

Courtwatch

Juvenile Justice in Philadelphia

2011-2012



Public Citizens for Children and Youth

**Improving the lives and life chances
of children and youth in our region**

About PCCY

Public Citizens for Children and Youth (PCCY) serves as the leading child advocacy organization working to improve the lives and life chances of children in the region.

Through thoughtful and informed advocacy, community education, targeted service projects and budget analysis, PCCY watches out and speaks out for children and families. PCCY undertakes specific and focused projects in areas affecting the healthy growth and development of children, including child care, public education, child health, juvenile justice and child welfare.

Founded in 1980 as Philadelphia Citizens for Children and Youth, our name was changed in 2007 to better reflect our expanded work in the counties surrounding Philadelphia. PCCY remains a committed advocate and an independent watchdog for the well-being of all our children.

Special thanks

To the Honorable Kevin Dougherty, Administrative Judge of the Family Court Division of Philadelphia's Common Pleas Court, all of the Family Court judges, Roberta Trombetta, Chief of Dependent Court Operations, her assistant Dawn Palagurto, and all of the Family Court staff.



Public Citizens for Children and Youth

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Introduction

Over twenty years ago, Public Citizens for Children and Youth (PCCY) first launched the Courtwatch project, using trained volunteer citizens to observe record and monitor what happens to the young people of Philadelphia who appear in delinquency court. The Courtwatch project provides citizens the opportunity to see and understand the workings of this institution that is of critical importance to Philadelphia and that has a profound effect on the lives of the children and families who become a part of the juvenile justice system. An equally important goal of the Courtwatch is its impact on the juvenile justice system itself which benefits when trained citizen volunteers are present in court, observing, recording and commenting on the workings of the court.

We decided to undertake this Courtwatch, in part, in response to the “kids-for-cash” scandal that was uncovered in 2009 in Luzerne County’s juvenile court. The Luzerne County scandal powerfully and sadly brought home the danger of allowing courts or other powerful public institutions to operate secretly, behind closed doors. Two former Luzerne County Common Pleas court judges had routinely violated the constitutional rights of juveniles appearing before them, imposed harsh sentences on youth who were in court for first time minor offenses, and incarcerated thousands of youth in facilities that allegedly paid millions in “finder’s fees” to the judges who ordered the juveniles placed in their facilities.¹ We are confident that the Luzerne County court scandal would not have happened if there had been a Courtwatch program in place, where trained citizens sat in on Court processes. The ramifications of the Luzerne County “cash-for-kids” scandal have been widespread, including a state-takeover of that court system, incarceration of those involved and lawsuits to recover for damages suffered by the juveniles.² Since that time, the Pennsylvania Supreme Court has promulgated new rules that may provide procedural safeguards against a recurrence of this tragedy.

In light of these events, PCCY decided that it was time to take a fresh look at Philadelphia’s juvenile delinquency court. The Honorable Kevin Dougherty, Administrative Judge of the Family Court Division of Philadelphia’s Common Pleas Court welcomed PCCY’s suggestion for a Courtwatch. He and Roberta Trombetta, then-Chief of Dependent Court Operations, facilitated access to the courtrooms, and conferred with us about how and what data the volunteers would be collecting. Judge Dougherty and Roberta Trombetta, along with Robert Listenbee, Jr. from the Defender Association and Kelley Hodge then with the District Attorney’s Office also assisted PCCY in training the Courtwatch observers by giving a seminar about the history of the Courtwatch program, the mission and role of the juvenile delinquency court, its unique challenges and the types of hearings that the volunteers could expect to be observing. At a second training sessions, Jessica Feerman, a PCCY Board member and supervising attorney at the Juvenile Law Center, discussed juvenile court issues and procedures.

This 2011 Courtwatch Report is the culmination of hundreds of hours of work by concerned citizens who volunteered their time to sit in on court proceedings. For two months in the fall of 2011, they attended court hearings two days a week in four courtrooms where delinquency proceedings were held and completed 551 standardized forms about different juvenile delinquency cases. During their court observation sessions, most, but not all, of the court observers had access to the Court's Daily List which provided background demographic and other data about each juvenile. PCCY staff, volunteers and interns analyzed the data from 467 of the Courtwatch observations and prepared this report.³

As this report illustrates, objective and subjective factors always play roles when looking at juvenile court. One Courtwatch volunteer told us that he struggled between acting as a disinterested, trained volunteer and putting himself in the shoes of a parent trying to figure out what was happening to his child during the juvenile court proceeding.

