

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES  
THE HOUSE JUDICIARY COMMITTEE

IN RE: PUBLIC HEARING ON CONCERNS  
OF JUVENILE PROBATION OFFICERS

\* \* \* \*

VERBATIM RECORD OF HEARING HELD  
IN ROOM 140, MAIN CAPITOL BUILDING,  
HARRISBURG, PENNSYLVANIA, ON  
TUESDAY,

JANUARY 14, 1992  
10:00 A.M.

\* \* \* \*

HON. THOMAS R. CALTAGIRONE, MAJORITY CHAIRMAN

MEMBERS OF HOUSE JUDICIARY COMMITTEE

HON. JEFFREY E. PICCOLA	HON. MICHAEL C. GRUITZA
HON. JERRY BIRMELIN	HON. LOIS S. HAGARTY
HON. FRANK DERMODY	HON. DAVID W. HECKLER
HON. GREGORY C. FAJT	HON. CHRISTOPHER McNALLY
HON. JIM GERLACH	HON. ROBERT D. REBER, JR.

ALSO PRESENT:

MARY R. WOOLLEY, MINORITY COUNSEL  
DAVID L. KRANTZ, EXECUTIVE DIRECTOR  
GALINA MILOHOV, RESEARCH ANALYST  
MARY BETH MARCHICK, RESEARCH ANALYST

REPORTED BY:  
JANICE L. GLENN

ANN-MARIE SWEENEY, COURT REPORTER  
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INDEX TO PRESENTORS

<u>PRESENATOR</u>	<u>PAGE</u>
Opening Remarks by Chairman Caltagirone .....	3
John Betters, Chief Probation, Somerset County, appearing on behalf of Thomas P. Antolik, Chief Juvenile Probation Officer, Erie county and President, PA Council of Chief Justice Probation Officers .....	7
Stephen J. Suknaic, Chief Juvenile Probation Officer .....	26
Bruce a. Grim, Chief Juvenile Probation Officer, Berks County .....	33
Lawrence Mason, Chief Juvenile Probation Officer, Westmoreland County .....	40
Michael J. Cavanaugh, Chief Juvenile Probation Officer, Philadelphia County .....	50
Joseph A. Daugerdas, Director of Court Services, Allegheny County .....	58
Nancy Roam Deputy Director, PA State Association of County Commissioners .....	64
Adjournment.....	74

1 CHAIRMAN CALTAGIRONE: Good morning.  
2 This is the House Judiciary Committee hearing on  
3 the Concerns of Juvenile Probation Officers.

4 I would like to share with the Members  
5 and the guests that are here today that House Bill  
6 24 that I've submitted in the early part of last  
7 year in response to the funding crisis in the  
8 County Juvenile Probation Services, did in fact  
9 get voted out of Committee, went over to  
10 Appropriations and has been hanging in a state of  
11 limbo.

12 I talked to Bruce Grim about this. I  
13 thought that we needed to put some heat in the  
14 fire to bring some emphasis to the problems that  
15 you're sharing around the State.

16 Basically the Administrative Code, as  
17 I just wanted this for the record, provides that  
18 the Juvenile Court Judges' Commission shall make  
19 an annual grant to the political subdivisions for  
20 the development and improvement of probation  
21 services for juveniles.

22 The analysis that I have in my hand  
23 deals with House Bill 24 which provides that a  
24 county which employees probation staff to provide  
25 juvenile probation services and programs shall

1 receive a grant equal to eighty percent of the  
2 personnel salary costs incurred for the services  
3 or programs.

4 The funds would be funnelled from the  
5 Office of the General Counsel through the Juvenile  
6 Court Judges' Commission.

7 The Commission would be authorized to  
8 establish qualifications and standards for such  
9 programs and guidelines for the allocation of the  
10 grants.

11 In addition, the Commission would be  
12 authorized to make grants to political subdivisions  
13 to train and educate juvenile probation officers  
14 to develop new and innovative Juvenile Justice  
15 programs and to conduct research on Juvenile  
16 Justice issues.

17 The Bill itself would appropriate  
18 \$18.5 million for the development and improvement  
19 of the Juvenile Probation services as specified in  
20 the Bill. And \$925,000 for the training and  
21 education of Juvenile Probation Officers program  
22 development and research.

23 With what just happened in the Berks  
24 County YDC, from what I read this morning, fifteen  
25 of the seventeen juveniles there tried to break

1 out of the facility.

2 To me it's indicative of a problem  
3 that we have all over the Commonwealth. We have  
4 visited, I might add, a number of YDC facilities  
5 throughout the State and we will continue to do so  
6 throughout the remainder of this year.

7 I think that it's incumbent upon those  
8 of us in elected offices, especially this General  
9 Assembly, to make sure that you have adequate  
10 funding at the County levels. And I think your  
11 organization, your members, as well as the County  
12 Commissioners, are a lock step with those of us  
13 that feel that this has to happen.

14 In the tours that we took last year,  
15 and we were just kidding this morning, we had  
16 thirty-nine different functions that we had  
17 attended to last year. Twenty-four Committee  
18 meetings and nineteen tours. It was probably one  
19 of the most pro-active committees of the twenty-  
20 one standing committees. And I have at all times  
21 felt that we have to be concerned about what we  
22 do.

23 We cannot sit up here as a grand  
24 tribunal calling people to Harrisburg if we're not  
25 going out into the field to see exactly what the

1 reactions are to the laws that we're passing at  
2 this end.

3 And I think that by touring these  
4 facilities and getting around the State, going to  
5 the Courthouses,, talking to the different people  
6 that are involved in the Criminal Justice System  
7 is critical to our understanding as to what the  
8 needs are out there.

9 And I feel with the budget process  
10 that's going to be starting within the next month,  
11 that we have got to stand united behind these  
12 issues that we're going to be talking about here  
13 this morning to try to convince the Appropriations  
14 Committee and the Governor, and the General  
15 Assembly as a whole, to allocate the necessary  
16 funds and resources that you need in order to do  
17 the job that you've been sworn to do.

18 With that I would like to introduce  
19 the Members of the Committee and the staff that  
20 are present. There will be other Members that  
21 will be coming in. And I've had notice that that  
22 will be happening, but I would like to introduce  
23 the Members and staff that are present.

24 I am Thomas Caltagirone, Chairman of  
25 the Committee, from Berks County.

1 I would like to introduce to my left.  
2 REPRESENTATIVE GERLACH: Jim Gerlach  
3 from Chester County.

4 REPRESENTATIVE BIRMELIN: Jerry  
5 Birmelin, Wayne County.

6 REPRESENTATIVE HAGARTY: Lois Hagarty,  
7 Montgomery County.

8 MS. WOOLLEY: Mary Woolley, Counsel to  
9 the Committee for the Republican Caucus.

10 MS. GALINA: Galina Milohov, Research  
11 Analyst.

12 MS. MARCHICK: Mary Beth Marchick,  
13 Research Analyst.

14 CHAIRMAN CALTAGIRONE: And with that I  
15 would like to start off with, I know that Thomas  
16 Antolik is not here but that Mr. Betters is going  
17 to fill in for him.

18 If you would state your name and your  
19 position for the Reporter.

20 MR. BETTERS: My name is John Betters  
21 and I'm the Chief Probation Officer from Somerset  
22 County. I'm Vice President of the Pennsylvania  
23 Council Juvenile Probation Officers and I'm filling  
24 in for Mr. Antolick who is President of the  
25 Council, who is home in Erie sick today. And I

1 will be presenting his testimony.

2 As President of the Pennsylvania  
3 Council of Chief Juvenile Probation Officers, one  
4 of my responsibilities is to be the spokesperson  
5 for the Council. It is in this capacity that I  
6 come before you today.

7 On January 31st, 1991, a group of  
8 Chief Juvenile Probation Officers testified before  
9 this same Committee in support of House Bill 24.  
10 This Bill was targeted to amend the Act of April  
11 9, 1919, known as the Administrative Code of 1929,  
12 and basically stated that:

13 "A County which employs Probation  
14 staff to provide Juvenile Probation services and  
15 programs shall receive a grant from the Office of  
16 General Counsel through the Juvenile Court Judge's  
17 Commission to offset the resulting cost, but only  
18 if staff, services and programs meet the  
19 qualifications and standards established by the  
20 Commission.

21 Likewise, a county which employs  
22 additional staff for new or improved probation  
23 services or programs shall be eligible to receive  
24 a grant for the additional cost incurred, but only  
25 to the extent that additional staff, services and



1 programs meet the qualifications and standards  
2 established by the Commission.

3 For the fiscal year 1991-1992 and  
4 thereafter, the principal grant shall provide  
5 eighty per centum of the personnel salary costs  
6 incurred by a county to administer Juvenile  
7 Probation services pursuant to standards  
8 established by the Juvenile Court Judge's  
9 Commission. The Commission shall establish  
10 guidelines for the allocation of these grants.

11 In addition to these grants, the  
12 Juvenile Court Judges Commission, upon approval of  
13 the Office of General Counsel and depending on  
14 available moneys, shall make grants to political  
15 subdivisions to provide training and graduate  
16 education of Juvenile Probation Officers, to  
17 develop new and innovative Juvenile Justice  
18 programming at the local level and to conduct  
19 research on Juvenile Justice issues."

20 Never has it been more apparent that  
21 something must be done to adequately fund the  
22 Juvenile Probation system than it is today.

