

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

September 14, 2022 Commission Meeting
MINUTES

Before: Vice-Chairman John P. Delaney, Jr.
Reverend Dr. Anne Ard, Commissioner
Ms. Karen Baker, Commissioner
Honorable Bruce R. Beemer, Commissioner
Mr. Mark H. Bergstrom, Commissioner
Honorable Tim Briggs, Commissioner
Sheriff James Custer, 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. Tanoa Fagan, Designee for Ms. Meg Snead
Ms. Faith Haeussler, Designee for Dr. Denise Johnson
Honorable David W. Heckler, Commissioner
Honorable Curtis Jones, Jr., Commissioner
Mr. Scott Kuren, Designee for Mr. Eric Hagarty
Honorable Megan McCarthy King, Commissioner
Honorable Timika Lane, Commissioner
Ms. Carol L. Lavery, Commissioner
Mr. George Little, Commissioner
Mr. Sean T. McGinley, Commissioner
Dr. Edward B. Michalik, Commissioner
Mr. Geoff Moulton, Commissioner
Commissioner Michael Muldrow, Commissioner
Mr. Kevin J. Schreiber, Commissioner
Honorable Russell D. Shurtleff, Commissioner
Honorable Jennifer Smith, Commissioner
Mr. Keith B. Snyder, Commissioner
Mr. R. Kevin Sutter, Commissioner
Mr. Robert Tomassini, Commissioner
Mr. Mike Vereb, Commissioner
Mr. David Wade, Designee for Honorable Josh Shapiro
Mr. William Ward, Commissioner
Ms. Vicki Wilken, Designee for Honorable Patrick Browne

Guests: Ms. Deborah Carpenter
Mr. Timothy Clawges
Ms. Nicole Fidler
Ms. Laurie Hepler
Mr. Craig Westover
Ms. Samantha Williams

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
Jeffrey Blystone
Stacie Brendlinger
Vicki Bonner
Kathy Clarke
Christina Cosgrove-Rooks
Chris Epoca
James Haas
Gregory Harhigh
Nancy Heisler
Heather Hewitt
Mary Hickok
Daniel Hoover
Rebecca Kiehl
Samantha Koch
Geoffrey Kolchin
Carol Kuntz
David McMeekin
Diane Morgan
John Pfau
John Polheber
Madelyn Roman-Scott
Jennie Seigler
Brian Swoyer
Lindsay Vaughan
Jacqueline Weaknecht
Randa Weikel
Gregory Young

I. Call to Order

The September 14, 2022 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) was called to order at 10:01 a.m. by Vice-Chairman John Delaney. Roll call was requested. He informed members that the meeting was being recorded, to which there were no objections.

II. Chairman's Report

Vice-Chairman John Delaney

- The first order of business was to approve the minutes from the June 8, 2022 meeting.

Motion: Michalik. **Seconded:** Moulton. **Abstentions:** None
Aye Votes: 29 No Votes: 0 Motion Adopted

- Vice-Chairman Delaney opened his report by welcoming new member Bob Tomassini, who is the new Executive Director of the Juvenile Court Judges' Commission. Mr. Tomassini has 35 years' experience in the juvenile justice system, including 26 years with Adams County Probation. Mr. Tomassini has been Deputy Director of JCJC since 2016 and has served as the project coordinator of Pennsylvania's Juvenile Justice System Enhancement Strategy up until his appointment as Executive Director.
- The Bureau of Justice Assistance (BJA) requires that the Governor of the state certify that 2022 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 2022 JAG application is included as a separate document in the Commission packet and is available for review on PCCD's website. The application was submitted to BJA on July 22, 2022, 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

- Mr. Pennington reported that the FY 2022-23 state budget passed on July 8, 2022, and the related Fiscal Code and School Code bills passed on July 11, 2022. In terms of the budget, PCCD saw some significant investments in new grant programs to be administered by the agency. Specifically, \$135 million was allocated for a new Local Law Enforcement Support Grant Program and \$50 million was allocated for a new Gun Violence Investigation & Prosecution Grant Program. The Local Law Enforcement Support program is for grants to local law enforcement agencies to support equipment purchases, technology upgrades, retention and recruitment efforts, training, and other law-enforcement related activities. The Gun Violence Investigation & Prosecution program is for grants to local law enforcement agencies and district attorneys to support efforts to address illegal firearm activity and gun violence. Both of those solicitations are currently open for application on PCCD's website.

Another significant investment made in the state budget was \$105 million for the Violence Intervention & Prevention Grant program (VIP). Last year, PCCD received \$45 million in VIP funding to support these grants, which are available to community organizations, institutions of higher education, municipalities, and district attorney's offices to address community violence efforts. This year's allocation more than doubled. The VIP solicitation is currently open on PCCD's website and is accepting applications at this time.

