Advancing Fundamental Fairness

THROUGH PENNSYLVANIA'S

Juvenile Justice System Enhancement Strategy



VERSION 1 | OCTOBER 2026

The preparation of this monograph was supported by Pennsylvania Commission on Crime and Delinquency Subgrant 2022-J-03-41003, awarded to the Pennsylvania Council of Chief Juvenile Probation Officers. The awarded funds originate with the Office of Justice Programs, U.S. Department of Justice. Points of view or opinions contained within this document are those of the authors and do not necessarily represent any official position, policy, or view of the U.S. Department of Justice.

Foreword and Acknowledgements

This monograph clearly lays out what fairness has looked like in action since 2012 and what continued fairness in action will look like in the future of Pennsylvania's juvenile justice system. The monograph is designed in such a way as to offer practical guidance for everyone involved, at every step of a young person's journey through the juvenile justice system. The guidance begins with a look at what fundamental fairness is in Pennsylvania and is then followed by exploring fundamental fairness at each of the ten critical juvenile justice system decision points plus diversion. Like the *Advancing Balanced and Restorative Justice Through Pennsylvania's Juvenile Justice System Enhancement Strategy* monograph, while there are many considerations at each of these decision points, advancing fundamental fairness is the chief motivating factor throughout. Later, the guidance recommends where fundamental fairness may go in the future.

The monograph is action-oriented and serves as a practical guide for everyone involved with youth at every step of their journey through the juvenile justice system. Fundamental fairness was foundational to *Pennsylvania's Juvenile Justice System Enhancement Strategy* monograph and professionals have approached their work since this original monograph through the lens of fundamental fairness. Yet the terminology "fundamental fairness" is only mentioned once in that monograph. The current monograph bridges the gap between how the concept of fundamental fairness was very briefly described in the original monograph and the acknowledgement, improvement, and sustainment of past, present, and future practices statewide related to fundamental fairness. This monograph also champions equitable outcomes for all youth, and actively works to reduce unfair outcomes, especially for youth from marginalized groups.

This monograph matters because it is meant to be a vital companion to *Pennsylvania's Juvenile Justice System Enhancement Strategy* and *Advancing Balanced and Restorative Justice Through Pennsylvania's Juvenile Justice System Enhancement Strategy* monographs. In combination, these monographs will continue to guide practices that ensure a truly fair juvenile justice system statewide.

This monograph affirms a simple but powerful promise: every youth deserves to be treated fairly, supported meaningfully, and given the opportunity to build a better future.

We are grateful to Dr. Meghan Ogle (Research Analyst, Juvenile Court Judges' Commission) and Dr. Scott Weller (Director, Center for Juvenile Justice Training and Research, Juvenile Court Judges' Commission) for their outstanding leadership, insight, writing, and editing contributions to this monograph. We appreciate Dr. Laura Beckman (Associate Professor of Criminal Justice, Shippensburg University) for her extensive review of the fundamental fairness literature that supports the monograph. We are thankful for the 25 national and state subject matter experts whose valuable contributions about different marginalized groups were incorporated into the monograph's construction. Finally, we are indebted to the youth and families with lived experience from Beaver County, Crawford County, Dauphin County, and Philadelphia County whose powerful perspectives on a fundamentally fair juvenile justice system bring this monograph to life.

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The Heart of Fairness in Juvenile Justice

In the pursuit of justice for Pennsylvania's youth, this monograph delves into the bedrock principle of fundamental fairness, examining the Juvenile Justice System Enhancement Strategy's (JJSES) progress since its statewide implementation in 2012, its current success, and its future direction. This work illuminates pathways toward a juvenile justice system that truly serves the best interests of its young people, victims, families, and communities while upholding the integrity of the law and principles of balanced and restorative justice (BARJ).

The previous complementary monograph *Advancing Balanced and Restorative Justice Through Pennsylvania's Juvenile Justice System Enhancement Strategy* (2015, p. 4) confirmed "Pennsylvania's continuing dedication to its statutory BARJ mission and conveys how the JJSES advances these goals" for the 20th anniversary of BARJ. Similarly, **this monograph confirms Pennsylvania's continuing dedication to fundamental fairness and conveys how the JJSES has advanced and will continue to advance these goals**. The 30th anniversary of BARJ in Pennsylvania presented an opportunity to reaffirm the Commonwealth's commitment to the vision of a fundamentally fair juvenile justice system.

Setting the Stage: Pennsylvania's Vision for Youth

This monograph explains how bringing BARJ and the JJSES together has helped Pennsylvania use research to inform fundamentally fair practices around competency development, community protection, and accountability (see Figure 1).

FIGURE 1

Pennsylvania Juvenile Justice System Logo



Since 1995, Pennsylvania's juvenile justice system has operated under the tenets of BARJ. That year, Act 33 of Special Session No. 1 of 1995 made BARJ the legal mission of Pennsylvania's juvenile justice system. Act 33 requires the system to "provide for children committing delinquent acts programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community." **Juvenile justice partners needed new skills to translate these changes into practice**. A partnership of key agencies, known as the Juvenile Advisory Committee, formed to guide and educate system partners on BARJ and wrote a mission statement to reflect these profound changes.

Since 2012, Pennsylvania's juvenile justice system has operated based on the framework of the JJSES. The Statement of Purpose (see Figure 2) was designed to reflect the underlying goals of BARJ and the JJSES initiative:

- Enhancing the capacity of our juvenile justice system to achieve its balanced and restorative justice mission through the implementation of evidence-based practices;
- Demonstrating an ongoing commitment to data collection, analysis, and research; and
- Demonstrating a commitment to continuous quality improvement in every aspect of the system.

FIGURE 2

JJSES Statement of Purpose

We[1] dedicate ourselves to working in partnership to enhance the capacity of Pennsylvania's juvenile justice system to achieve its balanced and restorative justice mission by:

- Employing evidence-based practices with fidelity at every stage of the juvenile justice process;
- Collecting and analyzing the data necessary to measure the results of these efforts; and with this knowledge,
- Striving to continuously improve the quality of our decisions, services, and programs.

The JJSES rests on two pillars: the best research available in juvenile justice and a set of core beliefs about how to put that research into practice. First, Pennsylvania's juvenile justice partners began implementing evidence-based practices (EBPs), which are interventions, programs, and tools proven effective through objective, rigorous research. EBPs aim to build youths' competencies and change the behavior that leads to unlawful acts. Consistent with Pennsylvania's BARJ mission, EBPs work to prevent delinquency and out-of-home placement by lowering youths' risk of reoffending and building protective factors that lead to a law-abiding life.

The JJSES (2012, p. 6) also lays out these core beliefs:

- Children should be diverted from formal court processing whenever appropriate
- Meeting the needs of victims is an important goal of the juvenile justice system
- We need to develop and maintain strong partnerships with service providers
- We can, and should, do a better job of involving families in all that we do

[1] "We" refers to the partnership between the Juvenile Court Judges' Commission, Pennsylvania Commission on Crime and Delinquency, and Pennsylvania Council of Chief Juvenile Probation Officers.

The JJSES is the framework that turned EBPs and these core beliefs into reality in Pennsylvania's juvenile justice system.

The statement in *Pennsylvania's Juvenile Justice System Enhancement Strategy* monograph that fundamental fairness *should* be "a cornerstone of the juvenile justice system" (p. 18) is one thing, but making it a reality requires more than mentioning that terminology once in the monograph. Fundamentally fair practice means that every part of the JJSES, from initial contact and intake through adjudication and disposition to aftercare and release, operates in an equitable way. Pennsylvania's juvenile justice system has committed to this practice by putting these pieces in place:

- Individualized assessment and case planning
- Due process and rights
- Trauma-informed and developmentally appropriate practices
- Rehabilitation and reintegration, accountability and transparency
- Community and stakeholder engagement and collaboration

Fundamental fairness lends legitimacy to the juvenile justice system. It helps Pennsylvania reach its BARJ goals which in turn supports the successful implementation of the JJSES. Balanced justice calls for equal, just, and impartial treatment. Restorative justice requires a plan built around developmentally appropriate and meaningful accountability. BARJ makes sure youth and families are treated with dignity and respect and that their voices are heard. That helps youth see the juvenile justice system in a positive light, increases the likelihood of effective behavior change, and builds stronger engagement in competency development. The JJSES ensures that decision-making is collaborative, data-driven, equitable, and transparent. The implementation of EBPs with fidelity within the framework of risk, need, and responsivity minimizes bias and promotes interventions and treatment that match youths' needs and responsivity factors. Again, youth who feel they are treated fairly and transparently are more likely to successfully and willingly participate in and complete their treatment.

What We Mean by "Fundamental Fairness"

According to the JJSES (2012, p. 18), **fundamental fairness, in its most basic sense,** "**ensures that all youth are treated in the same manner under similar circumstances**" **and in an equitable manner under dissimilar circumstances.** The use of EBPs within a risk, need, and responsivity (R-N-R) framework[2] has made it more likely that youth receive services targeted to their individualized needs. Youths' specific risks, needs, and responsivity factors are identified using actuarial assessments such as the Youth Level of Service/Case

[2] Researchers Donald Andrews, James Bonta, and Paul Gendreau were primarily responsible for advancing the R-N-R model as a strategy to determine the most appropriate treatment for an offender based on their specific risk, need, and responsivity factors. Successful application of the model was shown to reduce offenders' recidivism.

Management Inventory™ (YLS), Child Trauma Screen (CTS), and Massachusetts Youth Screening Instrument – Version 2 (MAYSI-2). With this information, juvenile justice professionals make more objective, structured decisions that ensure youth who commit the same offenses receive individualized interventions.

For example, families play a critical role in many of these interventions. The JJSES has emphasized the importance of family[3] engagement as a holistic approach to acknowledging youths' background, social context, and support systems. Also, the JJSES has focused on reducing disproportionate minority contact and addressing inequities in the treatment of marginalized populations. These initiatives are supported through ongoing data collection and analysis that inform data-driven decision-making; monitor interventions, their effectiveness and fair application; and support continuous quality improvement that refines ineffective and unfair practices. Despite these successful, ongoing JJSES initiatives, as in any complex system, barriers, challenges, opportunities, and areas for improvement remain.

Making Sure Procedures Feel Fair

Fair processes and just outcomes in the juvenile justice system are more than ideals. They are the bedrock of **procedural justice** (or procedural fairness), **which is the application of fundamental fairness in the legal process**. Procedural justice plays a critical role in individuals' acceptance, assessment, and assignment of legitimacy to the court proceedings and their outcomes. The American Judges Association, the Center for Court Innovation, the National Center for State Courts, and the National Judicial College (2020, para. 3) identified common elements of procedural justice as:

Voice: the ability of individuals to participate in their case by expressing their own viewpoints.