23 On December 20th, 1992, I received a  
24 memorandum from the Judges' Commission, that  
25 advised me that they (Juvenile Court Judges'

1 Commission) had verbal notification that \$3.9  
2 million of the Commission's Grant-In-Aid,  
3 representing the approximate balance of the grant  
4 appropriation, had been placed into budgetary  
5 reserve by the Governor's Budget Office.

6 This action would affect all grant-  
7 funded programs, including the regular Grant-In-Aid  
8 (which offsets a small percentage of County  
9 dollars for salaries of Probation Officers),  
10 training allocations for the period January 1,  
11 1992 through June 30, 1992, the new Intensive  
12 Probation and Aftercare Initiative (\$2 million)  
13 scheduled to begin on January 1, 1992 and the  
14 State match for the PennFree Specialized Probation  
15 Initiative for which federal funding was awarded  
16 to the Juvenile Court Judges' Commission from the  
17 Commission on Crime and Delinquency.

18 As a result of these funds being  
19 placed in budgetary reserve, the Commission is  
20 unable to distribute them and the Counties were  
21 informed "until further notice, no financial  
22 commitments should be made based on the  
23 anticipated receipt of these funds."

24 Upon receiving this memorandum, I  
25 called an emergency meeting of the Executive

1 Committee of the Pennsylvania Council of Chief  
2 Juvenile Probation Officers on January 7, 1992, to  
3 discuss the possible ramifications of the budgetary  
4 reserve issue. Many concerns were voiced.

5 First, it has to be stated that the  
6 current level of funding support from the  
7 Commonwealth for Juvenile Probation is totally  
8 inadequate. In many counties, the current Grant-  
9 In-Aid represents less than fifteen percent of the  
10 personal salary costs for Juvenile Probation  
11 Officers. This compares with funding levels which  
12 range from seventy-five to ninety percent (Children  
13 and Youth, Mental Health), for other Social  
14 Services Programs operated by the counties.

15 As a result, the major burden for  
16 funding Juvenile Probation Services falls on County  
17 Government. Due to varying resources and  
18 perspectives, the level of service in the Juvenile  
19 Probation System varies greatly from county to  
20 county. Therefore, the treatment provided to a  
21 delinquent youth is very much a factor of where he  
22 or she resides. This inequity is not acceptable.

23 To further complicate this matter with  
24 the Grant-In-Aid being held in budgetary reserve,  
25 the Juvenile Probation Departments are facing

1 even more of a dilemma, as existing services may  
2 have to altered.

3 At our Emergency meeting when I  
4 queried the members of the Executive Committee,  
5 which represents approximately seventeen counties,  
6 four ramifications over the potential loss of the  
7 remaining Grant-In-Aid were almost uniformly  
8 expressed. They were:

9 1. Training of Juvenile Probation  
10 Officers would have to be put on hold.

11 2. Drug testing would be curtailed and  
12 possibly eliminated.

13 3. PennFree affiliated Specialized  
14 Probation Officers would be furloughed.

15 4. Probation Officers' salaries would  
16 be affected, particularly with regards to raises.

17 I am also certain that the other  
18 counties participating in Juvenile Court Judges'  
19 Commission Grant-In-Aid Program would not only  
20 express the same issues mentioned above, but may  
21 have some that I'm not even aware of.

22 What has also made this situation so  
23 disheartening, is that the anticipated \$2 million  
24 from the General Appropriations Act of 1991 for  
25 the statewide reduction in placement days by five

1 percent in 1992, is also on hold.

2           It was our understanding that this  
3 additional allocation was to be appropriated and  
4 passed on to the counties for the period covering  
5 January 1, 1992 through June 30, 1992. It is safe  
6 to say that the majority of the counties had  
7 already started planning strategies on how to  
8 accomplish this task.

9           Furthermore, speaking on behalf of  
10 those counties, I can with all sincerity state  
11 that we felt that the five percent reduction  
12 requested by the Legislature was a realistic goal.

13           The Juvenile Probation system has  
14 always taken a back seat to other county social  
15 service systems when it comes to funding.  
16 However, we are the "System" who is constantly  
17 called upon to intervene on behalf of those youth  
18 who are beyond the control of Children and Youth,  
19 Mental Health, Drug & Alcohol, and Education.

20           It was and will continue to be our  
21 position that with the additional \$2 million  
22 dollars appropriation, our system would be  
23 propelled to the forefront as a result of our  
24 creativity and initiative in working not only with  
25 the delinquent population, but those other youths

1 who may be at risk.

2 As you continue to hear testimony from  
3 my colleagues today, one very important theme will  
4 continue to manifest itself, that being - Funding.  
5 What is as important, however, is the impact all  
6 of this has on the Juvenile Probation System.

7 Pennsylvania can be proud of our  
8 "System." We have received national recognition  
9 and are considered innovative, creative leaders in  
10 the field.

11 We have shown the ability to work with  
12 extremely troubled youth using Intensive and  
13 Aftercare Services. We have attacked the drug and  
14 alcohol problems of our youth by utilizing state-  
15 wide urinalysis and specialized probation  
16 initiatives.

17 We are holding our delinquent youth  
18 more accountable by creating Community Service and  
19 Restitution Programs. Our Probation Officers are  
20 trained in the latest techniques for working with  
21 at-risk youth, and are constantly challenged to be  
22 more creative with their clients in a cost  
23 effective manner.

24 However, we still lack Government  
25 support necessary for the continued growth and

1 development of our system. It appears we are  
2 currently being held hostage by the same people we  
3 need help from. It would be a travesty if our  
4 system continues to be in jeopardy due to  
5 inadequate funding and our troubled youth and  
6 families are the ones who will suffer the most.

7 In conclusion, as President of the  
8 Pennsylvania Council of Chief Juvenile Probation  
9 Officers, I am requesting your assistance to help  
10 us continue to provide the best delivery of  
11 services possible to these troubled youths of our  
12 Commonwealth.

13 Certainly the passage of House Bill 24  
14 into law would be the ultimate goal of our  
15 association and clearly is one of our main  
16 objectives so that our system could not continue  
17 to be manipulated. Just as important is getting  
18 the Juvenile Court Judges' Commission Grant-In-Aid  
19 out of budgetary reserve and into the hands of the  
20 County Juvenile Probation Departments, so that we  
21 can continue to do the work we are mandated to do.

22 On behalf of our membership, I thank  
23 you for providing me the opportunity to voice our  
24 concern and would appreciate any assistance you  
25 can provide.

1 CHAIRMAN CALTAGIRONE: We've had  
2 another member of the panel join us. As a matter  
3 of fact a few people have come in. Representative  
4 Reber from Montgomery County. Executive Director  
5 Dave Krantz from the Committee.

6 Are there questions from the  
7 Committee?

8 Representative Hagarty.

9 BY REPRESENTATIVE HAGARTY:

10 Q. It's my recollection that Pennsylvania  
11 Commission on Crime and Delinquency received  
12 Federal money that was to go I guess to the  
13 Counties for Juvenile Grant-In-Aid, but they need  
14 to have matching money from the State. Can you  
15 tell me the status of that?

16 A. That's also being held in budgetary  
17 reserve. The State is not putting up the matching  
18 money to receive the Federal dollars. And that's  
19 for the PennFree Program.

20 Q. What is the amount of the Federal dollars  
21 roughly?

22 A. I think if I recall somewhere between  
23 \$200,000 and \$300,000. Close to a million  
24 dollars.

25 Q. What is the State match on that that you



1 need?

2 A. We have people here from Commission on  
3 Crime and Delinquency. They might be able to  
4 answer that better than I can.

5 Q. Could I ask Rick to answer that question.

6 RICK REESER, DCCD. I think the  
7 Federal amount of that is about \$700,000.

8 REPRESENTATIVE HAGARTY: And has the  
9 Commission received that money?

10 MR. REESER: The Commission awarded  
11 the grant.

12 REPRESENTATIVE HAGARTY: What's  
13 happening with that money then?

14 MR. REESER: The delay is that the  
15 State matching portion has to be matched twenty-  
16 five percent. That's tied up in the budgetary  
17 reserve.

18 REPRESENTATIVE HAGARTY: So the State  
19 only needs to put in twenty-five percent of that?

20 MR. REESER: That's total cost, right.

21 REPRESENTATIVE HAGARTY: And all that  
22 money then is sitting there over the twenty-five  
23 percent not able to be used?

24 MR. REESER: That's correct. Even our  
25 Court Judges' Commission cannot commit the match

1 at this point; they don't have it.

2 CHAIRMAN CALTAGIRONE: Why are they  
3 holding it in reserve though? That's the  
4 question.

5 MR. REESER: I don't know.

6 MR. BETTERS: The total amount of the  
7 remaining funds for Grant-In-Aid are being held in  
8 budgetary reserve. As of right now we are  
9 receiving nothing from Grant-In-Aid.

10 We received a portion or were to  
11 receive a portion for the first half of this  
12 fiscal year. But as of January we are receiving  
13 nothing.

14 REPRESENTATIVE HAGARTY: Have you been  
15 given any date of when you can expect to receive  
16 the money?

17 MR. BETTERS: No. All we received was  
18 a written word from Juvenile Court Judges  
19 Commission saying that they were verbally notified  
20 that the Grant-In-Aid funds were all put into  
21 budgetary reserve. And they were giving nothing  
22 as far as any target date or anticipate date when  
23 this money may or may not be released.

24 There was some concern it might even  
25 be lapsed totally and that we would not receive

1 it at all.