Summary Findings

We were welcomed into Family Court by the judges and their staff, all of whom were generous with their time, provided helpful information and, most importantly, provided access for our Courtwatch volunteers, while protecting the confidentiality of the proceedings.⁴

The Honorable Kevin Dougherty and Roberta Trombetta were personally involved in this Courtwatch. They helped train the Courtwatch volunteers, reviewed the form used by the Courtwatch volunteers to collect data, assisted with scheduling, and responded to questions. Each of the four Family Court judges who heard delinquency cases during this time generally welcomed the Courtwatch volunteers into their courtrooms. On several occasions, they invited the Courtwatch volunteers back to chambers to explain courtroom proceedings and to respond to questions.

Our Courtwatch volunteers included well-educated active or retired college professors, professionals and students in law school or masters of school work programs. Despite the fact that they had been trained in what to expect in court, they often found it very difficult to understand juvenile delinquency court proceedings because: (1) there are many different types of proceedings that take place on a daily basis, (2) the circumstances of each case is unique, (3) the legal terms used by judges and lawyers seemed a foreign language even to some law students, (4) the rapid pace of court proceedings made it challenging for the volunteers to follow what was happening.

Despite these challenges, they uniformly reported that participating in the Courtwatch was a revealing experience that gave them new insights about some of the troubled young people in Philadelphia and the challenges they, and their families, face.

Turning to what we found, here, unlike in Luzerne County, almost every child was represented by counsel. About nine percent of the youth arrived in court in handcuffs, and some remained in handcuffs during the proceeding. We observed 108 adjudicatory hearings and found that, while charges against some youth were dismissed or withdrawn, the majority of those who appeared at an adjudicatory hearing either agreed or were found responsible for some of the charges against them. Some of them were promptly adjudicated delinquent and placed on probation or in a residential facility. In other cases, the Court deferred the adjudication, but put the youth on interim probation. In the 29 disposition hearings that were observed, fourteen of the youth were placed in a residential facility or ordered to continue in the program in which they already had been placed. Most of the other youth were placed on probation typically with conditions attached, including, for example, mandatory schooling, curfew, therapy, community service and, for drug offenders, random drug screening.

The judges each had very different styles and personalities, but our volunteers thought that they each sought ways to communicate with the young people who appeared before them, praising some when they successfully completed the terms of their probation or placement, while scolding and threatening others whom they felt had not yet acknowledged what they had done wrong. One volunteer remarked that he saw a judge really trying hard to find the right solution for a child who had been rejected from several facilities, a sign that the juvenile justice system was still struggling to find adequate resources to treat and rehabilitate the youth who come into this system. Family members were present in court for almost sixty percent of the cases and many family members were called up to speak on behalf of their children; very few of the juveniles spoke in court.

We found that troubling demographic trends cited in previous Courtwatch reports continue to persist. The youth who were arrested and charged are still overwhelming African America young men. African-American youth represented 77 percent of the youth in the proceedings that we observed.

What We Found



Each year, thousands of children pass through the doors of 1801 Vine Street, Philadelphia's Family Court building, on their way to an appearance before a judge in a delinquency proceeding. The children and youth who appeared in Court during our 2011 Courtwatch ranged in age from 11 to 20 years of age and, as in the past, were predominantly male African-American. They arrived with the weight of over 597 charges. At the time of their court appearances, 32% of the youth whose residence was identified were

living at home or with a family member, while 39% were in detention at the Youth Study Center, in community based shelters or in a residential treatment center.

Race and Ethnicity

Seventy-seven percent of the children we observed during the 2011 Courtwatch were African American. Only ten percent of the youth were Caucasian. As PCCY reported in its 2007 Courtwatch Report, this prevalence of African Americans in the juvenile justice system is far out of proportion to the numbers they represent among the city's youth where African American males represent only 53% of all male youth and 27% of all youth in the age range.

During the 2011 Courtwatch, we identified seven percent of the youth as Latino, but it is difficult to determine the accuracy of this statistic because the Juvenile Court Daily List only identifies the race of each juvenile, not whether he or she is Latino. On several occasions, youth appearing in Court plainly were Latino, but were only identified on the Court Daily List as Caucasian. As PCCY noted in its 2007 Courtwatch Report, the Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Justice System had found that: "Overall, current means for collecting and accessing data on Latino youth are inadequate, suggesting that the extent to which minority populations are over-represented in the juvenile justice system is generally under-reported."⁵ This problem persists. This lack of systematic court data identifying Latinos likely contributes to under-reporting of minorities in the system, including youth who are multi-racial.

