearing – Following a finding of delinquency, the judge will hold a separate hearing to decide the best course of action for the juvenile,

¹² Reasonable doubt is the general standard used in criminal proceedings. See https://www.law.cornell.edu/anncon/html/amdt14efrag7_user.html.

while considering the BARJ principles of community protection, accountability, and competency development. Disposition hearings may occur right after an adjudicatory hearing, but more typically, the disposition hearing occurs after the probation office has had time to develop a detailed background report about the juvenile. Similar to a sentencing hearing in the criminal system, at a disposition hearing the judge will impose “dispositions” including elements of: community service, restitution, participation in court-ordered services, probation, or placement.

Probation Supervision— This disposition allows the juvenile to return to the community, but imposes rules and conditions that must be followed. These conditions might include, but are not limited to, curfews, drug and alcohol testing, counseling, or mental health treatment. Probation is the most common disposition. In FY 2016-17, 56.5 percent of juvenile case dispositions involved probation.¹³

Placement – The Juvenile Act authorizes a judge to order an adjudicated delinquent to a facility outside of the home. These sort of placements are meant to be a “last resort” and not a long term assignment. According to the JCJC, generally placement is warranted only in cases involving juveniles who have committed serious offenses, who present a clear danger to themselves or others, who have histories of failure under probation, whose home lives are such as to render removal imperative, or whose treatment needs specialized institutional care.¹⁴ Placement might involve dependency hearings, which similarly involve the courts when a youth lacks proper parental control to care for their needs and development. As discussed in Part B that follows, placement may involve the YDC/YFC system. In FY 2016-17, 6.3 percent of juvenile cases with dispositions resulted in placement, most of which were to private residential facilities.¹⁵

Review Hearings – As the child continues his rehabilitation, the court may schedule occasional hearings to evaluate the juvenile’s progress. In cases involving placement, these hearings must occur every six months to ensure the juvenile’s successful rehabilitation and return to home.

¹³ PA Juvenile Court Judges’ Commission, *Pennsylvania Juvenile Court Dispositions*, 2016, p. 5.

¹⁴ PA Juvenile Court Judges’ Commission, *Pennsylvania Juvenile Delinquency Benchbook*, January 2008, p. 120.

¹⁵ PA Juvenile Court Judges’ Commission, *Pennsylvania Juvenile Court Dispositions*, 2016, p. 5.

B. The YDC/YFC System

YDC/YFC Historical Perspective

As discussed in Part A, the juvenile justice system largely separates juvenile offenses from adult offenses. Similarly, in terms of reforming delinquent behaviors, the system has generally tried to separate youth offenders from adult offenders. The reasoning behind this goal is that housing juvenile offenders with adult offenders essentially creates “colleges of crime.”¹⁶

The Commonwealth’s interests in separating these populations began with the establishment of Houses of Refuge, the first of which operated as a private facility in Philadelphia. Through the intervening decades, these facilities took on different names, including: reform schools, training schools, industrial reformatories, industrial homes, and institutions for defective delinquents. Regardless of the name, the principle role for these facilities was all the same: to provide a means to rehabilitate youths away from adults and the larger criminal justice system.^{17,18}

In 1953, the Commonwealth commissioned a study which reviewed the existing institutions for delinquent children. This study found that responsibility for the institutions was widely dispersed and there was little coordination of effort. The report concluded that there was a need for better coordination and that a unified system of public and voluntary institutions for delinquents needed to be established.¹⁹

As a result of this study, two key events occurred. First, in 1956, the Commonwealth authorized the then Department of Forest and Waters to establish three camps for male delinquents.²⁰ These facilities were located in remote areas of the state and allowed male youths to learn various industrial skills while working on state lands. Second, in 1959, the state authorized the acquisition of land for the purpose of establishing Youth Development Centers (YDC), for juveniles who had been adjudicated delinquent and were under the age of 18. Six YDCs were ultimately established.

More recently, because of decreased utilization, the YDC/YFC system has been realigning and closing facilities. For example, in January 2013, the Secure Treatment Center at New Castle (Lawrence County) closed, and in August 2015, the Cresson Secure Treatment Unit (Cambria County) also closed. Decisions regarding the placement of these youth were made by each juvenile’s respective county juvenile court..

¹⁶ Packel, Leonard. *The History of Pennsylvania’s Juvenile Institutions: A Sesquicentennial Review*, Villanova Law Review, Volume 22 Rev. 83, 1976, Pg. 82

¹⁷ Ibid, pg 85

¹⁸ Despite the intent of segregating youths from adults, up until the mid-1970s, juveniles could still be housed at facilities that also housed adult offenders.

¹⁹ Packel, Leonard. *The History of Pennsylvania’s Juvenile Institutions: A Sesquicentennial Review*, Villanova Law Review, Volume 22 Rev. 83, 1976, Pg. #99.

²⁰ Ibid, Pg.99

Currently, the YDC/YFC system consists of three (3) youth development centers and two (2) forestry camps shown on Exhibit 3.

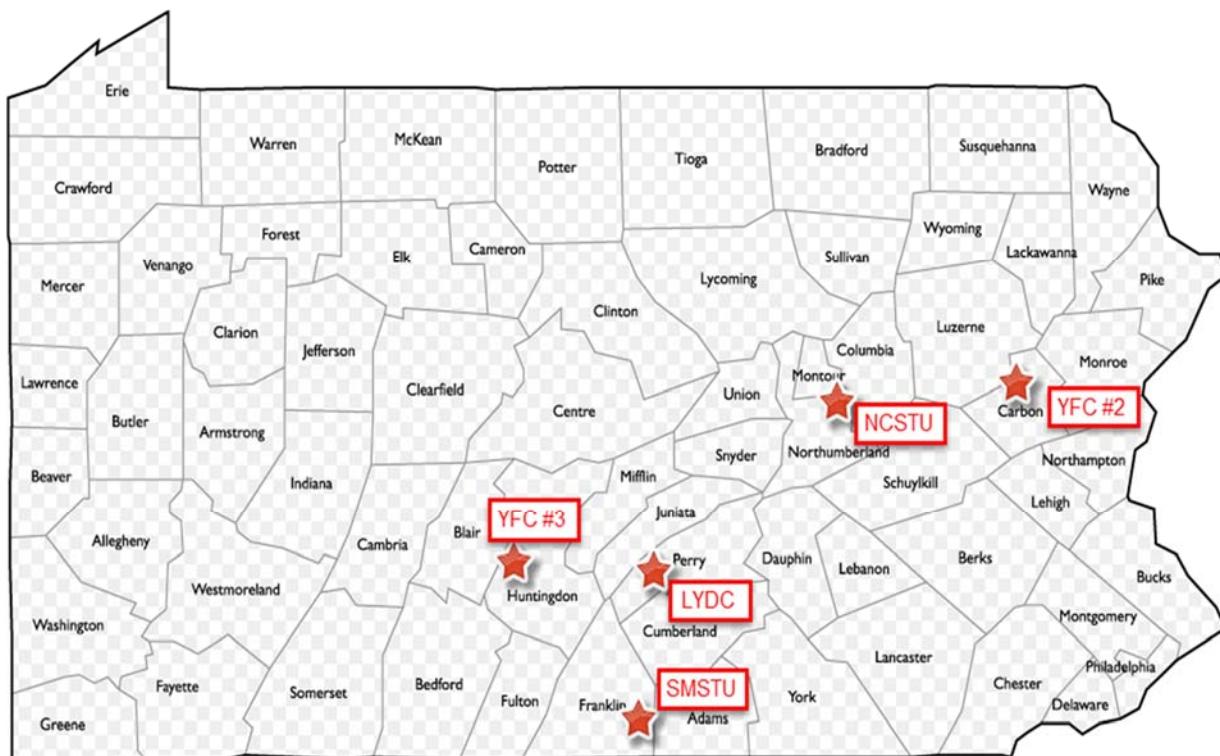
Exhibit 3

Youth Development Centers

- Loysville (Perry County)
- South Mountain (Franklin County)
- North Central (Montour County)

Forestry Camps

- # 2 - Hickory Run (Carbon County)
- # 3 - Trough Creek (Huntingdon County)



Source: Developed by LBFC staff from information obtained from BJJS.

As discussed in the sections that follow, each facility has its own array of programming options and provides services to juveniles with differing needs as necessary.

Organizational Overview

Organizationally, the YDC/YFC system falls under the control of the Pennsylvania Department of Human Services (DHS). Within DHS, the Office of Children, Youth, and Families (OCYF), and specifically, the Bureau of Juvenile Justice Services (BJJS) administers and manages the YDC/YFC system.

BJJS, through its State Court Unit (SCU), also works with juvenile courts/probation departments to make recommendations on which YDC/YFC programs and/or facilities will best address the needs of the juveniles being placed.

BJJS also coordinates with other agencies through the Pennsylvania Academic, Career and Technical Training (PACTT) project. This project aligned stakeholders in the juvenile justice community around key areas of focus including: curriculum alignment to state standards; career and technical education requirements; job readiness and employability skills; interagency coordination and transitional services; data-driven decision making and the use of current technology.

YDC/YFC Service Delivery

It is important to remember that the YDC/YFC system is just one type of service provider within Pennsylvania's juvenile justice system. Specifically, the YDC/YFC system provides social services and residential programming options for the rehabilitation of delinquent youth – at state-owned facilities.

Beyond the YDC/YFC facilities, there are hundreds of other providers within Pennsylvania's juvenile justice system that provide programs for delinquent youth, including, but not limited to, group homes, secure placement, day treatment programs, alternative schools, wilderness programs, drug/alcohol rehabilitation, and specialized mental health services. In fact, private providers deliver the majority of services for juvenile justice and child welfare needs in Pennsylvania.

According to BJJS, YDC/YFC facilities are designed to provide state-of-the-art treatment, care, and custody services to Pennsylvania's most at-risk youth. All youth assigned to a facility have been previously adjudicated delinquent by their county judicial system (see Part A of this section).

Youth assigned to a YDC/YFC facility are higher-risk—either because of their offense(s), failure from previous disposition(s), or because of unique circumstances surrounding their case. All aspects of the YDC/YFC facilities are based on the BARJ concept, thereby ensuring that all the facility programs provide equal attention to the victim, the youth, and the community.

Services provided at each facility vary, but all services are aligned with the JJSES (see Part A of this section). A selection of the leading services offered within the YDC/YFC system is listed in Exhibit 4.

Exhibit 4

YDC/YFC Evidence-based Services Offered to Juveniles

<i>Arise Anger Management Lessons</i>	ARISE Anger Management Lessons consists of 9 lessons designed to be taught in nine sessions of approximately 30 – 60 minutes each. The lessons are flexible to allow facilitators to plan individualized courses of study depending on youths' ages and needs.
<i>Thinking for a Change</i>	The core of the Thinking for a Change (T4C) curriculum is a problem-solving component embellished by cognitive restructuring and social skills interventions. The three components are blended together in 22 weekly lessons of approximately two hours duration each. T4C is designed to be a close-ended group in which the lessons are sequential and all participants begin with Lesson 1 and proceed in order. In high turnover situations or situations where participants are moved to different facilities, they could enter a group in Lesson 10 or 16.
<i>Aggression Replacement Training</i>	Aggression Replacement Training (ART) is a cognitive behavioral intervention program to help children and adolescents improve social skill competence and moral reasoning, better manage anger, and reduce aggressive behavior. The program specifically targets chronically aggressive children and adolescents ages 12-17. ART has been implemented in schools and juvenile delinquency programs across the United States and throughout the world. The program consists of 10 weeks (30 sessions) of intervention training, and is divided into three components—social skills training, anger-control training, and training in moral reasoning. Clients attend a one-hour session in each of these components each week. Incremental learning, reinforcement techniques, and guided group discussions enhance skill acquisition and reinforce the lessons in the curriculum.
<i>Hazelden - A New Direction</i>	A New Direction (AND) is a cognitive-behavioral treatment curriculum published by the Hazelden Company. It is composed of a six workbook series including: Intake & Orientation, Criminal & Addictive Thinking, Drug & Alcohol Education, Socialization, Relapse Prevention, and Release & Reintegration Preparation.

Exhibit 4 Continued

Project Towards No Drug Abuse (PTND)	Project Towards No Drug Abuse (PTND) is a drug prevention program for high school youth who are at risk for drug use and violence-related behavior. The current version of the PTND curriculum contains twelve 40-minute interactive sessions taught by teachers or health educators over a 3-week period. Sessions provide instruction in motivation activities to not use drugs; skills in self-control, communication, and resource acquisition; and decision-making strategies. The program is delivered universally and has been used in both traditional and alternative, high-risk high schools.
Forward Thinking	A cognitive-behavioral series from <i>The Change Companies</i> which utilizes evidence-based strategies to assist youth involved in the juvenile justice system in making positive changes to their thoughts, feelings and behaviors. Applying the information presented in the Interactive Journals to their own lives helps the youth achieve their goals of responsible living. The series includes 11 different topics.

Source: Developed by LBFC staff from information provided by DHS.

In addition to the programming listed above, some YDCs also offer programming for unique offenses. For example, at South Mountain YDC, there is a specialized secure treatment unit for treating juvenile sexual offenders. Additionally, the North Central YDC, located on the grounds of the Danville State Hospital, has a specialized unit for female juveniles, which has garnered attention for its successes.

YDC/YFC Youth Profile

In reviewing the YDC/YFC youth profile, it is important to remember a key distinction of the YDC/YFC system from other private providers.²¹ Under DHS' Chapter 3800 regulations, which govern Child Residential and Day Treatment Facilities, prior to admission a private provider must make a determination (documented in writing) that the age, needs and any special characteristics of the child can be appropriately met by the services, activities and programs provided by the facility.²² Based on the provider's assessment of its ability to meet the needs of the youth, the facility may proceed with admission or deny admission.

Unlike private providers, regardless of the risk level or needs of a youth, the YDC/YFC system has no right to refuse services.²³ As such, the YDC/YFC system is the "provider of last resort" for many adjudicated delinquents.

Although there is no "typical" youth profile for a juvenile placed in the YDC/YFC system, DHS reported the following characteristics to us, which were confirmed by other knowledgeable sources, including the Juvenile Court Judges' Commission:

- Many youth have been refused by private provider programs, who were unable to meet the youth's needs.
- Youth typically have a history of aggressive and violent behavior.
- May have complex mental health issues.
- May have significant medical needs that create financial and staffing burdens for other providers.
- May have special needs that require services not generally available (e.g., deaf youth that require sign language interpreter services).
- Youth may have committed high profile or egregious crimes that require longer-term services.
- May have previously been sentenced as an adult and subsequently returned to the juvenile justice system.
- Sex offenders who have been unresponsive to treatment in prior placements.

In looking at these characteristics further, we then decided to take a "snap shot" of the juvenile population within the YDC/YFC system, as of April 30, 2018. The results are presented in Exhibit 5:

²¹ The term "private provider" does not necessarily mean a for-profit provider. Many private providers are not-for-profit. We use the term private provider to mean an entity that is not state-owned and that is regulated through DHS' Chapter 3800 regulations.

²² See 55 Pa. Code § 3800.222.

²³ DHS is required to provide these services as per statute: 62 P.S. §§ 303, 341-345, 704.1(d), 724, 901 (defining "state institution"), 42 Pa.C.S. §§ 6352(a) (3), (4).

Exhibit 5

YDC/YFC Youth Profile

(As of April 30, 2018)

Total Population = 298

Gender

- 83% male.
- 17% female.

Age

- Average age is 17.8.
- Youngest reported age is 13.

Race

- 62% Black or African American.
- 33% White.
- 4% Unknown.
- 0.3% Asian or Pacific Islander.

Prior Placements

- 84% of the youth had a prior placement.
- The average number of prior placements was 2.8.
- 67% of prior placements were for juvenile delinquency.
- 24% of prior placements were for mental health.
- 9% of prior placements were for other issues (drug, alcohol, dependency).
- 16% of youth had both delinquent and mental health placements.

Case Management Data

- 8% of the youth have a past history of adjudications for sexual offenses.
- 45% failed to adjust in a community-based program.
- 51% failed to adjust in a private provider residential setting.
- 76% have a history of using drugs or abuse.
- 11% have a severe substance abuse disorder.
- 74% have been diagnosed with a mental health disorder.
- 46% have a history of assaultive behavior while in placement.
- 78% have a history of trying to intimidate others.
- 45% have a history of destroying property.

Committing Charges

- The 298 youth had 676 committing charges:
 - 32% - Person
 - 28% - Property
 - 28% - Other (firearms, public order, failure to comply with summary offense order, etc.)
 - 12% - Drugs

Source: Developed by LBFC staff from information provided by DHS.

III. Report Findings

A. YDC/YFC Utilization

As discussed in the background section of this report, the YDC/YFC network of facilities is the state-owned portion of the juvenile justice system. The YDC/YFC facilities are a necessary component to the Commonwealth's juvenile justice system as oftentimes YDC/YFC facilities are the provider of last resort.

In 2016, of all juvenile delinquent placements (i.e., juveniles sentenced to programs out of the home), juveniles were placed as follows:

- 87 percent went to non-state-owned facilities—most of which were for general residential or community residential/group homes.
- 8 percent went to a YDC secure facility; and
- 5 percent went to a YDC or YFC non-secure facility.

Source: PA Juvenile Court Judges' Commission.

Placement to a YDC/YFC facility is made by each county juvenile court based on the need of the juvenile who has been adjudicated delinquent. Juveniles assigned to YDC/YFC facilities—and especially YDC secure facilities—are for juveniles with more difficult or especially egregious case histories.

To answer our objective related to YDC/YFC utilization, we obtained and reviewed monthly census data for the period July 1, 2014, through June 30, 2018.²⁴ We obtained these reports from BJJS. From these reports, we were able to calculate the number of clients (i.e., juveniles) served, the juveniles' home counties, and the total days of care provided. We also obtained information pertaining to capacity (i.e., number of beds available).

Information about each facility follows the general presentation of the YDC/YFC system. In summary, we found that YDC/YFC placements have increased by 14 percent over the past four years. However, in terms of length of stay for those placements, the increase grew more modestly at only 2 percent. Additionally, in terms of county utilization of the YDC/YFC system, we found that Philadelphia County was by far the largest "sending county" utilizing approximately 42 percent of the total days of care in the YDC/YFC system.

Listed below are exhibits and tables highlighting YDC/YFC system utilization by fiscal year. Detailed

²⁴ We performed limited tests on the data to ensure the data was accurate and complete for the purposes of our analysis. Our tests revealed that the data was sufficiently reliable for the purposes of answering the audit objective.

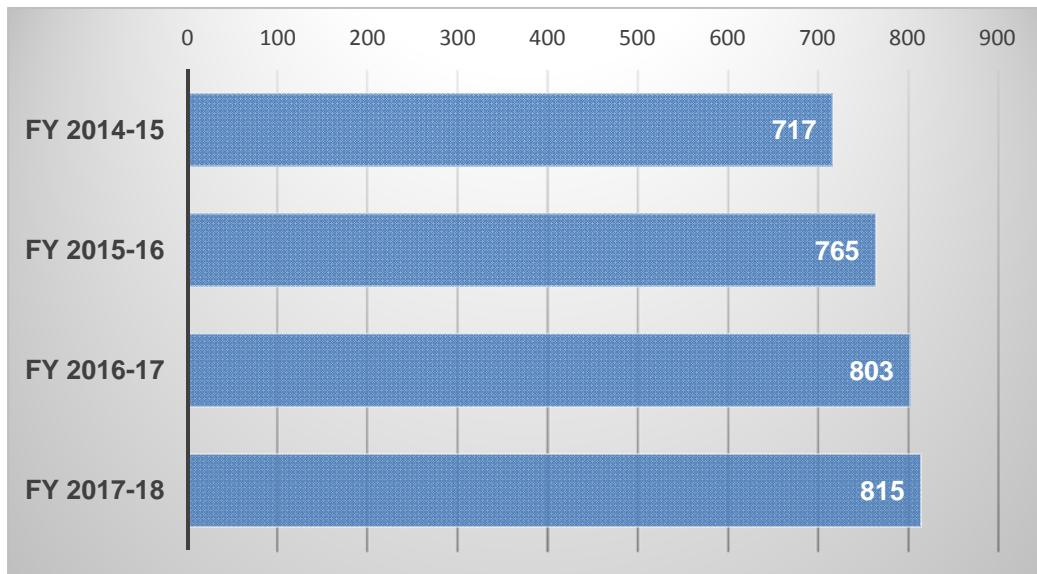
Number of Juveniles Served

According to data we reviewed, the YDC/YFC system provides services to approximately **775 juveniles each fiscal year**. Other statistics of note include:

- Over our review period, the number of juveniles served has been increasing. Between FY 2014-15 and FY 2017-18, there has been a 13.7 percent increase in the number of juveniles served.
- FY 2017-18 was the highest year with 815 juveniles served. FY 2014-15 was the lowest year with 717 juveniles served (see Exhibit 6).
- The YDC at Cresson closed its doors on August 20, 2015. In FY 2014-15, this facility served just 52 juveniles. The facility was only in operation for two months in FY 2015-16, with just 26 juveniles being served.
- On a monthly census basis, the highest monthly census recorded was **364** juveniles, which occurred during January 2015.
- The lowest recorded census was **296** juveniles, which occurred in September 2015—one month after the closure of YDC - Cresson.