2 REPRESENTATIVE HAGARTY: Thank you.

3 CHAIRMAN CALTAGIRONE: Representative  
4 Reber.

5 REPRESENTATIVE REBER: Mr. Chairman,  
6 as a follow up to that I don't know if a motion  
7 would be in order at a public hearing setting, but  
8 I would certainly think that you and our Minority  
9 Chairman ought to collectively ask Budget Secretary  
10 Hershock what is going on.

11 CHAIRMAN CALTAGIRONE: Thank you.

12 REPRESENTATIVE HAGARTY: I second that  
13 motion.

14 REPRESENTATIVE REBER: Seeing that  
15 Representative Hagarty saw that fit to be a  
16 motion, I'll be glad for a second.

17 CHAIRMAN CALTAGIRONE: If the Members  
18 do not disagree what I'd like to set in motion  
19 today is I'd like to make contact with both the  
20 Governor's Office and the Budget Office to find  
21 out why this money is being held. And send it as  
22 a letter from the Committee expressing concern  
23 that this money should be released as soon as  
24 possible so that we don't jeopardize the funding  
25 for the Counties. And if Dave would make note of

1 that. And if there's no objection from the  
2 Committee Members I'd like to proceed with that.

3 BY REPRESENTATIVE HAGARTY:

4 Q. Sir, in the area of your testimony where  
5 you list the consequences of holding the money in  
6 reserve, you note that drug testing would be  
7 curtailed and possibly eliminated.

8 A. Yes.

9 Q. Would you elaborate on that?

10 A. The funding for the drug testing is  
11 provided to counties. It comes from the Juvenile  
12 Court Judges' Commission through our Grant-In-Aid.

13 Q. So its Children or Probation?

14 A. Yes.

15 Q. And you do drug screening?

16 A. Yes.

17 Q. On the drug offenders?

18 A. Yes.

19 Q. And that money, the balance of that money  
20 we have to use ended in December 1991 for a lot of  
21 the counties. And there is no new money being  
22 sent at this point.

23 Q. And what's the consequence of a kid, you  
24 know, a positive urine screen, do you put them  
25 back in placement?

1           A.    That varies again from county to county.  
2    I can only speak on behalf of Somerset County.  If  
3    a juvenile is tested positive there are many  
4    things that we will do.  One of them could  
5    possibly be placement.  They could go back onto  
6    intensive probation services where they're being  
7    seen by a probation officer on an average maybe  
8    two or three times a week.

9           This is another program that a lot of the  
10   counties have that right now is in jeopardy  
11   because of the lack of funding.

12          Q.    Are you confident that urine screening  
13   helps you in terms of managing your clients and  
14   discouraging them from drug abuse?

15          A.    Very much so.  We have, I know again  
16   speaking from our county, the majority of our  
17   youths will admit to it prior to even having to  
18   submit to a urinalysis.

19          Q.    And then the PennFree specialized  
20   probation officer will be furloughed.  Could you  
21   tell us what those specialized probation officers  
22   do?

23          A.    They are the ones who are dealing with the  
24   youths who are having the drug and alcohol  
25   problems.  And they are intensive probation

1 officers who are seeing a lot of these youths  
2 intensively.

3 Q. Do you have any idea how many counties  
4 will have to furlough and how many officers, how  
5 many positions will be affected? And how many  
6 kids are supervised by those people who will no  
7 longer be employed?

8 That kind of information will be helpful  
9 for us in putting a letter together.

10 A. I can only speak from the Committee  
11 meeting that we had last week, or two weeks ago.  
12 At that point there was seventeen counties  
13 represented and every one of the counties stated  
14 that that would probably be a distinct possibility  
15 that there would be a furlough or furloughs.

16 Mike Gavaghan from Philadelphia, he would  
17 have a large number. And that number was what,  
18 Mike?

19 MR. GAVAGHAN: Twenty.

20 A. Twenty just in the Philadelphia area  
21 alone.

22 Q. And what's the case load of one of those  
23 officers?

24 MR. GAVAGHAN: Fifteen to twenty.  
25 Fifteen juvenile to twenty juveniles. And they're

1 seen non-traditional hours. Thirty percent has to  
2 be non-traditional. And three face-to-face  
3 contacts. And it would have a negative effect on  
4 the services we provide not only to the juveniles  
5 but the families.

6 REPRESENTATIVE HAGARTY: It would be  
7 extremely helpful if you could get that kind of  
8 information from all of your counties.

9 MR. BETTERS: Okay We'll be able to  
10 give you as much of that information as we can  
11 before we leave today. We'll take a poll of the  
12 counties that are here.

13 CHAIRMAN CALTAGIRONE: We have  
14 Representative McNally from Allegheny County also  
15 joining us.

16 Are there any other questions from the  
17 panel?

18 Galina.

19 BY MS. MILOHOV:

20 Q. One of the things that we're very  
21 concerned about when we're touring the YDC's is  
22 the administration through the Public Welfare  
23 System of the dollars extracted.

24 I'm wondering if juvenile probation  
25 officers can call upon the Welfare System to

1 support it in any way with when they're dealing  
2 with youths that are on probation and their  
3 families, if that is another link to the whole  
4 social service system?

5 A. In concept that sounds possible; in  
6 reality it doesn't. I think, you know, we are  
7 looking at two separate systems that have similar  
8 type problems.

9 I can speak to that to a degree because I  
10 also am the Director of Children and Youth  
11 Services in Somerset County, so I have both.

12 We have a very difficult time in  
13 crossovers. Quite often the end result is when a  
14 youth is with Children and Youth Services and they  
15 can no longer provide services, the Juvenile  
16 Probation Department is the one that ends up with  
17 that child to try and get the situation corrected.

18 What you will possibly see if our  
19 projections are right and the money is withheld,  
20 you will see a greater amount of youth being sent  
21 to the Youth Development Center because we will  
22 not have the staff out on the street working with  
23 the youth, nor the money to fund these positions.

24 Q. Do you have any kind of a concept on how  
25 the one-on-one relationship of probation officers



1 work in rehabilitation or reinstating the kids  
2 into our system versus the YDC's, or just  
3 basically your success rate?

4 A. We have intensive probation which we do  
5 receive some funding, or have received funding  
6 from the Juvenile Court Judges' Commission.

7 I can honestly say, again speaking for my  
8 particular county, that we've had a reduction of  
9 about thirty-five percent in placements due to  
10 intensive probation services being able to afford  
11 to put an officer out there that can see a youth  
12 two to three times a week, non-conventional hours  
13 within the office, within their home, in school  
14 and on the street. It does work and if we have the  
15 funding for it and we're able to hire more, I  
16 think you would have a greater success rate.

17 If you look at the dollars that we  
18 projected saving over the allocation of just \$2  
19 million, if you're looking at a five percent  
20 reduction in placements, which we have said is  
21 attainable, we'll more than make up the total  
22 amount of the Grant-In-Aid that the sixty-seven  
23 counties in the Commonwealth receive.

24 MS. MILOHOV: Thank you very much.

25 CHAIRMAN CALTAGIRONE: Anymore

1 questions?

2 Thank you.

3 MR. BETTERS: Thank you.

4 CHAIRMAN CALTAGIRONE: We'll next move  
5 to Stephen J. Suknaic.

6 MR. SUKNAIC: Thank you, Mr. Chairman.

7 Good morning Committee and staff  
8 members. My name is Stephen Sukniac, I'm the  
9 Director of the Dauphin County Juvenile Probation  
10 Office, and a member of the Executive Committee  
11 for the Pennsylvania Council of Chief Juvenile  
12 Probation Officers.

13 I sincerely appreciate the opportunity  
14 to discuss with you this morning current and  
15 future status of state subsidy for juvenile  
16 probation officers and services in our  
17 Commonwealth.

18 Last January members of our Council  
19 and others testified before you in support of  
20 House Bill 24, which would raise the level of  
21 state subsidy for juvenile probation officers to  
22 80% from its current level of approximately 10%  
23 statewide. As you know this bill has not yet  
24 become law but I'm hopeful that it will.

25 However, in the meantime some

1 significant progress was made with your help.  
2 Through your child welfare reform initiative the  
3 grant-in-aid of the Juvenile Court Judges'  
4 Commission to County Juvenile Probation offices was  
5 increased for fiscal year 1991-1992 from \$3.2  
6 million to approximately \$5.5 million.

7           The new moneys were to be used to  
8 develop programs and expand Juvenile Probation  
9 services so that costly institutional placements of  
10 juvenile offenders could be reduced without  
11 creating risk to public safety.

12           I appreciate and thank you very much  
13 for your effort in this endeavor that you put  
14 forth, but I regret to inform you that the  
15 counties have not received a single dollar of that  
16 new money from the J.C.J.C. grant-in-aid.

17           As Mr. Better's indicated all the  
18 counties received a letter dated December 17, 1991  
19 from the J.C.J.C. notifying county officials that  
20 the entire \$5.5 million grant-in-aid for county  
21 juvenile probation services had been placed in  
22 budgetary reserve by the Governor's Office.

23           This came as an absolute shock and  
24 without advance warning to county commissioners,  
25 juvenile court judges and to juvenile probation

1 officials.

2 Not only was this message shocking and  
3 devastating to county officials but it was  
4 received after the counties had finalized their  
5 budgets for calendar year 1992. It left the  
6 counties helpless to explore fiscal options with  
7 their own dollars. This message also came at a  
8 time when many counties are battling increases in  
9 the quantity and severity of juvenile crime.

10 Prior to notification of the J.C.J.C.  
11 grant-in-aid being placed in budgetary reserve,  
12 counties were looking forward to taking significant  
13 steps forward in their development of Juvenile  
14 Probation services.