Neutrality: the consistent application of legal principles by unbiased decision makers who are transparent about how decisions are made.

Respect: that individuals were treated with courtesy and respect, which includes respect for people's rights.

Trust: that decision makers are perceived as sincere and caring, trying to do the right thing.

Understanding: that court participants are able to understand court procedures, court decisions, and how decisions are made.

Helpfulness: that individuals perceive court actors as interested in their personal situation to the extent that the law allows.

Notably, individuals are more likely to approve of the court system and accept court decisions when they feel the outcome was procedurally fair, even more so than whether the outcome was favorable to them (Greene

[3] Family can and does look different across youth, and a broader definition of "family" goes beyond the parents and/or immediate caregiver and encompasses the youth's circle of care or supportive resources.

et al., 2010; Tyler & Huo, 2002). This finding and other related research promote a developmentally informed, evidence-based approach to fundamental fairness that ultimately encourages youth to be more agreeable to supervision and treatment, reduces recidivism, and improves outcomes.

Acknowledgement of Systemic and Individual Bias in American Society

Fundamental fairness cannot occur without acknowledging the systemic inequalities present in American society[4] that place certain populations, particularly lower socioeconomic status (SES) and Black and Brown populations[5], at higher risk of coming into contact with (Chen et al., 2025; Engel & Calnon, 2004; Gaston, 2019) and being differentially processed by the juvenile justice system (OJJDP, 2025; Rodriguez, 2013; Wu & Fuentes, 1998). American society is situated so that those in the lowest and highest SES categories do not share community. Relatedly, communities across this country are largely segregated on the basis of race (National Academies of Sciences, Engineering, and Medicine, 2023; Peterson & Krivo, 2010; Sampson & Neil, 2024). Such divergent contexts and experiences consequently ensure that equal, not equitable, treatment by the justice system will only perpetuate existing inequalities. Thus, **fundamental fairness requires equitable treatment to account for existing inequalities**.

In addition to existing systemic inequalities, American society includes a history of individual biases pervading the dominant culture (Kendi, 2016; Pilgrim, 2015; Welch, 2007). These biases are reinforced by reliance on stereotypes given the segregation present along race and SES and the resulting lack of overlapping community (Loewen, 2018). When biased assumptions are made regarding individual youth, those assumptions alongside systemic inequalities drive over-representation of youth from marginalized populations in more severe justice system outcomes (see Heldman & Gaither, 2021; Lehmann & Meldrum, 2024; Sawchuk, 2021). Addressing individual biases is particularly important in the juvenile justice system because it allows for greater discretion than the adult system for the reasons outlined below.

The Juvenile Justice System Recognizes that Youth Are Different from Adults

Youth and adults are different in two basic ways: developmentally and systemically. The National Center for Juvenile and Family Court Judges (2017) identified five key principles about adolescent development applicable to fundamental fairness.

[4] For specific historical examples of systemic inequalities in justice system monitoring and involvement by race see: Bloom & Martin (2016); Kendi (2016); Pilgrim (2015); for specific examples by SES see: Barnes (1921); Donnelly & Macdonald (2018); Hager (2015); and Rovner (2026).

[5] Black and Brown are used as inclusive terms for non-White individuals who are stereotyped as racial or ethnic minorities (with the exception of those of East Asian descent who tend to be stereotyped as the "model minority") by mainstream American culture.

Adolescents are not just small adults; they are constitutionally different.	The Supreme Court of the United States affirmed in rulings, such as *Graham v. Florida*, *Miller v. Alabama*, and *Montgomery v. Louisiana*, that the constitutional difference between youth and adults for purposes of sentencing, culpability, and supervision is rooted in three key developmental characteristics of youth: 1) the (in)ability to self-regulate, 2) sensitivity to external influences, and 3) a poor ability to appreciate the long-term consequences of their actions.
Adolescents are less culpable and more capable of rehabilitation than adults and are therefore less deserving of the most severe punishments.	Most delinquent behavior during adolescence involves risk-taking behavior that is part of normative developmental processes.
Adolescents develop at different rates in social, emotional, physical, and cognitive domains.	The Supreme Court of the United States recognized adolescence as a period of continued brain development. Research shows that frontal lobes, home to key components of circuitry underlying "executive functions" such as planning, working memory, and impulse control, are among the last areas of the brain to mature. The rate of growth varies for each youth, but for most, this growth continues into their mid- to late twenties. This period of development impacts youths' ability to delay gratification and understand the long-term consequences of their actions (Steinberg et al., 2009).
Adolescent development and learning are profoundly affected by early childhood experiences.	Traumatic experiences in infancy and early childhood have a long-lasting impact into adulthood. They can impair youths' ability to think clearly, reason, and solve problems. Although youth are resilient and the impact of trauma can be managed with appropriate care, traumatic events can significantly alter the brain and interfere with a youth's normal growth and development.
Secure and healthy relationships promote adolescent success and positive development.	Secure attachment is associated with decreased engagement in high-risk behaviors, fewer mental health issues, and enhanced social skills and coping strategies. The emotional bonds that develop from secure relationships, such as staying connected to parents (a protective factor), and stable, caring relationships with friends, community leaders, juvenile justice professionals, or school staff, among others, are important for healthy adolescent development and should be fostered through all stages of development.

Scott and Steinberg (2010, p. 36) argue that "a developmental model of juvenile crime regulation grounded in scientific knowledge about adolescence is ***both*** fairer to young offenders and more likely to promote social welfare." Additionally, adolescent development occurs at different times for different youth which further discredits one-size-fits-all approaches. The JJSES supports an individualistic approach with various assessment

tools used, responsivity factors considered, and graduated responses applied. For example, the Pennsylvania Detention Risk Assessment Instrument (PaDRAI) was found to promote fundamental fairness and reduce bias. A revalidation study of the PaDRAI (JCJC, 2025d, p. 2) showed "the odds of a detention recommendation from the tool were nearly equally as likely for youth regardless of race, ethnicity, and gender, indicating the tool promotes fundamental fairness and the reduction of bias."

Additionally, responsivity factors, such as autism, gender identity, homelessness, and trauma, have been successfully integrated into the Pennsylvania Juvenile Case Management System (PaJCMS), which ensures that youth developmental risks and needs are considered throughout the court process and probation supervision.

Finally, although a system of incentives and sanctions is not a new approach to adolescent development and behavioral change, the JJSES recognized the importance of having a clear, graduated response system and included it as an initiative in Stage Three of the JJSES Framework. Through ongoing peer mentorship and daily practice, juvenile justice professionals have become better at presenting graduated responses that are predictable, immediate, targeted, proportionate, and developmentally fair for the youth. These three examples are only a few of the many successes within Pennsylvania's juvenile justice system to support adolescent development in a fair, impactful, and meaningful way.

There are important differences related to fundamental fairness and how it relates to youth and adults. **The juvenile justice system encourages accountability, competency development, and community protection — this differs from the criminal justice system's goals of deterrence, incapacitation, and retribution. In other words, the juvenile justice system prioritizes rehabilitation over punishment**. Pennsylvania's BARJ mission also recognizes youth as adolescents with unique developmental risks, needs, and responsivity factors compared to adults. This strategy balances the right to due process and procedural justice for all youth (and the consideration of their communities' and victims' restoration) with the need to provide individualized interventions, treatment, and equitable access to support services.

Together with judicial discretion, these led to structured decision-making in the juvenile justice system that ensures all youth are treated equally under similar circumstances and equitably under different circumstances. The use of structured decision-making, an approach hindered in the adult criminal justice system by state legislators nationwide (NCSL, 2022)[6], has helped juvenile justice professionals make consistent, appropriate, effective, and fundamentally fair decisions.

[6]Structured decision-making differs between the adult criminal justice system and the juvenile justice system. The criminal justice system asks, "what is a fair punishment based on an offender's crime and risk of reoffending?" The juvenile justice system asks, "what does this particular youth need to be successful?"

Legal Foundations of Fundamental Fairness

Fundamental fairness encompasses equality, or sameness, and equity, or justness. These concepts are grounded in both the U.S. Constitution and the Constitution of Pennsylvania. This monograph is incomplete without acknowledging the important rulings of the Supreme Court of the United States and the Supreme Court of Pennsylvania. The following decisions regard the legal interpretation, understanding, and application of fundamental fairness within Pennsylvania's juvenile justice system:

- *Kent v. United States* (1966) decided when a serious crime committed by a youth could be moved from juvenile court to adult criminal court.
- *In re Gault* (1967) made sure that even in juvenile court, youth get a fair trial and are protected by the Constitution, including the right to timely and adequate notice of the charges; right to a lawyer, including appointed counsel if indigent; right to question witnesses; and right to remain silent.
- *In re Winship* (1970) established that the burden of proof in juvenile delinquency proceedings must be beyond a reasonable doubt.
- *Roper v. Simmons* (2005) abolished the juvenile death penalty noting that youth are characterized by a lack of maturity and an underdeveloped sense of responsibility.

Additionally, key Pennsylvania cases include:

- *In re Terry* (1970) (affirmed by McKeiver v. Pennsylvania [1971] by the Supreme Court of the United States) said the right to a jury trial in juvenile delinquency proceedings is an unnecessary standard for fairness.
- *Commonwealth v. Dallenbach* (1999) stated that excessive delays in juvenile court proceedings are unfair and could violate the youth's due process rights.
- *In the Interest of J.B. et al.* (2014) recognized the unique characteristics of youth and their potential for change and rehabilitation.
- *In re N.E.M.* (2024) stressed that the justice system must carefully follow procedural safeguards when sending an adjudicated youth to an out-of-home placement.

Along with the Juvenile Act and the Rules of Juvenile Court Procedure, these federal- and state-level decisions are part of the legal foundation that contributes to how Pennsylvania became a more fundamentally fair juvenile justice system. Fairer legal proceedings and procedural justice lead to more equitable and just outcomes for young people.

Core Values: Building a Foundation of Fairness

Pennsylvania's juvenile justice system is committed to treating the youth and families it serves fairly, but defining and implementing fairness can be challenging. Three key principles guide this effort:

1. Treat every youth and family with respect and dignity
2. Focus on what is right for youth
3. Promote equity for all

In practice, each of these principles requires different considerations and individualized attention to youth and families who come into contact with the juvenile justice system.

