

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Requesting the performance of a historical overview of the former Shuman Juvenile Detention Center, formation of a Juvenile Justice Study Group, and a full and transparent overview of the current needs of the County's juvenile justice system's needs within the context of a juvenile detention facility prior to any final determination regarding the use of the former Shuman Center site.

WHEREAS, per the County's organizational chart, Shuman Center, Allegheny County's juvenile detention facility, formerly operated under the direction and supervision of a Superintendent, who was in turn an at-will employee under the supervision and direction of the Allegheny County Manager and Chief Executive; and

WHEREAS, according to published reports, between 2008 and 2021, Shuman Center had experienced a variety of issues relating to resident safety, medical care, and building conditions, which led to the issuance of a series of provisional operating certifications by the Commonwealth; and

WHEREAS, these issues ultimately culminated in the revocation of Shuman Center's operating license, and the County's closure of the center in late 2021; and

WHEREAS, the closure of Shuman Center has rendered it difficult ~~or impossible~~ for the County's juvenile courts to find appropriate placement for juvenile offenders in some cases; and

WHEREAS, Allegheny County Court of Common Pleas President Judge Clark has noted that one of the most important issues facing the Court at this time is the inability to detain youth who commit serious offenses, which presents a "serious issue in terms of community safety and protection." In 2021 alone, Allegheny County judges and hearing officers heard over 500 juvenile detention hearings; and

WHEREAS, since Shuman Center's closure, judges and hearing officers have been forced to release some offenders, while others have been sent to facilities in other Counties within the Commonwealth of Pennsylvania, and at least some have been sent to a facility in Jefferson County, Ohio; and

WHEREAS, the impact of Shuman Center's closure is felt throughout the court system, as noted by Magisterial District Judge Eugene Ricciardi: "[j]uveniles with weapons, guns, burglaries, robberies, carjackings and what happens? The courts are sending them home, and why are we sending them home? There's no detention center."; and

WHEREAS, on October 6, 2022, the Redevelopment Authority of Allegheny County issued a request for proposals (RFP) for the sale or redevelopment of the former Shuman site; and

WHEREAS, it is the considered opinion of Council that the Shuman Center's history of cited violations, investigations, and licensure issues since at least 2008 provided the County with valuable direction as to remedial actions that were necessary for the continued safe and legal operation of the Center. While the County did not undertake those remedial actions, they demonstrate the utility of receiving input from external entities, and provides data that is useful as a starting point for consideration of a future juvenile detention center; and

WHEREAS, it is further the considered opinion of Council that the closure of Shuman Center in 2021 has functioned to reduce public safety, while significantly hindering the rehabilitative function of the juvenile courts; and

WHEREAS, it is the view of Council that there are a variety of diversion programs, which have consistently proven effective in other jurisdictions and in adult criminal proceedings in Allegheny County, that could cater to multiple needs and all should be explored. Some examples include restorative justice situations, mental health courts, mentoring programs, and truancy prevention, as well as intervention programs; and

WHEREAS, well-conceived diversion programs can reduce social stigma and labeling for juvenile defendants, provide opportunities for personal growth without creating a criminal record, reduce the overall cost of the juvenile justice system by eliminating the need for probation monitoring and/or detention, break the cycle of recidivism, provide the courts with a greater range of rehabilitation options to better address the specialized needs of each individual, and lower the caseload borne within the juvenile justice system; and

WHEREAS, it is the judgment of Council that, against this backdrop, it is of paramount importance for the County to operate a facility that safely and adequately addresses the needs of both the juvenile justice system and of juvenile offenders in a holistic fashion; and

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY, THAT

1. Allegheny County Council hereby requests that the Allegheny County Controller, in cooperation with the Allegheny County Court of Common Pleas and other County departments or agencies as appropriate, conduct a historical overview of the functions of the former Shuman Center. Such overview:
 - Should include an overview of the former Shuman Center operations, housing conditions, educational and other training, mental health services, addiction recovery services, and staffing levels and functions and an assessment of the current physical condition of the former Shuman Center; and
 - Upon completion, should be forwarded to the Juvenile Justice Study Group delineated in Subsection 2 for its use in formulating recommendations; and

- Upon completion of the Juvenile Justice Study Group's recommendations, the Controller, in cooperation with the Court of Common Pleas and other appropriate County departments and agencies, should revise the overview to include estimates of the potential cost of physical improvements to the former Shuman Center or acquisition of an alternate juvenile justice center site necessary to render it both suitable to perform the functions delineated by the Juvenile Justice Study Group and fully compliant with applicable law and regulation governing juvenile detention centers within the Commonwealth.
2. The Council President shall, in consultation with the President Judge of the Court of Common Pleas and Chief Executive, establish a joint Juvenile Justice Study Group to be comprised of two (2) representatives of the Court of Common Pleas, two (2) representatives of the Chief Executive, and two (2) representatives of County Council, with the Council President serving as the seventh member and Chair.
 - a. The Juvenile Justice Study Group shall also include the following six (6) members, who shall neither vote nor count towards a quorum of the body: one (1) representative of the Office of the District Attorney, one (1) representative of the Law Office of the Public Defender, one (1) representative of a recognized victims' advocacy group, one (1) representative of the Pennsylvania Department of Corrections (or similar law enforcement agency), one (1) representative of an organization that solely or primarily engages in advocacy for juveniles within the juvenile justice system, and one (1) representative of a college or university that has published research, studies, or similar materials relating to the juvenile justice system.
 - b. The working group shall meet at least twice monthly, and shall receive information and potential recommendations from entities having experience relevant to juvenile detention, including but not limited to entities with expertise in primary and secondary education, juvenile detention center operations, juvenile addiction counselling and recovery, juvenile mental health needs, juvenile medical needs, and job training. The Group shall begin meeting immediately to evaluate the current and projected needs of the Courts and best interests of the community within the context of juvenile detention in a thorough, transparent, publicly accessible fashion.
 3. Council further requests that all action on the October 6, 2022 RFP issued by the Redevelopment Authority of Allegheny County be suspended for at least 180 days after the passage of this Motion, in order to allow the activities delineated herein to be performed before a final determination regarding the former Shuman site is made.

PRIMARY SPONSOR: PRESIDENT CATENA


CO-SPONSOR(S): COUNCIL MEMBERS PALMOSINA, NACCARATI-CHAPKIS, BENNETT and KLEIN

In Council March 21st 2023.

Read and Approved.



Patrick Catena
President of Council

Attest: 
Jared Barker, Chief Clerk
Allegheny County Council