Exhibit 6

**Number of Juveniles Served by the YDC/YFC System
By Fiscal Year***



*These totals do not include the YDC at Cresson, which closed August 20, 2015.
Source: Developed by LBFC staff from information provided by DHS.

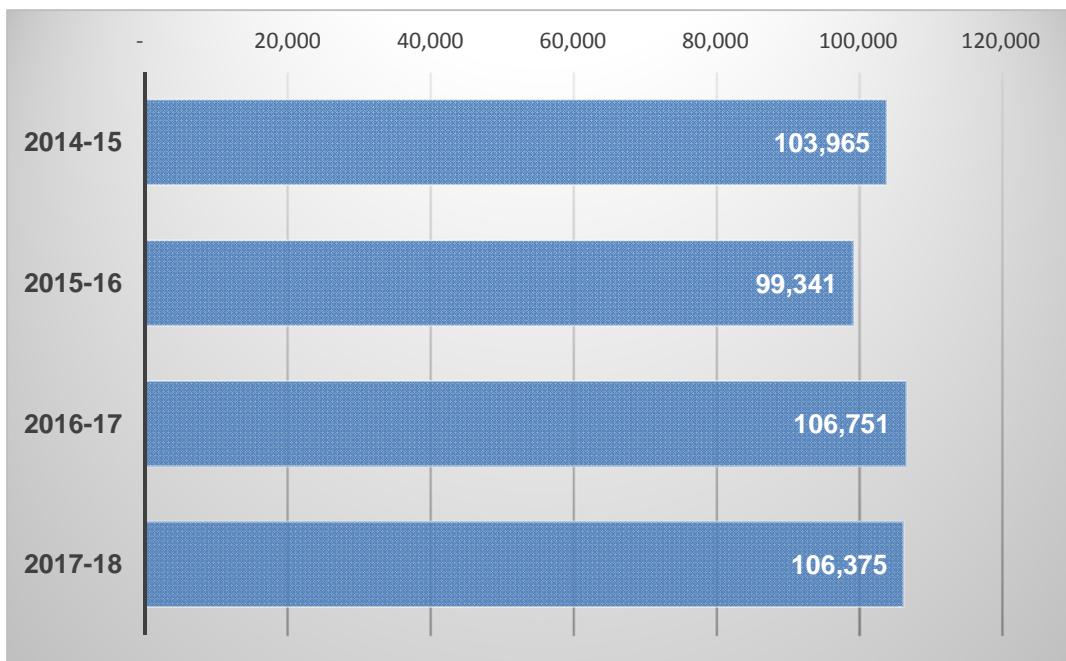
Total Days of Care

Days of care measures the number of days that a client (juvenile) is entrusted to the system and receives YDC/YFC services. Stated differently, days of care equates to “billing days” or the number of days the YDC/YFC system charges the juvenile’s home county for the services provided to a juvenile.²⁵

Excluding the YDC at Cresson, over the period we reviewed, the YDC/YFC system provided a total of 416,432 days of care. Unlike “total children served,” as was presented in the previous exhibit and which grew by nearly 14 percent, total days of care grew modestly by just two percent.²⁶ This occurrence indicates that while more juveniles are entering the YDC/YFC system, they are staying for shorter time periods.

Exhibit 7

**YDC/YFC Total Days of Care
By Fiscal Year**



Note: Does not include days of care at YDC Cresson as that facility closed on August 20, 2015. 8,281 days were billed in FY 2014-15 and 1,121 were billed in FY 2015-16.

Source: Developed by LBFC staff from DHS' *Monthly Report of Client Days*.

As shown in Exhibit 7, for the past two fiscal years, total days of care have been flat at approximately 106,000 days. Days of care are a significant measure for the YDC/YFC

²⁵ BJJS officials noted to us that occasionally a client may be out of a YDC/YFC facility on a home visit or court appearance. Those days would not be counted as days of care.

²⁶ If YDC at Cresson billing days were included in these totals, days of care actually decreased by five percent from FY 2014-15 through FY 2017-18.

system as it directly impacts the YDC/YFC per diem rate, which is the rate used for billing purposes.

County Utilization - Days of Care

In terms of county utilization, we aggregated days of care by the juveniles' home county (which is also the county billed for YDC/YFC services). As discussed later in this report, billing for YDC/YFC services is a shared state/county responsibility.

By far, the largest user of YDC/YFC facilities is **Philadelphia County**. Over the review period, Philadelphia County was billed for 179,276 days of service, or **42 percent** of the YDC/YFC system's total provided days of care for the period FY 2014-15 through FY 2017-18.

BJJS officials noted to us that counties that house YDC/YFC facilities, or that are in close proximity to a YDC/YFC facility are more apt to use the facility because it allows easier visitation for family members. Geographic considerations may explain the large usage by York, Lehigh, and Dauphin counties; however, Philadelphia continues to have a large share of the YDC/YFC system utilization. As will be discussed later, this fact is a concern given that Philadelphia's days of care also decreased by 15 percent from FY 2014-15 (51,937) through FY 2017-18 (43,853).

We spoke with a representative from Philadelphia County's Juvenile Justice Services Center, who was not surprised that Philadelphia was the largest user of YDC/YFC services. This representative noted that Philadelphia uses a mix of private providers and the YDC/YFC system depending on the circumstances of the case, but a key benefit to the YDC/YFC system for Philadelphia is that all cases are accepted, unlike with the private providers. This representative couldn't speak for all cases in the YDC/YFC system, but she noted that Philadelphia has had very complex juvenile cases which could only be served through the YDC/YFC system.

The top ten counties by YDC/YFC system usage are listed in Table 1.

Table 1

YDC/YFC Days of Care – Top 10 Counties

County	FY 2014-15^{a/}	FY 2015-16^{a/}	FY 2016-17	FY 2017-18	Total	Percent of Total
1. Philadelphia	51,937	40,469	43,017	43,853	179,276	42.10
2. York	11,016	9,256	12,616	7,716	40,604	9.54
3. Lehigh	10,396	9,423	6,978	6,146	32,943	7.74
4. Dauphin	7,061	5,577	7,990	5,647	26,275	6.17
5. Allegheny	4,775	4,719	6,967	6,240	22,701	5.33
6. Bucks	2,733	3,347	4,047	6,859	16,986	3.99
7. Montgomery	3,113	3,628	3,314	5,848	15,903	3.73
8. Erie	3,711	2,813	2,640	2,426	11,590	2.72
9. Monroe	2,369	2,752	2,075	2,190	9,386	2.20
10. Schuylkill	601	1,975	1,847	2,304	6,727	1.58

a/ FY 2014-15 and FY 2015-16 includes Days of Care at the YDC Cresson because we could not separate that facility from county billing days.

Source: Developed by LBFC staff from DHS' *Monthly Report of Client Days*.

Operating Capacity

Another measure related to YDC/YFC utilization is operating capacity, or the extent to which YDC/YFC “beds” are actually filled with juvenile placements from county juvenile courts. We calculated this metric based on three data points:

- 1. Authorized Beds** – The total number of beds available at each YDC/YFC facility.
- 2. Total Available Bed Days** – The factor of total authorized beds multiplied by the number of days in the year.
- 3. Total Client Care Days** – The sum of each facility’s monthly census reports by fiscal year.

Using these data elements, we then calculated the YDC/YFC operating capacity by dividing client care days by total available bed days. The results are shown in Table 2.

Table 2

YDC/YFC Operating Capacity

TOTAL YDC/YFC

	FY 2014-15*	FY 2015-16*	FY 2016-17	FY 2017-18
Total Beds	370	370	363	351
Total Avail. Bed Days	135,050	135,050	132,858	128,115
Client Care Days	103,965	99,341	106,751	106,375
Percent of Capacity	77%	74%	80%	83%
YDC Totals				
Total Beds	271	271	264	252
Total Avail. Bed Days	98,915	98,915	96,624	91,980
Client Care Days	83,405	79,793	83,174	81,931
Percent of Capacity	84%	81%	86%	89%
YFC Totals				
Total Beds	99	99	99	99
Total Avail. Bed Days	36,135	36,135	36,234	36,315
Client Care Days	20,560	19,548	23,577	24,444
Percent of Capacity	57%	54%	65%	67%

*/ Client care days exclude the YDC at Cresson.

Source: Developed by LBFC staff from DHS' *Monthly Report of Client Days*.

As shown above, with the exception of FY 2015-16, the YDC/YFC system's operating capacity has been increasing. Nevertheless, these numbers should be viewed within the distinction between YDCs and YFCs, which is highlighted in the blue and green areas of the above table. After separating these facilities, we found that YDC facilities (Loysville, North Central, and South Mountain) are running at higher capacity than the YFC facilities (Camp #2 and Camp #3)—by more than 20 percent. While demand does appear to be increasing at the YFCs—increasing from 57 percent (FY 2014-15) to 67 percent (FY 2017-18)—the overall lower operating capacities relative to YDCs may be indicative of a need to realign the YDC/YFC system.

Caution should be exercised in relying solely on operating capacity as a measure of YDC/YFC demand. As noted above, DHS has reduced the number of available YDC/YFC beds from 370 to 351. More specifically, this decrease is attributable to the

decrease in YDC facility beds from 271 to 252 (YFC facility beds have remained constant at 99). Consequently, simply by reducing the number of available beds, an erroneous appearance is presented that demand for YDC/YFC facilities is increasing, when in actuality, client care days have been steady.

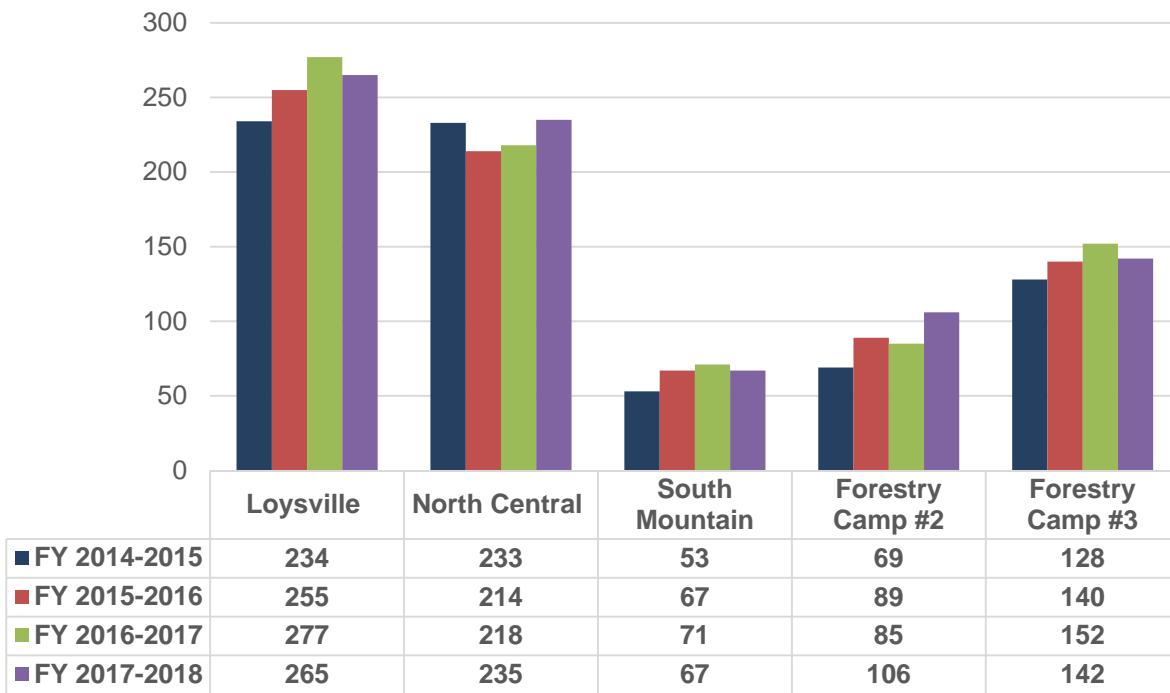
YDC/YFC Facility Utilization

With respect to utilization, we have presented a number of metrics relative to the YDC/YFC system over the past four fiscal years. However, the YDC/YFC system is just that: a system comprised of five distinct facilities, each with its own juvenile populations to serve. Accordingly, it is important to provide perspective on the number of juveniles served by each facility over the scope of our review.

Using data obtained from BJJS, we reviewed the total clients served for the period July 1, 2014, through June 30, 2018, by facility. See Exhibit 8.

Exhibit 8

**Number of Juveniles Served by YDC/YFC Facility
(by fiscal year)***



* We excluded the YDC at Cresson as the facility closed on August 20, 2015. For the period FY 2014-15 and FY 2015-16, a total of 78 youth were served at Cresson.

Source: Developed by LBFC staff from information provided by DHS

As shown in the preceding exhibit, the results showed a mix of trends. For example, with respect to YDCs, Loysville and South Mountain showed an upward trend in juveniles served from FY 2014-15 through FY 2016-17, but both subsequently decreased in FY 2017-18. Conversely, the number of juveniles served at North Central YDC decreased between FY 2014-15 and FY 2016-17, but reversed that trend and the number of juveniles served increased by the close of FY 2017-18. We were unable to identify a specific cause for these trends; therefore, it is likely related to the overall trend in Pennsylvania's juvenile justice system, which is striving to transition juveniles from residential to community-based programs.

With regard to the two forest camps—YFC # 2 and YFC # 3—we found a lower number of juveniles served at YFC # 2, with the exception of FY 2017-18, which spiked with 106 juveniles served. Regarding this spike, we spoke with one county juvenile probation administrator, who noted that juvenile judges in their county had been sending more youth to the camps for drug and alcohol rehabilitation services. This administrator noted that in their experience, youth who were sent to a YFC were less of a flight risk; thus, they were more likely to successfully complete the programming.

B. County Cost

Pennsylvania's juvenile justice system is highly decentralized. In turn, this decentralized structure places procedural decisions on treating adjudicated delinquents exclusively with county juvenile courts. Yet, with respect to paying for YDC/YFC services, as mandated by The Pennsylvania's Human Services Code, these costs are split between the juvenile's home county and the state.

- *Per diem rates are the daily rates used to bill counties for juveniles who are placed at a YDC/YFC facility.*
- *Sending a youth to a YDC/YFC facility is expensive—estimated interim per diem rates for fiscal year FY 2017-18 are \$577 per day.*
- *The median length of stay for a YDC non-secure/YFC facility is 128 days—and the median length of stay for YDC secure facilities is 200 days.*

Within this section of the report, we discuss the costs—also known as *per diem rates*—that counties must pay for sending its adjudicated delinquents to YDC/YFC facilities. To the extent possible, we also compared county costs for using YDC/YFC facilities to similar alternative placements. Finally, while costs are closely tied to expenditures—our analysis of YDC/YFC expenditures is handled separately in Section D.

In summary, we found that the YDC/YFC facilities are expensive. YDC/YFC per diem rates are several hundreds of dollars per day, per juvenile. These costs can quickly escalate for juveniles who have lengthy placements in the system.

BJJS staff and county officials stated that the high YDC/YFC per diems are not unexpected, given that the YDC/YFC system must accept all cases, and further because the YDC/YFC system cannot reimburse itself for

eligible medical expenses through Medicaid, like private providers can. Because of these distinctions, comparing the cost of YDC/YFC facilities to private providers is not an “apples to apples” comparison.

Finally, we also identified factors, such as a decreasing juvenile population and a decreasing number of closed juvenile cases, which will likely have ongoing impacts to the cost of the YDC/YFC system.

YDC/YFC Per Diem Rate Setting Process

Within the context of the YDC/YFC system, a per diem rate represents the cost of sending an adjudicated youth to a YDC/YFC facility for one day.²⁷ The Human Services

²⁷ While the per diem rate represents the cost of sending a juvenile to a YDC/YFC facility it is not the “true cost” incurred for a juvenile placed in a YDC/YFC facility. The true cost represents all related service needs provided to the juvenile, which vary by juvenile. The true costs are essentially distributed among all counties in the final certified per diem rate.

Code requires that the state pay 60 percent of the cost, with the juvenile's home county paying the remaining 40 percent.²⁸ Per diem rates are used as a basis for calculating each county's share for sending its adjudicated youth to a YDC/YFC facility.

DHS' Office of the Budget, Bureau of Financial Reporting, calculates per diem rates based on total YDC/YFC costs (to include direct and indirect costs), less adjustments for federal contributions received, divided by total days of care.²⁹ In practice, three different per diem rates are established:

- 1) Tentative Per Diem Rate.
- 2) Estimated Interim Per Diem Rate.
- 3) Final Certified Per Diem Rate.

Tentative Per Diem Rates. At the beginning of each fiscal year, DHS issues a "Children, Youth, and Families Bulletin," which outlines both the estimated interim per diem (discussed below) and a tentative per diem rate. The tentative per diem rate is used for planning purposes for the following fiscal year (e.g., the FY 2015-16 bulletin publishes a tentative per diem rate for FY 2016-17). The tentative per diem is non-binding, but is used to allow counties to better plan for their next budget.

Estimated Interim Per Diem Rate. DHS uses the estimated per diem rate (as published in its Bulletin) to bill each county for the juveniles it sends to a YDC/YFC facility for the upcoming fiscal year. Estimated interim per diem rates are based on each YDC/YFC facility's cost projections. These projections include costs associated for food and medical expenses, as well as administrative and general costs associated with operating the facilities. Education-related expenses are not included, as those costs are paid by the Department of Education through agreements with local intermediate units.³⁰ Per diem rates reflect deductions for funding DHS receives from the federal government for Title XX and federal food grants (see also Section D related to YDC/YFC funding).³¹

Because interim per diem rates are based on projections, at the end of the fiscal year, DHS makes adjustments based on actual incurred costs and the actual days of care

²⁸ See 62 P.S. § 704.1(a)(8)(ii). These rates can vary based on the type of services provided.

²⁹ The rate setting process relies on the Commonwealth's SAP accounting system for capturing expenses recorded at each YDC/YFC facility. The rate setting process is based only on actual YDC/YFC expenditures as of the close of each fiscal year and does not include commitments. These amounts are audited by the Office of the Budget and the Department of the Auditor General, as such we did not audit the figures.

³⁰ Intermediate units are providers of instructional and operational services to school districts, charter schools, and non-public and private schools. There are 29 intermediate units throughout the state.