Treating Every Youth and Family with Respect and Dignity

Practicing cultural humility is important when interacting with youth and families. Juvenile justice system professionals should not assume they know what will feel respectful to the youth and families they serve; they should be open to learning from youth and families as they are experts regarding their own cultures. Different cultures have different norms, interactional expectations, and interpretations, which no one person can have complete knowledge of. Additionally, an individual's personal history has its own nuances. Therefore, juvenile justice professionals should not assume that people of the same culture share all of the same experiences.

To interact with youth and families in a dignified and respectful way, it is important to get to know them and how they view the world. This relationship building and information gathering ensures that decisions about a youth's case in the juvenile justice system are made in consultation with the youth and family and are in the youth's best interest.

Juvenile justice professionals should also seek to increase transparency in every aspect of their work. At the state level, the JCJC publishes a Juvenile Court Annual Report that documents the number and demographics of youth referred to county juvenile probation departments and the adjudication and disposition decisions following those referrals. At the county level, juvenile justice professionals should be clear about resources that are available, how to access those resources, the decision-making processes that occur within the system, how those decisions are made, and data that can be used to evaluate who is accessing these resources and what effect the decisions made by professionals have on youth residing in their county. Through transparency

and accountability practices such as these, juvenile justice professionals and community members have the information they need to ensure that the system is operating in a fundamentally fair manner.

Focusing on What's Right for Youth

Treating youth with fundamental fairness requires working with them and families to understand their individual needs and circumstances. Many youth who come in contact with the juvenile justice system, especially those from marginalized communities, have experienced trauma. Thus, juvenile justice professionals should be trained in trauma-informed care and should use this skillset in every interaction with youth. **By taking time to address a youth's unique situations and experiences, professionals can treat them equitably to ensure all in their care reach their full potential**.

In an effort to treat youth equitably, juvenile justice professionals should use graduated responses, selecting the least restrictive supervision or treatment path that will reasonably protect the community for each specific case referred to the juvenile justice system. In developing a youth's case plan, juvenile justice professionals should connect youth to culturally competent services and programs, as well as interact with them in a culturally sensitive way.

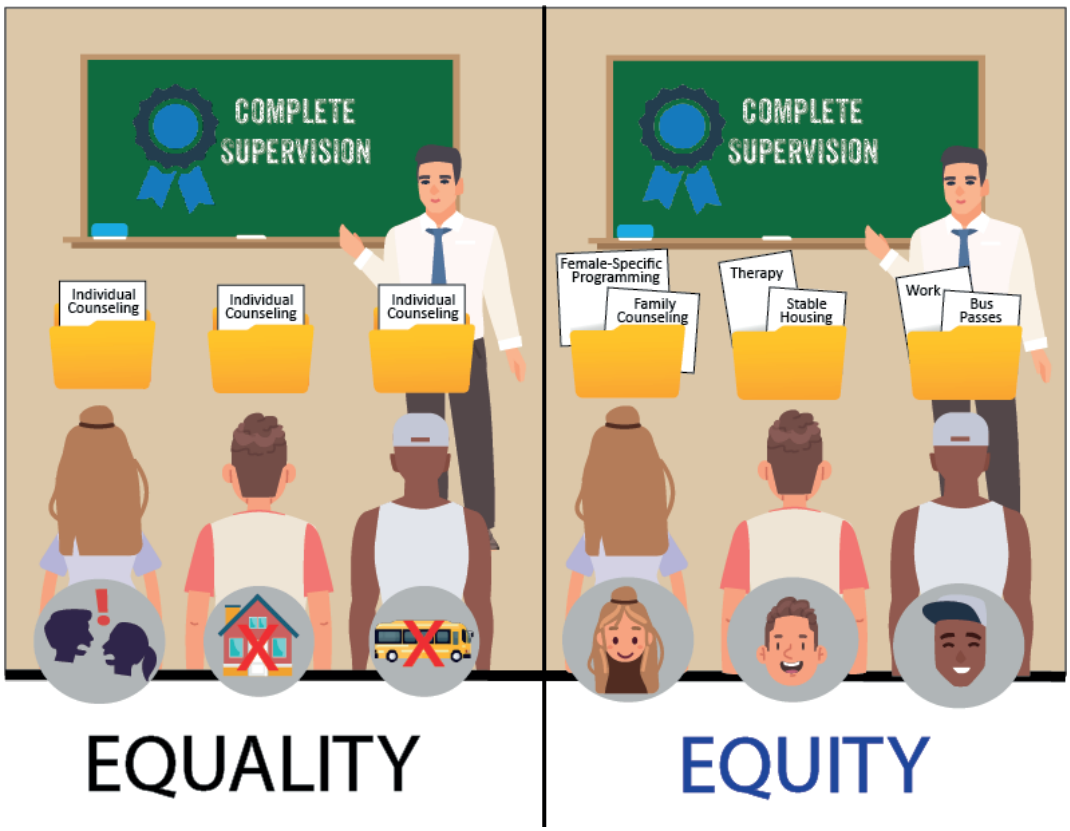
Cultural competence – the level of knowledge-based skills required to provide effective clinical care to patients from a particular ethnic or racial group (Bell et al., 2009).

Cultural sensitivity – the ability to adjust one's perceptions, behaviors, and practice styles to effectively meet the needs of different ethnic or racial groups.

Equity for All

Equity, not only equality, is necessary for fundamentally fair decision-making to occur in the juvenile justice system. Equity requires differential treatment to achieve equal outcomes (see Figure 3).

FIGURE 3



Take the following example: John and Jane are both referred to the juvenile justice system for the first time for a misdemeanor offense. John has an individualized education plan at school focused on teaching him organizational skills because he has attention deficit hyperactivity disorder (ADHD) while Jane is a straight-A student without assistance. If both receive diversion, equitable treatment requires John to receive more individualized attention for ADHD and case management assistance than Jane, in order to be successful. As noted previously, given the inequality present in American society, equal treatment will necessarily result in unequal outcomes. Going back to the example, if standard diversion supervision were given to both John and Jane, Jane would be significantly more likely to successfully complete diversion than John would because of the additional barrier to success — his ADHD. By providing additional educational attention and support to John, both can achieve successful diversion outcomes.

In addition to getting to know the youth and family to better understand their needs and context, juvenile justice professionals must identify and counteract their individual biases. The first step is often simply identifying and acknowledging the biases one might hold. This step can be challenging due to unconscious biases that exist without individuals being aware of them. If left unchecked, unconscious bias can affect decisions just as much as conscious bias. Many free tests[7] are available online for individuals to begin assessing what unconscious biases they hold. Once individual biases have been identified, professionals can determine how they affect decision-making. From there, it is possible to identify tangible strategies for actively challenging their influence and ensuring fundamentally fair treatment of youth and families.

Individual biases can worsen systemic inequalities that already constrict the resources available to youth from marginalized populations. For example, a Black youth who lives in a neighborhood with hotspot policing[8] will be more likely to be referred multiple times to the juvenile justice system than a White youth living in a suburban neighborhood with average police patrols. If the decision maker (e.g., law enforcement, juvenile probation, judges) that a Black youth interacts with assumes the youth is older than their physical age and thus more culpable and needs to be held accountable,[9] then this decision maker's individual bias (e.g., that Black youth look older and are thus more culpable than similarly aged White youth) exacerbates the existing systemic inequality of greater police surveillance present in that youth's neighborhood. This combination of individual and systemic bias leads to deeper system involvement for the Black youth from a predominantly minority neighborhood than a White youth from a predominantly White neighborhood. Differential treatment based on non-legal factors (e.g., race) is not fundamentally fair, emphasizing the importance for professionals and systems to recognize and challenge their biases.

In addition to race and socioeconomic status, other marginalized populations exist that have distinct histories with systemic inequality in the juvenile justice system. A non-exhaustive list of additional marginalized populations includes:

- Ethnic groups
  - For example: Jewish, Roma, Hispanic/Latinx, and Indigenous youth
- Youth with mental health needs, intellectual and developmental disabilities, behavioral health needs, and physical disabilities
- Youth with non-dominant sexual orientations or gender identities
  - For example: lesbian, gay, bisexual, transgender, queer, and non-binary youth
- Heavily urban or rural communities
- Non-U.S. citizens, refugees, English language learners, and non-English speakers

[7]For example, see Harvard's Project Implicit website: Project Implicit

[8]Hotspot policing is a method for concentrating law enforcement officers in areas of a given jurisdiction with the highest concentration of delinquent or criminal behavior reported.

[9]Although this is a hypothetical example, prior research has consistently found that Black youth tend to be perceived as older and less innocent than White youth of the same physical age (Epstein et al., 2017; Goff et al., 2014; Henning, 2017).

- Youth dually involved in the child welfare system
- Youth who are parents
- Non-nuclear family structures
  - For example: single-parent households and youth experiencing homelessness or housing instability
- Religious groups
  - For example: youth adhering to Judaism, Islam, Hinduism, and Sikhism

When working to ensure fundamentally fair treatment for a member of a marginalized population, juvenile justice professionals should consider:

