

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

September 20, 2023 Commission Meeting
MINUTES

Before: Vice Chairwoman Jennifer Lopez-Cerrato
Honorable John T. Adams, Commissioner
Honorable Bruce R. Beemer, Commissioner
Mr. Mark H. Bergstrom, Commissioner
Dr. Debra Bogen, Commissioner
Honorable Tim Briggs, Commissioner
Sheriff James Custer, Commissioner
Dr. Latika Davis-Jones, Commissioner
Mr. Michael J. Deery, Designee for Honorable Vincent Hughes
Mr. Andrew Dudziak, Designee for Honorable Sheryl Delozier
Honorable Diane Ellis-Marseglia, Commissioner
Ms. Suzanne V. Estrella, Commissioner
Ms. Laurel Harry, Commissioner
Mr. David Heckler, Commissioner
Ms. Kirsten Heine, Designee for Honorable Michelle Henry
Mr. Joseph Hill, Commissioner
Mr. Eric Kratz, Designee for Honorable Devlin J. Robinson
Honorable Timika Lane, Commissioner
Honorable Christopher P. Mallios, Jr., Commissioner
Honorable Megan McCarthy King, Commissioner
Mr. Sean T. McGinley, Commissioner
Dr. Edward B. Michalik, Commissioner
Mr. Geoff Moulton, Commissioner
Commissioner Michael Muldrow, Commissioner
Mr. Laval Miller-Wilson, Designee for Commissioner Arkoosh
Dr. Edward P. Mulvey, Commissioner
Dr. Khalid Mumin, Commissioner
Ms. Courtney Richardson, Designee for Honorable Jordan Harris
Honorable Rebecca Rhyhart, Commissioner
Mr. Kevin J. Schreiber, Commissioner
Honorable Russell D. Shurtleff, Commissioner
Mayor Derek Slaughter, Commissioner
Mr. R. Kevin Sutter, Commissioner
Mr. Robert Tomassini, Commissioner
Mr. Terry Trego, Designee for Honorable Scott Martin
Ms. Phoenicia D. Wallace, Commissioner

Guests: Dr. Scott Kuren
Ms. Melissa Myers
Ms. Shelley Neff
Ms. Lauren Palmquist
Mr. Craig Westover

Staff: Michael Pennington, Executive Director
Sally Barry, Director, Office of Justice Programs
Kathleen Buckley, Director, Office of Victims' Services
Kirsten Kenyon, Director, Office of Research, Evaluation and Strategic Policy Development
Derin Myers, Director, Office of Financial Management and Administration
Debra Sandifer, Chief Counsel
Robert Ancheff
Jennifer Bowser
Cory Brady
Stacie Brendlinger
Corinne Burr
Lindsay Busko
Kathy Clarke
Christina Cosgrove-Rooks
Stephen Ekema
Jennifer Ely
Chris Epoca
Allison Gantz
James Haas
Gregory Harhigh
Nancy Heisler
Heather Hewitt
Mary Hickok
Chuck Hogan
William Jennings
Rebecca Kiehl
Samantha Koch
Geoffrey Kolchin
Crystal Lauver
Sherry Leffler
Michael Leister
David McMeekin
Zoe Miner
Kariem Morssy
Ian Murray
John Pfau
John Polheber
Jennie Seigler
Troy Sellers
Alyssa Subsinsky
Brian Swoyer
Rebecca Szczypta
Lindsay Vaughan
Jacqueline Weaknecht
Shaun White
Teresa Wilcox
Gregory Young

I. Call to Order

The September 20, 2023 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) was called to order at 10:00 a.m. by Vice Chairwoman Jennifer Lopez-Cerrato. Roll call was requested. She informed members that the meeting was being recorded, to which there were no objections.

II. Chairman's Report

Vice Chairwoman Jennifer Lopez-Cerrato

- The first order of business was to approve the minutes from the June 13, 2023 meeting.

Motion: Ellis Marseglia. **Seconded:** Moulton. **Abstentions:** None
Aye Votes: 35 No Votes: 0 Motion Adopted

- Vice Chairwoman Lopez-Cerrato introduced and welcomed new Commissioners, Judge Christopher Mallios, Mr. Jim Fox, and Ms. Rebecca Rhyhart.