15 Counties were preparing methods to  
16 improve and expand probation programs of  
17 supervision and rehabilitation. These probation  
18 programs would also help reduce commitments of  
19 juvenile offenders to institutions which now cost  
20 approximately \$100 per day per child. Now,  
21 instead of taking significant steps forward,  
22 counties are faced with no other option but to  
23 take several significant steps backward. A few of  
24 these backward steps include:

25 (1) Most counties will discontinue the

1 testing of juvenile offenders for drug and alcohol  
2 use. This has become a valuable aspect of  
3 probation supervision in recent years.

4 (2) Training and professional  
5 development workshops and seminars will be dis-  
6 continued or significantly reduced by most  
7 counties.

8 (3) Many counties are planning to  
9 reduce their number of juvenile probation officers  
10 by creating a hiring freeze so that when  
11 resignations occur they will not be filled. This  
12 will significantly reduce the quality of  
13 supervision of juvenile offenders in our  
14 communities.

15 (4) Some counties are planning to  
16 terminate juvenile probation officers in the near  
17 future because their salaries were funded entirely  
18 by the J.C.J.C. grant-in-aid.

19 Those are the positions that Mr.  
20 Betters was referring to that are subsidized by  
21 the PennFree grant specifically.

22 (5) Most counties will be forced to  
23 lower standards of supervision. For example,  
24 juvenile offenders who were on "intensive probation  
25 supervision" and seen two or three times per week

1 will now be seen only once a week by a juvenile  
2 probation officer. Juvenile offenders who were  
3 being visited twice each month will be seen only  
4 once a month by a juvenile probation officer..  
5 Obviously, this will result in an increased  
6 likelihood for recidivism, and further  
7 institutional placement and further costs.

8 (6) Many courts will recognize these  
9 lower standards of service and resulting lower  
10 standards of public safety regarding juvenile  
11 offenders. Judges will be forced to  
12 institutionalize some juvenile offenders because  
13 intensive, in-home programs of supervision and  
14 rehabilitation will be less frequently available.

15 I'm sure that other cutback decisions  
16 will also have to be made and implemented by  
17 counties if this grant-in-aid is kept in budgetary  
18 reserve.

19 This budgetary reserve tactic will in  
20 the long run be very costly to the counties and to  
21 the Commonwealth because it will ultimately result  
22 in an increase in the number of juvenile offenders  
23 committed to institutions at a cost of  
24 approximately \$24,000 each, that being computed by  
25 taking the average cost of \$100 per day and

1 averaging eight months in an institution, 240  
2 days.

3 This grant-in-aid of the Juvenile  
4 Court Judges' Commission is vital to the Juvenile  
5 Justice System in Pennsylvania. For example, our  
6 juvenile probation services operation budget in  
7 Dauphin County for 1992 is \$1.3 million, and our  
8 grant-in-aid from the J.C.J.C. was to offset  
9 \$115,079 of that budget for the first six months  
10 of 1992.

11 A similar or higher figure was  
12 anticipated for the latter six months of calendar  
13 year 1992.

14 The loss of this grant-in-aid will  
15 result in immediate and far reaching negative  
16 consequences for the Juvenile Justice System in  
17 Dauphin County and across the Commonwealth.

18 This Committee can be helpful to us in  
19 two specific ways. First, assist the counties in  
20 getting this grant-in-aid of \$5.5 million released  
21 from the budgetary reserve as soon as possible.

22 Second, assist the counties in  
23 obtaining a substantial increase in this grant-in-  
24 aid similar to the proposal or the exact same  
25 proposal that is specified in House Bill 24.

Thank you very much for this

1 opportunity to speak with you and I would be  
2 pleased to address any questions you may have.

3 CHAIRMAN CALTAGIRONE: I would like to  
4 mention also that we've had Representative Piccola  
5 from Dauphin County join us.

6 I want to share with you that speaking  
7 with Counsel to the Committee and also the  
8 Executive Director, that when this hearing  
9 concludes this morning I'm going to personally  
10 call Senator Fumo and Chairman of Appropriations  
11 Dwight Evans, alerting them to the fact that this  
12 money has been kept in budgetary reserve, and  
13 specifically in their county, Philadelphia, that it  
14 would mean the furlough of approximately twenty  
15 jobs. And that we could certainly use their  
16 assistance in getting this reserve limitation  
17 removed.

18 And I'm kind of incensed that contrary  
19 to the dictates of the General Assembly, and now  
20 we have both the House and Senate, when the budget  
21 was finally passed that that money was in fact  
22 approved and allocated for disbursement amongst the  
23 counties. And for whatever reasons, and we  
24 haven't been told what those reasons are or any  
25 justifications, I'm specifically going to ask that



1 that hold be lifted.

2 And I think that is only fair because  
3 they're impacting on your operation and all of the  
4 counties in this Commonwealth contrary to what the  
5 General Assembly had approved when the budget was  
6 approved this past year.

7 Questions from the panel?

8 (No questions.)

9 Thank you.

10 MR. SUKNAIC: Thank you.

11 CHAIRMAN CALTAGRIONE: We'll next move  
12 to Bruce Grim, Chief Juvenile Probation Officer  
13 from Berks County.

14 MR. GRIM: Chairman Caltagirone.  
15 Honorable Members of the Judiciary Committee.  
16 Ladies and gentlemen.

17 Why are we here today? Perhaps the  
18 reason can be traced back to January 1, 1978 when  
19 Act 148 amending the Public Welfare Code went into  
20 effect.

21 From any perspective, this was  
22 noteworthy legislation because Act 148 called for  
23 the unlimited funding by the Commonwealth at  
24 various rates of reimbursement for placement costs  
25 of children incurred by counties.

1           The regulations implementing Act 148  
2 also identified in each county a "single county  
3 agency", usually the children and youth agency,  
4 that was reimbursed sixty percent of the  
5 administrative costs of operating the children and  
6 youth services.

7           It also received an additional  
8 seventy-five to 100% reimbursement from the State  
9 for the casework costs of working with dependent  
10 children. Unfortunately these regulations also  
11 prohibited the Department of Public Welfare from  
12 funding any of the costs for Juvenile Probation  
13 Office personnel who might be working with those  
14 same children.

15           Eventually the Commonwealth capped Act  
16 148 and a predetermined maximum amount was set for  
17 the reimbursement levels to be borne by the  
18 Commonwealth. The balance of the expenditures to  
19 be paid by the counties.

20           Over the years county appropriation  
21 levels often lagged behind the needs as seen by  
22 social service people. But recently there has  
23 been a return to needs based budgeting by the  
24 Department of Public Welfare.

25           Now throughout all of these changes

1 there has been no reimbursement plan by the  
2 Department of Public Welfare for Juvenile Probation  
3 personnel, even when services are provided to  
4 dependent youth such as truants and incorrigibles.

5 Department of Public Welfare  
6 regulations even preclude the use of subcontracting  
7 with State money for eligible services to Juvenile  
8 Probation Office staff.

9 As an aside, in our county one of the  
10 goals that we have for 1991-92 was to subcontract  
11 services for truants to the Juvenile Probation  
12 Office because my Department had been working with  
13 truants for over two years. We had received an  
14 extra appropriation from the State through the  
15 needs based funding budget, and our Children and  
16 Youth Agency wanted to subcontract those services  
17 to us. Services we've already provided.

18 In checking the fine print of the  
19 Welfare Regulations, however, they were precluded  
20 from doing that and they could not contract with  
21 the Probation Office.

22 As a result of that and the other  
23 budgetary developments in our county, my county  
24 no longer will be offering truancy services  
25 through the Juvenile Probation Office. And I

1 don't know who will.

2 Juvenile Probation Offices are asked  
3 to prevent crime, to rehabilitate incorrigibles,  
4 deter budding sociopaths, and preferably do all of  
5 this while supervising youth in their own homes  
6 and without unduly risking public safety.

7 One could argue that Act 148 is  
8 counterproductive for the rehabilitation of  
9 delinquent youth since counties are only reimbursed  
10 for services which are purchased, usually in out-  
11 of-home residential placement.

12 Several years ago the Supreme Court  
13 issued an opinion that the present statutory  
14 scheme for funding Pennsylvania's Judicial System  
15 conflicts with the intent of the Pennsylvania  
16 Constitution that the Judicial System be unified  
17 across this Commonwealth.

18 Disparate funding levels in various  
19 counties obviously effects the ability of the  
20 local Courts to hire and maintain adequate staff  
21 for their departments.

22 Juvenile Probation Offices  
23 comprehensively administer the Juvenile Justice  
24 Systems in their counties. The availability of  
25 adequate staff obviously impacts on whether or not

1 the administration of "justice" changes when we  
2 cross county lines.

3 We are not an entitlement, we've  
4 always received minimal financial support.  
5 Juvenile Probation Offices are usually the last  
6 county service agency to receive needed staff  
7 positions. To receive new equipment or  
8 furnishings. We're always told that our sister  
9 agencies can afford these things because they  
10 receive State funding. We on the other hand need  
11 to scrounge to maintain existing programs as we  
12 are doing now. We need to beg for the chance to  
13 start new ones.

14 Mental Health and Mental Retardation  
15 Services in this State are ninety percent  
16 reimbursed by the Commonwealth.

17 Drug and Alcohol services'  
18 administrative costs are reimbursed at least fifty  
19 percent by the State.

20 Children and Youth agencies receive  
21 sixty percent administrative reimbursement and  
22 seventy-five to 100% reimbursement for casework  
23 services.