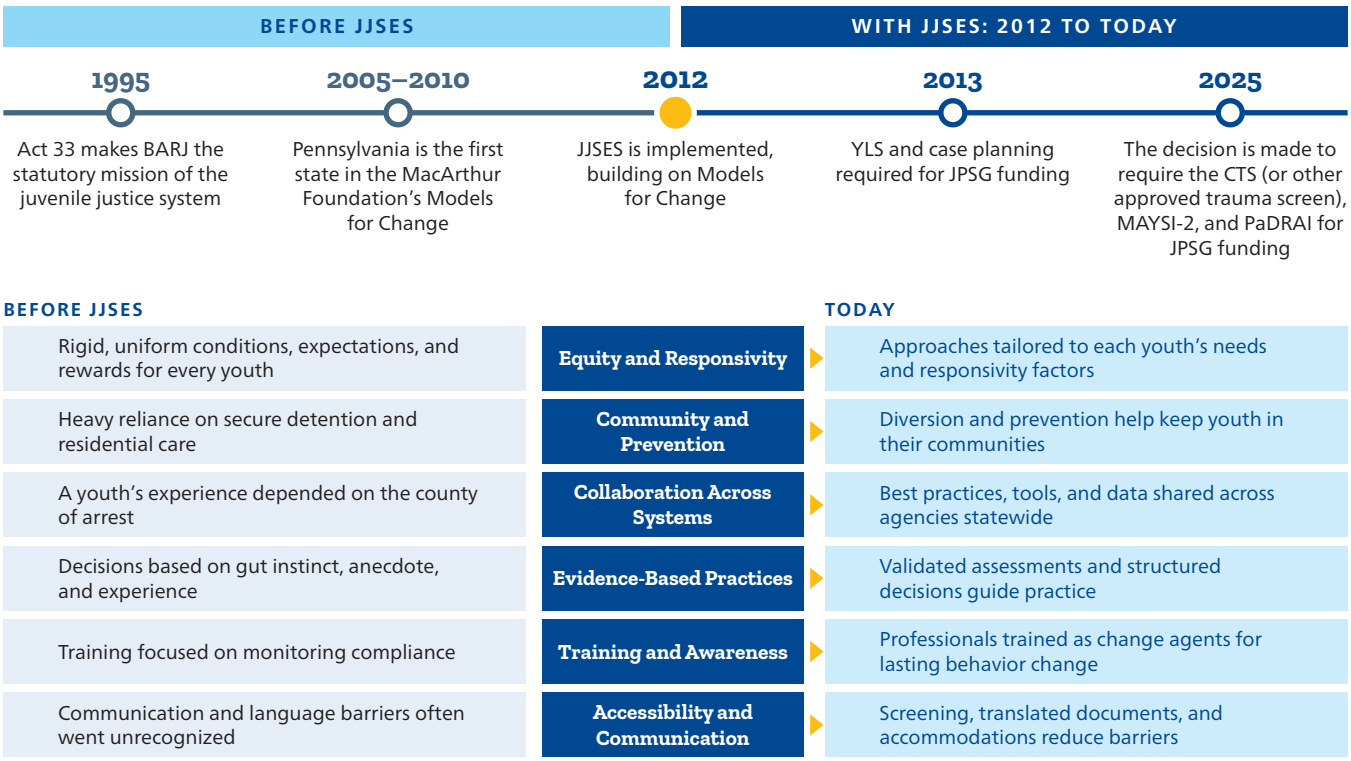
- Resource availability and accessibility
  - Whether these resources provide culturally competent services
- Assessing any individual biases professionals may hold
  - Forming tangible strategies for counteracting any identified biases
- Trauma that individuals of the marginalized group may have due to identifying with a group that is marginalized from the mainstream culture[10]

An important thing to keep in mind is that individuals are often members of more than one marginalized group. **In a similar way to how individual biases can worsen systemic inequalities, belonging to more than one marginalized group can amplify the biases lodged against an individual and the systemic constraints surrounding them**. For example, a Latinx youth who does not speak English and has recently come to the U.S. fleeing an oppressive South American government has multiple marginalized identities and would face more constraints in the juvenile justice system than a youth with just one marginalized identity.

[10]An extensive body of research has demonstrated the multi-generational psychological and physiological effects of both direct and indirect experiences with systemic and individual racism in American society (Carter et al., 2013; Cassell, 2021; Woody et al., 2022).

Changes Over Time Related to Fundamental Fairness

FIGURE 4



Pennsylvania's juvenile justice system has evolved over time in direct response to considerations associated with fundamental fairness (See Figure 4). **Advancement, not avoidance; awareness, not ignorance; innovation, not stagnation; and reflection, not denial**, describe the efforts and practices system leaders have deliberately and effectively promoted to support a fundamentally fair juvenile justice system. The following sections outline how the juvenile justice system functioned in the past before the implementation of JJSES in 2012, followed by details on how the system has changed and continues to change.

Shift Toward Equity and Responsivity

Before JJSES, juvenile justice focused heavily on youth accountability that oftentimes included rigid, uniform conditions, expectations, interventions, and rewards for individual youth. This limited attention to individual

needs or circumstances also meant that fundamental fairness may not have been prioritized by the system as much as the completion of any conditions. Likewise, professional development for juvenile justice professionals tended to focus on enforcement and compliance monitoring with little training on fundamental fairness.

Today, juvenile justice professionals are *change agents* who have a growing recognition that a youth's responsivity factors matter. They help youth facilitate both short-term and long-term changes in their behavior. Fairness requires this tailored approach to support every youth based on their individual circumstances.

Community and Prevention Focus

Before JJSES, the juvenile justice system relied heavily on secure detention and residential care. These decisions were not based on the least restrictive alternative that is a standard today, but rather on compliance and punishment as a byproduct of the late 1980s' "war on drugs" and the tough-on-crime laws during the 1990s' juvenile super predator era[11]. Removal from the community was grounded in public safety and punitive accountability during these earlier times. Why? First, judges oftentimes made difficult decisions to remove youth from the environment where they got into trouble and send them to a residential facility away from their support systems. Second, federal and state funding favored congregate care over community-based programs, of which there were not enough. Third, states increased efforts to handle youth in the adult criminal justice system based only on the type of offense alleged, bypassing the juvenile court altogether, where death and life without the possibility of parole were possible sentences (Juvenile Law Center, n.d.). Together, these three actions resulted in a net-widening effect, bringing more youth into the system, exposing them to interventions that were not appropriate for their risk level. Youth also had different experiences of the justice system depending on where they lived; some youth could even be automatically direct filed to adult court regardless of their individual development, maturity, or circumstances (e.g., responsivity factors).

Today, decisions are based on diverting youth away from the juvenile justice system. Many studies (Forst & Blomquist, 1991; Holman & Ziedenberg, 2006; Lambie & Randell, 2013; Lipsey & Wilson, 1998; Trulson et al., 2005) show youth are more likely to reoffend when they are improperly placed in residential facilities, incarcerated, or otherwise removed from their communities. Prevention and diversion have emerged consequently as common practices that recognize cautionary, or pre-charge, and intervention, or post-charge, diversion programs are more effective in reducing recidivism than the traditional juvenile justice system especially for low-risk youth; in fact, better outcomes are achieved when an appropriate youth is diverted pre-charge versus post-charge (Wilson & Hoge, 2013). Pennsylvania now emphasizes age-appropriate accountability and consideration of every youth's responsivity factors when decisions are made about the

[11]President Nixon's "war on drugs" in the 1970s was followed by President Reagan's increased focus on drug interdiction, particularly the response to the emergence of crack cocaine, during the 1980s. As a result, Blacks were incarcerated for drug offenses at a much higher rate than Whites despite usage rates being almost the same. Also, Dr. John DiIulio's 1995 review article coined the term "super predator" (a theory also supported by noted criminologist Dr. James Fox) which has since been criticized as racially coded and inflammatory language related to urban, Black, male youth. The "war on drugs" and the super predator era contributed to adverse collateral consequences and inequitable outcomes for youth from communities of color.

least restrictive environment in which a youth will be successful. This strategy relies on a strong network of community-based and family-focused services that also protect the community. Transfers to adult court are now rare and, when they do occur, focus on whether a youth is likely to be successful in treatment rather than on the youth's criminal act.[12]

Collaboration Across Systems

Before JJSES, Pennsylvania's juvenile justice system was more disconnected statewide. The system's decentralized structure meant that youths' experiences in the system were determined almost solely by the county in which they were arrested. At the time, there were fewer statewide best practices and standards, which meant interventions, supervision, support, and treatment could differ widely between jurisdictions; some counties focused on the youth, other counties focused on the crime. Decision-making was also less structured. This inconsistency oftentimes led to vastly different outcomes for two young people who committed the same offense in different counties. Systems favored short-term interventions by a single entity over long-term, rehabilitative interventions by a community of system partners. For instance, victims (and victim advocates) were frequently treated more as witnesses than as valuable stakeholders with a voice, which can be especially upsetting to those thrust into the system through no choice of their own. Similarly, communities were viewed as the setting where the youth's crime was committed and evidence was gathered, not the place where harm needed to be repaired by the youth.

Today, juvenile justice stakeholders regularly share best practices, case-planning tools, data, and resources across agencies and systems to increase coordinated, collaborative care for youth. This standardization leads to more fundamentally fair decisions and outcomes for youth; they are treated more equally and equitably across the state. Collaboration is a key piece of stakeholder engagement, an initiative in Stage One of the JJSES Framework. Since 2012, stakeholder engagement has been successful:

> ...comprised of the constellation of individual stakeholders and departments, including victims, judges, prosecutors and defense counsel, probation officers, juveniles, families, the community, those responsible for government budgets, and departments that protect the rights of the accused, represent the needs of victims, ensure that the process is fair and in accordance with the law, and hold law violators accountable (JCJC et al., 2012, p. 15).

Rallying these and other stakeholders, such as schools and service providers, has led to targeted outcomes like improved confidence in the fundamental fairness of Pennsylvania's juvenile justice system.

[12]Although discretionary transfers to adult court are rare, the majority of adult court prosecutions for youth under the age of 18 are for Black youth. These youth only comprise 12% of Pennsylvania's general youth population.

Evidence-Based Practices (EBPs)

Before JJSES, juvenile justice professionals practiced their work of art. They relied on gut instincts and intuition, anecdotal evidence, and professional experience and judgment rather than consistent, research-based practices. Professionals may have often been unaware of how their personal assumptions and biases guided their decisions. Consequently, youth were monitored for compliance based on conditions that varied widely between counties and juvenile justice professionals. Between 2005 and 2010, Pennsylvania was the first state in the country to participate in the John D. and Catherine T. MacArthur Foundation's Models for Change initiative. Virtually all components of Pennsylvania's juvenile justice system were engaged in system enhancement. Pennsylvania's Models for Change efforts focused on three targeted areas of improvement:

1. coordinating the mental health and juvenile justice systems
2. improving aftercare services and support for young people and families
3. **addressing disproportionate minority contact within the juvenile justice system**

In June 2010, when the five-year commitment was about to end, the JCJC staff and Executive Committee of the Pennsylvania Council of Chief Juvenile Probation Officers agreed that the JJSES was needed, both to consolidate the gains of the previous five years "under one roof" and to develop strategies to sustain and enhance those efforts.

Today, the successful, widespread introduction and implementation of EBPs—case planning, CTS, MAYSI-2, PaDRAI, and YLS—via the JJSES was one outcome of the Models for Change initiative. EBPs balance the science of juvenile justice with the professional judgment and intuition that have traditionally shaped practice. These practices have standardized decisions related to youth, which promotes fairness and individualization and limits opportunities for inequity and injustice. The outcomes of implementing EBPs with fidelity have included:

- Less use of costly residential placements
- Lower rates of probation violations
- More frequent utilization of diversion and prevention
- Lower recidivism rates
- Less reliance on detention and residential placements particularly because of probation violations

EBPs have helped juvenile justice professionals identify the best settings, supports, and interventions to help all youth succeed.

