

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

March 8, 2023 Commission Meeting
MINUTES

Before: Chairman Austin A. Davis
Vice-Chairman John P. Delaney, Jr.
Honorable John T. Adams, Commissioner
Ms. Ana Arcs, Designee for Dr. Valerie Arkoosh
Honorable Bruce R. Beemer, Commissioner
Honorable Tim Briggs, Commissioner
Mr. Tarik Casteel, Commissioner
Sheriff James Custer, Commissioner
Honorable Sheryl Delozier, Commissioner
Honorable Diane Ellis-Marseglia, Commissioner
Ms. Suzanne V. Estrella, Commissioner
Dr. Laurel Harry, Commissioner
Honorable David W. Heckler, Commissioner
Ms. Kirsten Heine, Designee for Honorable Michelle Henry
Mr. Joseph Hill, Commissioner
Honorable Vincent Hughes, Commissioner
Mr. Jeff King, Designee for Commissioner Robinson
Honorable Megan McCarthy King, Commissioner
Honorable Timika Lane, Commissioner
Ms. Carol Lavery, Commissioner
Mr. Sean T. McGinley, Commissioner
Dr. Edward B. Michalik, Commissioner
Mr. Geoff Moulton, Commissioner
Dr. Edward P. Mulvey, Commissioner
Dr. Khalid Mumin, Commissioner
Honorable Carolyn H. Nichols, Commissioner
Honorable Russell D. Shurtleff, Commissioner
Mayor Derek Slaughter, Commissioner
Mr. Kevin Sutter, Commissioner
Mr. Terry Trego, Designee for Honorable Scott Martin
Mr. Robert Tomassini, Commissioner
Mr. Mike Vereb, Commissioner
Mr. William Ward, Commissioner

Guests: Ms. Renee Bressler
Mr. Timothy Clawges
Mr. Michael J. Deery
Mr. Steven D'Ettorre
Mr. Andrew Dudziak
Dr. Scott Kuren
Ms. Lindsey Mauldin
Ms. Melissa Myers
Mr. Michael Pipe
Mr. Steven Ross

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
Charlotte Anspach
Pamela Bennett
Jeffrey Blystone
Corinne Burr
Kathy Clarke
Christina Cosgrove-Rooks
Stephen Agbaw-Ekema
Jennifer Ely
Chris Epoca
Theresa Ford
James Haas
Nancy Heisler
Heather Hewitt
Mary Hickok
Rebecca Kiehl
Samantha Koch
Geoffrey Kolchin
Carol Kuntz
Crystal Lauver
Michael Leister
Levi Looks
David McMeekin
Zoe Miner
Natalie Novotny-Goles
John Polheber
Riley Schaefer
Jennie Seigler
Alyssa Subsinsky
Brian Swoyer
Rebecca Szczypta
Lindsay Vaughan
Jacqueline Weaknecht
Teresa Wilcox

I. Call to Order

The March 8, 2023 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) was called to order at 9:00 a.m. by Chairman Austin A. Davis. Roll call was requested. He informed members that the meeting was being recorded, to which there were no objections.

II. Chairman's Report

Chairman Austin A. Davis

- The first order of business was to approve the minutes from the December 14, 2022 meeting.

Motion: Michalik. **Seconded:** Lane. **Abstentions:** None
Aye Votes: 28 No Votes: 0 Motion Adopted

- Chairman Davis noted that a large part of Governor Josh Shapiro's agenda is focusing on public safety, and working with law enforcement, first responders, justice practitioners, victim service professionals, and others who play a role in making our communities safer for all Pennsylvanians.

Yesterday, the Governor made his inaugural budget address outlining some of those commitments. The Governor's budget proposal includes continuing support for a number of PCCD-administered programs, such as level funding for the Violence Intervention and Prevention (VIP) grant program and the Nonprofit Security Grant Fund, as well as expanded support for county adult probation services. The budget would also invest in programs designed to support the health, safety, and well-being of students, including providing \$100 million in funding for PCCD's school safety and security grants. Importantly, the Governor's budget proposal also includes a \$3 million infusion of funding to help stabilize the Victims Compensation Assistance Program (VCAP), which provides critical resources to crime victims across the Commonwealth.

The budget request also includes new initiatives, including a proposed \$10 million in funds for indigent defense. Pennsylvania is currently one of only two states in the nation that does not allocate funding for this purpose, and the Governor's proposed investment of \$10 million will help to ensure access to constitutionally required legal defense and help public defenders have resources they need to provide legal representation for defendants who cannot pay for it on their own.