The General Assembly directed \$190 million to be issued under PCCD's School Safety and Security Grant Program.

For this year, \$95 million was targeted to support student mental health and behavioral health needs and \$95 million was set aside for physical security enhancements within school buildings. The application period was open for the month of August, and staff are currently conducting the review of over 700 applications. The School Safety and Security Committee is also currently working on a new set of training standards for school employees and school safety and security coordinators and will use \$4.8 million allocated to support the development and delivery of that training throughout the state within the next few months.

In addition to these programs, PCCD received its standard allocations for normal operations – for example, county intermediate punishment, county adult grant-in-aid, and violence and delinquency prevention programs all received their normal allotments. PCCD received an increase in its general governmental operations line item, part of which will go to support women’s reentry services, a special prosecutor pilot program in Philadelphia and Delaware counties, and the Court Appointed Special Advocates Association. \$100,000 was also set aside for Indigent Defense training.

PCCD received another \$5 million for the Nonprofit Security Grant Program, which issues grants to organizations that represent populations that may be susceptible to hate crimes. That solicitation should be open by October 1, 2022.

Altogether, PCCD received nearly half a billion dollars in this most recent budget to be distributed as grants to the Commonwealth. It is a testament to the good work that this Commission and our agency staff does that we’ve been entrusted with these responsibilities. If there are any questions about the budget or the budget-related bills, please contact Mr. Pennington.

- Mr. Pennington thanked Representative Cheryl DeLozier and the staff of Senators Browne and Hughes, who assisted in getting the language of SB 708 amended into HB 2464, which gives legal standing to victims of crime. SB 708 contained a series of comprehensive amendments to the Crime Victims Act and was the last remaining piece of the JRI2 legislative bill package. Several members on this Commission have had a hand in the development and movement of that legislation, which is now known as Act 77 of 2022. The Office of Victim Services has more information about the revisions that Act made to VCAP, and other changes to the law, if you are interested.
- One additional initiative that came out of the budget was the development of a Behavioral Health Commission for adult mental health. The Commission was formed with the task of issuing a report on its recommendations for the allocation of \$100 million in one-time funding to the Governor and General Assembly. One of the key areas to be discussed is the intersection of behavioral health and the criminal justice system. Mental Health and Justice Advisory Committee (MHJAC) Chairman William Ward agreed to represent PCCD on the Commission.

Crisis Intervention Team (CIT) training/programs have been supported by PCCD for many years. As part of MHJAC’s initial strategic plan, CIT training for law enforcement, crisis and mental health professionals, and other community stakeholders was identified as an important strategy to address the concerns we had of the number of individuals with mental health issues incarcerated in county jails.

The CIT International Conference was held in Pittsburgh on August 29-31. Mr. Pennington was honored to be part of the opening remarks. There were over 1,400 attendees from 49 states, four countries, and two territories. There are eleven CIT applications for consideration as part of the MHJAC report.

- In light of this significant increase to its overall workload, PCCD received a significant increase to staff complement and are in the process of creating and filling these positions.

The benefit of adding new staff is not immediate and the immediacy of this work is being managed by our current complement, who has done a great job of getting the funding announcements posted and are currently fielding an array of questions on both the Law Enforcement and the VIP funding announcements.

- Mr. Pennington attended the 2022 Institute for State Criminal Justice and Public Safety Executives sponsored by the National Criminal Justice Association, National Governors Association, and the Bureau of Justice Assistance. Jacob Derrick, Deputy Secretary for Policy and Planning from the Office of Governor Wolf, attended as well. It was an opportunity to discuss state criminal justice and public safety priorities and challenges with colleagues from around the country. They were also able to hear from our federal partners about their upcoming priorities and funding opportunities.
- With the pending change in administration, the Office of Administration has provided guidance to agencies related to the preparation and submission of information that would be provided to the next administration to help with their transition. We are highlighting the work performed by the agency as well as areas of focus and opportunity for the future.
- Mr. Pennington presented one action item for consideration, pertaining to the Office of the Safe School Advocate (OSSA) in the School District of Philadelphia. The Public School Code established OSSA within PCCD in 2011. Carol Kuntz currently serves as the Advocate for the Commission. OSSA's role is mainly three-fold: 1) monitor the School District's compliance with safe school reporting requirements; 2) advocate on behalf of victims of acts of violence on school property; and 3) provide assistance to victims and their parents or guardians.