Training and Awareness

Before JJSES, juvenile justice professionals were trained to focus on monitoring youths' compliance with supervision; juvenile probation departments were viewed primarily as the law enforcement arm of the juvenile court. It was seen as more important that the youth complete the conditions of their probation than change the behaviors that led to the need for supervision in the first place. The threat of out-of-home placement, a negative reinforcer, was seen as a more motivational response for a youth than an individualized response focused on rewarding behavioral change, a positive reinforcer. Also, youth were too often introduced to the juvenile justice system rather than diverted from it, remained in formal supervision for too long, and did not receive transitional services to help their reentry into their communities. This focus on compliance was counterproductive to Pennsylvania's Juvenile Justice Mission Statement.

Today, juvenile justice professionals, as change agents, are trained to use the necessary knowledge and skills that increase youths' participation in treatment, enact behavioral change, reduce recidivism, and improve outcomes. Professionals do this by:

- Using EBPs to identify a youth's risks, needs, and responsivity factors;
- Building professional alliances;
- Individualizing approaches to the youth;
- Focusing resources towards the most effective interventions; and
- Engaging in ongoing support in the youth's communities (e.g., families, neighborhoods, religious institutions, schools, etc.).

Pennsylvania has also successfully embraced and implemented the eight principles of the Models for Change framework, including "bias-free treatment," "recognition of juvenile-adult differences," "recognition of individual differences," and "recognition of potential" (MacArthur Foundation, 2006, p. 1). Professional development has been instrumental in the implementation of the MacArthur framework, the principles of BARJ, and the initiatives of the JJSES. For example, training and technical assistance ensure the initiatives are applied faithfully and reliably across juvenile probation departments. In fact, the National Conference of State Legislatures (2018, p. 27) noted that Pennsylvania "modified its Juvenile Court Management System (PaJCMS), a state-operated data management system used by county courts and probation departments, to track racial and ethnic disparities." Pennsylvania also publishes this data in the JCJC's Juvenile Court Annual Report and other deliverables to raise awareness regarding disparate treatment and disproportionate minority contact.

Accessibility and Communication

In the past, accessibility and communication barriers have marginalized youth and their families, hindered information gathering and sharing, and otherwise prevented their active engagement in the juvenile justice system. For example, juvenile justice professionals may not have recognized and screened for speech, language, and communication disorders. Research has since shown that justice-involved youth are more likely to have significant communication difficulties (Snow, 2019). When undetected, these developmental language disorders make it harder for young people to understand court orders and conditions of probation, legal terms, and rapid instructions. They also struggle to assist with the creation and evaluation of their case plans; advocate for themselves; correct misunderstandings; and process information. Furthermore, characteristic behaviors of such disorders (e.g., lack of eye contact, fidgeting, disengagement), particularly during stressful situations such as court proceedings, were misinterpreted as defiance, disrespect, and opposition. Similarly, youth and families with limited English proficiency struggled to understand discussions, documents, and processes related to juvenile justice (Abel, 2012). Consequently, youth and parents' knowledge and attitudes about juvenile justice were more limited, resulting in less participation in the court process, tenser relationships, and higher recidivism rates (Cavanagh & Cauffman, 2017).

Today, although accessibility and communication barriers still exist, Pennsylvania's juvenile justice system is more aware of and continues to work toward overcoming them. Several key initiatives in the JJSES have successfully improved communication, broken down barriers, and unified activities in the juvenile justice system. Specific initiatives that improved local and statewide collaboration and communication within the juvenile justice system include:

- Evidence-based assessments and tools
- Family engagement
- Data-driven decision-making
- Service provider alignment
- Stakeholder engagement
- Structured decision-making
- Training/technical assistance

Also, juvenile justice professionals are much more aware of youth and family needs and circumstances. For example, documents are available for non-English speakers, many courts have integrated sensory tools into courtrooms and dedicated space in courthouses for sensory integration (AOPC, 2024), and accommodations (e.g., visual supports, environmental adjustments, flexible pacing and breaks, alternative response modes) are recommended as best practice when engaging with youth who may have a speech, language, or communication disorder.

Fairness in Action: Guiding Decisions at Every Turn

To ensure fundamental fairness is part of all aspects of juvenile justice in Pennsylvania, **professionals must look for ways to increase equity at every decision point**. Each stage presents different considerations and opportunities to increase equity for youth and families. Similar to how the *Advancing Balanced and Restorative Justice Through Pennsylvania's Juvenile Justice System Enhancement Strategy* monograph discussed JJSES practices and research-based improvements to help achieve Pennsylvania's BARJ mission at ten key decision points (2015, p. 16)(see Figure 5), this monograph will discuss how all practices, programs, and policies should work toward achieving fundamental fairness for youth. Juvenile justice professionals should keep in mind that policies and practices that apply equally to all youth may still result in unequal outcomes. Thus, at each decision point it is essential to consider not only whether the policies, practices, and programs guiding the decision are fair, but whether their consequences are fair as well.

FIGURE 5

Ten Key Decision Points in Juvenile Justice



Decision Point 1: Prevention

The first decision point occurs before a youth even engages in delinquent behavior or interacts with law enforcement. At this stage, professionals can connect community, families, and youth to prosocial programs and positive youth development services at the community, county, state, and federal levels. Stakeholders removed from the local levels (e.g., members of state-level organizations such as the Pennsylvania Commission on Crime and Delinquency and the JCJC) primarily make decisions around prevention by distributing funding. Otherwise, local stakeholders (e.g., parents, youth, county juvenile probation employees, community-based organizations) may distribute those funds as well as choose to provide or utilize prevention services.

The System of Care framework provides an exemplary framework for strengthening community-based prevention services. It supports a comprehensive approach to mental health services for children, youth, and families and emphasizes a

coordinated network of community-based services, delivered across systems of care (e.g., county behavioral health system, child welfare services, education). The approach is built on strength-based partnerships with youth and families (Bilchik & Ogle, 2025).

To ensure fundamental fairness at this earliest stage, **professionals must consider whether needed services are available and accessible in a culturally responsive way**. Before focusing on expanding and supporting prevention services, partners should work across systems of care and with members of the community (including families most in need of prevention services) to exhaustively identify all preventative services already available in a community. Some elements to consider when working to identify gaps in prevention services:

- Which marginalized populations are present in my community?
- Are there prevention services available and accessible to each of these populations?
- Are these services available to meet all the needs of the marginalized populations?
- Are these services being provided in a culturally sensitive way?
  - Consider safety of participation and language used by the program

In recent years, studies have shown significant decreases in juvenile delinquent placement expenditures (JJDPC, 2024). This funding may be reinvested in youths' success upstream by supporting more robust prevention services. In the case of limited resources, professionals should prioritize marginalized populations that have been historically disadvantaged to increase equity in prevention services. Having adequate prevention services influences the decision-making of juvenile justice professionals. They take the availability of community-based services into account when deciding whether a youth can remain in the community or needs secure placement.

What This Means for Youth
Having a well-resourced, diverse array of prosocial activities and supportive services available will provide alternatives to delinquency and prevent system involvement for youth most at risk, especially those from marginalized communities.

Offering an Alternative – Diversion

In Pennsylvania's juvenile justice system, diversion is seen as an alternative to formal court processing that still holds youth accountable for crimes committed and harm caused (JCJC, 2024). Because delinquent behavior is required for diversion, diversion cannot occur at the first decision point of prevention. However, once a young person has committed an alleged delinquent act, diversion can and should be considered at each decision point from then on.

As mentioned previously, transparency is essential to ensuring fundamental fairness. Juvenile justice professionals should clearly define objective eligibility criteria for diversion participation. When eligibility

criteria are ambiguously worded or not clearly defined, biased decisions can be made. Decisions made by subjective assessments rather than objective criteria are not fundamentally fair. By clearly defining and communicating eligibility criteria, youth and families who are not offered diversion can assess whether they should have been eligible and discuss that potential with juvenile justice decision makers. Turnover of staff can lead to decisions about diversion being overlooked, not due to bias, but to a lack of familiarity with available options. By communicating diversion criteria to youth and families, they can become true partners in the case planning process and work with professionals to identify viable alternatives to further system involvement.

Inclusion requires professionals to listen to youth and families, answer their questions as honestly and completely as possible, and openly discuss any concerns they have. Professionals should be aware that youth and families from Black and low-SES communities may be more hesitant to partner with representatives of the justice system due to direct and indirect experiences of unequal and inequitable treatment by law enforcement, and may hold their own individual biases about the justice system and the people who work within it. Open, honest conversations focused on individual youth, family members, and professionals getting to know and grow respect for each other can help to dismantle stereotypes.

Juvenile justice professionals should create, review, and update case plans with youth and families that support their choices as much as possible while still adhering to the principles of BARJ (e.g., holding the youth accountable, protecting the community, and restoring the victim). Consistent with the JJSES, diversion services should be supported by research or be evidence-based. When youth and families have a voice in choosing these services and the services are evidence-based, youth are more likely to engage, benefit, and succeed. If youth struggle with agreed upon diversionary services, professionals should focus first on supporting youth and second on holding them accountable.

When working to increase equity throughout the juvenile justice system, diversion can also be thought of more broadly as providing an alternative to further system involvement to youth at every decision-making point. Diversion opportunities should be evaluated at each stage as a youth's case progresses. At every decision point, but particularly when considering removing a youth from the community, professionals should prioritize community-based services as alternatives to further system involvement and only remove the youth if they can articulate clear, convincing reasons why community-based services would be inappropriate.

What This Means for Youth

Juvenile justice professionals should ensure that youth and their families know the alternative to the recommendation at each decision point and why the recommendation was made *instead* of the alternative. Prioritizing diversion should mean less time involved in the system.

Decision Point 2: Arrest/Referral

For most, the first point of contact with the juvenile justice system is a law enforcement officer. Officers encounter youth from marginalized populations more often than youth who are not from marginalized populations (Sampson & Neil, 2024). There are several reasons for this including: a higher likelihood of walking or taking public transit and living in neighborhoods targeted for hotspot policing efforts. Because marginalized youth encounter law enforcement more frequently, efforts to deflect or divert youth from referral to the juvenile justice system should target these populations to ensure fundamental fairness at the arrest/referral decision point.

For example, imagine a law enforcement officer who typically warns and releases youth who were accused of a misdemeanor the first time, but refers the youth to juvenile court the second time. Given that youth from marginalized communities may have more frequent contact with law enforcement, they may also have more opportunities to reach that second point of contact. Additionally, some delinquent behavior is common among adolescents. Therefore, the officer should consider giving an additional warning before referring the youth to juvenile court. In doing so, the law enforcement officer will counteract structural inequities that drive greater rates of law enforcement contact among members of marginalized populations.