Judge Mallios joined the Philadelphia Court of Common Pleas in January 2016 after practicing law for more than twenty-eight years. He is assigned to the Domestic Relations Section of the Family Law Division, where he presides over proceedings involving protection from abuse, child custody, child support, divorce, and criminal law. Governor Shapiro appointed Judge Mallios to serve as Chair of PCCD's Victims' Services Advisory Committee.

Mr. Fox was appointed to the Pennsylvania Board of Probation and Parole in 2007 by Governor Edward Rendell, where he served a six-year term as a Board Member. He was re-nominated by Governor Wolf to serve a full six-year term and was confirmed by the Senate on May 13, 2020. Mr. Fox was appointed Chairman of the Board of Probation and Parole by Governor Shapiro on June 21, 2023.

Ms. Rhyhart is an accomplished public servant for the city of Philadelphia. As the former City Controller, she was a vocal advocate for transparency, accountability, and fiscal responsibility within the city's finances and operations. Prior to her election as Controller, she served in various significant roles within the Philadelphia government, including as the city's Chief Administrative Officer and Treasurer.

Vice Chair Lopez-Cerrato acknowledged Mr. Laval Miller-Wilson, Deputy Secretary, Office of Children, Youth & Families, who will serve as PA Department of Human Services Secretary Valerie Arkoosh's delegate, and Ms. Allie Dutrey, who will serve as Senator Devlin Robinson's delegate.

- Pennsylvania's FY 2022-23 State Crisis Intervention Program Funding Plan was given the stamp of approval by the U.S. Department of Justice's Bureau of Justice Assistance earlier this month. Staff are working to prepare funding announcements for release in support of the plan initiatives that included development and release of a competitive solicitation to find a qualified entity to design and launch a new \$1 million 'Resources for Gun Violence Victims Needs Assessment and Technical Assistance' initiative. This work is the first phase of an overall \$3 million initiative spurred by the Lt. Governor's directive to the Victims' Services Advisory Committee charging the group with identifying gaps and areas to better coordinate and support gun violence survivors across the Commonwealth. More information about this initiative, as well other projects that will be supported through the inaugural SCIP allocation, can be found on PCCD's website.

The Bureau of Justice Assistance (BJA) requires that the Governor of the state certify that 2023 Justice Assistance Grant (JAG) applications were submitted for review to the governing body of the state, or to an organization designated by that governing body, not less than 30 days before the date of his certification. The Commission is the designated governing body for Pennsylvania's JAG application.

PCCD's FY 2023 JAG application is included as a separate document in the Commission packet and is also available for review on PCCD's website. The application was submitted to BJA on August 29, 2023 to support activities and strategies aligned with the goals and objectives articulated within PCCD's 2021-2025 Strategic Framework.

III. Executive Director's Report

Michael Pennington, Executive Director

- Executive Director Pennington announced the hiring of PCCD's new Communications Director, Ali Gantz. Previously, Ms. Gantz served as the Digital Director for the PA Department of Drug and Alcohol Programs, and prior to that, held a Deputy Digital Director position with the Department of Human Services.
- On August 3, Governor Shapiro signed the state budget into law. PCCD received its regular state allocations for county intermediate punishment, county grant-in-aid funding, violence and delinquency prevention program funding, and nonprofit security grant program funding. Our general governmental operations line-item received a healthy boost this year (from \$16.9 million last year to \$23.6 million this year), but it was noted that we are still awaiting the final passage of the Fiscal Code to determine how much of that funding is to be utilized for designated projects and how much can be used to support day-to-day operations at PCCD.

PCCD's Violence Intervention & Prevention (VIP) funding saw a \$10 million increase in state funding (from \$30 million last year to \$40 million this year), however, the grant program did see an overall reduction of \$65 million due to the loss of federal ARPA funding that supplemented that program last year. \$150 million in School Safety and Security grant program funding was also allocated this year. We are still awaiting Code bills to provide direction for those programs.

Finally, our budget contained for the first time a significant state investment of \$7.5 million in indigent defense funding. Previously, PCCD has used federal JAG funding to support defense training, and last year, \$100,000 was set aside in the budget to also support training efforts. While we are still waiting on a bill and/or Code language to determine how this funding will be spent, we are still pleased to see that this initiative has the funding to get off the ground. We will provide more updates as the legislative session progresses this Fall.