24 Even adult probation offices receive  
25 seventy-five to eighty percent reimbursement from

1 the Pennsylvania Board of Probation and Parole for  
2 their personnel costs.

3 Why then does the State provide such a  
4 minimal reimbursement rate for Juvenile Probation  
5 Offices? Anywhere from five to fifteen percent  
6 from county to county. And especially why does it  
7 bother to place such a minimal amount into  
8 budgetary reserve at this time?

9 One year ago, I testified before you  
10 about what we've been able to do in Berks County  
11 because our Juvenile Court Judges and County  
12 Commissioners worked together to create new  
13 Juvenile Probation Office positions. We also  
14 tried non-traditional disposition alternatives for  
15 delinquents. This action resulted in tremendous  
16 financial savings on placement costs.

17 One year ago this Judiciary Committee  
18 reported House Bill 24 out of Committee and gave  
19 us hope that the short comings of Act 148 would be  
20 balanced by the eighty percent funding level that  
21 would hopefully be attained by the passage of  
22 House Bill 24. Unfortunately, as Chairman  
23 Caltagirone mentioned, House Bill 24 is stuck in  
24 the Appropriations Committee and doesn't seem to  
25 be going anywhere.

1           So why are we here today? Because our  
2 funding plight is worse today than it was a year  
3 ago. As you heard, all Juvenile Court Judges'  
4 Commission Grant-In-Aid and PennFree funds are in  
5 budgetary reserve.

6           The relief of House Bill 24 is needed  
7 now more than ever before. Ironically, one of the  
8 initiatives that we had hoped to take us out of  
9 these problems that has been caught up in the  
10 budgetary reserve is the special Grant-In-Aid  
11 appropriation for intensive services. That would  
12 have created special innovative programming and  
13 that promised to reduce state-wide delinquency  
14 placement needs by five percent. The five percent  
15 reduction would more than pay for the cost of the  
16 seed money needed to start the intensive services.

17           I can attest to how that would work  
18 because in the last eighteen months in Berks  
19 County the Juvenile Probation Office has been able  
20 to reduce its placement spending matters by  
21 approximately \$750,000 to \$1 million per year.  
22 This was achieved by concentrating our staff  
23 efforts on preventing placements and on reducing  
24 the length of time of placements by substituting  
25 shorter placements rather than the traditional long

1 ones.

2 Our 1992 placement budget has again  
3 been reduced because we came under-budget in 1991  
4 by over \$200,000.

5 We need your help to secure the  
6 funding that is in the budgetary reserve. And we  
7 especially need your help to correct the long term  
8 problem. It's really an inexplicable situation  
9 how the county agencies in this Commonwealth that  
10 are most responsible for helping to deter  
11 placements to Youth Forestry Camps and Youth  
12 Development Centers at very expensive costs not  
13 only to their counties but also to the State,  
14 receive absolutely no financial support from the  
15 State to do so.

16 We look forward to your help.

17 CHAIRMAN CLATAGIRONE: Questions from  
18 the Committee?

19 (No questions.)

20 Thank you, Bruce.

21 We next move to Lawrence Mason, Chief  
22 Juvenile Probation Officer, Westmoreland County.

23 MR. MASON: Mr. Chairman, Members of  
24 the Committee and Staff. My name is Lawrence  
25 Mason. I am the Director of the Westmoreland



1 County Juvenile Services Center.

2 In this capacity I serve not only as  
3 Chief Juvenile Probation Officer, but as well as  
4 the Administrator of our Regional Detention Center.

5 I'm now in my twenty-seventh year of  
6 working in the Juvenile Justice System. In  
7 addition to that I have spent fourteen years  
8 involved in the Mental Health and Mental  
9 Retardation system and have done various types of  
10 volunteer work with children. As a result I see  
11 myself as some type of expert.

12 A very brief statement I'd like to  
13 make is my twenty-seven years of experience along  
14 with my formal education has convinced me that  
15 although there is no simple solution to the  
16 problem of juvenile delinquency, the approach to  
17 the solution is a simple one. It is working with  
18 children one to one to build a relationship based  
19 on trust and respect. Such programs as Intensive  
20 Probation and Aftercare do just that.

21 Aside from my printed text, I  
22 mentioned my twenty-seven years. I've gone through  
23 the various phases of modalities treatment that  
24 everyone has proposed, and it seems like suddenly  
25 in the last few years we really hit on it. It's

1 really Intensive and Aftercare. Small case loads.  
2 Professionals working with kids on a one-to-one  
3 basis building that trust.

4 Those large seventy-five, eighty, a  
5 hundred case loads, seeing kids once a month just  
6 doesn't work.

7 I thank you and the members of the  
8 Committee for this opportunity to share a few  
9 thoughts about the dilemma we in Juvenile  
0 Probation find ourselves in and why Juvenile  
1 Probation funding should be increased. And I will  
2 be brief and not take up a lot of your time  
3 quoting statistics regarding the success, cost  
4 effectiveness of Intensive and Aftercare programs  
5 that we should be funding in Pennsylvania to  
6 reduce that total cost of serving delinquents as  
7 well as dependent children. And my colleagues  
8 have quite adequately already done that.

9 In addition, much information which  
10 has been requested, and statistics regarding the  
11 success of these programs is available from the  
12 Juvenile Court Judges' Commission. The National  
13 Center for Juvenile Justice in Pittsburgh. The  
14 National Council on Crime and Delinquency and of  
15 course the Pennsylvania Commission on Crime and  
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1 Delinquency.

2 I would like to share with you  
3 Westmoreland Counties results after a few years of  
4 operating Juvenile Court Judges' Commission funded  
5 Intensive and Aftercare programs, as well as our  
6 PennFree funded Drug and Alcohol program.

7 Without quoting statistics the  
8 Probation Officers who are assigned to Intensive  
9 and Aftercare without a doubt have the lowest  
10 recidivism rate of all our Probation Officers.

11 Aside from the printed text once  
12 again, I have several officers that my Judge every  
13 once in a while he asks me are they still with us?  
14 Where are they? Because they don't appear in  
15 Court as the regular line probation officers do.

16 I also believe that our Intensive and  
17 Aftercare programs are in part responsible for  
18 better than an 18.5% drop in dispositions from  
19 1989 to 1990, and a better than 40.35% decrease in  
20 placement for the same period of time.

21 The fact is that although Westmoreland  
22 County ranks eighth in juvenile population, ages  
23 ten to seventeen, we rank 51st in Juvenile Court  
24 dispositions.

25 This low ranking - and I have to share

1 this with you - is in part due to the diversionary  
2 system that we run. A large number of our kids  
3 that are arrested do not appear before the Court.  
4 We have local Juvenile Youth Commissions which are  
5 volunteer programs. It's only fair that I mention  
6 that and not credit to Intensive and Aftercare.

7 Now one might logically ask well if  
8 such programs are so successful why are they not  
9 expanded?

10 The majority of the cost of Intensive  
11 and Aftercare programs, the vast majority of that  
12 cost is salaries. As a result we're talking about  
13 personnel.

14 On the county level of course I have  
15 to approach my Salary Board for the establishment  
16 of these positions. I've gone through this now  
17 for many years and time after time I've asked the  
18 question, is there any State or Federal funding  
19 available for these positions and my answer is  
20 always no.

21 My next try is to convince on the  
22 local level my Commissioners, the Salary Board,  
23 the cost savings in these type of programs, that  
24 we save by not placing these youngsters. And my  
25 response to that once again is always, well at

1 least when it comes to placements the State and  
2 the Federal Government pays a portion of that  
3 cost. We get reimbursed for that. And if these  
4 programs are working this should be recognized on  
5 a statewide level and the state should pay a share  
6 of reducing these costs.

7 In addition to that it's a local  
8 problem but one of my colleagues once again  
9 mentioned this, when I appear before our Salary  
10 Board I am in competition with the other Human  
11 Service Agencies in our County and they are all  
12 funded, some of them up to a hundred percent. So  
13 that makes it difficult.

14 Last year I was encouraged - I was not  
15 present at the hearing that was held by this  
16 Committee - but I was encouraged that House Bill  
17 24 proposed up to eighty percent funding of  
18 personnel costs for Juvenile Probation services.  
19 And that the legislative passed budget contained  
20 \$7.4 million for Juvenile Probation services, and  
21 that was up two point million. Of course you know  
22 that the Governor saw fit to cut part of that.

23 But here I am this year here  
24 discouraged because House Bill 24 of course is  
25 still tied up in Appropriations. And the Budget

1 Office has seen fit to place all the Juvenile  
2 Court Judges' Commission funding that would be  
3 available for counties into budget reserves.

4 In the twenty-seven years that I have  
5 been involved here in Pennsylvania in the Juvenile  
6 Justice System, I can honestly say that I'm only  
7 aware of my colleagues as well as myself of our  
8 total system only requesting funding for cost  
9 effective services for juveniles. And the  
10 response time and time, over and over again for  
11 the most part has been years of no increase in  
12 funding and now today at this present time no  
13 funding.

14 If funding is not forthcoming, I am  
15 sure that the results will be an increase in  
16 placements into the already overcrowded Y.D.C.  
17 system. And as delinquents take up more and more  
18 of the 148 Child-Welfare Budget and there will be  
19 less funds available for the dependent and the  
20 neglected child.

21 I'm not sure that that has been  
22 alluded to this morning, but as Mr. Grim alluded  
23 to 148 in his presentation, I think it's very  
24 important that we understand that we're all  
25 concerned, very concerned about the situation that

1 was developed in regards to dependency and  
2 neglected children in the state and we will be  
3 taking away from those funds.