Deflection redirects young people away from the formal justice system at the earliest point of contact, avoiding the adverse consequences associated with an arrest (Seacrest, 2023).

Since the COVID-19 pandemic, youth who come into contact with law enforcement are more frequently in need of behavioral health or child welfare services. For some youth, an encounter with law enforcement may be their first opportunity to access required supports (Seacrest, 2023). Law enforcement should build partnerships with cross-system partners in addition to community-based providers so they can best connect youth with the services and resources they need while deflecting them from justice system involvement where appropriate.

For example, approximately two thirds of public middle schools and just under three quarters of public high schools in the country have at least one sworn law enforcement officer routinely carrying a firearm (National Center for Education Statistics, 2019). An increase in the use of zero-tolerance policies since the 1990s has also resulted in more school-based arrests than when law enforcement was less prevalent in school settings (Sorensen et al., 2022). Zero tolerance policies "assign explicit, predetermined punishments to specific violations of school rules, regardless of the situation or context of the behavior" (Boccanfuso & Kuhfeld, 2011, p. 1). These policies intend for every youth to be treated equally but often result in inequitable outcomes, particularly for Black students, male students, and students with disabilities because they neglect context (Sorensen et al., 2022).

Therefore, schools are an important partner in deflecting from juvenile justice system involvement.[13] Maintaining partnerships between schools, law enforcement, and probation is essential. Formalized agreements like memoranda of understanding help preserve these partnerships and remove ambiguity about responses to the variety of youth behaviors. Schools should prioritize restorative responses that focus on youth repairing the harm caused and that are individualized to youths' specific contexts.

What This Means for Youth

Pushing the boundaries of prosocial behavior is a normal part of adolescent development. By acknowledging this developmental fact and working in partnership with school officials to deflect youth from system involvement when appropriate, youth can avoid the negative consequences of being arrested or referred to juvenile court.

Decision Point 3: Secure Detention/Alternatives to Detention

The first decision about restricting a youth's liberty is whether they will be placed in secure detention before their hearing in juvenile court. Pennsylvania law requires that secure detention is a last resort and used only when absolutely necessary to achieve one of three goals: protecting the community, ensuring court appearance, or safeguarding the juvenile (JCJC, 2026a). Juvenile probation officers' experience is essential to making these determinations. However, professional judgment alone leads to bias and less effective decision-making than when it is paired with a validated screening tool (Schwalbe, 2008).

In 2016, the state adopted the PaDRAI. The tool provides an objective method for determining whether to release, place in an alternative to detention, or securely detain a youth. Structured decision-making tools such as the PaDRAI increase transparency and ensure that youth in similar circumstances are treated the same. The most recent revalidation of the PaDRAI found that "the odds of detention were nearly equally as likely for youth regardless of race, ethnicity, and gender, suggesting that the instrument in itself helps to eliminate potential bias in the detention decision at the point of intake" (JCJC, 2025d, p. 2).

In addition to the use of structured decision-making tools, it is best practice for counties to maintain alternatives to detention so that graduated responses may be used when youth are assessed as in need of additional supervision, but not secure detention. Youth can then move between more and less restrictive alternatives to detention in response to their behavior, with home- and then community-based alternatives prioritized.

[13] County stakeholders may consider reaching out to the Pennsylvania Association of School Resource Officers to explore options for partnering with school security personnel.

Regular detention hearings are required within 72 hours to ensure youth do not remain in secure detention for longer than necessary and the possibility for an alternative to detention is reviewed. Judicial officers must document at each hearing evidence that alternatives were considered and found inappropriate in the case that a young person must remain in detention (JCJC, 2026a). Documentation increases transparency in the decision-making process and ensures that secure detention is only used when alternatives that would allow the youth to remain with their family or in the community have been exhausted. Because youth are required to be present[14] and provided with counsel at all detention hearings, counsel should consider the youth's perspective and advocate for their best interests at the hearing to make the best decision possible.

When the court does decide to place youth in secure detention, stakeholders should ensure that the detention facility and staff provide a safe, caring, and developmentally appropriate environment, including:

- Respect for the youth's civil rights
- Adequate and accessible healthcare, education, and mental health supports
- Accessibility for physically and mentally disabled youth
- Translation services
- Culturally competent and trauma-informed staff and providers, and more

Additionally, youth are statutorily required to be held separate from adult offenders (JCJC, 2026a).

What This Means for Youth

Identifying and appropriately using alternatives to detention for youth who are not assessed as a risk to public safety or of failing to appear at court allows youth to remain in their community, stay in school, and maintain their relationships.

Decision Point 4: Juvenile Court Intake

Once the juvenile court receives a written allegation of delinquency, the youth and parent should receive written notice of the allegation and be informed of their constitutional rights before the intake interview. Notices should be accessible in both reading level and language fluency. It may be difficult to make these notices accessible for transient families, but taking extra steps to ensure delivery also ensures fairness in the process.

After informing the youth and parent of delinquency allegations, juvenile court intake conducts a thorough evaluation of the youth to identify their risks, needs, and responsivity factors in addition to the facts of the allegation. Intake officers should use motivational interviewing methods to learn from the youth and parent about their unique context and concerns. Motivational interviewing alongside objective screening instruments

[14]While in-person attendance is preferred, youth are permitted to be present by video or phone conference if the circumstances warrant (JCJC, 2026b).

helps intake officers gather the full picture. The YLS and case planning have been required for participation in the Juvenile Probation Services Grant (JPSG) program since 2013. Beginning in 2027, the JPSG program began requiring the use of three additional validated assessments to better match youth to appropriate interventions—the MAYSI-2, PaDRAI, and a validated trauma screen such as the CTS. These assessments provide a lot of information about the youth, including behavioral and mental health needs, trauma experiences and reactions, as well as responsivity factors that have historically received less attention than youths' risks and needs.

It is important to note that the use of evidence-based practices should be balanced with professional judgment. Since youth from marginalized populations have more frequent contact with law enforcement and prior offense history tends to be the most heavily weighted factor in assessing a youth's risk to reoffend, relying solely on risk assessment tools to drive decision-making will only serve to perpetuate existing inequalities in American society. Thus, professional judgment is needed for the equitable treatment our system aspires to provide. For example, if a youth scores moderate risk to reoffend on the YLS due primarily to a serious prior offense, decision makers should consider whether diversion may be appropriate given everything else they learn about the youth during the intake interview even though diversion is typically reserved for youth scoring low risk to reoffend. Intake officers should explore all options for diverting youth from formal system involvement and connecting youth to accessible services that match their risks, needs, and responsivity factors.

What This Means for Youth
Combining professional judgment with objective assessments ensures that youths' most pressing needs are identified and appropriately addressed.

Decision Point 5: Pre-Disposition Investigation and Recommendation

In the adult criminal justice system, responses to alleged illegal behavior generally focus on determining guilt, responsibility, and accountability. Most cases fail to consider whether illegal behavior would be better addressed by resources available outside of the justice system. For a variety of reasons outlined earlier in this monograph, youth are so different from adults that they warrant an entirely separate system of justice.

In Pennsylvania, the juvenile justice system gathers information about the youth, their context, risk factors, needs, and responsivity factors to carefully consider whether the justice system will be helpful to them. The Juvenile Act outlines conditions under which a youth may be referred to a county agency for child or general protective services in lieu of delinquency. Once decision makers determine that a youth may benefit from involvement with the juvenile justice system, they must recommend the best system response based on what they learned through the pre-disposition investigation. Recommendations are ideally made in partnership with the juvenile probation department, the district attorney's office, the public defender's office, and any other system partners the youth is currently involved with. Partnership ensures that all available resources are identified and considered. Additionally, decision makers should consider:

- The legal and familial support system available to assist the youth in advocating for their wants and needs
- The aggregate effect the recommendation may have if made repeatedly for youth belonging to a marginalized population

To ensure disposition decisions are fundamentally fair, youth from marginalized populations may need additional supports. Given the disadvantages that marginalized populations already face in American society, jurisdictions should routinely review disposition decisions to ensure that no marginalized population systematically receives more severe recommendations.

What This Means for Youth

Youth who do not have strong advocates in their lives may need additional support to make sure their voices are heard; connecting them with supportive adults who can advocate for them can help level the playing field. Every youth should have at least one trusted adult who can help communicate their needs when deciding on responses to delinquent behavior.

Decision Point 6: Probation Supervision

Goals for youth in probation are to decrease delinquent behavior, ensure public safety, provide accountability, monitor compliance with court orders, and make appropriate referrals to service providers. Juvenile probation officers should work with youth and families to set clear, achievable rules that are appropriate given the youth's age, abilities, and context. The rules of supervision should be strengths-based, acknowledging and building off of the youth's positive qualities.

In addition to individualized rules of supervision, juvenile probation officers should use a graduated response system and provide transparency around potential consequences and opportunities to correct course. Juvenile probation officers should learn from youth which incentives are particularly motivating to them and will encourage them to make good choices. The consequences included in the graduated response system should be tailored to helping youth learn from their behavior.

Juvenile probation officers should also build connections for the youth to school, job training or employment, treatment services, prosocial peers or adults, and other supportive services when developing the youth's case plan. Fairness in the case planning process requires true partnership with youth and families to understand their unique context and make a realistic case plan.

What This Means for Youth

Transparent requirements and responses ensure that youth and juvenile probation officers are on the same page about what the expectations and consequences of probation supervision are.

Decision Point 7: Community-Based Services

The use of community-based services has grown as Pennsylvania prioritizes in-home services that keep youth in their communities and close to their family (JCJC, 2026c). In fact, Pennsylvania was one of the first states to embrace the community-based approach and offset the inequitable use of secure detention and residential placement. A community-based approach works as youth remain in an environment with their families who know their needs best. For that reason, community-based services favor a family-focused approach to support and treatment that targets youths' risks and needs, acknowledges both their own and their families' responsivity factors, and reduces recidivism (Andrews & Bonta, 2006; Greenwood, 2008; Lipsey & Cullen, 2007; Ryon et al., 2017). Additionally, families feel more engaged, transparency and accountability are improved, and youth are more likely to be surrounded by prosocial peers (as compared to peers adjudicated delinquent in residential placement).