- In August, PCCD released a funding announcement on behalf of the PA Department of Health (DOH) to administer funding to county jails and law enforcement lock-ups to provide funding to support COVID testing and mitigation efforts. This \$9 million solicitation was supported by a federal grant that DOH received from the Centers for Disease Control. PCCD asked the counties' Criminal Justice Advisory Boards to help coordinate each county's application. An informational item, 'COVID Mitigation for Counties', is included in the meeting materials with additional details. It was noted that Philadelphia is not listed, as they received a federal award for these efforts.
- At the June meeting, the Commission delegated authority to the First Chance Trust Fund Workgroup, Executive Director Pennington, and the Chairman of the Commission to select award recipients for this new scholarship program for at-risk youth which includes blended programmatic supports. Since the school year has already started, and we wanted to get the program up and running as soon as possible, the delegation allowed us to start work with the six selected pilot programs. More information about each pilot's approach is contained in the informational item document.

The second follow-up item to mention is that PCCD's Nonprofit Security Grant Fund Program currently has an open solicitation. With the passage of the state budget, we were able to open a FY23-24 solicitation in mid-August, with the intention of receiving solicitations until early October. We will provide a list of recommended applications for the Commission's consideration at the December meeting.

- The School Safety and Security Committee will meet on September 27 at 1:00 PM. There will be several important announcements made regarding upcoming trainings that PCCD has produced that will be released to all school employees this Fall and every year thereafter. We will also have an update at that meeting from our Violence Intervention & Prevention technical assistance provider. Executive Director Pennington will provide an update from that meeting and any other SSSC meetings thereafter at the December meeting.
- On August 30, PCCD and the Department of Drug and Alcohol Programs introduced the Pennsylvania Overdose Prevention Program. This initiative expands on the Naloxone for First Responders Program's five-year success, which provided over \$1.3 million Narcan doses and accounted for 24,000 reported overdose reversals since 2017. The new program offers a centralized source for various naloxone formulations and harm reduction supplies, including fentanyl and xylazine test strips. It will also provide information, training, and support for those addressing Pennsylvania's overdose crisis. More details are available on PCCD's website.
- In August, PCCD visited several grantee organizations across Pennsylvania to highlight their grant-funded initiatives. That included a 'Safer Communities Tour' led by PCCD Chair Lt. Governor Davis, which made stops in Pittsburgh, Philadelphia, Erie, York, Allentown, and Wilkes-Barre. PCCD staff also visited programs in Lancaster and Pittsburgh focused on supporting at-risk and justice-involved youth. On September 15, PCCD visited the Indiana Area School District to highlight the school safety and mental health funding they received, as well as the Armstrong County Jail to talk about their medication assisted treatment program.
- PCCD was invited to participate in two Senate hearings over the past quarter. On August 8, PCCD participated in a hearing before the Senate Aging & Youth Committee on children's advocacy centers and their benefits. Several members of the Children's Advocacy Center Advisory Committee participated and provided testimony. PCCD was also invited to participate in a Senate Majority Policy Committee hearing on criminal justice statistics and trends. While we were not able to participate in that hearing in person, the research team at Indiana University of Pennsylvania whom we contract with was able to draw down additional offense data from the PA State Police's website to develop a Ten Year Crime Trends report, which Dr. Robert Orth compiled and was submitted to the Committee for its consideration.

Dr. Orth provided an overview of his findings to the Commission. Looking at the ten-year average, murder is up 65% while robbery and burglary are down 40% and 62%, respectively. Are you seeing those declines by looking at the data county by county, or is it that fewer people are being burglarized or there is less charging of it? Statewide, it appears that there are less robberies/burglaries; however, this might not be true for particular counties. The researchers will be looking at county rates and then into rural versus urban counties. Mr. Miller-Wilson noted that the Office of Children & Youth within the Department of Human Services is interested in age breakdowns, focusing on juveniles. Is there any information forthcoming on age breakdowns? Mr. Orth will look into whether this information is available. Ms. Richardson asked if there is information regarding our state 'neighbors' (Ohio, New York, New Jersey, etc.) in comparison to Pennsylvania? This is information they can get.