³¹ Title XX is part of the Social Security Act, Subtitle A. Title XX provides for Social Services Block Grants (SSBG), which is funding provided to states to use to support a variety of social services activities, including services for juveniles. The YDC/YFC system also receives federal funding under the National School Lunch Program.

provided. DHS then reconciles with the counties for any over/under payments that may have been made based on the differences between interim and final per diem billings.³²

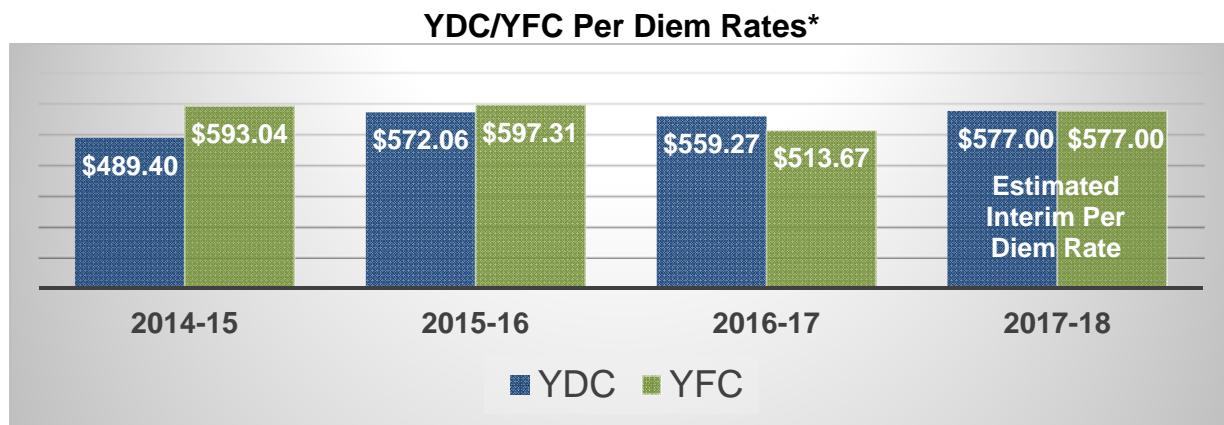
Prior to FY 2016-17, two separate interim per diem rates were established—one for YDCs and one for YFCs; however, more recently DHS issues just one system-wide per diem rate. According to DHS officials, the single interim rate was used to stabilize the (interim) rate setting process by providing greater economies of scale and by minimizing the effect of unforeseen and/or extraordinary circumstances, thus reducing the potential for significant reconciliation costs.³³

Final Certified Per Diem Rate. Under the Human Services Code, the Department of the Auditor General must conduct a certification audit to ascertain for each YDC/YFC facility the actual average daily cost of providing services to delinquent children.³⁴ The final certified per diem rates are published in the Department of the Auditor General's final YDC/YFC certification audit report.

Actual YDC/YFC System Per Diem Rates

We reviewed data from the Auditor General's most recent certification audit, as well as DHS' "Cost Apportionment Report" for FY 2016-17 to determine the actual YDC/YFC system per diem rates. Our results are presented in Exhibit 9 (note: we differentiated our analysis by YDC facilities and YFC facilities).

Exhibit 9



*/ We excluded the Cresson YDC as that facility closed during the review period.

Source: Developed by LBFC staff from the Department of the Auditor General's *2018 Certification Report* and from information obtained from DHS.

³² The reconciliation process involves DHS billing for any additional costs and refunding for any over-billings.

³³ DHS, Children, Youth, and Families Bulletin No. 00-16-01, issued July 1, 2016.

³⁴ 62 P.S. § 704.1(a)(4).

As shown, YDC/YFC per diems are costly. Based on our review of per diem rates for the period FY 2014-15 through FY 2017-18, per diem rates ranged from a high of nearly \$600 per day at the YFC facilities, to a low of approximately \$490 per day at the YDC facilities in FY 2014-15. While these rates are costly, per diem rates need to be viewed within the context of how long a juvenile may be placed at a YDC/YFC facility.

Using juvenile placement data obtained from JCJC, we found that in the 2016 calendar year (most recent data available) the median length of stay for a YDC secure facility was 200 days. Similarly, for YFC placements and non-secure YDC placements, the median length of stay was 128 days. Applying the FY 2016-17 YDC/YFC per diems results reveals potential per juvenile costs of between \$65,750 to more than \$110,000.

Consider further the cumulative per diem cost in rehabilitating a juvenile. We used the FY 2017-18 interim rate of \$577 and calculated what the cumulative costs might be for both the state and county for various durations (see Table 3):

Table 3

FY 2016-17 Median Cost Per Juvenile ^{a/}

Facility Type	Per Diem Rate	Median Length of Stay (days)	Median Cost Per Juvenile
YDC Secure	\$559.57	X 200	= \$ 111,914
YFC and YDC Non-Secure	\$513.67	X 128	= \$65,750

FY 2017-18 Cumulative Per Diem Rates ^{b/}

One juvenile per day = \$577

Duration	Total	State Share (60 percent)	County Share (40 percent)
1 month	= \$17,310	\$10,386	\$6,924
3 months	= \$51,930	\$31,158	\$20,772
6 months	= \$103,860	\$62,316	\$41,544
9 months	= \$155,790	\$93,474	\$62,316
1 year	= \$210,605	\$126,363	\$84,242

Notes:

a/ In FY 2016-17 per diem rates were established by facility; however, JCJC data was tracked by program placement type. Consequently, applying the median length of stay for YDC non-secure to the YFC facility per diem provides less precision of true costs for a YDC non-secure placement. Nevertheless, the comparison does provide a suitable approximation of costs between YDC and YFC facilities.

b/ For comparative purposes, we used the FY 2017-18 estimated interim per diem rate because this rate is same for both YDC and YFC facilities.

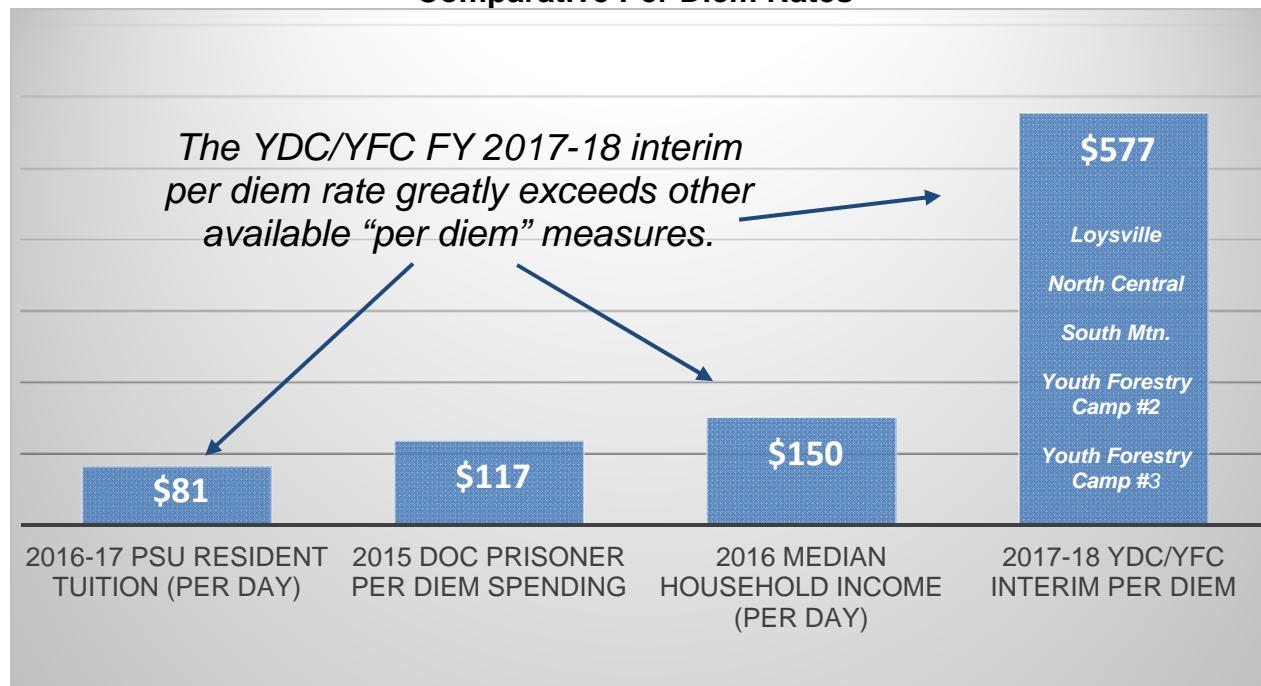
Source: Developed by LBFC staff from information obtained from the Department of the Auditor General, *Certification Report*, April 2018, DHS, and the JCJC.

Without question, sending a juvenile to a YDC/YFC facility is expensive. For example, a three month placement per juvenile is more than \$50,000. By way of comparison, Pennsylvania's annual median household income was \$54,895 in 2016.³⁵ For additional comparative purposes consider this: tuition, room and board, applicable fees, and books, for the 2016-17 academic year at the Pennsylvania State University Main Campus was approximately \$29,600.³⁶ In turn, that equivalent spending would cover about seven weeks at a YDC/YFC facility.

Finally, although we acknowledge that YDC/YFC facilities are not prisons, in order to provide additional perspective on the expense associated with YDC/YFC facilities, we compared the YDC/YFC per diem cost to the per inmate spending by the Pennsylvania Department of Corrections (DOC). We found that as of 2015, Pennsylvania spent \$42,727 per year, per inmate. Nation-wide, this figure ranked 11th out of the 45 states for which data was available.³⁷ Using this annual spending figure, we calculated that DOC's prisoner per diem rate was \$117.06, or just 20 percent of the YDC/YFC estimated per diem. Exhibit 10 compares all of the above per diem rates.

Exhibit 10

Comparative Per Diem Rates



Source: Developed by LBFC staff from information obtained from the Pennsylvania State University, the Vera Institute of Justice, the US Census Bureau, and DHS.

³⁵ See <https://www.census.gov/quickfacts/fact/table/pa/INC110216>, accessed July 20, 2018.

³⁶ See <https://admissions.psu.edu/costs-aid/tuition/>, accessed July 20, 2018.

³⁷ Vera Institute of Justice, *The Price of Prisons: Examining State Spending Trends, 2010-2015*, May 2017, p.8.

Individual YDC/YFC Facility Per Diem Rates

As part of our cost analysis, we also reviewed each YDC/YFC facility's final certified per diem rate (as verified by the Department of the Auditor General) against the DHS estimated (interim) per diem rate at the start of each fiscal year. We completed this analysis for FYs 2014-15, 2015-16, and 2016-17 (note: 2016-17 figures have not been certified by the Auditor General, but are sufficiently reliable for purposes of this analysis).

We conducted this analysis for two reasons: 1) to illustrate the volatility in the interim rate setting process, which in turn can significantly impact the expected county contribution; and 2) to highlight the often wide discrepancy in actual per diem costs from facility to facility. Our results are listed in Table 4.

For the past three fiscal years, only twice has the final certified YDC/YFC per diem been less than the initial interim per diem (see green highlighted figures). At every other facility, during each of the three fiscal years reviewed, the certified per diems exceeded the initial per diem. While this occurrence is a concern, of greater concern is the percentage difference between these two figures. For example, in FY 2015-16, the percentage difference between the interim per diem and certified per diem at the YFC #2 facility was more than 50 percent. Similar large differences were also observed at this facility in FY 2014-15 and FY 2016-17 (45 percent and 23 percent, respectively).

In addition to the percentage difference, the per diem cost for YFC #2 is significant. In FY 2015-16, YFC #2's certified per diem was \$735.80. As discussed in the Section A – Utilization, this facility had been operating with a lower juvenile population. Per diem costs are directly related to the number of juveniles served (i.e., more juveniles attending a facility will help to lower the per diem cost). Until this year, YFC #2 has had a decreasing population; consequently, its high operating costs will have a greater impact on the per diem cost.

This discrepancy between estimated per diems and actual per diems can be frustrating to county administrators. One county juvenile administrator we spoke with stated that they have great respect for the YDC/YFC system, but they are frustrated by the reconciliation process which ends up costing their county more money later. This same county official noted that because of the YDC/YFC's costly and fluctuating per diem costs, they use YDC secure facilities only when no other alternative exists.

Table 4

**Individual YDC/YFC Facility Comparison
of Interim to Certified Per Diems**

FY 2014-15			
Facility	Interim	Certified	Percentage Difference
Loysville	\$498.00	\$523.64	5.1
North Central	\$498.00	\$443.26	-11.0
South Mountain	\$498.00	\$554.19	11.3
YFC #2	\$470.00	\$682.75	45.3
YFC #3	\$470.00	\$532.30	13.3

FY 2015-16			
Facility	Interim	Certified	Percentage Difference
Loysville	\$482.00	\$605.68	25.7
North Central	\$482.00	\$521.77	8.3
South Mountain	\$482.00	\$636.39	32.0
YFC #2	\$476.00	\$735.80	54.6
YFC #3	\$476.00	\$521.10	9.5

FY 2016-17*			
Facility	Interim	Est. Certified	Percentage Difference
Loysville	\$510.00	\$528.10	3.5
North Central	\$510.00	\$588.58	15.4
South Mountain	\$510.00	\$571.65	12.1
YFC #2	\$510.00	\$629.39	23.4
YFC #3	\$510.00	\$445.34	-12.7

*/ FY 2016-17 figures have not been certified, but are sufficiently reliable for this analysis. Our analysis excluded the Cresson YDC as that facility closed during the review period.

Source: Developed by LBFC staff from information obtained from DHS and Department of the Auditor General, *Certification Report*, April 2018.

Additional Perspective on YDC/YFC Per Diem Costs

We discussed the YDC/YFC system per diem rates with BJJS officials, who acknowledged the high per diems and further the two-digit discrepancies between interim and certified per diem rates. BJJS officials noted that these occurrences are related, and that the high per diems are partly due to the system's decreasing days of care. Those officials agreed that if the system could increase its days of care there would be greater economies of scale, which in turn would push the per diem costs lower.

We agree with BJJS officials and further highlight the conundrum facing the YDC/YFC system. As we will discuss later, operating costs, which are mostly driven by personnel costs (a direct cost), continue to rise. The easiest way to mitigate cost increases would be to accept more juveniles or to close facilities; however, the YDC/YFC system has no way of increasing juvenile placements as that authority rests with juvenile court judges. In fact, if anything, the juvenile justice system strives to keep most juveniles out of the YDC/YFC system and place them in other less restrictive (and less costly) settings.

Further complicating this issue is that there has been a significant decrease in the number of juvenile delinquents. According to data we reviewed from the JCJC, between 2008 and 2017 there has been a 41 percent decrease in the number of closed juvenile cases.³⁸ While this is an excellent statistic for the Commonwealth overall—as it indicates a significant decreasing trend in the processing of juvenile-related crime—it is a difficult statistic for the economics of trying to reduce YDC/YFC per diem costs.

Stated explicitly, because there has been a significant decrease in the number of juvenile delinquent cases, there are simply fewer juvenile delinquents for the YDC/YFC system to serve. This hypothesis is proven by the facts presented in Section A – Utilization, where we noted that the YDC/YFC system has closed facilities and has not seen a significant growth in “days of care.” Again—while this is a positive societal trend—it does, however, make it increasingly difficult for the YDC/YFC system to improve its economy of scale by increasing days of care.

To further examine the correlation between population trends and juvenile cases, we reviewed the Commonwealth’s population for the 15-19 age group, as this is the age group covering most delinquency cases. We found that from 2007 to 2016, Pennsylvania’s juvenile population (ages 15-19) decreased by 11 percent.³⁹ Further, Philadelphia County, which is by far the largest user of YDC/YFC services, saw a decline of 18 percent in youth (ages 15-19) over this same period. This occurrence likely had some in-

³⁸ Juvenile Court Judges’ Commission, 2017 *Statewide Juvenile Justice Outcome Measures*. This statistic is based on data collected by the JCJC from information provided by Pennsylvania’s Juvenile Courts and Juvenile Probation Departments.

³⁹ United States Department of Health and Human Services (US DHHS), Centers for Disease Control and Prevention (CDC), National Center for Health Statistics (NCHS), Bridged-Race Population Estimates, United States July 1st resident population by state, county, age, sex, bridged-race, and Hispanic origin. Accessed at <http://wonder.cdc.gov/bridged-race-v2016.html> on May 11, 2018.

fluence on the previously mentioned 41 percent decline in juvenile delinquent cases between 2008 and 2017, and by extension, the YDC/YFC system's flattening in days of care (and subsequent increasing per diem costs).

While no one can predict future juvenile delinquency trends, we can look to population projections for evidence of possible delinquency estimations (i.e., a decreasing trend in juvenile populations would mean that there is likely to be fewer juvenile delinquency cases). To that end, we reviewed estimates obtained from the Pennsylvania State Data Center and found that from 2020 through 2030, Pennsylvania's juvenile population (ages 15-19) is projected to decrease, albeit somewhat modestly, at 1.9 percent.⁴⁰ Paradoxically, however, Philadelphia County's same juvenile population is expected to increase by 22.1 percent over that same period. This trend will need to be reviewed closer in the coming years, and especially, for its impact on projected YDC/YFC service needs.

Regardless of the population trend, the YDC/YFC system and its relatively high per diem costs place it in an unenviable position for several reasons. First, the YDC/YFC system must compete with private providers that can negotiate lower placement rates with counties. According to one DHS fiscal official, private providers are capped at a maximum rate, which is reviewed by DHS' OCYF fiscal office; however, counties negotiate their own rates with providers, so their contracted rates are generally lower than the maximum levels approved.

Second, as previously noted, the YDC/YFC system is the de facto "provider of last resort." As such, unlike private providers who are able to deny a placement, the YDC/YFC system must accept all cases, some of which can be very costly because of the needs of the juvenile. BJJS officials informed us of juveniles that were placed in the YDC/YFC system that had unique medical needs, including hemophilia, diabetes, or juveniles who were transgender, all of which significantly contributed to the system's costs. BJJS officials noted that these were cases that private providers did not accept, because they would have been cost prohibitive.

Third, and as discussed later in the expenditure section of this report, because of Medicaid program rules, the YDC/YFC system cannot recover medical costs through Medicaid. This rule differs for private providers that do recover medical costs for eligible juveniles through Medicaid. Here again, this rule places the YDC/YFC system on an uneven playing field with private providers, and it contributes to the YDC/YFC system's high per diem cost.

Finally, the YDC/YFC system is at a disadvantage because the state reimbursement rates to the counties encourage placement with community-based private providers. Specifically, while the state reimburses 60 percent of the YDC/YFC rate, it reimburses 80 percent for private provider community-based placements. Although officials from JCJC and BJJS both stated that cost should not be the sole factor in juvenile delinquent

⁴⁰ Pennsylvania State Data Center, State and County Population Projections by Age and Gender: Pennsylvania 2010 to 2040.

placements, at a minimum, it seems there is an economic incentive for non-YDC/YFC services.

YDC/YFC Rates Compared to Comparable Facilities

Comparing the cost of YDC/YFC services to private providers is not an “apples to apples” comparison. This fact was enumerated to us several times as we conducted this study, not just by DHS officials, but by JCJC staff, the Pennsylvania Association of Juvenile Detention Centers and Alternative Programs, officials from county juvenile courts, the Pennsylvania Council of Children, Youth, and Families, as well as a private provider with whom we spoke.

Nevertheless, as part of our objective on cost comparison, we attempted to compare the YDC/YFC per diem cost to “similar alternative placements.” At the onset, we were cautioned against comparing costs for YDC/YFC non-secure services to private providers because there were too many and too varied providers to make a meaningful comparison. For example, as a representative from the PA Association of Juvenile Detention Centers noted to us, a private provider may operate a program similar to a YFC, but that private provider is also able to accept all juveniles, including dependent and delinquent juveniles.⁴¹ Therefore, because these providers have more clients to serve, in turn the providers are able to have greater economies of scale, which will generally lower its operating costs. Conversely, a YFC accepts only adjudicated delinquent juveniles, who will have different and more expensive service needs.