4 In closing I would ask you as a  
5 Committee and as individuals to do whatever you  
6 can not only to restore the Juvenile Probation  
7 funding, but to work for legislation such as House  
8 Bill 24.

9 Thank you for this opportunity to have  
10 presented these views.

11 CHAIRMAN CALTAGIRONE: Questions from  
12 the members of the panel?

13 (No questions.)

14 CHAIRMAN CALTAGIRONE: I might add  
15 that one of the ways that I've seen in sixteen  
16 years some effective lobbying take place, and I've  
17 seen it in small groups, a handful of people, a  
18 handful of students, getting a State goal, flower  
19 or bird or something, you know, something as  
20 obnoxious as that, an intensive lobbying campaign  
21 to get the Legislature to get that approved.

22 I think that it would be extremely  
23 helpful if all of you here today when you go back  
24 to your home counties, meet with your Juvenile  
25 Court Judges, and if you would ask them and the

1 employees that work for you because they're going  
2 to be impacted and its self-preservation now when  
3 you're talking about furloughs, is call your local  
4 State Senators or your local State Representatives  
5 from the counties requesting, number one, that  
6 they contact the Budget Officer, Mike Hershock,  
7 and the Governor's Office, about the release of  
8 the budgetary reserve money that I think you're  
9 entitled to.

10 It's almost like they're throwing us a  
11 bone to satisfy us because of House Bill 24 where  
12 we're asking for the increase in funding to \$18.5  
13 million.

14 You have every right in the world to  
15 lobby, just like any other group that does up  
16 here. You may not get the whole thing, but I'd be  
17 satisfied if we'd get a scale developed where that  
18 this would over the next four or five years be  
19 brought up to the eighty percent funding level, if  
20 we could just get it started.

21 The first thing you want to do is get  
22 that released, the budgetary reserve. And I think  
23 that an orchestrated campaign from your  
24 Organization and the Juvenile Court Judges - and  
25 we hear from them all the time. Don't think that



1 they don't pick up the phone and call us; they do.  
2 In all of our local counties when there's  
3 something that's of concern to them they do that.

4 And I think a lobbying campaign would  
5 get at least, number one, that budgetary reserve  
6 lifted which would be extremely helpful.

7 I mean we're going to do what I'm sure  
8 we can as a Committee and as members, but it would  
9 be helpful to have a lot of the other members of  
10 the General Assembly also lobby so that they could  
11 also join in this effort, and to put a little bit  
12 of pressure on to get House Bill 24 out of the  
13 Appropriations Committee.

14 I know this may not be the best of  
15 times, but you know in sixteen years up here there  
16 are never any good times. And you can always foot  
17 drag and come up with a million and one excuses  
18 when you don't want to do something and I see it  
19 happening here.

20 I've seen them spend money in areas  
21 where I scratch my head and wonder why. I'm  
22 firmly committed to this cause and I would hope  
23 that I could get enough allies from your  
24 Organization to do the lobbying to give us an  
25 assist in this area. Because we're going to be

1 looking at the budget very shortly again for this  
2 coming fiscal year, and you still haven't gotten  
3 the \$2 million released that they're sitting on  
4 right now.

5 I think we need to put a little bit  
6 of pressure on them and I would ask for your  
7 assistance and effort.

8 We'll next move to Michael J.  
9 Gavaghan, Chief Juvenile Probation Officer,  
10 Philadelphia County.

11 MR. GAVAGHAN: Mr. Chairman and  
12 Committee members. I've asked to be a little more  
13 subjective. My concerns are going to be  
14 Philadelphia and the loss of twenty jobs.

15 In Philadelphia the Juvenile Court  
16 typically disposes 8000 to 9000 new delinquency  
17 cases annually. In 1990, 8400 delinquent  
18 petitions were referred to the Court for  
19 disposition. Of these cases, 4600 were eventually  
20 placed under the Court's supervision.

21 In 1990, five percent of the juvenile  
22 population between the ages of ten and seventeen  
23 were charged with delinquent acts. Ninety percent  
24 of all delinquents are males. The typical  
25 delinquent case involved a seventeen year old male

1 who was charged with a type of theft offense.

2 While the majority of the adjudicated  
3 cases are assigned to a form of probation  
4 supervision, close to thirty percent are committed  
5 to delinquent residential institutions.

6 Recently Philadelphia has begun to  
7 restructure probation services by increasing the  
8 number of specialized supervision programs  
9 available to the Court. The majority of these  
10 programs are designed to provide alternatives to  
11 incarceration, either prior to the commitment  
12 decision; or by reducing the number of days in  
13 placement.

14 Philadelphia has committed itself to  
15 providing the highest level of probation services  
16 possible. We are committed to providing for the  
17 safety and security of the citizens of our city.  
18 We are attempting to do both: provide community  
19 safety, and client rehabilitation at the lowest  
20 reasonable costs to society.

21 However, the increasing costs of  
22 providing competent Juvenile Justice services  
23 places a greater burden on the citizens of  
24 Philadelphia at a time of severe economic  
25 hardship. We recognize our responsibility but

1 feel that in order to maintain quality service, we  
2 must depend on a shared commitment with the  
3 counties in the surrounding area and the state  
4 government.

5 This request for an increase in state  
6 support for probation officers salaries comes at a  
7 time when we are experiencing a state budgetary  
8 freeze for Juvenile Justice supported programs.

9 A recent study of the delinquent  
10 residential commitments from Philadelphia show that  
11 all placements were equal to an annual rate of  
12 488,852 client days of care. Using an average  
13 cost of \$120 per client day of care, Philadelphia  
14 will spend greater than \$58 million for delinquent  
15 commitments.

16 Probation services in Philadelphia are  
17 supported by state aid totaling approximately  
18 \$700,000 with a recent proposal for an additional  
19 \$490,000.

20 This aid is used to fund: 1) The  
21 Intensive Drug and Alcohol Unit which is \$300,000;  
22 2) A Probation Drug Testing Unit with \$29,000; 3)  
23 Approximately twenty Probation Officers in the  
24 Intensive Aftercare Unit, House Arrest Unit, and  
25 The Intensive Unit itself, which is \$331,022; 4)

1 Staff Training is an additional \$20,000.

2 The proposed grant was to be made  
3 available to assist the Court in reducing the  
4 number of days clients spend in placement by a  
5 minimum of five percent.

6 We felt we could really decrease it by  
7 a total of eight percent.

8 5) Days of Care is \$490,000.

9 The primary thrust of these programs  
10 is to increase services to the delinquent  
11 population, provide greater safety to  
12 Philadelphians, and reduce the amount spent by the  
13 State (\$58 million) on delinquent commitments.

14 The decision by the State Budgetary  
15 Committee to put these funds into budgetary  
16 reserve will have a drastic impact on probation in  
17 Philadelphia. It will drive up the already high  
18 costs for institutional placements.

19 The proposed \$490,000 "Days of Care"  
20 grant, was to be used to fund programs that would  
21 reduce days of care by a minimum of five percent.

22 Some of the ideas we have to control  
23 this would be:

24 1) Establish a computerized system for  
25 individually tracking each Philadelphia youth

1 in placement.

2 2) Develop a system of classification  
3 to accurately identify client needs and risks and  
4 to provide appropriate services prior to the  
5 commitment decision.

6 3) Create a unit to develop community  
7 based "needs" programs, to recommend appropriate  
8 community treatment programs, or placement  
9 recommendations; and review all commitment  
10 decisions to insure appropriate placement.

11 4) Expand the capacity of the  
12 intensive/specialized units to provide probation  
13 alternatives to commitments.

14 5) Create/expand intensive aftercare  
15 services to provide for early release of clients  
16 from delinquent placements.

17 The above "Days of Care" proposal  
18 would result in a minimum five percent reduction  
19 in the length of time delinquents spend in  
20 placement totaling a savings of \$2.9 million.  
21 Research suggests that costs would be reduced by  
22 closer to ten percent or \$5.8 million.

23 The Intensive Drug and Alcohol Unit  
24 funded by a \$300,000 grant supervises 250  
25 adjudicated drug sellers. It is the only

1 probation program designed to work with this hard  
2 core group.

3           The Philadelphia District Attorney's  
4 office recommends commitment in all cases involving  
5 drug sales. Without the Intensive Drug and  
6 Alcohol Unit the Court would have no alternative  
7 but to accept the District Attorney's  
8 recommendation for commitment at a cost to the  
9 state of an additional \$8 million.

10           The Grant-in-Aid received from the  
11 State totaling \$331,000 is used to fund twenty  
12 probation positions in four specialized units.  
13 The loss of these positions would either decrease  
14 the number of alternative probation responses  
15 available to the Court or extend the length of  
16 time delinquents must remain in placement.

17           The Intensive Probation Unit, sixteen  
18 probation officers, is designed as a probation  
19 alternative to commitment. It has averaged a  
20 greater than ten percent reduction in the number  
21 of Court commitments.

22           The Intensive Aftercare Unit, four  
23 probation officers, provides early release to  
24 seventy delinquents annually, reducing their  
25 average length of commitment by ninety days per

1 client.

2 The House Arrest Unit, six probation  
3 officers, provides an alternative to detention for  
4 eighty delinquents daily. The cost of detention  
5 is \$220 per day.

6 The combined impact of the loss of  
7 probation positions in these specialized units  
8 would increase the number of delinquents being  
9 committed, remaining in placement or in detention.  
10 The current savings through these programs is \$11  
11 to \$16 million annually.