IV. County Adult Probation and Parole Advisory Committee Report

Honorable Russell D. Shurtleff, Honorable Timika Lane

Ms. Sally Barry

- Committee Co-chair Judge Russell Shurtleff provided the County Adult Probation and Parole Advisory Committee (CAPPAC) report, which begins on page 1 of the Commission meeting materials. Judge Shurtleff provided brief highlights from the CAPPAC meeting, held on August 10, 2023, and presented two action items for the Commission's consideration.

Action Item: Continuing County Adult Probation and Parole Grant Funds

Staff and the County Adult Probation and Parole Advisory Committee recommend the approval of the FY24-25 County Adult Probation and Parole Funding Framework, and the proposed expenditure of CCAPPG funding for FY23-24, in an amount not to exceed \$16,150,000 in CCAPPG funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Moulton. **Seconded:** Michalik. **Abstentions:** Shurtleff.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Defensive Tactics Course Curriculum Initiative

Staff and the County Adult Probation and Parole Advisory Committee recommend the approval of the County Probation Officer's Defensive Tactics Curriculum.

Motion: Shurtleff. **Seconded:** Adams. **Abstentions:** None.

Aye Votes: 35 No Votes: 0 Motion Adopted

V. Victims' Services Advisory Committee Report

Judge Christopher Mallios

Ms. Kathy Buckley

- Committee Chair Chris Mallios provided the Victims' Services Advisory Committee (VSAC) report, which begins on page 12 of the Commission meeting materials. Judge Mallios provided brief highlights from the VSAC meeting, held on August 8, 2023, and presented five action items for the Commission's consideration.

Action Item: Federal Sexual Assault Services & Federal Rape Survivor Child Custody Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of one application from the Pennsylvania Coalition to Advance Respect (PCAR) for \$1,615,102 in Sexual Assault Services Program (SASP) and Rape Survivor Child Custody Act (RSCCA) funding, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Estrella. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of a Year 2 continuation application from the Network of Victim Assistance (NOVA) not to exceed \$200,000 in federal Victims of Crime Act (VOCA) funds to continue the Statewide Crisis Response Initiative, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Tomassini. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of a Year 2 continuation application from Pennsylvania State University not to exceed \$149,500 in federal Victims of Crime Act (VOCA) funds for the Pennsylvania Victims Services Training (PVST) Project, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Rhynhart. **Abstentions:** Mumin.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Rights and Services and State Victims of Juvenile Offenders Funds

Staff and the Victims' Services Advisory Committee are recommending approval of one application from the Greene County Commissioners in an amount not to exceed \$69,506 in Rights and Services Act (RASA) funding and \$18,244 in Victims of Juvenile Offenders (VOJO) funding, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Moulton. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of 157 applications in an amount not to exceed \$56,758,456 in Victims of Crime Act (VOCA) funding, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Tomassini. **Abstentions:** Estrella, McGinley.

Aye Votes: 32 No Votes: 0 Motion Adopted

VI. Juvenile Justice and Delinquency Prevention Committee Report

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

- Director Sally Barry provided the Juvenile Justice and Delinquency Prevention Committee (JJDC) report, which begins on page 27 of the Commission meeting materials. Ms. Barry provided brief highlights from the JJDC meeting, held on August 3, 2023, and presented five action items for the Commission's consideration.

Action Item: Federal State Opioid Response (SOR) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee recommend the approval of four applications requesting a total not to exceed \$385,274 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** McCarthy King. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response (SOR) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee recommend the approval of one application requesting a total not to exceed \$378,100 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Richardson. **Seconded:** Adams. **Abstentions:** Mulvey.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response (SOR) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee recommend the approval of five applications requesting a total not to exceed \$1,583,377 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Tomassini. **Seconded:** Mallios. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response (SOR) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee recommend the approval of one application requesting a total not to exceed \$350,000 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Moulton. **Seconded:** Miller-Wilson. **Abstentions:** Mumin.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response (SOR) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee recommend the approval of one application requesting a total not to exceed \$900,000 in federal SOR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Heckler. **Seconded:** Custer. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

VII. Criminal Justice Advisory Committee Report

Ms. Sally Barry, Ms. Jacqueline Weaknecht

- Director Sally Barry provided the Criminal Justice Advisory Committee (CJAC) report, which begins on page 38 of the Commission meeting materials. Ms. Barry provided brief highlights from the

CJAC meeting, held on August 23, 2023, and presented four action items for the Commission's consideration.