Asian youth represented less than two percent of the youth who appeared at court proceedings observed during the 2011 Courtwatch.

Gender

Young men continue to far outnumber young women in the juvenile justice system, totaling eighty-six percent of the youth who appeared in the court proceedings that we observed in 2011. This is generally consistent with a long term trend of an overwhelming predominance of young men in the system.

In our 2007 Courtwatch Report, PCCY noted a decline in the number of young women entering the system, representing eighteen percent of the youth appearing in delinquency court, according to court-supplied data. By contrast, based on the cases that we observed during the 2011 Courtwatch, young women represented only fourteen percent of the youth, a marked decline of four percent.

Age

The youth whom we observed coming through the juvenile justice system in 2011 ranged in age from 11 to 20 years old. Most of the youth were of high school age. Only 3% were of elementary school age (11 years old). Twenty-one percent were of middle school age, and the majority or seventy-six percent were of high school age or beyond (15-20).

Where Youth Are Living

According to our 2011 Courtwatch data, one-third of the youth who appeared in court were living at home or with a family member. Thirty-nine percent of the youth were living in an out-of-home placement at the time of their court appearance or were removed from the home as part of the Court's disposition of their case. The Youth Study Center was the most frequently identified out-of-home placement, although a number of other programs also were providing services to the youth.



Residence		
Response	2011 Courtwatch	
	#	%
Home or with Family Members	150	32%
Out of Home Placement	184	39%
Blank	133	29%
TOTAL	467	100%

Charges



We compared the most frequently charged crimes from 2006 Family Court data with the data collected during the 2011 Courtwatch, and found that many, although not all, of the same charges predominated. For example, according to the 2006 Family Court data, the most frequent charges in delinquency court were aggravated assault, assault, robbery, larceny, vandalism, drug offenses, receiving stolen property, violation of the Uniform Firearms Act, and unauthorized use of an automobile.

In 2011, youth faced these same charges, although drug charges accounted for fewer of the charges than we found in 2006, whereas charges for receiving stolen property and violation of the uniform firearms act increased as a percentage of the total charges. In addition, during the 2011 Courtwatch, charges for conspiracy (54), theft (41) and reckless endangerment (19) outnumbered several of the most frequent changes found in 2006. Since we are comparing system wide 2006 Family Court data with 2011 data gathered only during the court sessions that we observed, we do not know if there is a system-wide change or a reflection of the particular cases that we observed in 2011.⁶

Courtwatch Data on Charges In Family Court

Charges	2006 Family Court Data		2011 Courtwatch Data	
	Total	Percent	Total	Percent
Aggravated Assault	1540	19%	38	7%
Assault	736	9%	100	20%
Robbery	1118	14%	65	13%
Larceny	820	10%	7	2%
Vandalism	380	9%	1	0.20%
Possession and Use of Drugs	1113	14%	64	13%
Sale and Use of Drugs	1320	17%	23	4%
Receiving Stolen Property	271	3%	51	10%
Violation of Uniform Firearms Act	281	3%	36	7%
Unauthorized Use of Auto	184	2%	8	2%
Conspiracy			54	10%
Theft			41	8%
Reckless endangerment			19	4%

There were many other charges, most of which occurred only 1-2 times.⁷

During the 2011 Courtwatch, we observed several different types of hearings, the most typical of which were adjudicatory hearings, dispositions and reviews. In an adjudicatory hearing, a youth appears before a judge who determines whether he/she committed the act for which he/she is being charged. Sometimes, the court disposes of the case at the end of the adjudicatory hearing, while, in other cases, there is a separate disposition hearing in which the judge determines the outcome of the case. In a periodic review hearing, the judge is updated on how a young person is progressing, including hearing from the probation officer for those youth on probation about whether the youth is fulfilling probation requirements. The following chart summarizes the types of court proceedings that we observed in 2011.

Breakdown by Hearing Type	
Hearing Type	# of Cases
Adjudication	108
Deferred Adjudication	69
Disposition	29
Review	213
Status	6
Certification	1
Motion	6
Review – Commitment	8
Detention Hearing	1
Blank	26
Total	467



Because of the number of different types of court hearings in the juvenile justice system, they can be difficult to follow and may appear chaotic to those unfamiliar with the workings of the court. The number of youth, family members, lawyers and court personnel present in the waiting rooms and the courtroom help to create an air of confusion and uncertainty. Caseload size also can interfere with the ability of attorneys to communicate effectively before the hearing with their clients and their families or victims.