12 Furthermore, the Court is receiving  
13 aid to perform drug testing on probation clients  
14 and to provide ongoing training for the probation  
15 staff.

16 One of the primary causes of crime  
17 today is believed to be related to the use and  
18 distribution of drugs. By initiating a drug  
19 testing program, the Court has been able to  
20 measure client drug use, monitor compliance with  
21 Court ordered sanctions against drug use, maintain  
22 sobriety and reduce drug related crime.

23 While actual figures have not been  
24 computed regarding the impact of drug testing, it  
25 can be suggested that the information concerning



1 drug use goes a long way in identifying areas for  
2 future program development. Also, the monitoring  
3 of this problem gives the Probation Department  
4 actual evidence to deal with the drug use problem  
5 and issues.

6 It is becoming increasingly evident  
7 that more money should be invested in this area to  
8 help identify drug users at an earlier time and  
9 get them into programs to deal with their  
10 addictive behavior. By so doing we may well be  
11 preventing the growth of minor delinquents into  
12 habitual offenders.

13 Finally, but not least, we cannot  
14 measure the loss of training funds for our  
15 probation staff. Training has many benefits;  
16 directly as information used by the staff to  
17 provide increased levels of service and indirectly  
18 as measured by staff moral, and a feeling of  
19 professional growth.

20 In conclusion, the figures speak for  
21 themselves. Anticipated Annual Aid is \$1.2  
22 million. Anticipated Program Savings is \$25  
23 million.

24 The loss of \$1.2 million in State aid  
25 will result in the loss of probation officers,

1 service to the City of Philadelphia, the loss of  
2 safety and security and a considerable increase in  
3 the amount of money necessary to make up for the  
4 consequences of these lost programs.

5 We strongly believe that the \$1.2  
6 million spent in State aid is money spent in the  
7 best interest of all Pennsylvania.

8 CHAIRMAN CALTAGIRONE: Thank you.

9 Questions from members of the Panel?

10 We did have Representative Hector from  
11 Bucks County and Representative Fajt from Allegheny  
12 County join us on the Panel.

13 (No questions.)

14 Thank you.

15 We'd like to move next to Joseph  
16 Daugerdas, Director of Court Services, Allegheny  
17 County.

18 MR. DAUGERDAS: As Director of Court  
19 Services and Chief Juvenile Probation Officer of  
20 the Allegheny County Juvenile Court, I would like  
21 to express my appreciation to the House Judiciary  
22 Committee for the opportunity to express my  
23 concerns as to how the placement of Juvenile Court  
24 Judges' Commission Grant-In-Aid funds in budgetary  
25 reserve will impact the Probation services in

1 Allegheny County.

2           The total amount of expected revenue  
3 placed in budgetary reserve by the Governor's  
4 Budget Office for Allegheny County is \$667,065.  
5 This funding was earmarked for the County and is  
6 out of the Juvenile Court Judges' Commission  
7 grant-in-aid appropriation for January 1, 1992  
8 through June 30, 1992.

9           The grant-in-aid funding includes our  
10 basic grant-in-aid used to subsidize personnel  
11 expenses, our PennFree specialized Probation  
12 Initiative Funds, \$323,791 of our County's  
13 allocated from the General Appropriation Act of  
14 1991 which is to be used to provide additional  
15 probation services that produce a reduction in the  
16 length of stay and commitment of juvenile  
17 offenders to institutions, our training funds and  
18 our drug testing allocation.

19           At the present time the Allegheny  
20 County Juvenile Court provides traditional  
21 probation services to an increasing number of  
22 juvenile offenders. We also operate numerous  
23 specialized programs that are designed for high  
24 risk offenders who have special needs.

25           For example, we operate a Special

1 Services Program for Adjudicated Sex Offenders, who  
2 do not warrant institutionalization a Drug and  
3 Alcohol Assessment unit for juvenile offenders who  
4 abuse or are dependent upon chemicals. A High  
5 Impact Probation Program which provides intensive  
6 supervision for youth who need more counseling and  
7 supervision than can be provided through  
8 traditional probation services. An Intensive  
9 Aftercare Program for youth exiting institution  
10 placement. A Home Detention Program which  
11 utilizes electronic monitoring and diverts youth  
12 from secure detention. And our award winning  
13 Community Intensive Supervision Project.

14           The Community Intensive Supervision  
15 Project is designed to provide intensive  
16 supervision, counseling and drug testing for one  
17 hundred thirty-five serious juvenile offenders who  
18 but for the existence of the program would be in  
19 institutions.

20           This program operates seven days a  
21 week from 4:00 p.m. to midnight. The project is  
22 staffed by community monitors who live in the  
23 neighborhoods where the program is located so that  
24 maximum supervision, counseling and role modeling  
25 can be provided.

1 All of the aforementioned programs are  
2 operated through direct County and Juvenile court  
3 Judges' Commission grant-in-aid subsidies. In  
4 point of fact 27% of the Community Intensive  
5 Supervision Program personnel costs are subsidized  
6 through Juvenile Court Judges' Commission grants.

7 Last year we were before the House  
8 Judiciary Committee testifying for an increase in  
9 the State subsidy from the present ten percent to  
10 eighty percent of juvenile probation staff  
11 personnel costs. Though this is still needed the  
12 critical situation now exists where expected  
13 revenue appropriated to the County in the form of  
14 grant-in-aid at the present level is not even  
15 available because it is in budgetary reserve. If  
16 the grant-in-aid funding is not released from  
17 reserve, the impact upon probation services will  
18 be devastating.

19 The Allegheny County Commissionera  
20 have indicated that if anticipated grant funds are  
21 not released, probation programs will be curtailed  
22 and layoffs are possible.

23 Just an aside from my written  
24 testimony. Last week the County Commissioners had  
25 a Board meeting and the Commissioners decided to

1 create a committee of all Department heads which  
2 would investigate the moneys that have been held  
3 in budgetary reserve by the State, and then to  
4 make recommendations directly to the Commissioners  
5 to recommend cutbacks and layoffs in staff.

6 In my opinion this would be a  
7 catastrophe for the Juvenile Justice System in the  
8 County. All of the special programs that I have  
9 described are extremely successful in reducing  
10 recidivism and providing viable alternatives to  
11 institutionalization.

12 For example, the Community Intensive  
13 Supervision Project supervised 159 juvenile  
14 offenders in 1991 with a recidivism rate of only  
15 twelve percent. If only one hundred of these  
16 offenders were committed to a State institution,  
17 where they would go if this program did not exist,  
18 it would cost \$4,562,500. And the way I arrived  
19 at that figure was taking the present state  
20 institutional rate for the Youth Development Center  
21 at New Castle and multiplying that times one  
22 hundred times 365 days.

23 The operational cost for the Community  
24 Intensive Supervision Project is only \$1.4 million  
25 and 25% of this is grant funded.

1 All of the programs which I have  
2 described are doing exactly what the State  
3 Legislature intended when the grants were  
4 appropriated. This is to improve Juvenile Probation  
5 Services and to reduce the length of stay and/or  
6 placements of juvenile offenders.

7 Another detrimental effect of grant  
8 funds being held in reserve is that there will be  
9 no training funds available to our Probation staff  
10 for 1992.

11 These funds are utilized to  
12 continually upgrade the skills of probation  
13 officers and thus improve probation services.

14 I would like to close by urging the  
15 Committee members to do everything possible to  
16 influence the release of anticipated Juvenile Court  
17 Judges' Commission grant funds from budgetary  
18 reserve so that effective, professional probation  
19 services can continue throughout the State of  
20 Pennsylvania.

21 CHAIRMAN CALTAGIRONE: Thank you.

22 Questions from the Panel.

23 (No questions.)

24 We'll next move to Nancy Rorem, Deputy  
25 Directory, Pennsylvania State Association of County

1 Commissioners.

2 MS. ROREM: Hi. I like testifying  
3 before this group here early. This has got to be  
4 a first that I've ever participated in a hearing  
5 where you actually get on before you expect to.

6 Good morning. My name is Nancy Rorem.  
7 I'm the Deputy Director of the Pennsylvania State  
8 Association of County Commissioners. Thank you  
9 for inviting me here today to testify about JCJC  
10 funding.

11 You don't see me often before this  
12 Committee. I know that you see Stover Clark and  
13 Doug Hill, they work much more on judiciary  
14 issues. But JCJC funding is one of those things  
15 that spans both judiciary issues as well as human  
16 service issues and that's primarily the area that  
17 I focus upon.

18 By this point in the hearing I'm sure  
19 you have a good understanding of the importance of  
20 JCJC funding. You've been listening to JPO's and  
21 their perspective I think it is very valuable.

22 Let me summarize the County  
23 Commissioner's Children and Youth perspective about  
24 the situation.

25 Certainly the Governor has the



1 responsibility to make sure that revenues are  
2 sufficient to pay the bills. I think the  
3 Commissioners would agree that the Governor has  
4 done well to warn us early about the problems  
5 rather than the way it happened last year, which  
6 was rather late. Therefore, we are feeling good  
7 about the fact that the Governor has been speaking  
8 out about the problem.

9 I think also that we would prefer that  
10 he take money from discretionary programs instead  
11 of mandated programs. But I think that when it  
12 comes to JCJC we believe that while the funding  
13 isn't mandated the service at the local level is.