These services are grounded in the communities where the youth live. Their culture, location, programming, and staff often reflect the youth's own stories, fostering connection between the youth and the service provider. Youth, families, potential community liaisons, and mentors can also build bonds and help connect the youth to prosocial activities beyond the community-based services. Pre-existing relationships can also be preserved through community-based services and youth remaining in their homes. These services allow youth to stay enrolled in their school, continue to attend their faith-based services, work at the same place of employment, and remain members of their teams and clubs.

Youth succeed when they have access to a continuum of care from low intensity to intensive. A range of services allows for comprehensive, individualized case plans that best suit the youth's needs. Inadequate services undermine the fair, community-based approach, limit the options in the case plan, and adversely affect service matching. Keeping youth in appropriate community-based services also avoids the challenges of reentry because they never leave their communities.

What This Means for Youth

Providing a full continuum of community-based services that keeps youth connected to their families, schools, communities, and prosocial supports will ensure individualized, fair, and effective responses that address youths' risks and needs while reducing recidivism and avoiding unnecessary placement outside the home.

Decision Point 8: Residential Placement

Residential placement is a critical component of Pennsylvania's juvenile justice system and should be reserved for protecting communities from the highest-risk youth in alignment with the BARJ mission. Every effort should be made to keep youth in their communities so long as the public's right to safe and secure communities is respected. A fair balance between the youth's accountability, including victim restoration; basic

competencies; community protection and public safety; and risks, needs, and responsivity factors is paramount. Research shows historically that marginalized populations are overrepresented in residential care settings (de Finney et al., 2011; Echols & Rodriguez, 2025). The recommended approach for placement of youth in residential settings (Torbet, 2008) is:

- Refer youth to the least restrictive environment consistent with the public's safety
- Reserve residential placement and its array of services for high-risk youth and youth with complex cases who cannot receive comparable support and treatment in the community
- Prevent residential placement from disrupting youths' protective factors (e.g., prosocial identity, prosocial engagement, social supports, self-control and self-efficacy)
- Ensure residential placements have the EBPs and treatment modalities in place to address a youth's needs and customize their approach based on the youth's responsivity factors (e.g., autism, gender identity, homelessness, trauma)
- Make dispositional recommendations and determinations for residential placement based on the youth's level of risk, criminogenic needs, and responsivity factors; the strengths of the youth and their family; and victim impact statements

Additionally, residential placements should be safe, supportive, and truly rehabilitative environments that are not abusive and harmful, harsh, or isolating. Youth who feel they are cared for, treated fairly, and safe are more likely to engage in the residential placement's programs and services and build supportive, trusting relationships with the staff. For example, LGBTQ+ youth often present unique considerations for facilities regarding privacy during showers and changing as well as housing and programming assignments to ensure a safe and inclusive environment.[15]

Next, youth should have access to competency development (e.g., soft skills and vocational training), education, healthcare, and opportunities to communicate with their family. Family visitation plays a crucial role in positive behavioral change, maintaining and strengthening prosocial relationships, and other favorable outcomes. Finally, youth should remain in out-of-home care only as long as necessary. When the time comes for a successful discharge from the residential placement, an individualized plan should be developed that includes resources and support they need to successfully reenter their communities.

What This Means for Youth

Reserving residential placement for youth who cannot be safely and effectively served in the community, while ensuring placements are least restrictive, rehabilitative, individualized, and connected to family and reentry supports, will help ensure community protection, reduce inequitable use of out-of-home care, and improve outcomes for youth with the highest risks and needs.

[15]For example, the United States DOJ Juvenile Facility Standards with respect to the Prison Rape Elimination Act clearly state that, "In deciding whether to assign a transgender or intersex resident to a facility for male or female residents, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems" (p. 20).

Decision Point 9: Aftercare

Aftercare[16] is a critical decision point in the juvenile justice process (Fagan, 1990; Weaver & Campbell, 2015), particularly for older and high-risk youth (James et al., 2013). Youth returning to their communities following residential placement need a comprehensive, individualized, and well-implemented transition plan. This plan addresses their specific needs and identifies opportunities to support them, promoting long-term success and preventing future recidivism. Aftercare planning helps youth develop and sustain their skills (Torbet & Thomas, 2005). Therefore, the youth's participation and investment in building their aftercare plan is important and necessary; family engagement is similarly necessary in the plan's development and implementation. Historically, plans contained only what services youth receive after their discharge from residential placement. The plan should also include what services youth receive while in residential placement to prepare them for their reentry into the community—aftercare planning starts at entry, not exit.

Effective aftercare planning gives youth opportunities for:

- Education
- Employment
- Clothing, food, and housing
- Mentoring, prosocial activities, and relationships
- Behavioral, mental, and physical health services
- General (re)connection with their community

Balanced, thoughtful planning also avoids the pitfalls of net-widening (Mears et al., 2016) and overburdening youth, particularly those who may benefit from fewer rather than more services (Mielke, 2024). Aftercare is intended to provide youth with a sense of achievement, purpose, reassurance, and stability.

What This Means for Youth

Beginning aftercare planning at entry into residential placement and developing a comprehensive, individualized transition plan with youth and family engagement will help youth return home with the right community supports to sustain progress and reduce recidivism.

Decision Point 10: Case Closing

Decision makers should use clear and transparent exit criteria to determine whether a youth's case should be closed with juvenile probation. Clearly stated exit criteria may help juvenile justice professionals make consistent, appropriate, effective, and fundamentally fair decisions about case closure. Just having those

[16] "Aftercare" and "reentry" have similar meanings and may be used interchangeably. "Aftercare" is the more commonly used term in Pennsylvania. Also, "reentry" is sometimes used to describe both aftercare following discharge from residential placement as well as the youth's reintegration during their transition from community-based supervision with juvenile probation (with or without ever being in residential placement) to their exit from the juvenile justice system.

criteria alone cannot ensure consistent decisions if staff are not following them. These criteria should be based on the youth's performance while under juvenile court supervision and communicated to the youth and their family from the beginning. Throughout supervision, youth and families should be made aware of the youth's progress toward case closure. Doing so will increase their perceptions of fairness and will be motivational. Additionally, juvenile justice professionals should develop and implement practices to regularly review case closing decisions and ensure that exit criteria are being applied consistently and fairly.

After successful case closure and demonstrated law-abiding behavior, youth may be eligible to have their case expunged. Juvenile justice professionals should educate the public about the expungement process and the consequences of failing to expunge juvenile court records, which include restrictions on financial aid, public housing, and careers in specific professions (Agus-Kleinman et al., 2019). Outreach should use language and communication methods that reach marginalized communities and help prevent existing inequities from being perpetuated. While working to educate the public about the importance and process of expungement, juvenile justice professionals should also engage with cross-system stakeholders to reduce the stigma associated with having a juvenile court record.

What This Means for Youth

Transparent exit requirements allow youth to see clearly where the finish line is for them and what they must do to reach it. If the requirements are unclear, youth should feel comfortable asking questions. Similarly, youth and families should discuss with their juvenile probation officer the reasons behind the requirements if the requirements seem unfair.

Time to Celebrate

The end of a youth's involvement with the juvenile justice system is a time to celebrate. **All youth should be recognized for their achievements**, whether addressing their behavioral and mental health needs, building their self-esteem and self-worth, developing their skills, enjoying academic and vocational success, recognizing and repairing the harm they did to their victims and communities, strengthening their relationships with their families, or taking accountability for their actions.

Their achievements are important steps in their lifelong journey towards success. Juvenile justice professionals should provide youth with post-case closing resources that are individualized toward the support they will need to sustain their progress, such as:

- Contact information for applicable community agencies
- Resources for family education and support
- Eligibility letters for medical and behavioral health services
- Certificates
- Career/educational documents
- Photo identification

A fundamentally fair juvenile justice system affords youth the opportunity to succeed both now as a young person and later in their adulthood.

Making Fairness a Reality: System-Wide Commitments

Ensuring fundamental fairness in our juvenile justice system requires all system actors and partners to continuously learn from youth and families and stay informed about emerging evidence-based best practices. This information should be used to shape policies, practices, and programs. Systems should also have an accountability process to make sure the policies and practices are implemented as designed and have the intended outcomes.

Learning and Growing Together

All juvenile justice professionals should continuously work to learn from the youth, families, and communities that they serve about what fairness means in their jurisdiction and how well the system reflects those ideals. Ongoing training can support this work, especially around cultural humility, unconscious bias, the historical record of the justice system's treatment of marginalized communities, their local government's historical and ongoing treatment of these communities, and trauma-informed approaches. Peers and supervisors can provide encouragement and accountability in continuous learning and growth through their own commitment to these activities. Ensuring a fundamentally fair system requires leaving room for the individuals who make up that system to grow. Seemingly discriminatory or biased behavior should be addressed by seeking to understand the motivation behind the behavior and encouraging learning and growth to increase fairness in future decisions.

Learning from Our Data

Perhaps the first step in correcting unfair treatment is identifying it. **Collecting data about decision-making is critical to determining whether decisions and their outcomes are fair**. PaJCMS allows for youth-specific information to be entered and then tied to decisions and outcomes within the juvenile justice system. Decision point and outcome data should be routinely reviewed across marginalized populations to identify and develop a data-informed plan to address any problematic differences (e.g., unequal absolute amounts), disproportionalities (e.g., a difference greater than what would be expected given the group population sizes among those for whom a given outcome is possible), and disparities (e.g., when "like cases" with respect to case attributes are treated differently). Consider the following example:

- Imagine you review your county's placement data for a single year across racial groups and find the following:

	Placement Dispositions	
	Number	*Percent*
Black Youth	40	80%
White Youth	10	20%

- This data demonstrates that there is a difference between the number of placement dispositions for White and Black youth in your county. Without knowing anything about the population of youth who could have received a placement disposition, what this data is able to tell us is limited. Since you know that in order to be disposed to placement, youth have to be adjudicated, you next examine the adjudicated dispositions in your county across racial groups in that same year and find the following:

	Placement Dispositions		Adjudicated Dispositions	
	Number	*Percent*	*Number*	*Percent*
Black Youth	40	80%	40	50%
White Youth	10	20%	40	50%

- This data demonstrates a disproportionality in placement dispositions. Since 50% of adjudicated dispositions were for White youth and 50% were for Black youth, we could reasonably expect that placement dispositions should follow a similar pattern. When we compare the adjudicated dispositions to our placement data, we see that only 20% of placements were for White youth and 80% were for Black youth. This 20/80 split in placement dispositions is quite different from the 50/50 split present among adjudicated cases. There could be many reasons, however, why the racial difference in placement dispositions is greater than what we would expect given the racial breakout of adjudications. For example, there could be racial differences in charging practices that explain this disproportionality. If all of the 40 Black youth adjudicated were adjudicated for a felony offense, but only 10 of the White youth adjudicated were adjudicated for a felony offense, then this difference in charging would explain why only 20% of the placement dispositions were for White youth. Such data would show that the other 30 White youth who were adjudicated were adjudicated for a misdemeanor offense and perhaps your county does not dispose youth to placement unless they are adjudicated for a felony offense. PaJCMS contains the information necessary to empirically examine this potential explanation. Next, imagine you look at adjudications for a felony offense in your county in that same year and find:

	Placement Dispositions		Felony Adjudications		Adjudicated Dispositions	
	Number	*Percent*	*Number*	*Percent*	*Number*	*Percent*
Black Youth	40	80%	40	51%	40	50%
White Youth	10	20%	39	49%	40	50%

- This data provides the first piece of evidence that a disparity may exist among racial groups in the likelihood of placement. Since almost all of the adjudication dispositions in both racial groups were for a felony offense, the severity of the adjudicated offense does not differ significantly across racial groups and thus that cannot explain the observed disproportionality in placement dispositions. It is important to note that this data alone does not equate to disparate treatment. There are other legal factors that may explain the racial disproportionality in placement such as prior offending history which we did not review. Taking into account as many legal elements as possible to ensure that you are comparing "like cases" when comparing across racial groups is essential to demonstrating evidence of disparate treatment.