The rapid pace of review hearings can create anxiety, uncertainty and fear among the youth and families who are going through the delinquency court system. Even though our Courtwatch volunteers were well-educated and had been trained, they still found it very difficult to understand what was going on in the courtrooms, and even in some instances how cases were resolved.

Are Youth Represented By Counsel?



Although the law requires that youth be represented by counsel, one of the principle reasons why two Luzerne County Common Pleas Court judges were able systemically to adjudicate and incarcerate those children was because they were not represented by counsel.⁸

Fortunately, in Philadelphia, almost all of the youth who appeared in proceedings that we observed were represented by counsel, typically by an attorney from the Defender Association although some youth were represented by private attorneys and court appointed counsel. There were a few cases in which counsel was not present and they were usually review hearings.

Represented by Counsel		
Response	2011 Courtwatch	
	#	%
Yes	386	82%
No	22	5%
Blank	59	13%
TOTAL	467	100%

While it is beyond the scope of this report to comment on the quality of the representation, we observed that some attorneys on both sides of the aisle appeared overwhelmed by the number of cases they were handling.

Are Youth Handcuffed?

In April 2011, the Pennsylvania Supreme Court adopted a new rule that discouraged the use of handcuffs or other restraints on juveniles except in a few very limited circumstances. Specifically, Rule 139 provides that: Restraints shall be removed prior to the commencement of a proceeding unless the court determines on the record, after providing the juvenile an opportunity to be heard, that they are necessary to prevent:

- 1) physical harm to the juvenile or another person;
- 2) disruptive courtroom behavior, evidenced by a history of behavior that created potentially harmful situations or presented substantial risk of physical harm; or
- 3) the juvenile, evidenced by an escape history or other relevant factors, from fleeing the courtroom.



In adopting this rule, the Court explained,

The use of restraints, such as handcuffs, chains, shackles, irons or straitjackets, is highly discouraged. The routine use of restraints on juveniles is a practice contrary to the philosophy of balanced and restorative justice and undermines the goals of providing treatment, supervision, and rehabilitation to juveniles. Therefore, restraints should not be used in most instances. However, there are some circumstances when juveniles need to be restrained to protect themselves and others and to maintain security in the courtroom.⁹

Consistent with this new rule, most of the 467 youth we observed were not handcuffed when they appeared before the judge.¹⁰ Of the forty-one youth who were handcuffed when they were brought before the judge, thirteen had the handcuffs removed, usually at the judge’s request. In one case, the handcuffs were removed, but then put back on during the hearing. Rule 139 requires the court to make specific findings on the record when a juvenile is handcuffed during a court hearing so we asked our observers to note if this rule was being followed. In the 28 cases where a youth was in handcuffs in the courtroom, our volunteers only once noted that the court made the required findings on the record. Of course, it is possible that the court made the required findings on the record in the other cases but, if they did, our volunteers did not understand it or record it.

Forty one youth came into court with handcuffs; thirteen of the handcuffs were removed.

Handcuffed in Court		
Response	2011 Courtwatch	
	#	%
Yes	41	9%
No	264	56%
Blank	162	35%
TOTAL	467	100%

Adjudicatory and Dispositional Hearings

During the 2011 Courtwatch, we observed 108 adjudicatory hearings. In sixty-one of the cases, the juvenile was found guilty or admitted to some or all of the charges against them. Eleven of these youth were then adjudicated delinquent and ordered placed in a residential facility. In twenty-three of the cases, the youth were adjudicated delinquent and the probation officer was charged with planning. The Court deferred adjudication of the juveniles involved in the remaining cases, although most of them were placed on interim probation. Twenty-nine of the cases were continued at the request of the prosecution or the defense or because the juvenile failed to appear. In thirteen of the cases, the juveniles were found not guilty or the petition was withdrawn or dismissed, and the remaining 5 cases involved bifurcation, a consent decree and a DHS petition.

Adjudicatory Hearings		
Response	2011 Courtwatch	
	#	%
Guilty or admitted to some or all of charges	61	56%
Continued	29	27%
Not guilty/dismissed/ charges withdrawn	13	12%
Other (bifurcation / consent decree / DHS petition)	5	5%
TOTAL	108	100%

We also observed 29 disposition hearings where twelve of the youth were placed in one of several residential facilities, such as Glen Mills, St. Gabriel's and Summit Academy. Two other youth already were in residential or community programs so they were ordered to continue with those programs. Nine youth were placed on probation, typically with conditions, including mandatory schooling, curfew, therapy, community services and, for drug offenders, random drug screening. The disposition in four cases was continued and, in one of those cases, the youth was placed on in home detention. In one case the probation officer was to make a plan, and the outcome of the other two cases was not known.

