

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
3101 North Front Street, Harrisburg, PA

September 9, 2020 Commission Meeting
MINUTES

Before: Chairman Charles H. Ramsey
Honorable John Adams, Commissioner
Reverend Dr. Anne Ard, Commissioner
Ms. Karen Baker, Commissioner
Mr. Mark Bergstrom, Commissioner
Honorable Mary Jane Bowes, Commissioner
Mr. Andrew Campbell, Designee for Representative Sheryl Delozier
Mr. Philip Damiani, Commissioner
Mr. Michael Deery, Esq., Designee for Honorable Vincent Hughes
Mr. John Delaney, Jr., Commissioner
Honorable Diane Ellis-Marseglia, Commissioner
Colonel Robert Evanchick, Commissioner
Honorable James J. Fitzgerald III, Commissioner
Honorable Anthony Harvilla, Commissioner
Honorable David W. Heckler, Commissioner
Dr. Gerald Huesken, Designee for Pedro Rivera
Honorable Edward Marsico, Jr., Commissioner
Mr. Sean T. McGinley, Commissioner
Mr. Geoff Moulton, Commissioner
Dr. Edward Mulvey, Commissioner
Honorable Carolyn Nichols, Commissioner
Dr. James Roberts, Commissioner
Mr. Kevin Schreiber, Commissioner
Honorable Jennifer Smith, Commissioner
Mr. Keith Snyder, Commissioner
Mr. Richard Steele, Commissioner
Mr. R. Kevin Sutter, Commissioner
Mr. Michael Vereb, Commissioner
Mr. William Ward, Esq., Commissioner
Ms. Christine Wechsler, Esq., Commissioner
Ms. Vicki Wilken, Designee for Honorable Patrick Browne

Guests: Mr. Peter Blank, on behalf of Secretary Rachel Levine
Mr. John Bruno, Constables' Education and Training Board Chair
Mr. Jonathan McVey, on behalf of Secretary Theresa Miller

Staff: Michael Pennington, Executive Director
Sally Barry, Director, Office of Justice Programs
Kathleen Buckley, Director, Office of Victims' Services
Kirsten Kenyon, Director, Office of Research and Children's Advocacy
Derin Myers, Director, Office of Financial Management and Administration
Debra Sandifer, Chief Counsel
Jeffrey Blystone
Stacie Brendlinger
Kathy Clarke
Christina Cosgrove-Rooks
Chris Epoca
Lynn Fidler
Nancy Heisler
Heather Hewitt
Rebecca Kiehl
Samantha Koch
Geoffrey Kolchin
Michael Leister
Roi Ligon
Zoe Miner
Diane Morgan
John Pfau
Madelyn Roman-Scott
Brian Swoyer
Rebecca Szczypta
Vance VanOrder
Jacqueline Weaknecht
Danielle Wilbert
Lenore Wyant
Gregory Young

I. Call to Order

Executive Director Mike Pennington welcomed everyone at 10:07 AM and asked for a roll call. The September 9, 2020 meeting of the Pennsylvania Commission on Crime and Delinquency (PCCD) was called to order at 10:15 by Chairman Ramsey after completion of the quorum roll call.

Chairman Ramsey reminded members to mute their phones unless they are speaking and to please identify themselves prior to speaking. He reminded members that the meeting is being recorded, to which there were no objections.

II. Chairman's Report

Chairman Charles H. Ramsey

- The first order of business was to approve the minutes from the June 10, 2020 meeting. ***Commissioner Vereb made a motion to approve the minutes from the June 10, 2020 PCCD Commission Meeting. Commissioner Damiani seconded the motion and the minutes were approved by unanimous vote.***
- On July 14, PCCD hosted a bill signing event with Governor Wolf, Attorney General Shapiro, and other members of the General Assembly. The two bills that were signed into law were part of a law enforcement reform package passed in the wake of the death of George Floyd and subsequent protests in Pennsylvania and across the country. The bills address police hiring practices, expand training, and encourage mental health evaluations for officers, particularly after incidents of the use of lethal force. The bills' reforms blend with PCCD's efforts to address reform, which include the creation of a new Racial and Ethnic Disparities Subcommittee and the Sheriffs and Deputy Sheriffs' Education and Training Board's commitment to review and revise their own use of force training policies and practices.
- Chairman Ramsey announced that PCCD will be reconvening the Special Council on Gun Violence on October 9, 2020, which is the one-year anniversary of the first meeting of the Council. The Council's final report of recommendations was presented at our March Commission meeting and is available on PCCD's website.

