

**Remarks by Susan Blackburn  
Balanced and Restorative Justice Specialist  
Juvenile Court Judges' Commission  
Restitution in Pennsylvania Task Force Press Conference  
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House Judiciary Committee, Harrisburg, Pennsylvania**

Good morning. I'm Susan Blackburn, the Balanced and Restorative Justice Specialist with the Juvenile Court Judges' Commission. I served with James Anderson, former Executive Director of the JCJC as a Co-Chair of the Juvenile Justice Subcommittee of the Task Force. My testimony is based on the work of the Subcommittee and reflects their opinions and recommendations. We are grateful to the chairman and members of the committee for allowing us to briefly present our work and on-going efforts.

Act 33 of Special Session #1 of 1995 dramatically altered and strengthened, Pennsylvania's Juvenile Justice System by redefining the mission of the system to reflect a Balanced and Restorative Justice approach. This mission led to the expansion of the clients we serve to include crime victims, communities and the offenders by ensuring we address the goals of community protection, development of youth competencies and holding youth accountable for their behavior. The juvenile justice system's mission is premised on the concept of restorative justice, which gives priority to repairing the harm done to crime victims and communities. It defines offender accountability in terms of assuming responsibility and taking action to repair harm.

It was agreed by the Subcommittee members, that the juvenile justice system has developed many very positive practices around restitution. The JCJC Outcome Measures Report collects various data from all 67 counties, including local restitution outcomes. This report has consistently reflected positive results. Since 2004, we can report that, of the juveniles with a closed case who were ordered restitution, on average, 84% of those juveniles paid their restitution in full, resulting in approximately \$2.4 million per year paid to crime victims. Additionally, 88% of juveniles who were ordered to pay into the Crime Victims Compensation Fund did so.

Our positive outcomes were enhanced through the enactment of Act 217 of 2004, when local juvenile courts were granted authority to establish county restitution funds. This was critical in shaping our practice regarding the need to prioritize the ability of young offenders to pay their restitution, while providing community service as well.

So while we are effective in many areas, the Subcommittee's in depth review of practice revealed several areas for improvement. We found there is a great need to enhance the understanding of all justice system stakeholders in the laws, policies and practices regarding

restitution. Currently information is fragmented and located in various documents and publications, therefore a bench book which would provide a focus on restitution to assist in bringing statutory mandates and best practices into one comprehensive publication could provide such a resource.

Additionally, the Juvenile Justice Subcommittee encountered many policies and practices which are inconsistent throughout the 67 counties. The development of a toolkit which would clarify policy and practice around restitution issues, identify best practices, clarify enforcement tools available, provide helpful articles, brochures, FAQ's would be of great benefit. We are grateful for the opportunity to work with the AOPC to develop these important publications.

The members of the Juvenile Justice Subcommittee explained that a critical challenge for the juvenile justice system is our difficulty in collecting restitution from older youth, predominantly those between the ages of 18 and 21, the upper limits of our jurisdiction.

Act 217 of 2004 did provide juvenile courts with the authority to retain jurisdiction over a juvenile until they attain 21 years of age if there has not been full compliance with an order of restitution, and the authority to continue collection after the juvenile attains 21 years of age under section 9728. However, the subcommittee determined that clarification and guidance on best practice for enforcing this statute, as well as the development of additional means for compelling these youth to comply with their court ordered monetary responsibilities, is needed.

The Subcommittee concluded that the ability of the Courts to effectively assign wage attachments, access lottery winnings and tax returns, suspend driver licenses, and other state-issued licenses for overt non-compliance, would provide additional tools which would improve our success in increasing the collection of these monies for crime victims.

The key stakeholders in Pennsylvania's juvenile justice system have committed to continued examination of the Report of the Restitution Task Force and partnering with other groups to continue to develop a process to enhance the work that we do for crime victims.