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Report details flawed juvenile justice system

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Despite accounting for nearly one-quarter of all statewide arrests, juvenile offenders have limited access to effective legal help in Pennsylvania, according to a report released last week. Pennsylvania is one of six states identified by the American Bar Association where juveniles are rushed through a justice system “riddled with institutional flaws without regard for their individual cases or needs,” said ABA President Dennis W. Archer.

“The net result is a massive misdirection of resources that fails children and undermines public safety,” Archer said. A spokesman for Pennsylvania's Supreme Court, which oversees the state's judicial system, did not immediately return a call.

The report was based on 2001 state and county data, the most recent available, and interviews with “hundreds” of juvenile defenders from 58 of Pennsylvania's 67 counties.

The report also found Pennsylvania is one of three states nationwide that fail to ensure poor defendants have adequate counsel and other legal services. Its juvenile justice system is paid for by a haphazard mix of federal, state and county dollars. The other two states are South Dakota and Utah.

Authorities arrested 102,209 juveniles in 2001 -- 23.4 percent of all arrests statewide, according to data supplied by the Pennsylvania State Police and the state's Juvenile Court Judges Commission. That was down from 1997, when juveniles accounted for 27.6 percent of all arrests.

But juvenile drug arrests rose by 29 percent between 1997 and 2001, the data showed. The rate of juvenile incarceration increased by 17 percent in the same period.

The report was paid for, in part, by the Pennsylvania Commission on Crime and Delinquency, a governor's office commission and was researched by the Philadelphia-based Juvenile Law Center. The ABA also looked at systems in Maine, Maryland, Montana, North Carolina and Washington state.

INFOBOX:

The study found that:

- * Sixty percent of state public defenders say they are at least “somewhat” too weighed down by caseloads to effectively represent juvenile clients.
- * Fifteen percent of all juvenile cases went uncontested in court in 2001, and 68 percent of juvenile defenders with caseloads of at least 20 fail to file appeals.
- * Eleven percent of juveniles waived their right to legal representation.
- * Only 1 percent of court- appointed juvenile counsel regularly file pretrial motions.