These investments would help chart a pathway for combatting violence, providing supportive and safe learning environments for every student, and ensuring the criminal justice system works for every Pennsylvanian – goals that have been at the heart of the work of the Commission.

- Chairman Davis introduced and welcomed a number of new members that are joining the Commission.

Dr. Valerie Arkoosh serves as Acting Secretary of Human Services. Prior to this role, Dr. Arkoosh served on the Montgomery County Board of Commissioners and was the first woman ever to serve as their Chair.

Dr. Debra Bogen serves as Acting Secretary of Health. Prior to joining the Commonwealth, Dr. Bogen was the Director of the Allegheny County Health Department and was a member of the Pittsburgh region medical and research community for more than two decades.

Dr. Latika Davis-Jones serves as Acting Secretary of the Department of Drug and Alcohol Programs. Dr. Davis-Jones has extensive experience in behavioral health, most recently from Highmark Wholecare, where she served as the senior director of behavioral health.

Dr. Laurel Harry, Acting Secretary of the Department of Corrections, is a 24-year veteran of the DOC. Dr. Harry began her career as a Drug and Alcohol Treatment Specialist II at SCI Waynesburg and worked her way up to Acting Western Region Deputy Secretary.

Michelle Henry, Pennsylvania's Acting Attorney General, was named to her position after the election of the Governor, and served as First Deputy Attorney General for several years. Ms. Kirsten Heine, Ms. Henry's Deputy Chief of Staff, will serve as Ms. Henry's delegate.

Dr. Khalid Mumin serves as Acting Secretary of the Department of Education. Dr. Mumin has served in various capacities as a teacher, dean of students, principal, and central administrator, and as Superintendent to the Reading School District and most recently as the Superintendent of Schools at Lower Merion School District.

Major Christopher Paris was nominated by Governor Shapiro to lead the Pennsylvania State Police. Major Paris enlisted in the Pennsylvania State Police in 1999, beginning his career as a trooper assigned to Troop K, Skippack, and worked his way up to serving as the Commander of Area III.

Senator Devlin Robinson represents the residents of the 37th Pennsylvania State Senatorial District, which includes parts of Allegheny County. He serves as the Chair of the Senate Labor and Industry Committee. Eric Kratz, Executive Director of the Labor & Industry Committee, and Jeff King, Chief of Staff, will serve as Senator Robinson's delegates.

Chairman Davis acknowledged the service and contributions of two departing Commission members. William Ward has served on the Commission for many years, and served as PCCD's Chairman of the Mental Health and Justice Advisory Committee since 2019. Keith Snyder chaired PCCD's Juvenile Justice and Delinquency Prevention Committee, or JJDPC, since Jim Anderson stepped down. Mr. Snyder also served as a consultant assisting the agency's efforts to implement new requirements under the federal Juvenile Justice Act reauthorization and other programs and initiatives focused on better supporting Pennsylvania's youth, families, and communities.

- Consistent with our Administration's commitment to bringing people together, we would like members to prioritize attending meetings in person, if able, but we recognize there may be extenuating circumstances that make virtual participation the only feasible option. We will continue to hold Commission meetings as hybrid events, and will keep members updated on any additional developments.

III. Executive Director's Report

Michael Pennington, Executive Director

- Mr. Pennington welcomed Lt. Governor Austin Davis as Chairman.
- In December, the Commission adopted an updated First Chance Trust Fund Statement of Policy. The First Chance Trust Fund Program is to be either a scholarship program or general grant program designed to help students in areas of the Commonwealth with the highest dropout rates, incarceration rates, and crime rates. Pursuant to that policy, Mr. Pennington convened a new Workgroup on February 27, 2023, with members from this Commission, the JJDPC, VSAC, and the School Safety and Security Committee to start working on how to administer this scholarship and/or prevention-based program.

At the first meeting, the Workgroup received a presentation on the data available to help select the regions of the Commonwealth with the highest dropout rates, incarceration rates, and crime rates. We anticipate a future meeting later this month to consider possible options for how to use available funding (i.e., through scholarships or other mechanisms) to fulfill the program's intent. Updates on the Workgroup's progress will be provided at our June meeting.

- PCCD will host its annual Criminal Justice Advisory Board (CJAB) Conference in State College on March 21-22. We're looking forward to welcoming approximately 450 participants to this year's event, which will focus on "Strengthening Collaborations and Partnerships."