Recognizing that there is already an extensive network of experienced victim service providers within the City of Philadelphia, a solicitation was issued in June to expand the availability of direct services to students and their families who are victims of violence on school property. The project will provide \$125,000 a year, for three years, to supplement the victim advocacy assistance work offered by OSSA. The project summary can be found as a separate document at the end of the meeting materials.

Action Item: Victim Advocacy Assistance – School District of Philadelphia

Staff and the review team recommend approval of this application to the Philadelphia District Attorney's Office requesting a total not to exceed \$375,000 in state OSSA funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Jones. **Seconded:** Baker. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

IV. Mental Health and Justice Advisory Committee Report

Mr. William Ward

Ms. Sally Barry and Ms. Jacqueline Weaknecht

- Committee Chair William Ward provided the Mental Health and Justice Advisory Committee (MHJAC) report, which begins on page 1 of the Commission meeting materials. Mr. Ward provided brief highlights from the MHJAC meeting, held on August 3, 2022 in-person and via teams, and presented two action items for the Commission's consideration.

Action Item: Federal Byrne Justice Assistance Grant Funds - Continuation

Staff and the Mental Health and Justice Advisory Committee recommend approval of one application requesting a total not to exceed \$63,279 in federal Byrne Justice Assistance Grant funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Ward. **Seconded:** Ellis Marseglia. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Transformation Transfer Initiative/Mental Health Funds

Staff and the Mental Health and Justice Advisory Committee recommend approval of eleven applications requesting a total not to exceed \$202,969 in Transformation Transfer Initiative funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Ward. **Seconded:** Vereb. **Abstentions:** Ellis Marseglia.

Aye Votes: 32 No Votes: 0 Motion Adopted

V. 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 7 of the Commission meeting materials. Mr. Heckler provided brief highlights from the CACAC meeting, held on August 23, 2022 via Teams, and presented three action items for the Commission's consideration.

Action Item: State Endowment Act Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of six applications requesting a total not to exceed \$499,996 in state Endowment Act funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Endowment Act Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of five applications requesting a total not to exceed \$499,361 in state Endowment Act funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal Justice Assistance Grant Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of one continuation application to the Child Advocacy Center of Montgomery County requesting a total not to exceed \$76,777 in federal Justice Assistance Grant funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

VI. 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 17 of the Commission meeting materials. Judge Shurtleff provided brief highlights from the CAPPAC meeting, held on August 11, 2022 via Zoom. There were no action items for the Commission's consideration.

VII. Victims' Services Advisory Committee Report

Mr. John Delaney

Ms. Kathy Buckley

- Committee Chair John Delaney provided the Victims' Services Advisory Committee (VSAC) report, which begins on page 18 of the Commission meeting materials.

Mr. Delaney provided brief highlights from the VSAC meeting, held on August 9, 2022 via Teams, and presented three informational updates and four action items for the Commission's consideration.

Action Item: Federal Victims of Crime Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of one application from the Network of Victim Assistance (NOVA) requesting a total 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: Baker. **Seconded:** Beemer. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of one application from the Pennsylvania State University requesting a total not to exceed \$178,000 in federal Victims of Crime Act (VOCA) funds for the Pennsylvania Victim Services Trainings (PVST) Project 2022- 2023, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

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

Staff and the Victims' Services Advisory Committee are recommending the approval of one application from the Pennsylvania Coalition Against Rape (PCAR), for \$1,252,527 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: Estrella. **Seconded:** Custer. **Abstentions:** Baker.

Aye Votes: 32 No Votes: 0 Motion Adopted

Action Item: Local Victim Service Fund Guidelines

Staff and the Victims' Services Advisory Committee are recommending the approval of the Local Victim Services Fund Guidelines.

Motion: Ellis-Marseglia. **Seconded:** Snyder. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

VIII. Juvenile Justice and Delinquency Prevention Committee Report

Mr. Keith Snyder

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

- Committee Chair Keith Snyder provided the Juvenile Justice and Delinquency Prevention Committee (JJJPC) report, which begins on page 31 of the Commission meeting materials. Mr. Snyder provided brief highlights from the JJJPC meeting, held on August 4, 2022 via Teams, and presented four informational updates and five action items for the Commission's consideration.

Action Item: Federal Byrne Justice Assistance Grant Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one continuation requesting a total not to exceed \$104,999 in federal JAG funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of five applications requesting a total not to exceed \$1,548,125 in DDAP Federal State Opioid Response (SOR) funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Snyder. **Seconded:** Vereb. **Abstentions:** None.
Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one application requesting a total not to exceed \$350,000 in DDAP Federal State Opioid Response (SOR) funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Snyder. **Seconded:** Bergstrom. **Abstentions:** None.
Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one application requesting a total not to exceed \$900,000 in DDAP Federal State Opioid Response (SOR) funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Snyder. **Seconded:** Heckler. **Abstentions:** None.
Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal State Opioid Response Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of five applications requesting a total not to exceed \$769,756 in Federal State Opioid Response (SOR) funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Snyder. **Seconded:** Shurtleff.