In response to the Luzerne County court scandal, the Pennsylvania Supreme Court amended Rule 1512 so that the court is now required to state on the record in open court, among other things, its disposition, the reason for the disposition and any terms, conditions or limitations on the disposition.¹¹ In addition, before removing a youth from his or her home the court also must state on the record in open court or enter into the record through a dispositional order a finding (among others)

that the out-of-home placement is the least restrictive placement that is consistent with protection of the public and best suited to the juvenile’s needs.¹²

As a result of the reforms initiated last year after the Luzerne county scandal, in order to make the necessary findings in dispositional hearings, the courts should be inquiring into the education and health care needs of the juveniles who appear before them.

Generally, the Courtwatch volunteers were able to understand what the disposition was, and the terms, conditions and limitations imposed by the court. For the youth who were to be removed from their homes, the judges did state, on the record, the name or type of facility where the youth was to be placed. However, in all but a handful of cases, the judge either did not state in open court that the facility selected was the least restrictive alternative or, if they did, our volunteers did not understand and record that finding. Of course, it is possible that the required finding may have been made through an order rather than a statement on the record, but we did not have access to the court’s records to determine if this was done.

Education, Health and Disability Needs

While the Court is not required by the rules to inquire about the educational status, health care needs and disabilities of every youth who appears before him or her, since the goal of the juvenile justice system to provide treatment, supervision and rehabilitation to the youth who appear before them and is intended to operate with a philosophy of “balanced and restorative justice,” we were interested in the extent to which the judges inquired about the educational, health and disability needs of the youth who appeared before them.



Did Court Ask About Youth’s Educational, Health Care and Disability Needs?						
Response	2011 Courtwatch					
	Educational Needs		Health Needs		Disability Needs	
	#	%	#	%	#	%
Yes	175	37%	65	14%	39	8%
No	98	21%	167	36%	179	38%
Blank	194	42%	235	50%	249	54%
TOTAL	467	100%	467	100%	467	100%

As the chart on the previous page illustrates, the educational needs of the youth was frequently the subject of some discussion during the court proceeding, but it often was limited to whether the youth was attending school. On some occasions, individual judges did engage in extended discussions about not only the juvenile, but his or her home life. One time, for example, the judge did delve into the youth's health or disability needs, inquiring at length about the youth's health issues and needs or ordering an IQ test to assist with addressing educational needs. In one case, the judge specifically asked if the youth had any mental health problems or was taking any medication while, in another case, the judge discussed the juvenile's psychiatric problems and non-compliance with medication with the youth's mother who was in Court. However, there was no discernible consistent pattern of the Court taking the initiative to ask about the education, health care and disability needs of each of the youth who appeared before them.

Several of the judges advised our Courtwatch volunteers that it was not necessary for them to inquire in court about education, health care and disability needs because either they were familiar with the youth from earlier court appearances and/or they had this information in the record that they reviewed before court.

Presence and Participation of Parent or Guardian



While the court does not maintain records on whether parents or other family members were present, Courtwatch observations conducted in 2000, 2003, 2006 and 2011 confirm that, in the majority of cases, some family member (often a mother, father or grandparent) was present.

Was A Parent/Guardian Present?

Response	2000 Courtwatch		2003 Courtwatch		2006 Courtwatch		2011 Courtwatch	
	#	%	#	%	#	%	#	%
Yes	324	61%	551	79%	151	50%	280	60%
No	151	28%	149	21%	118	39%	119	25%
Unknown	59	11%	0	0%	34	11%	68	15%
TOTAL	534	100%	700	100%	303	100%	467	100%



In many cases, youth who enter the courtroom have complex problems and relationships with their families and the strain of appearing in court can put an additional burden on an already fragile relationship. While in the majority of cases families were there to support each other, there were times when the complaining witness was a family member. We also observed a mother or father who struggled with issues and seemed to be part of the problem. However, in most cases, the family was there to support the youth and to assist in resolving the matter.

Did Parent or Guardian Speak?		
Response	2011 Courtwatch	
	#	%
Yes	199	42%
No	97	21%
Unknown	171	37%
TOTAL	467	100%

During the 2011 Courtwatch, when family members were present, they often were called upon by the judge or others to speak during the proceeding, often to answer the judge’s questions about the youth’s special needs, progress with satisfying conditions and other questions related to the child’s case or the court proceeding. Usually there are translators available if needed; unfortunately, in one case, a watcher observed that a mother was unable to participate because she spoke Cambodian and there was no interpreter available. On more than a few occasions, the family was able to participate and appeared to assist the judge in making a more informed decision about the youth’s status and progress.