- The School Safety and Security Committee will reconvene on March 29 and take action on a recommended provider for new school safety and security trainings authorized under Act 55 of 2022. Earlier this year, the Committee approved 122 new projects for this year's cohort of Violence Intervention and Prevention (VIP) Grants, as well as five new pilot projects focused on Coordinated Community Violence Intervention Strategies. These grants are in the final review stage and have undergone initial orientation and onboarding with PCCD staff and members of the VIP Technical Assistance Program team at WestEd and LISC. There is a new public-facing website with resources and information that launched earlier this week as part of our statewide community of practice. You can learn more about this initiative, which we're calling the "PA Peace Alliance," by visiting papeacealliance.org/
- Earlier this year, Mr. Pennington joined colleagues from the Governor's Policy Office, the Department of Drug and Alcohol Programs (DDAP), and the Department of Human Services' Office of Mental Health and Substance Abuse Services for a new Learning Collaborative initiative convened by the National Governors Association (NGA) focused on 'Deflection and Pre-Arrest Diversion.' Recognizing many of the challenges faced by our youth in terms of mental and behavioral health – including substance use issues – our state team identified youth as an early priority for our planning efforts. Discussions are ongoing, and the goal is to produce a state plan in the next six to nine months.
- The U.S. Department of Justice's Bureau of Justice Assistance notified PCCD on February 17 that its initial application for formula-based Byrne State Crisis Intervention Program, or 'SCIP', funds was approved. State administering agencies (including PCCD) are responsible for administering SCIP funds, which were authorized as part of the federal Bipartisan Safer Communities Act legislation signed by President Biden in June of last year. Pennsylvania is eligible for approximately \$8 million in SCIP funds. PCCD's next step is to convene a working group (comprised of our committee of chairs) and solicit stakeholder input to develop a funding framework and program plan that can be presented for consideration and approval by the Commission at its next meeting in June.
- Later this week, PCCD will release a copy of the latest agency annual report highlighting accomplishments and activities for the 2021-2022 fiscal year. The report will be posted on PCCD's website under the 'Strategic Plan and Annual Reports' section, which is accessible from our homepage. We will let Commission members know when that new publication is available.
- Included in the meeting materials is an informational update on a new mini-grants program PCCD recently launched in conjunction with DDAP. The Naloxone Distribution Expansion Grants Program – which is supported by federal State Opioid Response dollars – provides funding on a competitive basis to organizations and agencies serving as Centralized Coordinating Entities through our agency's Naloxone for First Responders Program to enhance their naloxone distribution efforts. PCCD will work with DDAP to identify applications received in a recent solicitation for funding and will look forward to providing updates on the progress of this initiative – and the Naloxone program more broadly – in future meetings.
- Act 83 of 2019 established the Nonprofit Security Grant Fund Program within PCCD for the purposes of distributing grant funding to 501(c)(3) organizations who principally serve individuals, groups or institutions that may be susceptible to or have experienced a hate crime. We just took up a recent round of Non-Profit Grants at our December 2022 Commission meeting.

Since we did not fully expend all of the FY22-23 funding allocated for this project, PCCD staff reissued the solicitation in January for the remaining \$1.1 million in funding. This will mark our fifth solicitation in four years for this program. Awards in the past have gone to support churches, synagogues, mosques, and other community organizations that have indicated that their organization or membership was the victim of a hate-crime; clearly justified a credible hate-crime threat to their organization; or served a population clearly susceptible to a hate-crime. More

information about this program and previous awards can be found as a separate document in the meeting materials.

Because the funding for the program is tied to a 90-day review window provided for in Act 83, we are respectfully requesting that the Commission delegate authority to the Executive Director to approve, with the approval of the PCCD Chairman and the Act 83 review team composed of representatives from the Commission, the Governor's Office of Homeland Security, and the Pennsylvania State Police, up to \$1.1 million in state Nonprofit Security Grant funds to support the \$1.1 million FY22-23 Nonprofit Security Grant Fund Program solicitation.

Staff and the Chairman recommend approval of this Delegation of Authority and will provide an informational update to the Commission at the June 14, 2023 meeting.

Action Item: Delegation of Authority for Nonprofit Security Grant Program

Staff are requesting delegation of authority to the Executive Director, the PCCD Chairman, and the Act 83 review team to approve up to \$1.1 million in state Nonprofit Security Grant funds to support the \$1.1 million FY22-23 Nonprofit Security Grant Fund Program solicitation.

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

Aye Votes: 30 No Votes: 0 Motion Adopted

IV. 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 1 of the Commission meeting materials. Ms. Barry provided brief highlights from the JJDC meeting, held on February 2, 2023, and presented two informational updates and two action items for the Commission's consideration.