Discussion: Commissioner Bergstrom asked that since it is under the JJDP, is there a cap or age limitation on the use of the funds, since it is post-secondary? Mr. Kolchin responded that we typically serve kids up to 18; however, since these are SOR dollars and we wanted to expand the reach to address substance abuse, we took on the responsibility of managing the project. Can anyone at these universities access the services regardless of age? Yes. It is run through the student health centers at participating universities or colleges. Based on screening results, there is intervention provided at the college or they are referred to the community surrounding the institution for additional treatment or indicated intervention.

Abstentions: None.

Aye Votes: 33 No Votes: 0 Motion Adopted

IX. Criminal Justice Advisory Committee Report

Mr. Mike Vereb

Ms. Sally Barry and Ms. Jacqueline Weaknecht

- Committee Chair Mike Vereb provided the Criminal Justice Advisory Committee (CJAC) report, which begins on page 45 of the Commission meeting materials. Mr. Vereb provided brief highlights from the CJAC meeting, held on August 10, 2022 via Teams, and presented one informational update and six action items for the Commission's consideration.

Action Item: Federal Byrne Justice Assistance Grant Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of 43 applications requesting a total not to exceed \$7,085,797 in federal JAG funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Michalik. **Abstentions:** Ellis-Marseglia, McGinley.
Aye Votes: 31 No Votes: 0 Motion Adopted

Action Item: Federal Project Safe Neighborhoods – Eastern District Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$282,428 in federal PSN – Eastern District funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Moulton. **Seconded:** Ward. **Abstentions:** Vereb, Wade.

Aye Votes: 31 No Votes: 0 Motion Adopted

Action Item: Federal Body Worn Camera Policy and Implementation Program Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of 31 applications requesting a total not to exceed \$842,762 in federal BWC PIP funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Snyder. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal Byrne Justice Assistance Grant Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of three applications requesting a total not to exceed \$273,718 in federal JAG funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: Federal Byrne Justice Assistance Grant Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of nine applications requesting a total not to exceed \$132,204 in federal JAG funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Beemer. **Abstentions:** None.

Aye Votes: 33 No Votes: 0 Motion Adopted

Action Item: State Substance Abuse, Education and Demand Reduction Funds - Augmentation

Staff and the Criminal Justice Advisory Committee are recommending approval of this augmentation requesting a total not to exceed \$400,000 in state SAEDR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Veréb. **Seconded:** Bergstrom.

Discussion: Commissioner Bergstrom noted that this is a positive and effective initiative. Why this this a six-month augmentation rather than a longer-term continuation? Ms. Weaknecht replied that PCCD will put out a solicitation to continue the work of the technical assistance portion. We are moving away from the Overdose Free website piece, because the Department of Health has a robust website with real-time data. This is not a good use of our funds any longer.

Abstentions: None.

Aye Votes: 33 No Votes: 0 Motion Adopted

X. Constables' Education and Training Board Report

Mr. John Pfau

Mr. Craig Westover

Board Chair Craig Westover provided the Constables' Education and Training Board (CETB) report, which begins on page 87 of the Commission meeting materials. Mr. Westover provided brief highlights from the CETB meeting, held on August 11 via Teams, and presented one action item for the Commission's consideration.

Action Item: Eliminate Basic Training Waivers for Law Enforcement Officers

The Board and staff are requesting the Commission's approval of the Board's recommendation to eliminate Basic Training waivers for law enforcement officers. This would take effect upon the Commission's approval. Please note that all relevant references to the waiver process will be deleted from the Board's Regulations during the current Regulation revision process.

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

Aye Votes: 33 No Votes: 0 Motion Adopted

XI. Sheriff and Deputy Sheriff Education and Training Board Report

Mr. John Pfau

Vice-Chairman Delaney 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

No other business was brought to the Commission.

XIII. Public Voice

Vice-Chairman Delaney invited anyone from the public to address the Commission. There were no members of the public who addressed the Commission.

XIV. Adjournment

Hearing no further comment, Vice-Chairman Delaney asked for a motion for adjournment.

Commissioner Vereb made a motion to adjourn, which was seconded by Commissioner Moulton. The motion carried unanimously, and the meeting concluded at 11:17 a.m.