Although COVID-19 temporarily derailed some efforts to advance that agenda, PCCD's Office of Gun Violence Prevention has worked to implement key action steps, including:

- Surveying Gun Violence grantees to understand the impacts of COVID-19 on their programs and interventions and providing flexibility to support evolving needs;
- Building partnerships with national and state organizations working to prevent and reduce firearm-related injuries and death;
- Developing a Gun Violence Research Agenda and executing interagency data sharing agreements with the Pennsylvania State Police and other entities; and
- Identifying available resources, including funding, to support effective gun violence prevention and intervention strategies.

PCCD intends to reconvene the Council to provide an update on efforts to date and allow the partners on the Council to share their updates as well. We can agree that gun violence is not going away and in many instances, it has been exacerbated by the pandemic and instances of civil unrest. This is an extremely important issue, one that the Chairman hopes will regain steam as a priority for the remainder of the year and into 2021.

- Chairman Ramsey reported that the School Safety and Security Committee recently approved the availability of \$7.5M in competitive grants to support community violence prevention and reduction efforts throughout Pennsylvania. The School Safety and Security Committee has voted to prioritize grants that will be using evidence-based or evidence-informed approaches to address gun and gang violence in areas of the state with the highest rates of violent crime. Municipalities, including counties, institutions of higher education, and community organizations are eligible to apply. He encouraged members to spread the word on this funding opportunity, as the state budget is extremely tight this year, and this may be the best opportunity interested parties have to address the issue of violence in our neighborhoods.

If you have any questions regarding this funding announcement, please contact Mr. Pennington, Mr. Myers, or Ms. Kenyon with your interest.

There were no questions or comments.

III. Executive Director's Report

Michael Pennington, Executive Director

Mr. Pennington provided a few operational updates. He thanked the PCCD Team for continuing to move our work forward as we are functioning predominately in a remote capacity. Since April, we have finalized almost 1,600 grant awards and Project Modification Requests.

Our Victims Compensation staff come into the building on a limited basis in order to pick up the claim review material they need in order to continue processing claims, but otherwise everyone is working from home. We have had to make some significant changes to how we conduct business, and it is felt that our connectivity with the field has suffered to some degree based on not meeting with people in person. It appears that we will continue to work remotely until at least January, unless the Governor makes a change to the Emergency Disaster Declaration.

As mentioned at the last Commission meeting, PCCD, and most all other state agencies, are operating with a 5-month budget. There have been no guarantees made related to the 7-month budget that will follow and we have been informed that there are significant revenue shortfalls that will need to be addressed. In order to mitigate some of these financial issues, the administration has taken steps to limit spending which include the implementation of a hiring freeze. Based on the nature of our work and that our funding is diversified between general funds, federal funds, and revenue that comes to us through fines and fees, we have been fortunate to have the freeze waived in some cases when we have made the request and provided justification.

Mr. Pennington announced that Roi Ligon has returned to PCCD and is going to be engaged in our Racial and Ethnic Disparities and Gun Violence prevention work. Mr. Ligon was formerly our Advocate in our Philadelphia Office of Safe School Advocate. We are very happy that he decided to return and his experience working with local communities is going to be especially helpful to us.

- **FY 2020 Justice Assistance Grant (JAG) Program Application** Included in the meeting materials is copy of the 2020 Justice Assistance Grant application that we submitted to the Federal Government. In order for PCCD to be able to access the JAG funding, the Governor must sign a certification that, among other things, includes his assertion that the Commission has had an opportunity to review the application. We apologize for the length of the document, but the certification does not say that Commission reviewed a portion of the application.

Our 2020 application basically states that we are implementing the two-year funding plan that the Commission voted on and approved last September. Later in the meeting today, you will be asked to consider applications that are a part of that plan.

An additional component of the certification requires that we make the application available publicly and allow the opportunity for people to make comment on the application or any amendment we make to the application. In order to satisfy that requirement, we have posted the application on our website and we will inform the Commission of any comment we receive. Ideally, we would like to come to the June 2021 meeting with a revised JAG funding plan and application that connects to our updated strategic plan.