Action Item: State Violence & Delinquency Prevention Programs and Department of Drug & Alcohol Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one application requesting a total not to exceed \$50,000 in state VDPP and \$100,000 in DDAP funds, pending the resolution of any outstanding programmatic and/or fiscal issues.

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

Aye Votes: 30 No Votes: 0 Motion Adopted

Action Item: State Violence & Delinquency Prevention Programs Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of one augmentation requesting a total not to exceed \$124,000 in state VDPP funds, pending the resolution of any outstanding programmatic and/or fiscal issues.

Motion: Slaughter. **Seconded:** Lane. **Abstentions:** None.

Aye Votes: 30 No Votes: 0 Motion Adopted

V. 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 5 of the Commission meeting materials. Mr. Vereb provided brief highlights from the CJAC meeting, held on February 8, 2023, and presented three action items for the Commission's consideration.

Action Item: Federal JAG State Share Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$235,380 in federal JAG State Share funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Adams. **Abstentions:** None.
Aye Votes: 30 No Votes: 0 Motion Adopted

Action Item: Federal American Rescue Plan Act Funds – Local Law Enforcement Support Grant Program

Staff and the Criminal Justice Advisory Committee are recommending approval of 96 new applications and augmentations on four applications requesting a total not to exceed \$14,021,356 in federal Local Law Enforcement Support Grant funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Ward. **Abstentions:** None.
Aye Votes: 30 No Votes: 0 Motion Adopted

Action Item: State Substance Abuse Education and Demand Reduction Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of one application requesting a total not to exceed \$600,000 in state SAEDR funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Vereb. **Seconded:** Slaughter. **Abstentions:** None.
Aye Votes: 30 No Votes: 0 Motion Adopted

VI. 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 22 of the Commission meeting materials. Mr. Ward provided brief highlights from the MHJAC meeting, held on February 1, 2023, and presented one action item for the Commission's consideration.

Action Item: Federal State Opioid Response Funds

Staff and the Mental Health and Justice Advisory Committee recommend approval of 19 applications requesting a total not to exceed \$7,741,064 in federal State Opioid Response funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Ward. **Seconded:** Ellis-Marseglia. **Abstentions:** None.
Aye Votes: 31 No Votes: 0 Motion Adopted

VII. 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 31 of the Commission meeting materials. Mr. Heckler provided brief highlights from the CACAC meeting, held on January 31, 2023, and presented one action item for the Commission's consideration.

Action Item: State Children's Advocacy Center Funds

Staff and the Children's Advocacy Center Advisory Committee are recommending approval of one application requesting a total not to exceed \$300,000 in state Children's Advocacy Center funds, pending the resolution of any outstanding programmatic and/or fiscal issues.

Motion: Heckler. **Seconded:** Delozier. **Abstentions:** None.
Aye Votes: 31 No Votes: 0 Motion Adopted

VIII. County Adult Probation and Parole Advisory Committee Report

Honorable Russell D. Shurtleff

Honorable Timika Lane

Ms. Sally Barry

- Committee Co-chair Judge Timika Lane provided the County Adult Probation and Parole Advisory Committee (CAPPAC) report, which begins on page 34 of the Commission meeting materials. Judge Lane provided brief highlights from the CAPPAC meeting, held on February 9, 2023 via Zoom. There were no action items for the Commission's consideration.

IX. 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 36 of the Commission meeting materials. Mr. Delaney provided brief highlights from the VSAC meeting, held on February 7, 2023, and presented three informational updates and one action item for the Commission's consideration.

Action Item: Federal STOP Violence Against Women Act Funds

Staff and the Victims' Services Advisory Committee are recommending approval of an augmentation to the Pennsylvania Chiefs of Police Association Grant not to exceed \$90,000 in Federal STOP Violence Against Women Act funds, pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Delaney. **Seconded:** Slaughter. **Abstentions:** None.

Aye Votes: 32 No Votes: 0 Motion Adopted

X. Constables' Education and Training Board Report

Mr. John Pfau

Chairman Davis noted that there was no report for the Constables' Education and Training Board other than the material that is included as part of the packet.

XI. Sheriff and Deputy Sheriff Education and Training Board Report

Mr. John Pfau

Chairman Davis 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 before the Commission.

XIII. Public Voice

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

XIV. Adjournment

Chairman Davis noted that the next meeting will be held on June 13, 2023.

Hearing no further comment, Chairman Davis called for a motion for adjournment. Commissioner Vereb made the motion, which was seconded by Commissioner Lane. The motion carried unanimously, and the meeting concluded at 9:45 a.m.