

Ensure Safety for Youth in Juvenile Justice Placements

HB 1600 (Shusterman) improves outcomes by limiting harmful practices in out-of-home placements and increasing oversight of Pennsylvania's juvenile justice system.

What Problem Does the Legislation Solve?

Research shows that for most young people, particularly those who are assessed as low-risk or who commit lower severity offenses, out-of-home placement leads to worse outcomes than diversion or probation. However, when young people *are* removed from their homes to address delinquent behavior, they need safe, stable environments to foster positive development and transformation. Pennsylvania data and research shows:

- Many young people experience abuse and mistreatment in out-of-home placements, including solitary confinement and inappropriate physical constraints.
- Children are frequently moved among placements, averaging six total out-of-home placements over their case.
- Children may be placed in facilities anywhere in the country, severing family ties and reducing access to attorneys.
- There are around 500 licensed juvenile residential providers in Pennsylvania, making oversight extremely difficult.

“Both in the jails and placements I was in, they didn’t treat me right. They mistreated me. They held me in solitary confinement.”
- Impacted youth

What Does the Legislation Do?

The legislation creates a pathway to improved outcomes for young people removed from home by increasing the safety and stability of out-of-home placements. Specifically, the bill:

- **Outlines legislative goals to prioritize family preservation and in-home services** for kids in the child welfare and juvenile justice systems whenever possible.
- **Increases oversight and accountability of out-of-home placements** by requiring the Department of Human Services (DHS) to:
 - Regularly inspect, investigate, and take corrective action against any juvenile residential facilities not adhering to standards of safe and humane care;
 - Monitor data and make recommendations to curb placement instability;
 - Ensure children and families understand their grievance rights; and
 - Conduct a recurring inventory of programs and services for reducing delinquency.
- **Limits the use of certain practices in facilities**, including eliminating manual restraints that apply pressure to a child’s respiratory system, placing strict limits on body cavity and strip searches, and limiting solitary confinement to no more than three hours of “cool down” time.
- **Ends the practice of sending youth to out-of-state placements**, except in neighboring states.
- **Requires DHS to reimburse counties 50% of the cost juvenile defense spending.**

What is the Status of the Legislation?

[HB 1600](#), introduced by Rep. Shusterman and referred to House Children & Youth, addresses all of the recommendations above. Sens. Baker, Santarsiero, and Costa introduced [SB 167](#), addressing the goals of the child welfare and juvenile justice systems, and [SB 168](#), addressing juvenile defense funding. Both bills passed the Senate Aging & Youth Committee and are pending in Senate Appropriations.

Supported by the Legislative Youth Safety Caucus