- **County Coronavirus Emergency Supplemental (CES) Funding** Included in the meeting materials was a summary and chart that includes a description of the response we received to the announcement of \$8M in CES funding following your approval at the June Commission meeting. We received applications from 58 counties with requests that totaled \$7.134M. Some counties chose not to apply, citing they did not have an unmet need. As the chart indicates, counties requested funding to support PPE purchases, screening tools, items to support working remotely, and some personnel and overtime reimbursement. Some counties did not apply because they received a direct award from the federal government if they were eligible.
- **State Agency Coronavirus Emergency Supplemental Funding** As discussed at the June Commission meeting, PCCD issued communication to state agencies that hold a law enforcement responsibility, asking that they submit a request that represents a financial need they are otherwise unable to meet. We received responses from the Department of Corrections/ and Parole, the Administrative Office of Pennsylvania Courts, the Pennsylvania State Police, and the Office of Attorney General. Included in your materials was a description of the amounts being recommended to be awarded to each agency and a description of what it is that they requested. As described by our state agency partners, there is significant need. Overall, the requests include funding to continue the operation of a DOC prison that would have otherwise been closed, overtime, PPE, and remote working supplies. We believe the requests are reasonable and are recommending their approval. In awarding the amounts listed, we would still have approximately \$2.5M to award to counties at the December meeting. There was a chart included with the meeting materials and this recommendation was approved by the Committee of Advisory Committee Chairs.

Action Item: State Agency Coronavirus Emergency Supplemental Funding

The Commission is requested to take action to approve these four requests totaling \$6M in Coronavirus Emergency Supplemental Funding.

Motion: Vereb. **Seconded:** Nichols. **Abstentions:** Campbell, Evanchick, Moulton, Vereb.

Aye Votes: 26 No Votes: 0 Motion Adopted

- **PCCD Strategic Plan 2021-2025** PCCD staff kicked off efforts to update the agency's Strategic Framework. As with prior planning efforts, PCCD will utilize a Committee of Chairs to ensure alignment with Advisory Committee priorities and responsibilities.

We have developed a 2021-2025 Strategic Framework Project Plan and established an internal planning team. As detailed in the briefing document included in the meeting materials, the Strategic Planning process will take place in three phases over a seven-month period between May and December 2020.

To date, staff have developed and launched Grantee and Applicant Perception Surveys designed to gather feedback from organizations that have sought and received funding through the agency. We also launched Stakeholder Surveys to gather input from Commission members, Advisory Committee members, and other relevant partners connected to PCCD's mission and programs. The results of the survey demonstrate the positive interactions staff have with grantees and applicants.

Staff have conducted a preliminary analysis of data from these surveys and a summary of initial findings is included in the enclosed Strategic Planning briefing document prepared for Commission members.

Ultimately, the goal is to present a preliminary draft of the 2021-2025 Strategic Framework to PCCD leadership and then the Committee of Chairs for review and feedback in October. A revised draft Strategic Framework will then be shared with broader Commission and Advisory Committee members using our Private SharePoint site for feedback in November. A final version of the document will be presented for review and approval at the December 9 Commission meeting.

Mr. Pennington thanked Samantha Koch for her work in coordinating our strategic planning efforts. Mr. Pennington and Ms. Koch would be happy to answer any questions regarding this process or the information that was provided in the meeting materials.

IV. Criminal Justice Advisory Committee Report

Mr. Mike Vereb

Ms. Sally Barry and Ms. Jacqueline Weaknecht

- Committee Chair Mike Vereb provided the Criminal Justice Advisory Committee (CJAC) report, which begins on page 1 of the Commission meeting materials. Mr. Vereb provided brief highlights from the CJAC meeting, held on August 12, 2020 via Skype, and presented two informational updates and four action items for the Commission's approval.

Action Item: Byrne Justice Assistance Grant, County Intermediate Punishment, and Mental Health Enhancement Funds

Staff and the Criminal Justice Advisory Committee are recommending approval of up to \$948,372 in state and federal funds contingent upon the availability of the funds.

Motion: Vereb. **Seconded:** Damiani. **Abstentions:** Campbell, McGinley.

Aye Votes: 28 No Votes: 0 Motion Adopted

Action Item: Project Safe Neighborhood Funds – Eastern District

Staff and the Criminal Justice Advisory Committee are recommending approval of up to \$267,022 in federal Project Safe Neighborhood – Eastern District funds contingent upon the availability of the funds.

Motion: Damiani. **Seconded:** Heckler. **Abstentions:** Campbell, Vereb.

Aye Votes: 28 No Votes: 0 Motion Adopted

Action Item: Project Safe Neighborhood Funds – Western District

Staff and the Criminal Justice Advisory Committee are recommending approval of up to \$156,237 in federal Project Safe Neighborhood – Western District funds contingent upon the availability of the funds.

Motion: Vereb. **Seconded:** Damiani. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

Action Item: 2019/20 Byrne Justice Assistance Grant Funds

Staff and the Chairs of the Advisory Committees recommend approval of up to \$3,817,394 in federal JAG funds contingent upon the availability of the funds.