As a result of these disparities, we focused our comparison to private secure residential facilities.⁴² According to DHS, as of June 18, 2018, there were 11 licensed secure residential facilities in Pennsylvania. These 11 facilities are operated by 5 different providers (3 are not-for-profit providers and 2 are for profit providers). We contacted each of the providers (on multiple occasions) for information on its respective secure care per diem cost; only two responded.

One reason why private providers may be reluctant to share information about their per diem rates is that those rates are negotiated between the provider and each county’s children and youth agency. In essence then, one provider could have several different and varying rates based on how it negotiated that per diem rate with the county. Here again, in keeping with Pennsylvania’s decentralized juvenile justice and child protective

⁴¹ The Juvenile Act 42 Ps. C.S. § 6301, et seq. defines a Dependent Child as: a child who is without proper parental care/control; abandoned or simply without parents, guardian, or other custodian; subject to compulsory school attendance; committed a specific act(s) of habitual disobedience of the reasonable and lawful commands of his parent, guardian, or custodian; committed a delinquent act or crime (other than a summary offense) while under the age of ten years; been formally adjudicated dependent under the jurisdiction of the court; commits an act which is defined as ungovernable; and/or is born to a parent whose parental rights with regard to another child has been involuntary terminated.

⁴² Although we use the term private, not all providers are for profit entities. Many are operated as not-for-profit entities.

services, the state plays mostly a “hands off” approach as to how each county contracts with service delivery.

At a high-level, beyond operating the YDC/YFC system, the state’s role is to:

- 1) establish a maximum reimbursement rate that a provider can charge for services;
- 2) regulate providers through inspection for compliance with Chapter 3800 regulations; and,
- 3) approve and distribute children, youth, and family funding through each county’s needs-based budget.

Therefore, in terms of where a child goes, and how much a county pays for the provided services, the decision is entirely up to the county.⁴³ Consequently, trying to make detailed comparisons is unlikely to yield meaningful results.

Nevertheless, while we cannot make detailed comparisons between private providers and the YDC/YFC system, we can make general comparisons. To that end, everyone with whom we spoke for this study agreed that the YDC/YFC system was more costly than a private provider, and for the reasons already enumerated.

For example, one not-for-profit private provider stated to us that its secure residential placement cost was about \$335 per day, or \$242 less than the YDC/YFC’s FY 2017-18 estimated per diem. The second provider responding to our inquiry, who is a for profit operator, could not give us a specific dollar amount, but when informed of the current YDC/YFC interim per diem, stated that their secure residential per diems were about \$200 less than the YDC/YFC’s per diem.

These figures were confirmed by one county juvenile administrator, who noted to us that in prior years their county frequently used YDC/YFC service, but the system had become “too expensive” to use. According to this administrator, he is now able to obtain other secure residential services from one of two providers that their county had contracted with for \$200 per day less than what it would cost to send a juvenile to a YDC/YFC system. This administrator noted that they will only use a YDC secure facility when there is no other option (i.e., because their contracted private providers had denied the placement).

To the point about the YDC/YFC system being this county’s “last resort,” the administrator relayed a recent case in which the county sent a high-needs juvenile who had been denied placement by a private provider to a secure YDC. The administrator stated repeatedly about how well the YDC facility had responded to the juvenile’s needs, and that significant progress was being made. Unfortunately, however, the juvenile acted out and violently attacked an employee at the facility. The youth was then transferred to

⁴³ With the exception of YDC/YFC services, which as previously discussed are established by DHS.

a second secure YDC facility, where he again attacked employees. He is now facing incarceration in the adult criminal system. The administrator felt this case was relevant to our discussion of YDC/YFC costs because even though it was very expensive for the county to send the youth to not one, but two secure YDC facilities—there were no other options—and for this reason, the administrator felt the YDC/YFC system was still a valuable resource for the county.

We also spoke with a representative from the Pennsylvania Council of Children, Youth and Family Services, an agency that represents many private providers.⁴⁴ In discussing comparative costs between the YDC/YFC system and private providers, the representative agreed that it can be difficult to compare individual programs and costs. This same representative also confirmed that private provider per diem rates are often well below rates paid to YDC/YFC facilities.

Finally, while we caution against comparing private provider per diem rates to the YDC/YFC system, for four of the largest Pennsylvania providers, we were able to identify the maximum allowable per diem rates by DHS' OCYF.⁴⁵ These figures are established through DHS' review of providers' fiscal-related information and occur on a two year cycle. We reviewed this information for the four largest private providers of secure residential treatments, and found the following maximum rates as shown on Table 5:

Table 5

Provider	Maximum Allowable Daily Rate Range	Last Fiscal Year Rate Was Approved
A	\$341 - \$385	2015-16
B	\$329 - \$391	2017-18
C	\$344 - \$367	2017-18
D	\$320 - \$383	2017-18

Source: Developed by LBFC staff from information obtained from DHS.

In conclusion, there is no dispute that the YDC/YFC system is the most costly option for counties to place juveniles who have been adjudicated delinquent. However, when seeking to compare this cost to other similar alternative placements, the comparisons fall well short due to the unique nature of the YDC/YFC system. As we have shown, the YDC/YFC system must serve the most critical youth, and it must do so under circumstances that further prohibit its ability to seek available federal reimbursement, as other similar providers are able to do.

⁴⁴ According to the PA Council of Children, Youth, and Families' website (<http://www.pccyfs.org>), the council actively represents the interests of the diverse private provider community and channels 100% of efforts and resources into promoting the sustainability of a viable and responsive service array. Accessed July 27, 2018.

⁴⁵ According to DHS, within OCYF, the Bureau of Budget and Program Support (BBPS) provides leadership in setting fiscal policy related to allowable state and federal expenditures at the county level and related state and Title IV-B and IV-E expenditures at the program level.

C. YDC/YFC System Success

Our third objective asked us to examine available recidivism rates upon completion of a program at the YDC/YFC system. To address this objective, we worked with research professionals from the Juvenile Court Judges Commission (JCJC) and the Administrative Office of Pennsylvania Courts (AOPC).

- *We established two cohorts of youth—one cohort consisted of youth who were discharged from a YDC/YFC in FY 2014-15; and a second similar cohort for youth discharged in FY 2015-16. We worked with staff from the JCJC and AOPC to calculate recidivism rates*
- *YLS—a key factor when measuring recidivism—showed that more than 97 percent of the youth were at moderate to very high risk of recidivating*
- *Our results showed that for both cohorts, slightly more than half committed additional crimes within two years of discharge. While this is a high number, research indicates that the results are actually better than expected.*

Measuring recidivism (i.e., committing additional crime after rehabilitation) is a difficult task, and it is especially so when measuring juvenile recidivism rates. Pennsylvania has taken steps to improve its ability to track this outcome. For example, the JCJC now tracks juvenile outcomes through its Pennsylvania Juvenile Case Management System. To address this objective we established two cohorts of juveniles: one group who completed a YDC/YFC program during FY 2014-15, and another group that completed a YDC/YFC program during FY 2015-16. We then sought relevant Youth Level of Service (YLS) information on these juveniles. YLS gauges the likelihood of a juvenile to recidivate based on known criminogenic factors. With the assistance of JCJC/AOPC we then tracked the juveniles to determine how many (by facility) actually recidivated within two years of being discharged from a YDC/YFC facility.

System-wide, we found that for each of our identified cohorts, slightly more than half of the juveniles who were discharged from a YDC/YFC facility, committed either another juvenile crime or an adult crime within two years of completing a YDC/YFC program. While this is a high rate, it needs to be viewed within the context of these juveniles' YLS scores, which showed that more than 97 percent of the youth in YDC/YFC facilities were at a moderate to very high-risk potential to recidivate.

Finally, this section of the report would not have been possible without the outstanding cooperation we received from BJJS, JCJC and AOPC. Their work was instrumental in assembling these results.

Defining and Measuring Recidivism

According to the National Institute of Justice, recidivism is one of the most fundamental concepts in criminal justice. It refers to a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime.⁴⁶

Using the above broad definitional framework, we consulted with experts from the JCJC. Each year, JCJC publishes a recidivism report that details the outcomes of youth who had a case closed from a juvenile probation department in the Commonwealth in a particular cohort year. For the purposes of that report, recidivism is defined as: within two years of case closure, a subsequent adjudication of delinquency in juvenile court or a conviction in criminal court for a felony or misdemeanor offense (emphasis added).⁴⁷

JCJC experts suggested that an accurate way of measuring recidivism at YDC/YFC facilities was to measure it from a juvenile's release from a YDC/YFC facility and not just from case closure. We learned that oftentimes juvenile cases may involve months of probation before the case is officially closed by the juvenile court, and that juveniles are most likely to recidivate within six months of release from treatment. Consequently, using a case closed date, would not be as meaningful as using a "discharge date."

Accordingly, we identified two juvenile cohorts:

Cohort 1: Juveniles who were discharged from a YDC/YFC facility during FY 2014-15. (n=450)

Cohort 2: Juveniles who were discharged from a YDC/YFC facility during FY 2015-16. (n=510)

With the total population of 960 juveniles, JCJC then obtained from BJJS relevant case data including: name, discharge date, facility discharge, and YLS scores (discussed below). Using JCJC's Pennsylvania Juvenile Case Management System (PaJCMS), JCJC was then able to determine if any of the juveniles in the identified cohorts had subsequent juvenile adjudications for a felony or misdemeanor offense.⁴⁸

While juvenile adjudication is an important aspect in measuring recidivism, we also wanted to know about adult criminal convictions. As one JCJC official noted to us, because many of the youth in the YDC/YFC system are older, they are more likely to have

⁴⁶ The National Institute of Justice is the research, development, and evaluation agency of the U.S. Department of Justice.

⁴⁷ See <https://www.jcjc.pa.gov/Research-Statistics/Pages/Recidivism.aspx>

⁴⁸ PaJCMS is sponsored by the Pennsylvania Council of Chief Juvenile Probation Officers, JCJC, the Center for Juvenile Justice Training and Research, and the Pennsylvania Commission on Crime and Delinquency. It is the primary method for reporting juvenile court dispositions to the JCJC for inclusion in the Pennsylvania State Police Central Repository through the Juvenile Tracking System housed by the Commonwealth's Justice Network (JNET). Given the robustness and richness of data collected, research entities from across the United States regularly contact JCJC for participation in data-related research projects.

a subsequent criminal event fall within the adult criminal system. Therefore, simply reviewing juvenile adjudications would likely skew the results. Consequently, JCJC staff coordinated with AOPC information technology staff, who in turn supplied criminal conviction information for the two cohorts. This information was then combined with JCJC's data to determine recidivism rates.

Youth Level of Service Scores/Case Management Inventory

Before discussing recidivism rates for our cohorts, it is important to discuss the applicability of the Youth Level of Service (YLS) and the Case Management Inventory (CMI) process for juveniles who have been adjudicated delinquent.

One of the recent reforms of Pennsylvania's juvenile justice system has been introduction of YLS/CMI. These two process work together—YLS provides a measure of the juvenile's likelihood to recidivate, as measured against eight criminogenic risk factors. CMI provides a means to target the problem areas identified through YLS and thereby (hopefully) lead to better outcomes.

For purposes of this review, we are most interested in YLS as it provides an indication for the propensity of the juvenile to recidivate. In determining YLS scores, eight factors are considered as shown on Exhibit 11.

Exhibit 11

Eight Criminogenic Risk Factors Considered in YLS

- 1. Prior and Current Offenses/Dispositions:** Includes dispositions resulting in informal adjustment, consent decree, and adjudications of delinquency in a “pattern of offending over time” of the youth. Also includes the youth’s failure to appear, probation violations, prior placements and escapes.
- 2. Family Circumstances/Parenting:** Includes the factors of inadequate supervision, difficulty in controlling behavior, inappropriate discipline, inconsistent parenting, poor relations between father and the youth and poor relations between the mother and the youth.
- 3. Education/Employment:** Includes instances of disruptive classroom behavior, disruptive school yard behavior, low achievement, problems with peers, problems with teachers, truancy, and unemployed, not seeking employment.
- 4. Peer Relations:** Includes the youth having some delinquent acquaintances, some delinquent friends, no/few positive acquaintances, and no/few positive friends.
- 5. Substance Abuse:** Includes the youth’s occasional drug use, chronic drug use, chronic alcohol use, substance abuse interferes with life, and substance use linked to the offense.
- 6. Leisure/Recreation:** Includes the youth’s limited organized activities, ability to make better use of time, and lack of personal interests.
- 7. Personality/Behavior:** Includes whether the youth has an inflated self-esteem, is physically aggressive, exhibits tantrums, short attention span, poor frustration tolerance, inadequate guilt feelings, and is verbally aggressive.
- 8. Attitudes/Orientation:** Includes whether the youth has antisocial/procriminal attitudes supportive of a criminal or anti-conventional life style (does not believe social rules apply to him/her), is not seeking help, is actively rejecting help, defies authority, and is callous with little concern for others.

Source: Developed by LBFC staff from JCJC’s YLS & Case Plan Bench Card.

Within the above eight domains, a total of 42 risk factors are considered. Based on these 42 factors an overall score is calculated, which yields a juvenile’s risk to recidivate:

- Low (0-8)
- Moderate (9-22)
- High (23-34)
- Very High (35-42)

In discussing recidivism with experts from JCJC, we learned the importance of considering YLS scores. As stated by JCJC staff:⁴⁹

Calculating expected recidivism rates is critical to effectively gauging the performance of the Pennsylvania juvenile justice system. Given recent policy and practice shifts to divert low risk youth away from the juvenile justice system, it should not be surprising to see recidivism rates increase over time. After all, the types of youth who are actually entering the juvenile justice system are more likely to be moderate and high risk to re-offend youth. By calculating what the expected recidivism rate should be given the case characteristics of youth who had actually been under juvenile court supervision to the observed recidivism rate, stakeholders can better gauge the performance of the Pennsylvania juvenile justice system. If the observed recidivism rate is higher than the expected recidivism rate, it can be concluded the system performed worse than predicted. Conversely, if the observed recidivism rate is lower than the expected recidivism rate, it can be concluded the system performed better than predicted (emphasis added).

According to JCJC's data, during the time period we reviewed (FY 2014-15 and FY 2015-16), statewide, the distribution of YLS scores were as follows:

- approximately 50 percent of all youth assessed were low risk;
- 45 percent were moderate risk;
- 5 percent were high risk; and
- less than 1 percent were very high risk.

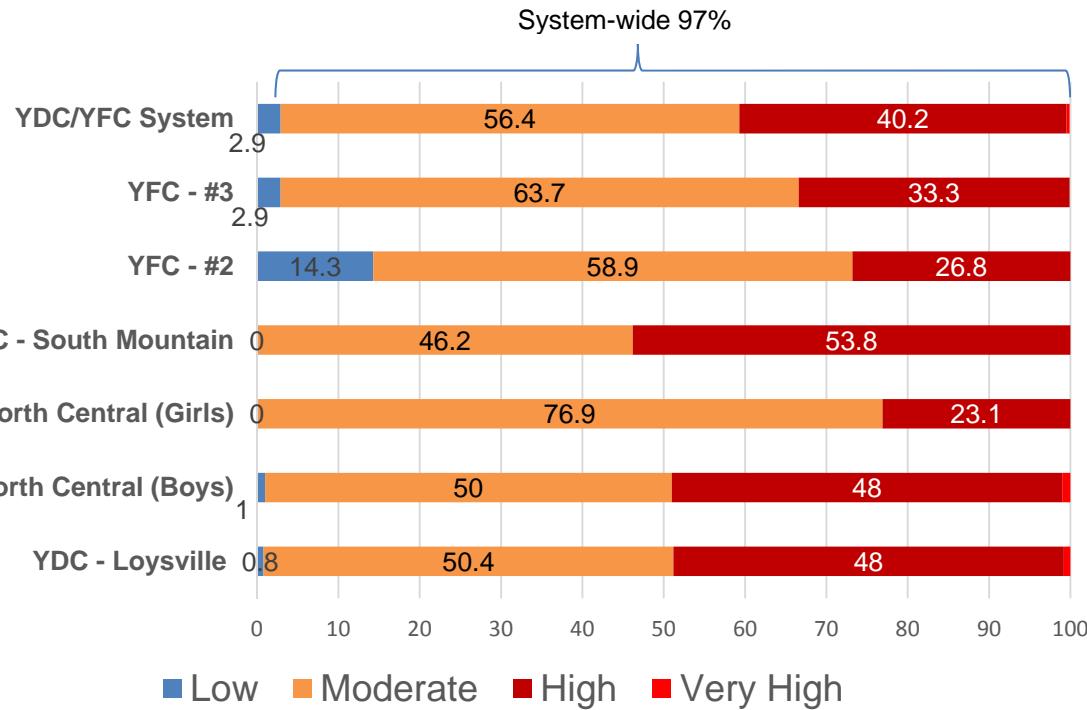
However, in isolating just our cohorts of YDC/YFC youth, we see dramatically higher at-risk youth. As shown in the Exhibit 12, while approximately 50 percent of all Pennsylvania adjudicated youth had YLS scores ranking them as "low"—just under 3 percent of our cohort youth were similarly classified as low. In fact, 97 percent and 98 percent of the youth were classified as moderate to very high in FY 2014-15 and FY 2015-16, respectively. As a result, it is expected that these youth will likely recidivate because of their high scoring on the YLS domains.

⁴⁹ JCJC, The Pennsylvania Juvenile Justice Recidivism Report: Juveniles with Cases Closed in 2007, 2008, 2009, 2010, 2011, and 2012, September 2016.

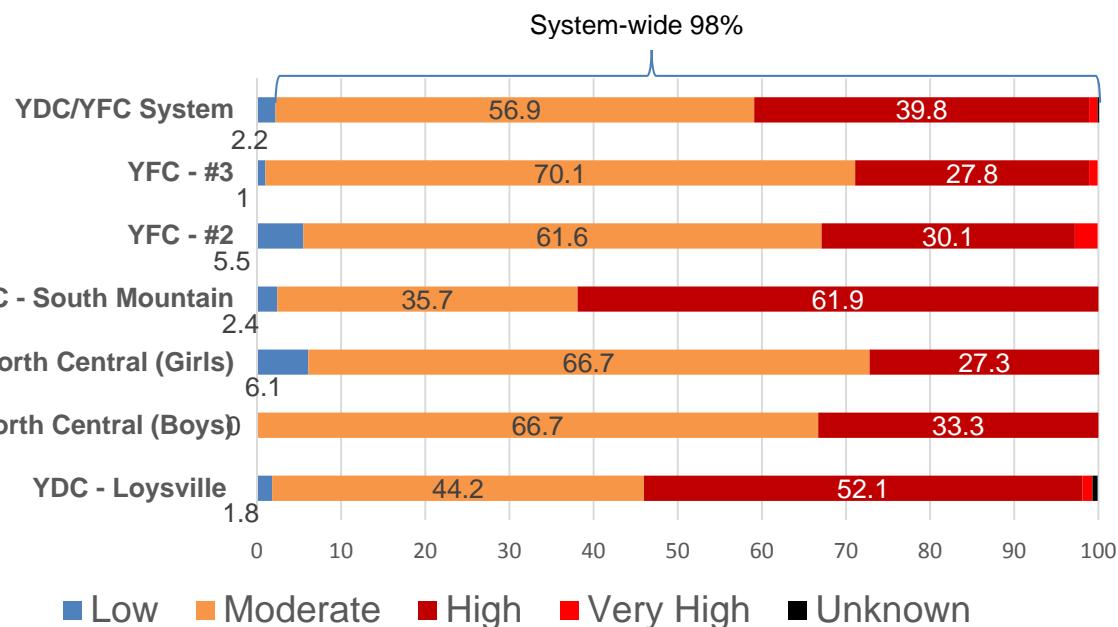
Exhibit 12

Distribution of YLS Scores FY 2014-15 and FY 2015-16 YDC/YFC Cohorts*

Cohort 1: FY 2014-15
N=450



Cohort 2: FY 2015-16
N=510



*/ May not add to 100 because of rounding.

Source: Developed by LBFC staff from data obtained from JCJC.