14 Clearly for us it is the most  
15 difficult of all to take a look at the JCJC  
16 funding. The budgetary reserves announced in  
17 December have been painful for counties. In  
18 addition to the blue lines in August of about \$17  
19 million for District Justices and about \$2 million  
20 in JCJC funding, the budgetary reserve now  
21 contains about \$11 million of HSDF; \$5 million of  
22 Children and Youth funds, and all of the rest of  
23 the JCJC funds.

24 Of all of the budgetary reserve  
25 allocations and cuts it is JCJC funding that is

1 the most difficult for us to understand.

2 Juvenile Probation services at the  
3 County level is a partnership. It's a partnership  
4 between the Juvenile Probation Officers and the  
5 Children and Youth workers, who frequently see the  
6 same kids and use the same services. And it is a  
7 partnership between the Judges and the  
8 Commissioners. Judges are responsible for the  
9 children they find delinquent, and it is the  
10 Commissioners' duty to pay the cost either from  
11 Act 148 or from the General Fund. This  
12 partnership is not without its stress points as  
13 you can well imagine. Money is tight and  
14 authority and responsibility overlap.

15 Frequently it is JCJC that has come to  
16 their rescue. Their funding, while small, pays for  
17 the mandated service of juvenile probation  
18 supervision. And perhaps more importantly they  
19 provide training and technical assistance to Judges  
20 and Juvenile Probation departments. When the JCJC  
21 speaks, Judges listen because they trust the JCJC  
22 and the staff.

23 Sometimes when the Commissioners make  
24 suggestions to Judges there's a tendency to  
25 believe that it is financially motivated, and

1 therefore Judges don't listen quite as well. And  
2 many times it is financially motivated. So we are  
3 very pleased that the JCJC is available to talk to  
4 Judges and to talk to JPO's.

5 In addition the tracking and record  
6 keeping that the JCJC requires provides the  
7 Commonwealth with much needed data about what  
8 works and what doesn't work.

9 And finally, the funding available  
10 provides counties with the motivation to hire  
11 staff that can reduce placements and therefore  
12 reduce the overall cost to the State and County.  
13 And here I am talking about the General Fund  
14 dollars, Act 148 dollars, and WFC's and WDC's.

15 The current problem is complicated.  
16 The Governor's blue line in August reduced the  
17 line item for JCJC but did not eliminate the line  
18 language that was intended to push about \$3.9  
19 million into services for the specific purpose of  
20 reducing placements.

21 We all assumed that the JCJC would  
22 fund the usual services first and then fund the  
23 new services at a reduced level. And it is my  
24 understanding that JCJC was proceeding along those  
25 lines.

1           In December the Governor added the  
2 entire amount remaining in the JCJC line item to  
3 the budgetary reserve. So now we have no funds  
4 for Juvenile Probation officers, no funds to draw  
5 down Federal drug funding, and still the language  
6 remains.

7           We need two things. First, that the  
8 Governor be aware of the importance of removing  
9 JCJC funding from the reserved list. And second,  
10 to either restore the \$2 million blue lined in  
11 August, or to make it clear to the Budget Office  
12 that the legislative intent was not to fund new  
13 services at the expense of old.

14           We need your assistance. The Juvenile  
15 Court Judges' Commission is an important agency in  
16 State Government, although few people know about  
17 it. We need this Committee to serve as an  
18 advocate for JCJC funding which will reduce  
19 placements and costs for both the State and the  
20 counties.

21           Thanks for your attention and I would  
22 be happy to answer any questions.

23           Before being available for questions,  
24 I did meet with about forty County Commissioners  
25 yesterday who were part of our South Central

1 Association, and they say that their reaction to  
2 the JCJC money being put in budgetary reserve is  
3 sort of all over the place. Some of them will be  
4 forced to actually furlough people and their  
5 Judges have agreed that they simply cannot afford  
6 to keep the number of JPO's on that they have.

7 Others will try and find the money to  
8 continue the program because they think it's  
9 important. But nearly everyone that we talked to  
10 said that they thought the number of placements  
11 was likely to go up, and that it made very little  
12 sense to them to not pay for a juvenile probation  
13 officer which is maybe \$30,000, and then go ahead  
14 and pay for a placement which can be \$10,000 a  
15 year.

16 Does anybody have any questions?

17 CHAIRMAN CALTAGIRONE: Before we do  
18 that, we have Representative Dermody also from  
19 Allegheny County that has joined the Panel.

20 Representative Heckler.

21 REPRESENTATIVE HECKLER: Thank you, Mr.  
22 Chairman.

23 I apologize for popping in and out of  
24 these proceedings. Let me say that I think this  
25 particular freezing of funds is one of the most

1   incredibly shortsighted save a penny so that the  
2   State ultimately and counties in particular will  
3   have to spend thousands of dollars that we've  
4   engaged in most recently.

5           I want to thank and commend the  
6   Chairman for convening this hearing. I popped out  
7   because I'm not sure that members of the press  
8   were really aware of what the subject matter is,  
9   and I tried to get in touch with some of them.  
10   And I would urge those of you who are here to  
11   remain a bit after the hearing because there may  
12   be people from some of your respective areas who  
13   want to chat with you. Thank you for coming.

14           Thank you, Mr. Chairman. This is just  
15   something we have to do. We talk, I say "we"  
16   collectively, the political establishment talks big  
17   about doing something about drugs, fighting the  
18   war on drugs when there's an election to be won.  
19   Now when we're talking about some really  
20   demonstrative valuable services being provided kids  
21   who maybe can be salvaged, we're talking about  
22   saving some dollars and that's just crazy. There  
23   are plenty of places to cut the budget, but this  
24   is not the place to cut it.

25           CHAIRMAN CALTAGIRONE: I agree. I

1 just want to reemphasize before we adjourn, and  
2 you may have some additional comments, I think you  
3 can tell that the members of this Committee are  
4 fully in support of you.

5 I do think that we've got to do what  
6 I mentioned earlier and that's some intensified  
7 lobbying. I think for too long your particular  
8 area has been left unaddressed because you really  
9 have not had strong advocates pushing to get your  
10 share of the Governmental pie. And after touring  
11 those YDC's in the State and the other  
12 institutions, I am convinced one of the ways to  
13 keep people out of the adult, if you want to call  
14 them that, State Correctional Institutions is to  
15 work with the juveniles.

16 And what you're doing I think is in  
17 the forefront of turning this whole problem around  
18 without getting into additional costs that all of  
19 us have to pay later on as they do become adults.

20  
21 I think it's very very shortsighted.  
22 I will do my part and I'm sure the members of this  
23 Committee will. As a matter of fact I commit to  
24 you now that when this concludes today I will  
25 place a call to both Dwight Evans and Senator Fumo

1 and alert them to the problems that not also  
2 impact their particular counties but the entire  
3 Commonwealth. Put a little pressure on the  
4 Governor's Office and Budgetary Office.

5 We're also going to draft that letter  
6 with the figures that we get from Bruce and the  
7 County Commissioners, so that we can really spell  
8 it out and try to get some additional pressure on  
9 at least from the point of view of this Committee  
10 being in support of both the release of money and  
11 hopefully consideration for House Bill 24 to get  
12 some additional moneys for you. Because I think  
13 it's absolutely shortsighted of the Administration  
14 or other people that are advising the Governor  
15 that this money would not be well spent.

16 We're not talking about tremendous  
17 amounts of money and the budget is over \$16  
18 billion, and we're talking about \$18 million. I  
19 mean it really is drops in the bucket. But I can  
20 understand where they're coming from, they want to  
21 be very careful and cautious that they don't go  
22 into a deficit. None of us want that. However  
23 they're holding that money that rightfully should  
24 be released and at least that ought to be  
25 released.



1 Are there other comments?

2 MR. BETTERS: Earlier you had asked  
3 for some statistics based on the PennFree program.  
4 The PennFree program funds seventy-one positions in  
5 forty-one counties. The total grant was \$975,000,  
6 of which \$731,000 is Federal funding. \$244,000 of  
7 that is State match.

8 The Federal funding is here but we  
9 can't touch it because the State match is being  
10 held.

11 Out of that money \$70,000 of that was  
12 for drug testing alone. And again, as you heard  
13 other members speak today those services are  
14 probably going to be the first services statewide  
15 that will be cut by counties, because that money  
16 is not budgeted for on a local level. It was  
17 anticipated coming from this grant.

18 Thank you.

19 CHAIRMAN CALTAGIRONE: Thank you.

20 Are there any other comments from  
21 members of the Committee?

22 (Negative response.)

23 While you are all here, I don't know  
24 if it is possible but, Dave, if you could get on  
25 the phone and find out if we can get to talk with

1 somebody in the Budget Office. Either they can  
2 come down here or maybe we will go up there to  
3 find out just what the hell is happening.

4 So before everybody skedaddles, I  
5 think we probably were anticipating going a little  
6 bit later than this anyways, why don't we just see  
7 if we can't get some direction while you're here.  
8 And maybe what we can do is just walk enmasse up  
9 there to the Governor's Office and find out  
10 exactly what they're going to do.

11 We've had lobbying groups like this  
12 before and why don't we just take advantage of the  
13 opportunity to highlight the problem and let them  
14 know that you came from all over the State to  
15 testify about this particular problem and we'd  
16 like somebody to give us some direction on it from  
17 the front office.

18 With that I'll conclude the hearing.  
19 for today. Thank you.

20 (At 11:35 a.m. the hearing  
21 was concluded.)

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C E R T I F I C A T I O N

I hereby certify that the evidence taken by me of the within proceedings is accurately indicated on my notes and that this is a true and correct transcript of same.

  
Janice L. Glenn, Court Reporter