Motion: Vereb. **Seconded:** Damiani. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

V. Victims' Services Advisory Committee Report

Mr. John Delaney

Ms. Kathy Buckley

- Committee Chair John Delaney provided the Victims' Services Advisory Committee (VSAC) report, which begins on page 23 of the Commission meeting materials. Mr. Delaney presented five action items for the Committee's approval.

Action Item: Federal Sexual Assault Services Program (SASP) Funds

On behalf of the staff and the Victims' Services Advisory Committee, Mr. Delaney moved the approval of an application from the Pennsylvania Coalition Against Rape (PCAR) in an amount not to exceed \$574,355 in Sexual Assault Services Program (SASP) Grant Funding pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Delaney. **Seconded:** Snyder. **Abstentions:** Baker, Campbell.

Aye Votes: 28 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act (VOCA) Funds

On behalf of the staff and the Victims' Services Advisory Committee, Mr. Delaney moved the approval of an application from the Network of Victim Assistance (NOVA) in an amount not to exceed \$377,639 in VOCA Funds to continue the Statewide Crisis Response Initiative pending resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Delaney. **Seconded:** Steele. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act (VOCA) Funds

On behalf of the staff and the Victims' Services Advisory Committee, Mr. Delaney moved the approval of an application to the Pennsylvania State University in an amount not to exceed \$442,000 in federal Victims of Crime Act funding for the Pennsylvania Victim Services Training (PVST) Project 2020-2022 pending the resolution of any fiscal concerns.

Motion: Delaney. **Seconded:** Heckler. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

Action Item: Federal Victims of Crime Act (VOCA) Funds

On behalf of the staff and the Victims' Services Advisory Committee, Mr. Delaney moved the approval of 159 applications submitted for the Victims of Crime Act 2020-2023 (Non-Competitive) funding in an amount not to exceed \$169,707,257 in Victims of Crime Act (VOCA) funding for a period of thirty-six (36) months beginning October 1, 2020 and ending September 30, 2023, pending resolution of any outstanding programmatic and fiscal concerns.

Motion: Delaney. **Seconded:** Snyder. **Abstentions:** Adams, Ard, Baker, Campbell, McGinley

Aye Votes: 25 No Votes: 0 Motion Adopted

Discussion Dr. Mulvey noted that part of the discussion about victim services at prior meetings has been around the issue of understanding the impact of these services. He asked that they comment on initiatives in this regard. Ms. Buckley replied that they consistently monitor to review whether programs are completing their goals and objectives as required under the grants. In addition, there is a researcher reviewing the outcome tool, the Empowerment Satisfaction Questionnaire, which will review a number of years of data to validate and verify the impact these services have on victims of crime.

Action Item: Federal Victims of Crime Act (VOCA) Funds – Augmentation Request

On behalf of the staff and the Victims' Services Advisory Committee, Mr. Delaney moved the approval of an augmentation to the Pennsylvania Coalition Against Rape in an amount not to exceed \$104,133 in Victims of Crime Act (VOCA) Funding pending the resolution of any outstanding programmatic and/or fiscal concerns.

Motion: Delaney. **Seconded:** Fitzgerald. **Abstentions:** Baker, Campbell.

Aye Votes: 28 No Votes: 0 Motion Adopted

VI. Juvenile Justice and Delinquency Prevention Committee Report

Mr. Keith Snyder

Ms. Sally Barry, Mr. Geoffrey Kolchin, Mr. Gregory Young

- Committee Chair Keith Snyder provided the Juvenile Justice and Delinquency Prevention Committee (JJDP) report, which begins on page 40 of the Commission meeting materials. Mr. Snyder provided brief highlights from the JJDP meeting, held on August 6, 2020 via Skype, and presented three informational updates and two action items for the Commission's approval.

Action Item: State Violence and Delinquency Prevention Programs (VDPP), Department of Drug and Alcohol Programs (DDAP), and Department of Education (PDE) Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of this initial application seeking up to \$800,000 in Violence and Delinquency Prevention Funds to support the Pennsylvania Youth Survey (PAYS) pending resolution of any fiscal and/or program concerns.

Motion: Snyder. **Seconded:** Ard. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

Action Item: Federal Justice Assistance Grant Funds

Staff and the Juvenile Justice and Delinquency Prevention Committee are recommending approval of this initial application seeking up to \$105,000 in federal JAG funds pending resolution of any fiscal and/or program concerns.

Motion: Snyder. **Seconded:** Vereb. **Abstentions:** Campbell.