YDC/YFC Recidivism Results

Working with staff from JCJC and AOPC, we were able to determine that for the 450 youth in our first cohort (FY 2014-15), 232 youth—or **51.6 percent**—had additional adjudications or were convicted of crimes within two years after being discharged from a YDC/YFC facility. For our second cohort (FY 2015-16), 285 of the 510 youth—or **55.9 percent**—had additional adjudications or were convicted of crimes within two years after being discharged from a YDC/YFC facility.

While these results suggest rather dismal outcomes, the results must be viewed within the context of the YLS scores. As shown in the previous exhibit, 97 percent and 98 percent of the youth, respectively, were classified as moderate to high risk for recidivism. Consequently, the fact that the actual recidivism rate is lower (51.6 percent and 55.9 percent, respectively) is encouraging.

We discussed the results with JCJC staff, who confirmed that while the rate seems high at first glance—when properly viewed within the context of YLS scores and expected outcomes—the results are actually better than expected. JCJC staff noted that based upon their research in looking at previous recidivism rates from 2007-2014 for ALL youth (i.e., those that are low to very high) the recidivism rate hovers around 20 percent to 22 percent. More specific to just out of home of placements (i.e., youth placed into group homes and secure residential settings), staff noted that the average recidivism rate is approximately 40 to 50 percent. Given that YDC/YFC youth are the highest of the “high risk” youth of that population—they believe the overall recidivism rate is better than expected.

As shown on Exhibit 13, we also broke out the recidivism rate by YDC/YFC facility. In this light, we see varying rates. In particular, the YDC at Loysville was high at 67.5 percent for FY 2015-16, and the YDC at North Central (Girls) was low at 15.2 percent also in FY 2015-16.

Exhibit 13

Recidivism Rates by YDC/YFC Facility Cohort 1 and Cohort 2

Facility	Cohort 1 (FY 2014-15)					Cohort 2 (FY 2015-16)			
	Non-Recidivists	Recidivists	Total	Rcdvsm. Rate (%)		Non-Recidivists	Recidivists	Total	Rcdvsm. Rate (%)
YDC - Loysville	54	71	125	56.8		53	110	163	67.5
YDC - North Central (Boys)	47	55	102	53.9		43	59	102	57.8
YDC - North Central (Girls)	29	10	39	25.6		28	5	33	15.2
YDC - South Mountain	16	10	26	38.5		26	16	42	38.1
YFC #2	25	31	56	55.4		35	38	73	52.1
YFC #3	47	55	102	53.9		40	57	97	58.8
Total	218	232	450	51.6		225	285	510	55.9

Source: Developed by LBFC staff from data obtained from JCJC and AOPC.

We discussed the results of our review with BJJS staff, who noted that the best recidivism rate is zero; however, given the trauma that many of the YDC/YFC youth have endured in their neighborhoods and the many placements they have been in that did not work out, these rates are an improvement over what could be expected.⁵⁰ BJJS staff were encouraged by the results with the North Central Girls Unit, and noted that these youth are a particularly vulnerable population. Overall, BJJS staff noted they are continuing to get the number to be as low as possible, and will continue to target the specific criminogenic risk factors of the youth placed in the YDC/YFC system through the YLS/Case Plan process.

⁵⁰ It should be noted that the first domain considered within YLS is “Prior and Current Offenses/Dispositions,” which is a static factor—meaning that it cannot be changed through intervention. As listed in the background section of this report, for the youth we reviewed as of April 28, 2018, 84 percent of the youth had a prior placement, with the average being 2.8.

D. YDC/YFC System Funding and Expenditures

Our fourth objective asked us to identify the sources of funding for the YDC/YFC system, while our fifth objective asked us to enumerate the expenditures of the YDC/YFC system. For report presentation purposes, we have combined these two objectives into the following section.

- *The YDC/YFC system is funded predominately through the Commonwealth's General Fund (approximately 85%).*
- *Direct Costs—personnel and operating costs related to the direct care and supervision of juveniles—represent approximately 66% of all system expenditures.*
- *Indirect costs—which represent a portion of the YDC/YFC system's contribution for DHS' overhead costs—grew by more than 31% over the period we reviewed.*

With respect to funding, we found that the YDC/YFC system is predominantly funded through the Commonwealth's General Fund. The system also receives federal funding through Title XX of the Social Security Act, as well as other federal sources (approximately 15 percent). Additionally, in reviewing funding, it is important to note that although the system bills counties for the services it provides, that money does not return to the YDC/YFC system. Instead, those dollars are reimbursed to DHS through reconciliation with each county's children and youth "needs-based budget" process. As such, the YDC/YFC system is not self-funding, in terms of generating revenue to fund its operations.

In reviewing expenditure information, we found that YDC/YFC expenditures grew by nine percent over the period reviewed. We also reviewed cost categories for the YDC/YFC system, and we found that "Direct Costs"—a cost reporting category used to track personnel and operating expenses—represented the largest share of

YDC/YFC expenses. Approximately two-thirds of all YDC/YFC expenses fell within this category.

Funding

On average, it costs taxpayers approximately \$74 million, per year, to fund the YDC/YFC system. While the exact amount varies from year to year, approximately 85 percent of the YDC/YFC system is funded through the state's General Fund.

The system does receive federal funding from the Social Services Block Grant (SSBG) and from the National School Lunch Program (NSLP). In prior years, the YDC/YFC system also received federal funding for institutional prison rape elimination. These federal programs are described further below.

SSBG. The SSBG is administered by the U.S. Department of Health and Human Services and flows from Title XX of the Social Security Act of 2002. States can use SSBG funding for many different types of services; however, these services

must support five broad goals outlined by federal law. These goals generally strive to promote self-sufficiency, reduce institutional care, and prevent or remedy neglect or abuse among children and adults unable to protect their own interests. The YDC/YFC system receives, on average, around \$10 million per year in Title XX funds.

NSLP. NSLP is administered by the U.S. Department of Agriculture. The program provides federally assisted meal subsidies to eligible schools, including residential child care institutions. The program also includes subsidies for snacks and breakfast. The YDC/YFC system has received between \$650,000 and \$800,000 per year in federal food grant subsidies from the NSLP.

Institutional Rape Reduction. Created from the federal Prison Rape Elimination Act (PREA) of 2003, PREA provides funding through the U.S. Department of Justice's Bureau of Justice Assistance, to provide information, resources, recommendations and funding to protect individuals from prison rape.⁵¹ While YDC/YFC facilities are not prisons, PREA included juvenile delinquency facilities as eligible for federal funding. The YDC/YFC system received federal funding from PREA of \$28,000 or less in FY 2015-16 and FY 2016-17.

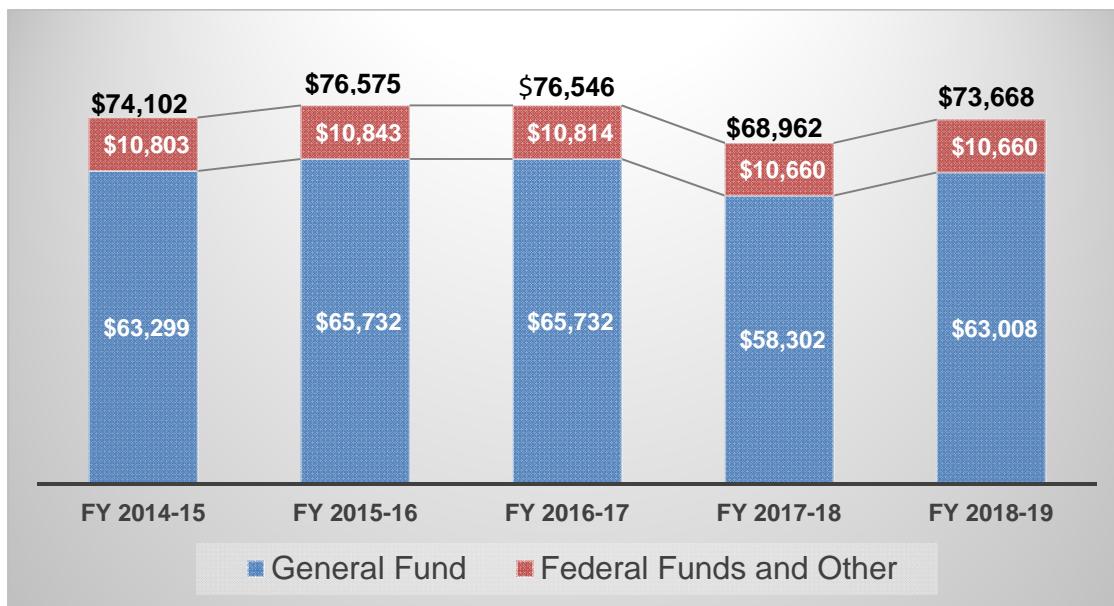
DHS receives General Fund funding through a line item appropriation called, "Youth Development Institutions and Forestry Camps." In addition, the YDC/YFC system receives occasional funding augmentations from assets that are sold. These augmentations are small amounts, and over the five year period we reviewed, never exceeded \$10,000 a year. We included these amounts as "other." Going forward; however, the YDC/YFC system may see larger augmentations from the sale of the YDC at New Castle facility.⁵² See Exhibit 14.

⁵¹ See National PREA Resource Center, www.praeresourcecenter.org, accessed July 19, 2018.

⁵² The Governor's FY 2017-18 budget included augmentations of \$2.8 million from the sale of real estate. These funds did not return to the YDC/YFC appropriation and the revenue augmentation was ultimately removed from the YDC/YFC budget prior to the end of FY 2017-18.

Exhibit 14

YDC/YFC Funding by Fiscal Year*
(\$000)



*/ FY 2018-19 amounts are based on the budget enacted June 22, 2018. Includes an estimated \$10,000 in augmentations.

Source: Developed by LBFC staff from Commonwealth enacted budgets.

As shown above, in FY 2017-18, the YDC/YFC system witnessed a decrease in general fund funding. In fact, the actual appropriation was also reduced that year by \$852,000. General Fund funding increased, most recently in FY 2018-19, but the amounts are below that of the FY 2014-15 amounts. These reductions can be explained by the closure of the YDC at Cresson facility in August 2015.

In Section B – Cost, we discussed the fact that the YDC/YFC system bills counties for children placed in YDC/YFC facilities. Within this current discussion of funding, it is important to highlight that the actual payment for YDC/YFC services is not a funding stream for the YDC/YFC system.

Instead, payment for YDC/YFC facilities is handled through a detailed reconciliation process from each county's "Needs-Based Budget Plan" (NBBP). The Commonwealth's NBBP is governed by several laws and regulations and is quite complex. In summary, however, Pennsylvania's child welfare services are the joint responsibility of DHS and county governments. As such, DHS regulates the services that are provided, but the counties coordinate and control the actual provision of services to children, youth, and families. These services cover a wide spectrum of social services, including juvenile justice services.

The NBBP is the primary means by which the Commonwealth identifies and plans for the provision of mandated child welfare and juvenile justice services. In this way, counties that send juveniles to a YDC/YFC facility do not actually pay DHS or the YDC/YFC system; instead, deductions are made in subsequent county child welfare allocations as part of the NBBP.⁵³

Expenditures

Objective five of our study asked us to enumerate the expenditures for the YDC/YFC system. To answer this objective, we reviewed three years of expenditure information (FY 2014-15, FY 2015-16, and FY 2016-17). The source of our analysis for FY 2014-15 and FY 2015-16 came from expenditure information we extracted from the Department of the Auditor General's most recent certification audits of the YDC/YFC per diem rates. For FY 2016-17, we obtained from BJJS its Cost Apportionment Report, which is also the source from which YDC/YFC per diem rates are established (see Section B – Cost).⁵⁴

Expenditure Categories. YDC/YFC expenditures are coded to one of seven expenditure (cost) categories—see Exhibit 15. These categories cover all operations of the YDC/YFC system, including personnel costs, operating expenses, fixed assets, as well as administrative overhead costs assigned to the system by DHS. As further highlighted in the following exhibits, we used these seven categories as the basis of our analysis.

⁵³ Before the reconciliation process can occur, the Department of the Auditor General must “certify” the YDC/YFC annual per diem rate. We were informed that these certifications have been delayed for several years. The most recent Auditor General certification audit was released in April 2018 and covers 5 years (2012-2016); consequently, the final county reconciliations are delayed.

⁵⁴ Although FY 2016-17 data has not been certified by the Department of the Auditor General, we believe that the expenditure information is sufficiently reliable to be used for the purposes of this report.

Exhibit 15

YDC/YFC System Expenditure Categories

Administration and General	Includes all centralized BJJS (support) services such as: Accounting, Purchasing, Time Keeping, Human Resources and Safety/Security.* Expenditures are calculated for the entire system and funds are allocated to each facility based on each facilities respective total days of care.
Psychological and Medical	Includes medical-related personnel and operating cost for each facility. This category also includes contracted or in-house medical providers, mental health services, dental services, prescription drugs, and medical supplies.
Dietary	Includes dietary personnel and operating cost for each facility—such as, state operated dietary programs, contracted food services, and related food sanitation supplies.
Facility Operations	Includes all maintenance personnel and operating cost for each facility. Examples include, maintenance materials/supplies, heating fuel, and contract repairs for buildings and equipment.
Direct Costs	Includes all personnel and operating costs that are coded to each facility's cost centers (individual cottages, units, and program cost centers). Direct costs include all facility costs that are not already specifically identified, e.g., dietary, or psychological and medical. Examples include salaries for youth counselors and aides, and supervisors.
Indirect Cost	Includes BJJS central office personnel, operating expenditures, and a portion of DHS' annual cost allocation schedule, which is distributed to all DHS bureaus. DHS expenditures include: Personnel and General Administration, Procurement and Office Services, Hearings and Appeals, Budgeting, Auditing, Management and Accounting.
Government Obligation Bond Costs (GOB)	Includes depreciation, interest and insurance for capital-related projects. These projects are funded by the Department of General Services through GOB; and each year the Bureau of Financial Reporting (BFR) calculates the GOB and applies the cost to the facility where the project was completed.

*/ Per BJJS, as of March 2016, Human Resources (HR) has been consolidated under the Office of Administration (OA); HR personnel cost beginning in FY2016-2017 are no longer included in this cost category.

Source: Developed by LBFC staff from information provided by BJJS.

YDC/YFC Total Expenditures. We reviewed three years of fiscal data (FY 2014-15, through FY 2016-17) to identify the largest expenditure category for the YDC/YFC system. As shown in Exhibit 16, Direct Cost expenditures are, by far, the largest expense category. This cost area represents approximately two-thirds of all system expenditures. We found that costs within this category grew by nearly ten percent from \$41.5 million (FY 2014-15) to \$45.4 million (FY 2016-17). Increases in employee benefits costs were also a contributing factor. For example, the average fringe benefit rate for BJJS (as calculated by the DHS' Budget Office) increased from 79.7 percent to 87.2 percent during the review period.

The system's Indirect Cost category, at 31.3 percent, showed the largest percentage increase over the period we reviewed. In FY 2014-15 this category was \$4.5 million, with a sharp increase in FY 2015-16 to \$6.1 million, and a slight decrease to \$5.9 million in FY 2016-17. As described in Exhibit 15, these costs are assigned to the YDC/YFC system from DHS, and the costs are outside the control of BJJS.

The Psychological and Medical cost area increased by approximately 10 percent across the review period—from \$4.6 million (FY 2014-15) to \$5.1 million (FY 2016-17). This cost category represents approximately seven percent of the YDC/YFC system's expenditures. For private providers, these costs are typically reimbursed through Medicaid.⁵⁵ In interviews we conducted with BJJS staff and county juvenile probation officials, the system's inability to receive reimbursement from Medicaid for medical care/services was echoed as a problem throughout the juvenile justice system. All agreed that this area represents an ongoing cost driver for the system.

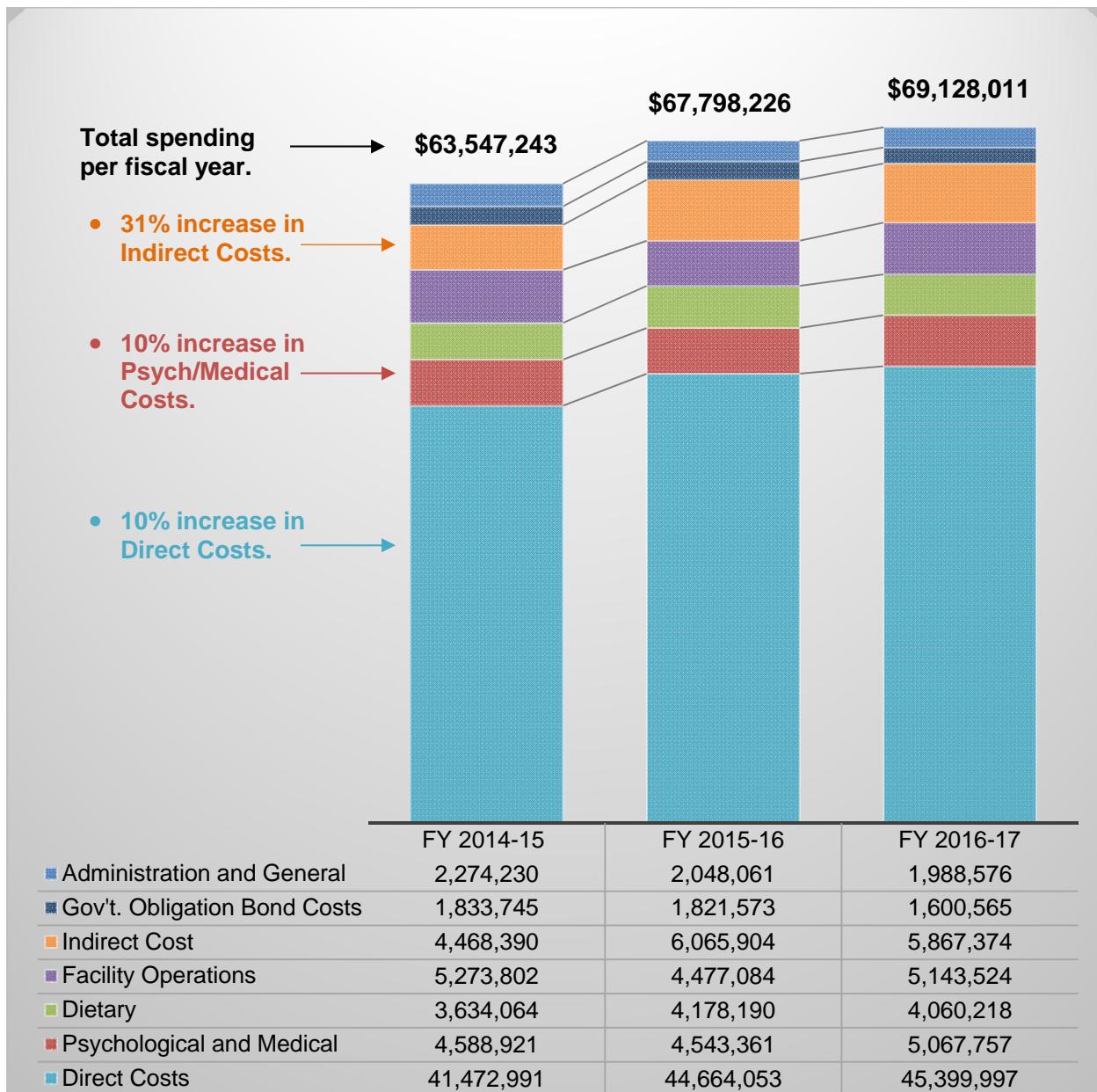
BJJS staff noted that any funds that are not expended by the fiscal year's end are lapsed and are returned to the General Fund. Staff noted that on occasion, and in accordance with the Management Directive 310.3, requests have been made for a waiver to retain encumbered prior year funding for use in the current fiscal year.⁵⁶ For example, if a maintenance project (i.e., bathroom renovation, phone system installation) is in progress but incomplete at the end of the fiscal year, DHS may request a waiver to use prior year funding as opposed to using current year funding to pay for the project.