When disparities are identified, and all legal elements are accounted for, juvenile justice professionals should work to understand why these disparities exist and address them as appropriate. Additionally, providing transparency around these data reviews (e.g., publishing or making the data and analyses public) helps to hold professionals accountable for conducting the reviews and acting on their findings.

Shaping Better Policies

Reviewing data may assist in identifying unintended consequences of policies, practices, laws, standards, or rules. In addition, **regular practical reviews**, conducted by various stakeholders, including youth, families, and community members, **can provide additional context and considerations beyond quantitative data alone**. Consistent with Stage One of the JJSES Framework, juvenile justice professionals should work with county- and state-level professionals to advocate for changes that will promote more equitable treatment for youth.

Stronger Together: Community Partnership

Pennsylvania's juvenile justice system is committed to bettering the lives of youth and communities. This work is best accomplished by treating people the way they want to be treated, which cannot occur without partnering with youth, their families, and community members to learn how they want to be treated. The history between the justice system and marginalized populations, particularly Black and economically disadvantaged people, has driven a wedge of distrust between these communities and the justice system. Understanding this history and acknowledging its effects is the first step toward authentically partnering with members of marginalized communities.

Authentic allyship involves actions, behaviors, and practices that advocate for the equitable treatment of a marginalized group. Importantly, inviting members of marginalized communities to the table, but not allowing them to fully participate in the review and creation of policies, practices, standards, and rules that affect their lives, is not authentic allyship.

Juvenile justice professionals should try to understand the experience of marginalized community members by creating inclusive environments for partnership where youth, families, and community members feel as though they belong and have valuable insights to contribute. Creating inclusive spaces and seeking to learn from the voices of youth, families, and community members will ensure that the people most affected by the system have a voice in how it functions.

Keeping Each Other Accountable

Oversight is essential to ensuring fundamentally fair decision-making and outcomes. Transparency around data means little if there is no mechanism for concerned stakeholders to voice their concerns. Feedback mechanisms should be clearly outlined and easily accessible. Juvenile justice professionals should review feedback responses regularly to inform their continued efforts.

Additionally, juvenile justice professionals should consider partnering with external agencies such as national research groups, colleges, or universities to conduct outside assessments of whether Pennsylvania's juvenile justice system is living up to its commitment to fundamental fairness. In partnering with external evaluators, juvenile justice professionals should consider seeking out researchers from marginalized backgrounds or with expertise in equity and fairness or lived experience with the juvenile justice system. Doing so will ensure that diverse perspectives are considered in evaluations of fairness.

Where We Go in the Future: Continuing the Journey Toward a Truly Just System

Striving toward a more just system will require systemic change that occurs in partnership with all social service systems as well as youth and families.

Embracing Innovation and Best Practices

Fundamental fairness is a dynamic concept, and so juvenile justice professionals will need to continuously learn and seek to improve their practices, policies, and programming for youth in their care. Juvenile justice professionals should stay informed of changes to their local community context as well as the spirit of state-level and national-level decision makers. These practical constraints are ever changing and affect funding as well as the interpretation and implementation of stated policies and practices. In addition to understanding contextual constraints, **juvenile justice professionals should continuously identify new research and successful models for increasing fundamental fairness in juvenile justice**. Some resources that may prove helpful in this regard include:

- National organizations
  - Georgetown University McCourt School of Public Policy's Center for Youth Justice
  - Juvenile Law Center
  - National Association of Counties
  - Penn State Social Science Research Institute's Evidence-to-Impact Collaborative
  - RFK National Resource Center for Juvenile Justice
  - The Annie E. Casey Foundation
  - The Council of Juvenile Justice Administrators
  - The Council of State Governments' Justice Center
  - The MacArthur Foundation
  - The National Center for State Courts
  - The National Conference of State Legislatures
  - The National Council of Juvenile and Family Court Judges' National Center for Juvenile Justice
  - The National Institute of Justice

  - The Office of Juvenile Justice and Delinquency Prevention's Model Programs Guide
  - The Sentencing Project
  - Urban Institute
- State-focused organizations
  - Education Law Center
  - The Juvenile Court Judges' Commission
  - The Pennsylvania Council of Chief Juvenile Probation Officers
  - The Stoneleigh Foundation
- Academic journals[17]
  - Youth Violence and Juvenile Justice
  - Criminology & Public Policy
  - Justice Quarterly
  - Crime & Delinquency
  - Juvenile & Family Court Journal
  - Justice Evaluation Journal

Juvenile justice professionals should seek to pilot new methods of enhancing fairness. Such efforts should be undertaken with a keen eye toward measuring their effectiveness by working with a researcher or developing their own research and evaluation skills. In addition to administrative indicators of greater fairness, evaluators should seek feedback from staff, youth, and families regarding their perceptions of the pilot intervention. For promising pilot initiatives that continue, both quantitative measurement and qualitative feedback should routinely be collected to monitor fairness and effectiveness and to continue building upon successes.

Deepening Collaboration Across Systems

As discussed previously, there are existing inequities across many facets of American society and so fundamental fairness within the juvenile justice system requires acknowledgement and consideration of factors beyond the reach of the system. By partnering with cross-system professionals such as behavioral health, mental health, child welfare, and education, juvenile justice stakeholders can expand the reach of their efforts and work to increase fairness in a more holistic way. Indeed, **expanding the reach of needed social services to youth earlier in life may help to prevent delinquent behavior**. More regular cross-system communication for youth involved with multiple systems of care has been linked to faster case closure in both the dependency and delinquency systems and a lower likelihood of adjudication in the delinquency system (Bilchik & Ogle, 2025).

[17]Google Scholar is a freely accessible search engine that returns results from peer-reviewed academic journals and books.

Elevating Youth and Family Voice

Two important partners that are often overlooked or underprioritized when working to increase collaboration with stakeholders are youth and their family members. Given that these parties are the most directly affected by decisions made within the juvenile justice system, their lived experience is invaluable in guiding efforts to measure and increase fairness. Juvenile justice professionals should work to ensure that **youth and family members are central partners in leadership discussions about policy, practices, and programs**. Giving voice to those most impacted and hearing that voice not only serves to make the system more fundamentally fair but also is a critical component of perceived procedural justice which prior research has shown to be associated with more law-abiding behavior (Fagan & Tyler, 2005). Building formal mechanisms for youth and families to be involved in discussions regarding policies and practice will help to ensure that these vital stakeholders are not overlooked and that their expertise works to better the system.

Advocating for Systemic Change

Counteracting the "get tough" philosophy of the 1990s and early 2000s, more recent juvenile justice thinking has focused on reducing system involvement by prioritizing diversion at each decision point. Given the host of negative consequences associated with system involvement (Liberman et al., 2014; Mendel, 2023), particularly residential placement, **fundamentally fair treatment requires juvenile justice stakeholders to promote promising community-based alternatives whenever possible**. Delivering effective services to youth in their communities requires systemic inequities to be addressed. Over time, juvenile justice stakeholders may notice patterns in the needs of their marginalized communities and reach out to the appropriate cross-system partners to address those needs prior to juvenile justice system involvement.

Building a Culture of Relentless Fairness

Juvenile justice stakeholders should strive to instill humility, openness, opportunity, respectfulness, and equitable treatment at every level of the juvenile justice system. This starts with an internal organizational culture that recognizes that youth and families are the experts of their lived experiences and needs. **Professionals should be trained to partner with and learn from the youth and families that they serve**. Giving those who are directly impacted by the system a voice in the process is an essential component of fair treatment. This mentality should be mirrored at the county and state levels by juvenile justice professionals to ensure fair treatment across the Commonwealth.

Conclusion: Pennsylvania's Promise of Fairness for Every Child

Ultimately, the heart of Pennsylvania's juvenile justice system lies in a single promise: fairness for every child. This responsibility is not an unachievable dream or a milestone we only say we pursue. **Fairness is a daily commitment**. Building a truly equitable juvenile justice system is an ongoing journey that requires continuous, deliberate effort from everyone involved including judges, juvenile probation departments, children and youth agencies, funding and oversight bodies, law enforcement, service providers, case managers, advocates, legislators, community members, victims, families, and the youth.

This promise is a call to action for every stakeholder in the juvenile justice system. We must champion fairness at every level, ensuring that our actions always match the JJSES's values, mission, and vision, especially when protecting our marginalized and most vulnerable youth. By transforming this promise into daily practice, we can sustain and improve a system that does not just monitor youth, but truly affirms their worth and potential, protects their rights, and builds and safeguards their future.

Recommended Citation:

Juvenile Court Judges' Commission. (2026). *Advancing fundamental fairness through Pennsylvania's Juvenile Justice System Enhancement Strategy.*

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This monograph is an action-oriented, practical guide that champions fundamental fairness and reinforces its relationship with balanced and restorative justice (BARJ) and Pennsylvania's Juvenile Justice System Enhancement Strategy (JJSES). The success of JJSES is reflected in how it continually strengthens our ability to achieve the goals of BARJ while promoting equitable outcomes for youth in a fundamentally fair way. Fulfilling that promise requires making fairness for every child a daily commitment.

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