Aye Votes: 29 No Votes: 0 Motion Adopted

VII. Mental Health and Justice Advisory Committee Report

Mr. William Ward

- Committee Chair William Ward provided the Mental Health and Justice Advisory Committee (MHJAC) report, which begins on page 47 of the Commission meeting materials. Mr. Ward provided brief highlights from the MHJAC meeting, held on August 5, 2020 via Skype, and presented one informational update. There were no action items for consideration.

VIII. Children's Advocacy Center Advisory Committee Report

Honorable David W. Heckler

Ms. Kirsten Kenyon

- Committee Chair David Heckler provided the Children's Advocacy Center Advisory Committee (CACAC) report, which begins on page 49 of the Commission meeting materials. Mr. Heckler provided brief highlights from the CACAC meeting, held on August 4, 2020 via Skype. There were no action items for consideration.

IX. County Adult Probation and Parole Advisory Committee Report

Ms. Sally Barry

- Director Sally Barry provided the County Adult Probation and Parole Advisory Committee (CAPPAC) report, which begins on page 50 of the Commission meeting materials. Ms. Barry provided brief highlights from the CAPPAC meeting, held on August 20, 2020 via Skype, and presented two action items for the Committee's approval.

Action Item: State Intermediate Punishment Treatment Funds

Staff and the County Adult Probation and Parole Advisory Committee are requesting a motion for the approval of these applications requesting a total of \$17,127,180 in Intermediate Punishment Treatment Program funds contingent upon the availability of funds in the State Fiscal Year 2020/2021 budget.

Motion: Steele. **Seconded:** Nichols. **Abstentions:** Harvilla, Sutter.

Aye Votes: 28 No Votes: 0 Motion Adopted

Action Item: State Intermediate Punishment Treatment Funds – Delegation of Authority

Staff and the County Adult Probation and Parole Advisory Committee are requesting a motion for the approval of this request for a Delegation of Authority for Intermediate Punishment Treatment Program funds.

Motion: Snyder. **Seconded:** Ard. **Abstentions:** None.

Aye Votes: 30 No Votes: 0 Motion Adopted

X. Constables' Education and Training Board Report

Mr. John Bruno

Mr. John Pfau

- Board Chair John Bruno provided the Constables' Education and Training Board (CETB) report, which begins on page 68 of the Commission meeting materials. Mr. Bruno presented two action items for the Committee's approval.

Action Item: Extension of Firearms Training Certifications for 2021

Staff and the Constables' Education and Training Board are recommending that all current constable firearms training certifications are extended until December 31, 2021.

Motion: Bowes. **Seconded:** Delaney. **Abstentions:** None.

Aye Votes: 30 No Votes: 0 Motion Adopted

Action Item: Change to 2020 Certification Training Requirement

Staff and the Constables' Education and Training Board are recommending elimination of the 8-hour physical class requirement and requiring only the 4-hour online training as part of the 2021 recertification.

Motion: Moulton. **Seconded:** Snyder. **Abstentions:** Delaney.

Aye Votes: 28 No Votes: 1 Motion Adopted

Discussion: Commissioner Delaney asked if there was consideration given to, instead of eliminating the requirement, making it 8 hours additional online as opposed to in-person? Mr. Pfau addressed that when they started canceling the in-person classes, this was their first year online and they had only built into place a 4-hour module. The classroom module will be recycled next year.

Commissioner Bowes asked if there was any duplication of the 4-hour class as opposed to the 8-hour class. Why can't we continue a longer requirement for online? The training cycle goes from January-December. They had built and only planned for one online module prior to the COVID-19 shutdown. Once in-person classes were canceled, they did not have time to build additional online modules and give constables the time to complete them. All constables that want to maintain their certification will have to take the online training. The board was concerned with going online because the training population tends to be older with resistance to technology.

XI. Sheriff and Deputy Sheriff Education and Training Board Report

Sheriff Eric J. Weaknecht

Mr. John Pfau

Chairman Ramsey noted that there is no report for the Deputy Sheriff Education and Training Board other than the material that is included as part of the packet.

XII. Other Business

Chairman Ramsey invited members to bring other business before the Commission.

XIII. Public Voice

Chairman Ramsey invited anyone from the public to address the Commission. There were no members of the public who addressed the Commission.

XIV. Adjournment

Chairman Ramsey noted that the next Commission Meeting is scheduled for December 9, 2020, which will be held virtually.

Commissioner Vereb made a motion to adjourn, which was seconded by Mr. Deery. The motion carried unanimously, and the meeting concluded at 11:29 AM.