⁵⁵ The Medicaid Act prohibits federal financial participation (FFP) "with respect to care or services for any individual who is an inmate of a public institution" (42 U.S.C. section 1396d(a)(27)(A); 42 C.F.R. sections 441.33(a)(1), 435.1008(a)(1).

⁵⁶ Management Directive 310.3, revised April 4, 2018, issued by the Governor's Office of the Budget, outlines policy, responsibilities, and procedures for the encumbering and lapsing of appropriations in accordance with section 621 of the Administrative Code of 1929 (71 P.S. §240.1).

Exhibit 16

**YDC/YFC System
Expenditures
FY 2014-15 through FY 2016-17**



Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

YDC/YFC Facility Expenditures

In addition to analyzing overall YDC/YFC system expenditures, we analyzed each facility's cost categories, also over a three-year period (FY 2014-15 through FY 2016-17). For this analysis, we conducted a limited analytical review to identify any increases or decreases of 15 percent or more over the three-year period.⁵⁷ For each cost category where we were unable to determine a reasonable explanation for the increase/decrease, we then met with representatives from BJJS to further our understanding of the nature of the expenditures, as well as an explanation for the identified increase/decrease. The results of our analysis are presented in the sections that follow. Areas we identified as in need of additional explanation are noted in red and indicated with a “.”

Loysville Youth Development Center (LYDC)

Table 6

YDC - Loysville

Facility Costs	FY 2014-15	FY 2015-16	FY 2016-17	Percentage Incr. or (Decr.) FY 2014-15 to FY 2016-17
Admin. and General	\$1,260,641	\$1,225,886	\$1,233,715	(2.1)
Psych. and Medical	1,375,208	1,260,802	1,410,403	2.6
Dietary	1,694,044	1,817,070	1,771,878	4.6
Facility Operations	1,839,155	2,071,070	2,152,363	17.0
Direct Costs	<u>12,667,328</u>	<u>13,774,234</u>	<u>13,770,997</u>	8.7
Facility Costs-Subtotal	\$18,837,376	\$20,149,062	\$20,339,356	8.0
Indirect Costs	1,432,490	1,938,278	2,007,585	40.1
Gov't Oblg. Bond Costs	<u>554,912</u>	<u>545,623</u>	<u>513,306</u>	(7.5)
Total Costs	<u>\$20,824,878</u>	<u>\$22,632,963</u>	<u>\$22,860,247</u>	9.8

Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

As shown on Table 6, on average, total expenditures for the LYDC are approximately \$22.1 million per year. Additionally, total expenditures at the LYDC grew by nearly 10 percent over the three year review period. Areas that exceed our analytical review criteria of 15 percent are noted in red and explained further in the paragraphs that follow.

⁵⁷ As defined by the American Institute of Certified Public Accountants, analytical reviews (i.e., analytical procedures) consist of evaluations of financial information made by a study of plausible relationships among both financial and nonfinancial data. Our decision to use 15 percent as the threshold for review was based on our desire to identify unusual events, transactions, or business changes within the YDC/YFC facilities.

In reviewing the LYDC cost categories, there was a 17 percent increase in Facility Operations. This cost increase was driven primarily by contractual raises and Commonwealth-paid employee benefit rates (approximately \$130,000). Additionally, a new facility-wide radio system was installed in FY 2016-17 (approximately \$157,000), which contributed to this increase.

Indirect Costs grew substantially over the review period at 40.1 percent. BJJS officials attributed this increase to three primary factors:

- 1) System-wide indirect costs increased by 31 percent. Consequently, as indirect costs grew, so too did LYDC's share of the overall indirect costs.
- 2) With the closure of the Cresson Secure Treatment Unit during FY 2015-16, there were fewer facilities to distribute Indirect Costs; consequently, the other facilities' costs incrementally increased.
- 3) Lastly, LYDC experienced a 9.5 percent increase in total days of care. Because days of care is the basis for distributing indirect costs, more cost was shifted to LYDC.

North Central Secure Treatment Unit (NCSTU)

Table 7

YDC – North Central

Facility Costs	FY 2014-15	FY 2015-16	FY 2016-17	Percentage Incr. or (Decr.) FY 2014-15 to FY 2016-17
Admin. and General	\$567,380	\$441,502	\$356,206	(37.0)
Psych. and Medical	1,905,934	1,872,680	2,005,960	5.0
Dietary	1,153,612	1,092,223	1,000,743	(13.0)
Facility Operations	1,084,656	1,199,372	1,601,124	48.0
Direct Costs	<u>14,863,388</u>	<u>15,671,736</u>	<u>15,755,504</u>	6.0
Facility Costs-Subtotal	\$19,574,970	\$20,277,513	\$20,719,538	6.0
Indirect Costs	1,699,415	2,221,348	1,821,370	7.0
Gov't Oblg. Bond Costs	<u>267,865</u>	<u>266,325</u>	<u>253,887</u>	(5.0)
Total Costs	<u>\$21,542,250</u>	<u>\$22,765,186</u>	<u>\$22,794,795</u>	6.0

Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

As shown on Table 7, total NCSTU expenditures across the three-year review period increased by 6 percent. A significant decrease was seen in the Administration and General (37 percent). The Administration and General cost category decreased during the

review period due to a realignment of the DHS/BJJS human resources functions, which were consolidated within the Office of Administration.

In terms of significant cost increases, the NCSTU had a 48 percent increase in Facility Operations. We found this increase was attributed to a new security camera system which was installed in FY 2016-17 at a cost of \$650,000.

South Mountain Secure Treatment Unit (SMSTU)

Table 8

YDC –South Mountain

Facility Costs	FY 2014-15	FY 2015-16	FY 2016-17	Percentage Incr. or (Decr.) FY 2014-15 to FY 2016-17
Admin. and General	\$151,176	\$142,617	\$145,221	(4.0) 
Psych. and Medical	548,310	614,002	832,224	52.0 
Dietary	180,257	421,802	371,062	106.0 
Facility Operations	222,471	204,764	275,152	24.0 
Direct Costs	<u>4,977,594</u>	<u>6,219,576</u>	<u>6,406,576</u>	29.0 
Facility Costs-Subtotal	\$6,079,808	\$7,602,761	\$8,030,236	32.0 
Indirect Costs	452,802	713,183	742,552	64.0 
Gov't Oblg. Bond Costs	<u>371,359</u>	<u>371,361</u>	<u>270,999</u>	(27.0) 
Total Costs	<u>\$6,903,969</u>	<u>\$8,687,305</u>	<u>\$9,043,787</u>	31.0 

Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

As shown on Table 8, SMSTU had a greater increase in expenditures across multiple cost categories. The cost areas with an increase of 15 percent or more were: Psychological and Medical, Dietary, Facility Operations, Direct Cost, and Indirect Cost; the remaining cost categories saw a percentage of change of less than 7 percent.⁵⁸

The Psychological and Medical cost category showed a 52 percent increase from \$548,310 in FY 2014-15, to \$832,224 in FY 2016-17. While the overall increase in expenditures explained some of this increase, most of the increase was attributed to the hiring of one additional medical staff for the facility. Additionally, a problem with the Department of General Services' pharmacy contract caused an approximately \$125,000 invoicing error. As a result, invoices for FY 2014-15 and FY 2015-16 were not approved

⁵⁸ SMSTU Government Obligation and Bond Costs showed a decrease of -27 percent across the review period. These costs are not controlled by the YDC/YFC system; consequently, we did not seek further clarification.

from Treasury and Comptroller Operations until FY 2016-17, which contributed to a one time increase for this year.

Dietary showed the greatest increase in expenditures at 106 percent. Here again, this increase was attributed to reconciliation of invoices for FY 2014-15 and which were then paid during FY 2015-16 . In total, 11 months of invoices were consolidated totaling approximately \$124,000 in FY 2015-16. BJJS officials noted that when adjusting for FY 2014-15 dietary expenditures, the actual percentage of change decreases to 22 percent—which would be consistent with the increase in days of care within the facility (See Section A--Utilization).

The increase in expenditures within Facility Operations (24 percent) in FY 2015-16 was also found to be attributed to the cost of a new facility-wide radio installation. This system was installed In FY 2015-16 for approximately \$46,000, but was reconciled with invoices in FY 2016-17.

Direct cost for SMSTU increased by 29 percent during the three-year review period. This increase was related to the facility's total days of care, which increased by 28 percent. BJJS staff indicated that with this increase in juveniles (and the complex nature of the youth) more staff were needed.

Indirect costs increased by 64 percent for SMSTU, and like the LYDC and NCSTU—the reasons are threefold. The overall increase of Indirect Costs is attributed to the closing of CSTU facility, a 28 percent increase in total days of care, and the overall increase in the cost allocation across the YDC/YFC system.

Youth Forestry Camp # 2

Table 9

YFC #2 –

Facility Costs	FY 2014-15	FY 2015-16	FY 2016-17	Percentage Incr. or (Decr.) FY 2014-15 to FY 2016-17
Admin. and General	\$119,118	\$84,491	\$94,088	(21.0)
Psych. and Medical	348,268	356,990	401,376	15.0
Dietary	42,836	262,103	320,618	648.0
Facility Operations	1,283,333	486,102	598,475	(53.0)
Direct Costs	<u>4,042,781</u>	<u>3,879,945</u>	<u>4,164,996</u>	<u>3.0</u>
Facility Costs-Subtotal	\$5,836,336	\$5,069,631	\$5,579,552	(4.0)
Indirect Costs	356,783	425,104	481,093	35.0
Gov't Oblg. Bond Costs	<u>317,557</u>	<u>317,558</u>	<u>317,528</u>	<u>(<1)</u>
Total Costs	<u>\$6,510,676</u>	<u>\$5,812,293</u>	<u>\$6,378,173</u>	(2.0)

Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

As shown on Table 9, during the review period, YFC #2's total expenditures showed an overall decrease of 2 percent. While the cost categories of Dietary, Psychological and Medical, and Indirect Costs, all had increases—these increases were offset by spending reductions in Administration and General, and Facility and Operations.

We found that during the review period the sharp increase in Dietary cost from \$42,836 in FY 2014-15 to \$320,618 in FY 2016-17 was due to a cost center coding error.⁵⁹ BJJS reported that a dietary services contract was incorrectly coded to other YFC # 2 cost categories in FY 2014-15. Consequently, while the overall spending was accurate for the facility, the dietary cost category was artificially low and the main cost categories were artificially high. Lastly, the YFC #2 saw a 35 percent increase in Indirect Costs, resulting from the closure of the CSTU and redistribution of the cost allocation across the YDC/YFC system. Increases in Psychological and Medical, were attributed to contractual salary increases for personnel and other general increases in medical spending. BJJS officials noted that it is common for medical expenses to vary from year to year based upon the individual residents' medical needs in placement at the facility.

With respect to the spending decreases, the Administration and General cost category witnessed a decrease in expenditures (\$-25,000), due to the transfer of Human Re-

⁵⁹ Per BJJS—approximately, \$236,000 was billed to the YFC #2 main cost center in error and should have been billed to the facilities dietary cost center. For the FY 2015-16 and FY 2016-17 all expenditures for this category were coded correctly.

sources personnel to the Office of Administration at the close of FY 2015-16. Additionally, with this facility's decrease in days of care, there was a reduction in overall cost allocation for the Administration and General categories.

The Facility Operations cost category showed a significant decrease of 53 percent from FY 2014-15 (\$1,283,333) to FY 2016-17 (\$598,475), which was largely attributed to a one time purchases in FY 2014-15 for a new security camera system (\$327,000) and for roof installation (approximately \$270,000).

Youth Forestry Camp # 3

Table 10

YFC #3

Facility Costs	FY 2014-15	FY 2015-16	FY 2016-17	Percentage Incr. or (Decr.) FY 2014-15 to FY 2016-17
Admin. and General	\$175,915	\$153,565	\$159,346	(9.0)
Psych. and Medical	411,201	438,887	417,794	2.0
Dietary	563,315	584,992	595,917	6.0
Facility Operations	844,187	515,776	516,411	(39.0)
Direct Costs	<u>4,921,900</u>	<u>5,118,562</u>	<u>5,301,924</u>	<u>8.0</u>
Facility Costs-Subtotal	\$6,916,518	\$6,811,782	\$6,991,390	1.0
Indirect Costs	526,900	767,991	814,774	55.0
Gov't Oblg. Bond Costs	<u>322,052</u>	<u>320,706</u>	<u>244,846</u>	<u>(24.0)</u>
Total Costs	<u>\$7,765,470</u>	<u>\$7,900,479</u>	<u>\$8,051,010</u>	4.0

Source: Developed by LBFC staff from Department of the Auditor General Certification Reports and from DHS' Cost Apportionment Reports.

As shown in Table 10, during the review period, overall YFC # 3 cost categories grew by 4 percent. Indirect costs grew most substantially at 55 percent. Like the other facilities we reviewed, this cost increase was attributed to the overall growth in indirect expenses and the closure of the YDC at Cresson, which distributed costs from six to five facilities.

In terms of decreases, this facility showed a 39 percent decrease in Facility Operations from FY 2014-15 (\$844,187) to FY 2016-17 (\$516,410). However, like YFC #2, this cost reduction was due to facility enhancements made in FY 2014-15, which artificially increased expenses for that year. Further, while Government Obligation Bond Costs did reduce by more than 15 percent, these costs are beyond the BJJS control and therefore this category was excluded from our analysis.

E. YDC/YFC Complement By Facility

Our final objective asked us to report the complement of employees at each facility within the YDC/YFC system. Complement control reports, which we obtained and reviewed from DHS for the period July 1, 2014, through April 27, 2018, served as the source of our analysis.

- *As of April 27, 2018, there were a total of 711 positions with the Bureau of Juvenile Justice Services (BJJS)—the Bureau which oversees the YDC/YFC system.*
- *Of these 711 positions, 624 were filled and 87 were vacant.*
- *Of the 624 filled positions, 43 are on a injury status and 3 are on other leave status.*

In short, the YDC/YFC system is labor intensive, and according to BJJS officials, is probably staffed at higher levels than private providers. This conclusion may not be entirely surprising given the uniqueness of the YDC/YFC system and the moderate to very high-risk level mix of juveniles that the system serves, which would necessitate more staff for everyone's safety (juvenile and staff). We found that as of April 27, 2018, the system had a total complement of 711 (salaried and wage). This total included filled and vacant positions, as well as employees who were on work injury or other status.⁶⁰ This total is actually a decrease in total complement from FY 2014-15, when it peaked at 763 positions.

As discussed in the sections that follow, the total complement includes all positions assigned to the YDC/YFC system, including positions which work directly with youth, administrative and/or other indirect youth-related

positions, and facility support positions.

Direct, Indirect, and Facility Maintenance

To provide more clarity regarding the YDC/YFC complement, we took the total filled and vacant positions as of April 27, 2018, and placed them into one of three groups:

1. **Direct Juvenile Support** – This group includes positions that deal directly with the care, custody, and training of the juvenile population. Examples include: youth development trainees, youth development aides, and youth development counselors.
2. **Indirect Juvenile Support** – These positions also work with the juvenile population, but the positions are more specialized. Examples include: drug and alcohol

⁶⁰ Many of the BJJS employees are covered under Act 534, which provides additional disability benefits for employees of YDC/YFC facilities. BJJS had 38 employees on Act 534 status. These benefits continue indefinitely, so long as the employee remains on Act 534 disability status.

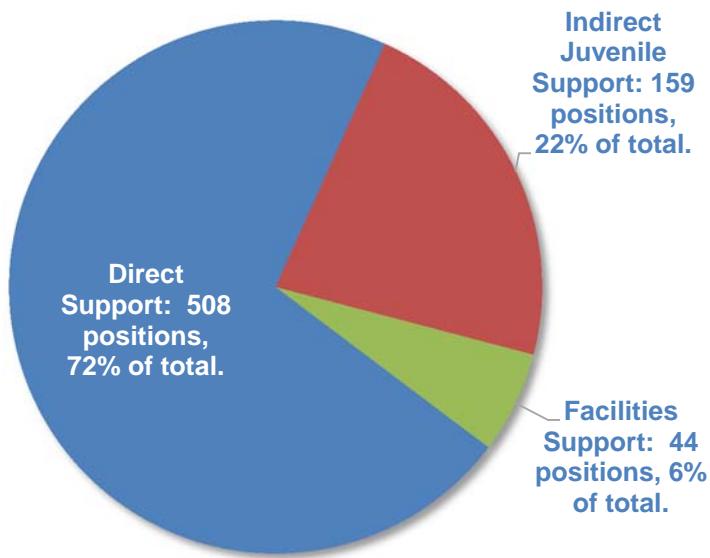
treatment specialists, nurses, psychological services, social workers, as well as administrative support positions.

3. **Facility Support** – This group includes positions that are primarily related to supporting a YDC/YFC facility. Examples include: plumbers, electricians, maintenance repair, HVAC specialists, semi-skilled labor, and security.

As shown in Exhibit 18, within the YDC/YFC system, 72 percent (508/711) of the positions were related to the direct care of juveniles. Indirect juvenile support accounted for 22 percent (159/711), with the remaining six percent (44/711) dealing with facility support. As expected, most of the YDC/YFC positions (94 percent) are direct and indirect support-related positions.

Exhibit 17

**YDC/YFC System Complement
by General Classification
As of April 27, 2018***



*Total includes filled (624) and vacant positions (87).

Source: Developed by LBFC staff from DHS complement control report as of April 27, 2018.

As of April 30, 2018, the YDC/YFC system has a total capacity of 351 beds. Overall there are 2.02 staff persons for each bed.⁶¹ However, as shown in the Section A of this

⁶¹ Our analysis is based on all positions, including direct, indirect, and facility support. While direct positions are those that are primarily working with juveniles, we felt it was important to conduct our analysis

report, at no time during the period July 1, 2014, through April 30, 2018, was the YDC/YFC system at full capacity. More typically, the system operates at approximately 80 percent capacity.

Complement Levels by YDC/YFC Facility

We reviewed the complement level at each facility within the YDC/YFC system. As shown in Exhibit 17, we further used the same categories of direct, indirect, and facility support as the basis of our analysis. For comparative purposes, we also included each facility's total bed capacity as of April 30, 2018.

In looking further at the ratio of staff complement to bed capacity per facility we found that the YDC at Loysville had the highest ratio with 2.23 staff complement per bed. This occurrence is likely due to the fact that BJJS consolidated a number of administrative positions and headquartered those positions at YDC – Loysville. The YDC at South Mountain was second with 2.19 staff complement per bed, followed by the YDC – North Central at 1.98 staff complement per bed. Given the secure nature of these facilities, this occurrence is not entirely unexpected.

We were unable to attain comparative staffing information from private providers. BJJS officials informed us, however, that based on their experience, while they have no direct knowledge of how private providers staff their operations, they believe the YDC/YFC facilities are staffed at higher levels than private providers. YDC/YFC officials said that the higher staffing levels are a result of the more complex behavioral and social needs of the juveniles in their system.

Private providers must comply with the staffing requirements of DHS' Chapter 3800 regulations. More specifically, with respect to "secure care," providers are required to have "one child care worker present for every six children during awake hours" and "one child care worker present for every 12 children during sleeping hours."⁶² Secure care providers are most comparable to YDC secure facilities.⁶³

While these regulations lay out a general staffing requirement, because of the vagueness in the language used to set the standard it is difficult to apply the requirement operationally. For example, the regulations do not specifically define "awake" or "sleeping hours." As a result, these times would be based on each facilities' activity schedule as well as each juvenile's needs, which can vary substantially.

using all positions because it is a better representation of how many personnel are assigned to operate the YDC/YFC facilities.

⁶² See 55 Pa Code § 3800.274 (5). Further, under 55 PA Code § 3800.55 (f), "a child care worker shall be responsible for implementing daily activities and supervision for the children."

⁶³ Providers may be subject to additional requirements beyond the regulatory minimum for funding or accreditation purposes; however, DHS' only ensures compliance with these Chapter 3800 regulations.