For example, in one particular case, the watcher observed the grandmother speaking to the issue of whether the child should be placed away from home. The judge recognized the family’s grief at having the child in placement and said that every effort would be made to keep him close to home. In another case, the judge talked firmly, but supportively, to the juvenile and also allowed the young person to talk. The judge then spoke to the child’s grandfather and guardian at sidebar and called in DHS to make sure that they could provide sufficient services to the youth and his siblings. In yet another case, the judge talked at length with the mother and youth about how the youth was affected by the parents’ separation. The judge was firm but supportive about the need to work through these issues. The judge then ordered both individual and family therapy to assist the family in working through their issues.

Recommendations



We begin our recommendations underscoring the value of citizens participating in observing Court proceedings. Both the court and the citizenry are enriched by the experience.

What we see and hear teaches us much about the world that we are a part of, yet apart from.

We commend much of what we saw and heard in Philadelphia's juvenile court system, but there is much for all of us to do.

We urge Philadelphians to:

- Know what is going on in the juvenile justice system; become a Courtwatch volunteer or find other ways to get involved in juvenile justice issues.
- Support juveniles who find themselves caught up in the system by providing adequate support for representation and needed services.
- Assist families whose children are charged with a crime by creating a family resource center or helpline that can explain the intricacies of the juvenile justice system and their options.

We urge the juvenile court system to:

- Implement a system for monitoring compliance with amended Rule 139 to insure that handcuffs are removed before any proceeding is begun unless the court has made a determination that handcuffs are necessary on the record.
- Implement a system for monitoring compliance with Rule 512 to insure that the court enters findings into the record when a juvenile is removed from his or her home
- Create a family-friendly environment in the new Family Court building now under construction that provides not only a state-of-the-art building for juvenile proceedings, but family support services on site.

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Endnotes

1. See, e.g., Adams, Lauren Girard, Rosado, Lourdes M. and Vigil, Angela C., What Difference Can a Quality Lawyer Make for a Child?, ABA Litigation Journal, Vol. 38, No. 1 (Fall 2011) and A. Needles, Fed Judge Approves \$17.75 Mil. Settlement of "Kids-for-Cash" Suit, The Legal Intelligencer, Vo. 244, No. 44 (March 6, 2012).
2. Id.
3. Some of the forms were not included in the analysis because they duplicated information from another form about the same proceeding or because they were incomplete.
4. To protect the privacy of the youth and their families, each Courtwatch volunteer signed a confidentiality agreement.
5. See Pennsylvania Supreme Court (2003), Final Report of the Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Justice System, p. 510.
6. The percentages in this chart were calculated based on the frequency of each listed charge to the ten charges listed.
7. Other charges included: Criminal Trespassing (12), Terroristic Threat (8), Burglary (8), Sexual Assault (8), Possession of Instrument of Crime (8), Indecent Exposure (6), Criminal Mischief (6), Harassment (5), Disorderly Conduct (4), Possession of a Weapon (4), Manufacture/Delivery/Possession w/Intent to Manufacture and Deliver (3), Truancy (2), Resisting Arrest (2), Violations at School (2), Intimidation (1), Felony (1), Open Lewdness (1), Riot (1), Shoplifting (1), Curfew Violation (1), Weapon on Campus (1), Unlawful Use of a Computer (1), Forgery (1), Delinquency (1), IDSI Forcible Compulsion (1), and Rape (1).
8. See Adams, Lauren Girard, Rosado, Lourdes M. and Vigil, Angela C., What Difference Can a Quality Lawyer Make for a Child?, ABA Litigation Journal, Vol. 38, No. 1 (Fall 2011).
9. See 42 Pa.C.S. § 6301.
10. Rule 139 only affects the use of restraints in court proceedings. "Sheriff, probation officers, and other personnel providing transportation of juveniles to and from detention facilities, placement facilities, and other locations may be governed by internal procedures and policies, including insurance policies, to use restraints during the transportation of juveniles. The use of restraints in those situations is governed by local policies of operation. See Explanatory Report, Final Report explaining the provisions of Rule 139 published with the Pa. Supreme Court's Order at 41 Pa.B. 2429 (May 14, 2011).
11. See Rule 512 D.
12. See Rule 512 D.



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