



# **Berks County Juvenile Probation Office**

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**Public Testimony by Bruce A. Grim**  
**January 14, 1992 before the Judiciary Committee**  
**House of Representatives**  
**Commonwealth of Pennsylvania**

Why are we here, today? Perhaps the reason can be traced to January 1, 1978 when Act 148, amending the Public Welfare Code, went into effect. From any perspective, this was noteworthy legislation because Act 148 called for unlimited funding by the Commonwealth at various rates of reimbursement for placement costs of children incurred by counties.

The regulations implementing Act 148 also identified in each county a "single county agency", usually a children and youth agency, that was reimbursed 60% of the administrative costs of operating the children and youth agency and an additional 75% to 100% State reimbursement for the casework costs of services to dependent children. Unfortunately, these regulations also prohibited any Department of Public Welfare funding for the costs of Juvenile Probation Office personnel.

Eventually, Act 148 was "capped" and a predetermined maximum was set for reimbursement levels to be borne by the Commonwealth, with the balance of expenditures to be paid by counties. County appropriation levels often lagged behind perceived needs, and there has recently been a return to "needs based budgeting" by the Department of Public Welfare. Throughout all of these changes, there has been no reimbursement plan by DPW for Juvenile Probation personnel even when services are provided to dependent youth such as truants and incorrigibles. DPW regulations even preclude the use of State money to subcontract such eligible services to Juvenile Probation Office staff.

Juvenile Probation Offices are asked to prevent crime, rehabilitate incorrigibles, deter budding sociopaths, and preferably do all of this while supervising youth in their own homes and without unduly risking public safety. One could argue that Act 148 actually is counterproductive for the rehabilitation of delinquent youth since counties are only reimbursed for services which are purchased, usually in out-of-home residential placement.

Several years ago the Supreme Court issued an opinion that the present statutory scheme for funding Pennsylvania's judicial system conflicts with the intent of the Pa Constitution that the judicial system be unified.

Disparate funding levels in various counties obviously effects the ability of the local Courts to hire and maintain adequate staff for their departments. Juvenile Probation Offices comprehensively administer the juvenile justice systems in their counties, and availability of adequate staff obviously impacts whether or not the administration of "justice" changes as we cross County lines.

We are not an entitlement, we've always received minimal financial support. Juvenile Probation Offices are usually the last county service agency to receive needed staff positions, equipment, and furnishings and we're always told that our sister agencies can afford these things because they receive State funding. We on the other hand need to scrounge to maintain existing programs and beg for the chance to start new ones.

Mental Health and Mental Retardation Services are 90% State funded. Drug and alcohol services' administrative costs are reimbursed at least 50% by the State. Children and Youth agencies receive 60% State reimbursement for administrative costs and 75% to 100% reimbursement for casework services. Even adult probation offices receive 75% to 80% reimbursement from the Pennsylvania Board of Probation and Parole for their personnel costs. Why then does the State provide such a low rate of reimbursement varying from 5% to 15% of personnel costs for Juvenile Probation Offices? Why does it place this minimal amount of support into budgetary reserve?

One year ago, I testified before you about what we've been able to do in Berks County because our Juvenile Court Judges and County Commissioners worked together to create new Juvenile Probation Office positions, and tried non-traditional disposition alternatives. This action resulted in tremendous financial savings on placement costs. One year ago this Judiciary Committee reported H B 24 out of committee and gave us hope that the short comings of Act 148 would be balanced by the 80% funding level provided by H B 24. Unfortunately, H B 24 remains stuck in the Appropriations Committee and seems to be going nowhere fast.

Why are we here today? Because our funding plight is worse today than at that time. As you have heard, all JCJC Grant-in-Aid and PennFree funds have been placed into the "budgetary reserve" category. The relief provided by H B 24 is needed now more than ever. Ironically, one of the initiatives caught up in budgetary reserve is a special grant-in-aid for intensive services that would create special innovative programming that promised to reduce state-wide delinquency placement needs by 5%. It is estimated that this 5% reduction would more than pay for the seed money cost of the intensive services.

In the past 18 months, the Juvenile Probation Office of Berks County has been able to reduce placement spending patterns on delinquents by an estimated \$750,000 to \$1,000,000 per year. This was achieved by concentrating staff efforts on preventing placements and systematically substituting shorter placements rather than traditional longer ones wherever possible. Our 1992 placement budget has again been reduced from that of 1991 because we under-spent our placement budget by \$200,000.

We need your help to secure the funding that is in budgetary reserve. We especially require your assistance to correct the inexplicable situation whereby the county agencies most responsible for preventing use of over-capacity youth development centers and youth forestry camps at great expense to this Commonwealth receive absolutely no financial support from the State to do so.