DHS officials noted to us that when comparing complement levels to bed capacity, a higher ratio should be expected because each bed must be staffed for a 24-hour period, which requires more than one staff person. For example, because a shift covers one 8 hour period, three staff persons would be needed to cover a 24-hour period. Additionally, when factoring time off for paid leave, training, or other administrative time, the number of staff needed to “cover” an occupied bed (i.e., a juvenile placed in a YDC/YFC facility) increases.

DHS officials noted that with regard to complement and staffing, they use the Chapter 3800 regulations as a guide; however, DHS is not bound to those requirements. DHS officials acknowledge that their facilities are likely staffed slightly higher than comparable private providers, but they believe it is out of necessity because of the unique populations they serve. As an example, they noted that because of security issues two staff persons (a driver and an escort) are needed to transport a juvenile from a YDC secure facility to a court hearing. These are factors which are beyond the YDC/YFC system’s control, but which require each respective YDC/YFC facility to be prepared to handle.

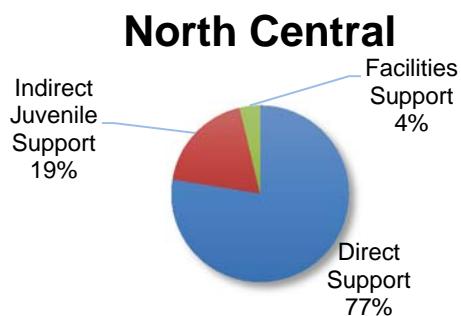
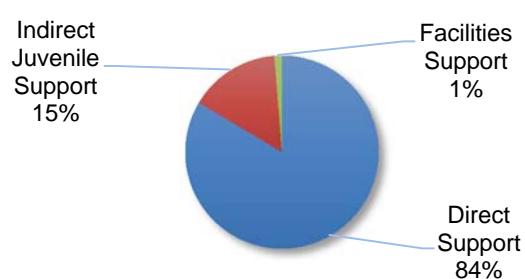
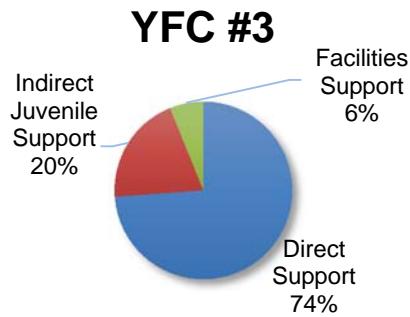
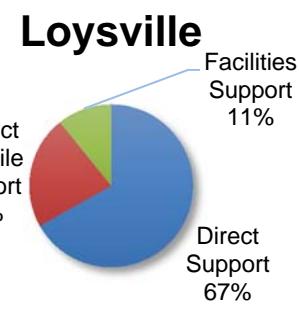
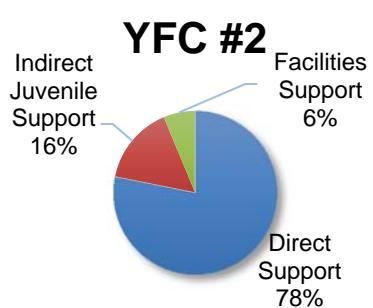
Due to the uniqueness of the YDC/YFC system, a direct comparison of the YDC/YFC system’s complement to comparable criteria or other benchmarks related to private facilities is not possible. Nevertheless, we present the following comparisons of YDC/YFC facility staff to bed capacity to provide some basis from which to compare each facility within the system.⁶⁴ See Exhibit 17.

⁶⁴ While staff complement to bed capacity provides a basis for comparison, we caution that as described in Section A – Utilization, bed capacity can be increased or decreased rather indiscriminately.

Exhibit 18

YDC/YFC Complement By Facility

Facility	Direct	Indirect	Facility	Total Complement*	Bed Capacity	Ratio Comp./Bed
YFC #2	50	10	4	64	49	1.30 to 1
YFC #3	48	13	4	65	50	1.30 to 1
Loysville	161	54	26	241	108	2.23 to 1
North Central	166	40	8	214	108	1.98 to 1
South Mountain	66	12	1	79	36	2.19 to 1



*/ Includes total positions at each facility (filled 624 and vacant 87). Does not include Bureau-assigned positions or 17 employees who were on work injury status at the now closed YDC – New Castle.
Source: Developed by LBFC staff from DHS complement reports, as of April 27, 2018.

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IV. Appendices

APPENDIX A

Additional Information About Each YDC/YFC Facility

(Source: Provided by DHS)

Loysville Youth Development Center (LYDC)

Loysville Youth Development Center (LYDC) is a secure residential facility located in Perry County serving adjudicated delinquent males age 12–20. LYDC emphasizes a team approach to working with residents throughout their entire placement starting with comprehensive assessments to identify strengths and needs that are the foundation for individualized services. LYDC is committed to providing services on the basis of individualized criminogenic risk, utilizing the Youth Level of Service to create service plans. All services place a strong emphasis on the principles of Balanced and Restorative Justice. The Counseling Center at LYDC provides evidence-based programming that complements those services being provided concurrently in the residents' respective living units and provides programming to youth to address crime and the victimization of others, vocational preparation (job searches, resumes, interview skills), and sex education.

Each of the seven living areas at LYDC is designed for a specific client need as indicated in the following summary:

- ❖ **Allegheny Cottage** serves young (12-15 years old), immature, and antisocial delinquent residents. Age-appropriate activities are incorporated into the program to address their earlier stage of development. This program utilizes Aggression Replacement Training curricula.
- ❖ **East Penn Cottage** serves a more generalized population of residents that do not fit into the other specialized programs at LYDC. Residents are presented with a more general or all-encompassing treatment regimen, adjusted accordingly to accommodate the overall nuances that distinguish one resident from another. The East Penn program also places an emphasis on independent living skills, education, and community reintegration.
- ❖ **Williams Cottage** serves residents who do not meet the criteria for more specialized treatment. I.e. Young Offenders, D&A, MH, etc. A primary focus is on educational enhancement using AZTEC, Spectrum Workbooks and GED Prep. All of the materials utilized and group sessions conducted are tailored to the resident's level of comprehension. In addition, a basic living skills curriculum, based on the Casey Life Skills program, is presented throughout the resident's entire placement to prepare for challenges in the community.
- ❖ **Juniata Cottage** serves residents with deeply ingrained delinquent values, with special emphasis on educational remediation. Due to the extensive degree of academic programming, Juniata is especially suited for residents with a realistic opportunity of obtaining their GED. The cottage also addresses substance abuse and daily living skills in an effort to promote independent, functional living.
- ❖ **Z-B Cottage** serves residents with shorter and less severe delinquent histories and significant drug and alcohol related problems and charges. The program fosters a therapeutic community environment that helps facilitate change through milieu therapy in addition to individual and group therapies. The core of the program is built on Hazelden's New Directions curriculum.
- ❖ **Specialized Treatment and Rehabilitation (STAR) Cottage** addresses the mental health needs of male adolescents who have been diagnosed with significant mental health disorders. More intensive involvement by the psychiatrist and the Master's-level clinician are provided to meet the residents' needs. This program has been trained in Rational Living Therapy, a CBT program. Family counseling is also prioritized within this unit.
- ❖ **Secure Unit** serves residents in need of treatment in a secure setting. The program provides assorted services designed to address the individualized treatment issues along with learning and displaying appropriate pro-social behavior. This unit is specialized in the delivery of Thinking for a Change, an integrated, cognitive behavioral change program.

The educational program at LYDC is provided through the Capital Area Intermediate Unit. Multiple tracks are available in this program, including: earning credits toward a high school degree, participating in a specialized class that focuses on GED preparation or participating in vocational programming. Current vocational programming options include: Culinary Arts, Automotive Services, Outdoor Maintenance, and Building Trades.

Students who have already earned their Diploma or GED may participate in vocational programming as space is available. Online credit recovery is available for High School Seniors throughout the year. Underclassmen behind in credits for their age have the opportunity for online credit recovery during the summer months. All students are required to complete the Employability Skills class - a nine week a 9 week, 30 hour class designed to deliver the career exploration, job search, employment maintenance and career advancement skills identified by the PACTT Alliance.

Appendix A Continued

North Central Secure Treatment Unit (NCSTU) - Boys

North Central Secure Treatment Unit (NCSTU) Boys Program provides secure treatment programming for adjudicated delinquent males age 14–20. NCSTU is a 60 bed male program located at the Admissions Building on the grounds of Danville State Hospital in Montour County. Our mission is to provide a safe, supportive environment while encouraging and empowering young men to lead healthy lifestyles that promote dignity, integrity, and responsibility. We offer a wide range of programs and services including General Delinquency, Substance Abuse, Mental Health, Educational Preparation and Violent Offenders. Our programs are designed to enhance the resident's self-esteem and promote a positive identity. This is accomplished through a strength-based approach, building upon and reinforcing those skills and abilities that the resident already possesses, while providing him with evidenced based counseling and curricula such as Dialectical Behavior Therapy (DBT) and Cognitive Behavioral Therapy (CBT). Residents have a structured daily routine which includes school, individual and group counseling sessions, physical recreation, and leisure activities which encourage positive socialization with their peers, among other activities. Residents pay restitution with money earned through the Work Training Program (WTP). All treatment services and aftercare planning incorporates a Balanced and Restorative Justice perspective.

The NCSTU Admissions Building houses four separate units.

- ❖ The **RISE** unit houses general delinquency residents who score high overall on the Youth Level of Service (YLS). RISE dorm is a 15 bed, highly structured, strength-based therapeutic community. Forward Thinking, which is a cognitive-behavioral series, uses evidence-based strategies to assist youth in making positive changes to their thoughts, feelings, and behaviors.
- ❖ The **HOPE** unit is a highly structured, 15 bed unit which houses residents in need of treatment that targets substance use and abuse issues. Treatment is built upon Hazelden's "A New Direction" curriculum.
- ❖ The **Power Program** is a 15 bed unit which houses residents that have demonstrated violent behaviors within the community. These residents are provided a highly structured environment and treatment services that provide emphasis on reducing violent behaviors. This is accomplished through DBT group and individual counseling, Conflict Resolution, anger management and coping skills groups, as well as intensive individual counseling targeting the resident's history of violent/aggressive behaviors.
- ❖ The **Focus Program** is a 15 bed unit which houses residents in need of treatment that targets mental health disorders (i.e. Mood Disorders, ADHD, Post-traumatic Stress Disorder (PTSD), Bipolar Disorder, Borderline Personality Disorder, etc.), as well as residents in need of specialized treatment for mild to moderate Intellectual Developmental Disability (I.Q. range of about 40 to 69). The Focus Program provides a highly structured, predictable, routine-consistent therapeutic environment. This is accomplished through recognition of and treatment for PTSD, DBT group and individual counseling, eliminating self-harming behaviors, and conflict resolution.

The Central Susquehanna Intermediate Unit (CSIU) provides educational services at NCSTU. The school year includes 180 instructional days over 11 months (August through June) and the average length of enrollment is 9 to 12 months. Residents can obtain credit toward graduation or earn a high school diploma or GED while at NCSTU.

Appendix A Continued

North Central Secure Treatment Unit (NCSTU) Girls Program

North Central Secure Treatment Unit (NCSTU) Girls Program provides secure treatment programming for adjudicated delinquent females age 13–20. Located in Montour County, the Girls Program offers a wide range of programs and services designed to meet the diverse needs of its residents including specific programs that address substance abuse and criminal behavior issues, gender-responsive services for female offenders, programming for residents having lower cognitive functioning, and treatment for issues related to chronic delinquent behavior and mental health disorders. All treatment services and aftercare planning incorporates a Balanced and Restorative Justice (BARJ) perspective. Residents are held accountable for their crimes through individual and group counseling sessions which include a strong emphasis on Cognitive Behavioral Therapy (CBT) counseling. Residents pay restitution with money earned through the Work Training Program (WTP). Throughout a resident's stay, they will be provided CBT through the evidence based Thinking for a Change (T4C) curriculum. The goal is to provide the residents an opportunity to cognitively restructure their thinking patterns so that they could be contributing members of their community.

There are currently two Girls Programs located at the NCSTU Campus, the Green and Reed Buildings, each with the aptitude to occupy 24 residents, while providing a quality of service and care. Our programs are further sectioned into 12 bed units, providing female offenders with treatment and services targeting delinquency, trauma, loss, and mental health disorders. The program's mission is to provide a safe, supportive environment while encouraging and empowering young women to lead healthy lifestyles that promote dignity, integrity and responsibility. The program provides effective services for a specialized population of girls who require the highest level of care. Programming includes: recognition of and treatment for Post-traumatic Stress Disorder (PTSD), Cognitive Behavior Therapy (Thinking for a Change), and creating safety zones, eliminating self-harming behaviors, abuse recovery, and conflict resolution.

All residents receive individual and group therapy sessions. The program is governed by the BARJ principles, the T4C curriculum, as well as the Sanctuary Model. The Sanctuary Model represents a trauma-informed approach that provides an environment in which healing from psychological and socially traumatic experiences can be addressed. Because the Sanctuary Model is a cultural model, rather than a treatment intervention, the program maintains its structure and guidelines for the residents they serve. The structure and guidelines include: consequences, incentives, individual and group therapy services, and all the requirements of the BARJ principles. The intent of the Sanctuary Model is to increase a sense of community and link it to a common goal regardless of which community you exist in. Our residents will be expected to abide by seven commitments along their way to emotional, mental and psychological healing. The seven commitments include: commitments to Democracy, Social Learning, Emotional Intelligence, Non-Violence, Open Communication, Social Responsibility, and the commitment to Growth and Change. Also, during a resident's stay, they will work through our Victim Impact and Gun Violence curriculums. These curriculums help residents identify how their actions have affected their victims, communities, families, and selves. Each resident is provided the group curriculums during their stay. Residents will also complete victim letters, pay restitution, and complete community service as part of offender accountability.

The Central Susquehanna Intermediate Unit (CSIU) provides educational services at NCSTU Girls Program, providing students the opportunity to obtain credit toward graduation; earn a high school diploma or GED. The school year includes 180 instructional days over 11 months (August through June) and the average length of enrollment is 9 to 12 months. There are five class periods which provide at least five and one half hours of instruction per day (990 hours per school year).

Appendix A Continued

South Mountain Secure Treatment Unit (SMSTU)

South Mountain Secure Treatment Unit (SMSTU) is located on the grounds of the South Mountain Restoration Center in Franklin County. SMSTU is a highly secure facility that provides treatment programming for adjudicated delinquent males, age 15-20, and is designed to meet each of their individual and diverse needs. The facility is charged with managing and treating more aggressive and behaviorally challenging juveniles who have experienced difficulty adjusting to less secure environments and/or have extensive placement histories.

SMSTU provides to all residents basic core group curricula that address victimization issues, effective management of aggression, and basic life and employment skills. Group counseling is also provided for residents with special needs including human sexuality, boundaries, trauma, and grief and loss.

- ❖ The **Sexual Behavior Treatment Program** provides highly individualized services including evidence supported/strength-based approaches and trauma-informed care strategies for treatment. Residents requiring sexual behavior services participate in the general milieu of the program combined with a variety of sexual attitudes/behavior-specific treatment protocols. Sexual behavior-specific evaluations are performed on each resident, which include initial and discharge sexual risk assessments. Residents participate in a variety of psycho-educational/therapeutic group curricula which address factors identified in the literature as being associated with increased risk of recidivism including, but not limited to, assault cycles, high-risk recognition/intervention, trauma impact (both as victim and perpetrator), empathy skills training, problem solving and conflict resolution, age-appropriate interpersonal boundaries, and relapse prevention. Group curricula is supplemented by intensive individual counseling designed to specifically address risk of recidivism and the development of a personal Safety Plan or Plan for Success. In addition, the program is capable of providing services for dually diagnosed adolescents (MH/MR and/or Drug and Alcohol) who have committed sexually related crimes or have a history of problematic sexual behaviors.
- ❖ The **Secure Treatment Program** provides treatment services for residents with diverse needs. All residents participate in the drug and alcohol curriculum, Aggression Replacement Training, victim impact course, and various life and social skills development groups.
- ❖ The **Special Needs Program** provides programming for residents who require mental health and/or present with intellectual/cognitive deficits. Services for residents in the Special Needs Program are highly individualized, use evidence supported/strength-based approaches, and trauma-informed care strategies to treatment. These services focus on building pro-social and life skills through a structured daily routine, "community" network, and intensive therapeutic staff support.

The facility offers opportunities for residents to participate in work training programs. These programs allow residents to earn money for use in paying restitution, court costs, or other financial obligations. Tuscarora Intermediate Unit (TIU) #11 provides 180 days of educational service. Basic courses include English, Mathematics, Reading, Science, Geography, and Art Appreciation. Secondary courses offered include English, Mathematics, Reading, Computer Literacy, and General Equivalency Diploma preparation. The educational curricula place strong emphasis on the development of competency in the use of computer technology.

Appendix A Continued

Youth Forestry Camp #2 (YFC #2)

Youth Forestry Camp #2 is located within Hickory Run State Park in Carbon County. It is an open residential facility for adjudicated delinquent male youth.

Youth Forestry Camp #2 provides CBT/Evidenced based treatment services, educational, and vocational services to youth, ages 14 to 20, based on their individual criminogenic needs. Opportunities for on-site and off-site internships, employment, and vocational training are also available. Youth are encouraged to participate in job programs which allow them to earn money to pay restitution costs.

YFC#2 currently offers two therapeutic communities with Evidence Based Programming:

- ❖ The “S.T.A.R.T. Program” was created to assist male youth ages 14-20 who struggle with addiction problems. The S.T.A.R.T. program utilizes the Hazelden “A New Directions” which is a comprehensive **D&A cognitive-behavioral therapy treatment program**. The program assists youth in challenging their thinking in order to change their delinquent and addictive behavior patterns. The series focuses on the following areas: Intake and Orientation, Drug and Alcohol Education, Criminal and Addictive Thinking, Socialization, Relapse and Prevention and Release and Reintegration. The average length of stay is 5 to 6 months.
- ❖ The “Forward Thinking Program” was created to assist male youth ages 14 to 20 in addressing delinquent thinking, feelings, and actions. The program utilizes the Forward Thinking Interactive Journaling Series. This cognitive-behavioral series uses evidence-based strategies to address the criminogenic needs of the Youth Level of Survey (YLS) in the following areas: Responsible Behavior, Handling Difficult Feelings, Relationships and Communication, Victim Awareness, Substance Abuse, and Re-entry Planning. The average length of stay is 5 to 6 months.
- ❖ The “Short Term Program” (STP) is a 60-90 day program created to give Juvenile Probation an alternative to address the gap between no placement and longer term placements. Youth Forestry Camp #2 provides short term services in the “S.T.A.R.T.” and “Forward Thinking” Programs. Services will be provided based on the resident’s highest criminogenic needs on their YLS. This program is designed to assist male youth ages 14-20.

Educational services are provided through agreements between the Pennsylvania Department of Education and the Carbon Lehigh Intermediate Unit. Instructional education is provided year round and offers a highly structured, small classroom environment designed to provide individual attention. Educational programs are designed to meet the needs of each resident. In order to best meet the educational needs of each resident, facility and educational staff work together to develop a comprehensive education plan and a separate Individual Education Plan (IEP) as required for each student. Our faculty teaches core subjects as well as more specialized needs such as life skills and vocational training including, but not limited to, Casey Life Skills, GED - preparation/testing, and credit recovery. Residents also participate in a Media Technology Course called the “Stream Factory”. The STREAM Factory is a strategic initiative to help students develop digital job skills through a work-to-learn program. Students engage multiple disciplines (Science-Technology-Robotics-Engineering-Arts-Mathematics) as applied knowledge. Students engage the basic process of product concept, product design/engineering, and product manufacturing. Students acquire digital work skills that are critical in the emerging digital manufacturing environment of the 21st Century. Students at YFC2 become conversant with using various types of CAD-CAM and graphic software; and, they learn to operate a Digital Apparel Printer, Large Format Printer, CNC Wood-Carver, various 3D Printers, and a Laser Engraver. The STREAM Factory has developed an actual customer base for which students make products such as T-shirts, posters, brochures, graphic logos, wood plaques, and laser engraved signage. Furthermore, students acquire basic soft skills such as teamwork while producing products as well as basic communication skills needed to interface with customers.