Action Item: Federal Justice Assistance Grant Funds

Staff and the Criminal Justice Advisory Committee recommend the approval of one application requesting a total not to exceed \$100,000 in federal Justice Assistance Grant (JAG) funds, pending the results of a competitive review process and the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Moulton. **Seconded:** Tomassini. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Local Law Enforcement Support Grant Program Funds

Staff and the Criminal Justice Advisory Committee recommend the approval of a new funding framework that includes the release of Local Law Enforcement Support Grant Program funds totaling approximately \$12 million in American Rescue Plan Act funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Federal JAG Under \$10K Funds

Staff and the Criminal Justice Advisory Committee recommend the approval of one application requesting a total not to exceed \$100,000 pending the resolution of any outstanding fiscal and/or program concerns.

Motion: Moulton. **Seconded:** McCarthy King. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Project Safe Neighborhoods – Western District Funds

Staff and the Criminal Justice Advisory Committee recommend the approval of seven applications requesting a total not to exceed \$172,353 in federal PSN – Western District funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Mallios. **Seconded:** Adams. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

VIII. Mental Health and Justice Advisory Committee Report

Ms. Jennifer Lopez-Cerrato

Ms. Sally Barry, Ms. Jacqueline Weaknecht

- Committee Chair Jennifer Lopez-Cerrato provided the Mental Health and Justice Advisory Committee (MHJAC) report, which begins on page 49 of the Commission meeting materials. Ms. Lopez-Cerrato provided brief highlights from the MHJAC meeting, held on August 16, 2023. There were no action items for the Commission's consideration.

IX. Children's Advocacy Center Advisory Committee Report

Honorable David W. Heckler

Ms. Kirsten Kenyon

- Committee Chair David Heckler provided the Children's Advocacy Center Advisory Committee (CACAC) report, which begins on page 51 of the Commission meeting materials. Mr. Heckler provided brief highlights from the CACAC meeting, held on August 1, 2023, and presented two action items for the Commission's consideration.

Action Item: Endowment Act Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of one application requesting a total not to exceed \$212,276 in state Endowment Act funds, pending the resolution of any outstanding programmatic and/or fiscal issues.

Motion: Heckler. **Seconded:** Custer. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Endowment Act Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of eight applications requesting a total not to exceed \$385,732 in state Endowment Act funding, pending the resolution of any outstanding programmatic and/or fiscal issues.

Motion: Heckler. **Seconded:** Richardson. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

X. Constables' Education and Training Board Report

Mr. Craig Westover

Mr. John Pfau

Board Chairman Craig Westover provided the Constables' Education and Training Board (CETB) report, which begins on page 59 of the Commission meeting materials. Mr. Westover provided brief highlights from the CETB meeting, held on August 10, 2023, and presented two action items for the Commission's consideration.

Action Item: Instructor Policy

Staff and the Board are requesting the approval the revised Constables' Education and Training Board Instructor Policy.

Motion: Moulton. **Seconded:** Mallios. **Abstentions:** None.

Aye Votes: 34 No Votes: 0 Motion Adopted

Action Item: Title 37, Chapter 431. Constables' Education and Training Board's Regulations

Staff and the Board are requesting the approval of the revised Constables' Education and Training Board's Regulations.

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

Aye Votes: 34 No Votes: 0 Motion Adopted

XI. Sheriff and Deputy Sheriff Education and Training Board Report

Mr. John Pfau

Vice Chairwoman Lopez-Cerrato noted that there was no report for the Sheriff and Deputy Sheriff Education and Training Board other than the material that is included as part of the packet.

XII. Other Business

Dr. Mulvey noted the excellent quality of research done on the Children's Advocacy Center report.

XIII. Public Voice

There was no public voice.

XIV. Adjournment

Vice Chairwoman Lopez-Cerrato noted that the next meeting will be held on December 13, 2023. She also noted that \$80 million was approved by the Commission.

Hearing no further comment, Vice Chairwoman Lopez-Cerrato called for a motion for adjournment. Commissioner Moulton made the motion, which was seconded by Commissioner Richardson. The motion carried unanimously, and the meeting concluded at 11:25 a.m.