Residents can earn the following **Vocational Certifications**: OSHA-10 Certification; Commit 2 Clean (Janitorial/Maintenance Program) Certification; CPR/First Aid Certification; Forklift Operator Certification; Flagger Safety Certification; Building Trades (Carpentry, Basic Electrical I & II, and Basic Masonry I & II Block); Microsoft Office Specialist (MOS) and ICDL Certification; Internet and Computing Core Certification IC; and Desktop Publishing 1&2 Certification.

Additionally, youth are offered opportunities to participate in a wide range of supervised community service projects, including restorative services, horticulture, fish stocking in cooperation with the Pennsylvania Fish and Boat Commission, community clean-up, and community organization assistance.

Appendix A Continued

Youth Forestry Camp #3 (YFC #3)

Youth Forestry Camp #3 (YFC#3), located in Huntingdon County, supports positive change through a multi-program approach in a safe and open environment. Two distinct living and treatment units are available; the B-Dorm Residential program and the First Step program.

Cognitive Behavioral Therapy (CBT) is at the core of YFC#3 programming. CBT has proven useful with a wide range of issues, as it helps the resident see the connections between the way he thinks, feels and acts.

YFC#3 utilizes multiple normed and validated assessment instruments, including the Youth Level of Service/Case Management Inventory (YLS/CMI), and either the Comprehensive Health Assessment for Teens (CHAT), or the Behavioral Health Index Multimedia Version (BHI-MV). The Master Case Planning System (MCPS) provides case management. The two programs promote similar expectations, competency development opportunities, behavioral modification techniques, evidence-based treatment workshops; esteem-building activities; and community reparation projects. Balanced and Restorative Justice (BARJ) philosophies are embedded throughout programming. Treatment fidelity is maintained through a commitment to the Standardized Program Evaluation Protocol (SPEP) process and through independent quality improvement reviews.

The **B-Dorm Residential** program focuses heavily on cognitive change through the use of Rational Emotive Behavioral Therapy (REBT), an evidenced-based CBT. The program has open intake and duration, with 4 months usually considered the ideal minimum. REBT emphasizes the reciprocal influence of thoughts, emotions, and behaviors, while recognizing cognition as the most important influence on behavior and emotions. REBT has a range of clinical applications targeting self-defeating emotions and behaviors; including anger, aggression, internalizing disorders (depression, anxiety, guilt, shame), externalizing disorders (ADHD, conduct disorder, oppositional defiance), underachievement, avoidant behaviors, personality features and substance abuse. The main component of REBT has a duration and dosage of 15 weeks and 45 sessions, in addition to specialized group counseling for anger and substance abuse. REBT substance abuse counseling is provided for a minimum of 6 weeks and 12 hours, in addition to individual counseling. Anger management is addressed through two curricula, each with 12 sessions.

B-Dorm Residential services are enhanced by a defined multi-tiered behavior modification program designed to promote long term, consistent behavior change through the practice of REBT. Provided is a system of rewards, incentives, and graduated responses.

The **First Step Program** is intended for residents whose history includes a significant substance-related component. The program has open intake, and a minimum duration of 16 weeks. It can be determined at intake the first opportunity a resident would have to meet his program goals; but, the resident determines his duration through treatment involvement and practice of CBT concepts.

Our core CBT curriculum, Hazelden's, "A New Direction" (AND), is designed specifically for chemically addicted male offenders, helping them challenge their thinking in order to change their criminal and addictive behavior.

The AND curriculum is broken into 5 modules; Criminal & Addictive Thinking, Drug & Alcohol Education, Socialization, Relapse Prevention, and Release & Reintegration, through which the resident will uncover:

- ❖ The importance of holding himself accountable
- ❖ The effects of addiction & the recovery process
- ❖ How to think about his thinking
- ❖ How distorted thoughts & unresolved feelings fuel criminal behavior
- ❖ How to identify and replace old thinking patterns
- ❖ Why using drugs and committing crimes are fundamentally linked
- ❖ How to manage anger in a positive manner
- ❖ The dynamics of healthy relationships
- ❖ The common relapse triggers
- ❖ How to avoid high-risk people and situations

The First Step individual counseling is CBT-focused. Participation in peer-led support groups is encouraged. Each resident's treatment progress is monitored through a comprehensive, delineated "step" system that provides incentives tied to CBT performance. This system expects that the resident progress from receiving CBT mentorship, to providing this mentorship to newer residents.

Appendix A Continued

Both programs work in unison with the Center for Specialized Programming and Staff Development (CSPSD), or “**Counseling Center**”, in providing residents substance abuse assessment and services; mental health assessment and support; and evidence-based competency development group counseling. The regional CSPSD provides clinical counseling training and support for the YFC#3 treatment teams.

Tuscarora Intermediate Unit #11 administers the school program. Delivery is accomplished through competency-based individualized instruction, with multiple delivery modes and strategies. Residents complete diagnostic tests to determine grade levels, abilities and interests. Core subjects are covered, as are more specialized needs such as credit recovery, special education, employability skills, life skills and vocational tracks. Individual Education Plans (IEP) are facilitated on site, as are General Equivalency (GED), Commonwealth High School Diplomas, Scholastic Aptitude Testing (SAT) and Armed Services Vocational Aptitude Battery Testing (ASVAB). Select residents are eligible for driver’s education classes, behind-the-wheel instruction and driver’s license testing.

For residents with identified vocational goals, YFC#3 offers a **Job Training** program that includes vocational counseling, job related training, and paid work experience. The complete duration is 26 weeks and 400 hours, and provides vocational counseling; industry-standard training and certification; and paid work experience.

Vocational Counseling is offered to all residents to provide career guidance, transition to aftercare and post-secondary education, and skill building for employment and post-secondary education. These include our Transitional Services and Career Cruising®.

Industry-standard certifications and trainings are emphasized. Examples include:

- ❖ CareerSafe® (OSHA-10) online training and certification
- ❖ SP2® on-line safety training and certification
- ❖ ServSafe® Food Handlers training and certification
- ❖ Johnson & Johnson’s Commit-to-Clean® training and certification
- ❖ Powered industrial truck operator’s safety course (forklift) training and certification
- ❖ Heartsaver® CPR & First Aid training and certification
- ❖ PennDOT mandated flagger training and certification
- ❖ Welding training and industry testing/certification
- ❖ Small gasoline engine repair training
- ❖ International Computer Driving License® (ICDL) for Microsoft Office® training and certification
- ❖ Ricoh Digital Literacy® training and certification
- ❖ Adobe Suite Certification - Photoshop, InDesign and Illustrator

The Digital Literacy® program is the most recent addition. Established through the California State University, this curriculum provides residents with advanced training on digital technology. A requisite for certification is the completion of a professional quality printing project.

Paid Work Experience is offered to qualified residents. Residents must meet security concerns, and those with special educational concerns may not be approved for full time employment. From this income, 75% can be sent directly for restitution payment.

YFC#3 is affiliated with the **Pennsylvania Academic and Career/Technical Training (PACTT) Alliance**. With all work and vocational training options, the resident is tracked in approved competencies. Competency lists are compiled and provided to the resident in his portfolio prior to discharge.

APPENDIX B

Sending County Days of Care

(Counties not listed had no days of care)

<u>County</u>	FY 2014-2015	FY 2015-2016	FY 2016-2017	FY2017-2018	Total
Adams	28	-	-	123	151
Allegheny	4,775	4,719	6,967	6,240	22,701
Armstrong	-	-	52	209	261
Beaver	288	49	3	171	511
Bedford	204	-	269	270	743
Berks	254	771	984	1,337	3,346
Bradford	474	807	688	22	1,991
Bucks	2,733	3,347	4,047	6,859	16,986
Butler	673	558	341	475	2,047
Cambria	-	-0	-	101	101
Carbon	1,280	1,814	1,699	727	5,520
Centre	-	150	123	-	273
Chester	1,067	1,827	1,203	967	5,064
Clearfield	226	210	679	385	821
Columbia	168	-	150	114	432
Dauphin	7,061	5,577	7,990	5,647	26,275
Delaware	860	1,389	792	1,129	4,170
Erie	3,711	2,813	2,640	2,426	11,590
Fayette	-	-	73	738	811
Franklin	1,277	840	572	546	3,235
Fulton	-	70	365	200	635
Huntingdon	307	559	84	293	1,243
Indiana	-	-	107	365	472
Jefferson	-	-	-	27	27
Juniata	185	-	-	-	185
Lackawanna	114	8	-	-	122
Lancaster	-	-	24	339	363
Lebanon	-	-	0	334	334

Appendix B Continued

Lehigh	10,396	9,423	6,978	6,146	32,943
Luzerne	1,314	678	481	570	3,043
Lycoming	100	949	538	448	2,035
McKean	-	-	152	224	376
Mercer	976	1,434	620	735	3,765
Mifflin	912	167	481	1,053	2,613
Monroe	2,369	2,752	2,075	2,190	9,386
Montgomery	3,113	3,628	3,314	5,848	15,903
Montour	176	-	-	-	176
Northampton	1,470	745	569	638	3,422
Northumberland	-	161	-	124	285
Philadelphia	51,937	40,469	43,017	43,853	179,276
Pike	1,082	1,838	1,135	1,025	5,080
Schuylkill	601	1,975	1,847	2,304	6,727
Snyder	301	-	-	137	438
Warren	-	-	-	38	38
Washington	434	973	1,254	684	3,345
Wayne	-	-	166	-	166
Westmoreland	364	506	1,656	2,320	4,846
Wyoming	-	-	-	278	278
York	11,016	9,256	12,616	7,716	40,604

APPENDIX C

YDC/YFC Admissions by County

County	Loysville	North Central	South Mountain	YFC #2	YFC #3	Total
Adams						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	0	1	1
Allegheny						
2014-2015	2	7	1	3	10	23
2015-2016	5	11	4	5	17	42
2016-2017	7	17	2	8	20	54
2017-2018	2	10	0	5	2	19
Armstrong						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	1	0	0	0	1
2017-2018	0	0	0	0	0	0
Beaver						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	2	0	0	0	2
2017-2018	0	0	0	0	0	0
Bedford						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	1	0	0	1
2017-2018	1	0	0	0	0	1
Berks						
2014-2015	2	0	0	0	0	2
2015-2016	2	2	0	0	0	4
2016-2017	2	1	1	0	0	4
2017-2018	3	4	0	0	0	7
Blair	0	0	0	0	0	0

Appendix C Continued

Bradford						
2014-2015	0	2	0	1	1	4
2015-2016	0	0	1	3	0	4
2016-2017	0	1	0	1	0	2
2017-2018	0	0	0	0	0	0
Bucks						
2014-2015	2	1	0	0	17	20
2015-2016	2	0	2	0	15	19
2016-2017	5	0	2	4	18	29
2017-2018	7	4	2	10	9	32
Butler						
2014-2015	0	0	1	0	0	1
2015-2016	0	0	0	0	1	1
2016-2017	0	0	2	0	0	2
2017-2018	2	0	0	0	0	2
Cambria						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	1	0	0	0	1
Cameron						
	0	0	0	0	0	0
Carbon						
2014-2015	5	3	0	0	0	8
2015-2016	4	2	0	4	0	10
2016-2017	4	0	0	1	0	5
2017-2018	1	1	0	1	0	3
Centre						
2014-2015	0	1	0	0	0	1
2015-2016	1	0	0	0	0	1
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	0	0	0

LEGISLATIVE BUDGET AND FINANCE COMMITTEE
A Fiscal and Operational Review of the Youth Development Center/Youth Forestry Camp System

Appendix C Continued

Chester						
2014-2015	2	2	0	1	0	5
2015-2016	3	4	0	1	1	9
2016-2017	2	4	0	2	0	8
2017-2018	3	1	0	2	0	6
Clarion	0	0	0	0	0	0
Clearfield						
2014-2015	0	0	0	0	0	0
2015-2016	1	1	1	0	0	3
2016-2017	0	2	0	0	0	2
2017-2018	0	0	0	0	0	0
Clinton	0	0	0	0	0	0
Columbia						
2014-2015	0	0	0	0	1	1
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	1	0	1
2017-2018	0	0	0	0	0	0
Crawford	0	0	0	0	0	0
Cumberland	0	0	0	0	0	0
Dauphin						
2014-2015	23	4	2	5	2	36
2015-2016	13	6	3	0	8	30
2016-2017	15	6	2	1	6	30
2017-2018	6	2	0	1	2	11
Delaware						
2014-2015	0	1	0	0	0	1
2015-2016	0	1	3	0	0	4
2016-2017	0	3	1	0	0	4
2017-2018	2	1	1	0	0	4
Elk	0	0	0	0	0	0

Appendix C Continued

Erie						
2014-2015	3	9	2	0	0	14
2015-2016	4	3	3	0	0	10
2016-2017	3	7	1	0	0	11
2017-2018	5	8	0	0	0	13
Fayette						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	1	0	0	0	0	1
2017-2018	0	2	1	0	0	3
Forest						
	0	0	0	0	0	0
Franklin						
2014-2015	2	0	0	0	5	7
2015-2016	4	0	0	0	2	6
2016-2017	1	1	1	0	1	4
2017-2018	0	0	0	0	1	1
Fulton						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	1	0	0	1
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	0	0	0
Greene						
	0	0	0	0	0	0
Huntingdon						
2014-2015	2	0	0	0	0	2
2015-2016	3	0	0	0	0	3
2016-2017	0	0	0	0	0	0
2017-2018	1	0	0	0	2	3
Indiana						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	1	0	0	0	1
2017-2018	0	0	0	0	0	0
Jefferson						
	0	0	0	0	0	0

Appendix C Continued						
Juniata						
2014-2015	1	0	0	0	0	1
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	0	0	0
Lackawanna						
2014-2015	0	0	0	2	0	2
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	0	0	0
Lancaster						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	1	0	1	0	0	2
2017-2018	0	0	0	0	0	0
Lawrence						
2014-2015	0	0	0	0	0	0
Lebanon						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	2	0	0	0	2
Lehigh						
2014-2015	20	9	3	17	9	58
2015-2016	15	8	2	14	6	45
2016-2017	15	4	3	11	10	43
2017-2018	11	5	1	6	6	29
Luzerne						
2014-2015	0	5	0	1	0	6
2015-2016	0	1	0	3	0	4
2016-2017	0	1	0	2	0	3
2017-2018	0	1	0	2	0	3
Lycoming						
2014-2015	1	1	0	0	0	2
2015-2016	2	0	1	0	0	3
2016-2017	1	1	0	0	0	2
2017-2018	0	0	1	0	0	1

Appendix C Continued

McKean						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	1	0	0	0	0	1
2017-2018	1	0	0	0	0	1
Mercer						
2014-2015	0	0	0	0	3	3
2015-2016	0	0	0	0	5	5
2016-2017	0	1	0	0	1	2
2017-2018	0	0	0	0	5	5
Mifflin						
2014-2015	2	0	0	0	0	2
2015-2016	1	0	0	0	1	2
2016-2017	2	0	0	0	1	3
2017-2018	2	0	0	0	1	3
Monroe						
2014-2015	2	4	0	0	0	6
2015-2016	5	3	2	0	2	12
2016-2017	1	4	1	0	1	7
2017-2018	1	5	0	0	1	7
Montgomery						
2014-2015	4	1	2	0	1	8
2015-2016	4	1	3	0	6	14
2016-2017	2	1	0	0	8	11
2017-2018	6	6	2	1	12	27
Montour						
	0	0	0	0	0	0
Northampton						
2014-2015	1	1	1	1	0	4
2015-2016	0	0	0	0	0	0
2016-2017	0	1	0	1	0	2
2017-2018	0	0	1	0	0	1
Northumberland						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	0	0	0	1	0	1

Appendix C Continued

Perry	0	0	0	0	0	0
Philadelphia						
2014-2015	57	80	11	13	16	177
2015-2016	61	74	16	19	13	183
2016-2017	80	55	16	20	16	187
2017-2018	64	56	14	21	17	172
Pike						
2014-2015	3	0	0	1	0	4
2015-2016	3	1	0	5	0	9
2016-2017	1	3	0	2	0	6
2017-2018	0	0	0	2	0	2
Potter	0	0	0	0	0	0
Schuylkill						
2014-2015	1	0	0	1	2	4
2015-2016	6	3	0	3	0	12
2016-2017	2	2	0	4	0	8
2017-2018	4	4	0	4	0	12
Snyder						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	1	0	0	0	0	1
Somerset	0	0	0	0	0	0
Sullivan	0	0	0	0	0	0
Susquehanna	0	0	0	0	0	0
Tioga	0	0	0	0	0	0
Union	0	0	0	0	0	0
Venango	0	0	0	0	0	0
Warren	0	0	0	0	0	0
Washington						
2014-2015	0	2	0	0	0	2
2015-2016	0	1	0	0	4	5
2016-2017	2	1	1	0	3	7
2017-2018	1	0	0	0	1	2

Appendix C Continued

Wayne						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	1	1
2017-2018	0	0	0	0	0	0

Westmoreland						
2014-2015	0	0	0	0	0	0
2015-2016	4	0	0	0	0	4
2016-2017	7	3	0	0	0	10
2017-2018	3	4	1	0	0	8

Wyoming						
2014-2015	0	0	0	0	0	0
2015-2016	0	0	0	0	0	0
2016-2017	0	0	0	0	0	0
2017-2018	1	0	1	0	0	2

York						
2014-2015	25	5	2	5	28	65
2015-2016	15	7	1	9	22	54
2016-2017	27	8	1	9	22	67
2017-2018	16	1	0	6	15	38

APPENDIX D

Agency Response



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES

SEP 26 2018

Ms. Patricia A. Berger, Executive Director
Legislative Budget and Finance Committee
Room 400 Finance Building
613 North Street
PO Box 8737
Harrisburg, Pennsylvania 17105-8737

Dear Ms. Berger:

Thank you for your August 17, 2018 correspondence. The Department of Human Services (DHS) appreciates the opportunity to review the draft study of the Youth Development Center/Youth Forestry Camp (YDC/YFC) System. We look forward to discussing the report with the committee on October 2, 2018 and will ensure that an agency representative is in attendance.

Overall, we find the study to be an accurate representation of the YDC/YFC System. While the study makes the following points clear throughout, we do have a few comments that we feel may further clarify the mission of these facilities. First, the YDC/YFC System partners with, rather than competes with, private providers, juvenile probation departments and Juvenile Courts to ensure that all youth involved with Pennsylvania's Juvenile Justice System have the opportunity to receive appropriate services in the least restrictive environment.

Second, the report indicates that the YDC/YFC System is a "poor business model". As the study points out very accurately, DHS does not have the ability to increase days of care and non-Commonwealth operated community-based services are financially incentivized. Despite these facts and in further conjunction with the findings of this report, it must be acknowledged that the services provided by DHS are necessary to meet the needs of certain youth served by the Juvenile Justice System. It remains the fundamental goal of the YDC/YFC System to address the needs of the adjudicated youth in Pennsylvania who require a high level of secure care when other community-based services are unable to meet the needs of these youth.

DHS's Office of Children, Youth and Families appreciated the level of effort and professionalism displayed by your staff as they conducted the study. If you have any questions or would like to discuss this further, please contact Ms. Kristin Crawford, Director, Office of Legislative Affairs, at (717) 783-2554.

Sincerely,

Teresa D. Miller
Secretary

cc: Ms. Kristin Crawford

OFFICE OF THE SECRETARY
625 Forster Street | Room 353 | Harrisburg, PA 17120 | 717.787.2600 | Fax 717.772.2082 | www.dhs.pa.gov