



PENNSYLVANIA DISTRICT ATTORNEYS ASSOCIATION

Founded 1912

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February 1, 2024

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The Honorable Josh Shapiro
Governor of the Commonwealth of Pennsylvania
508 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Governor Shapiro:

Thank you for your willingness to collaborate with the Pennsylvania District Attorneys Association (PDAA) on issues of public safety. We appreciate your efforts to improve the safety of our citizens, protect victims of crime, and support thoughtful reforms to the criminal justice system.

In this letter, PDAA would like to identify three major public safety concerns and seek your support for long-term solutions.

Juvenile Justice

District Attorneys in counties across Pennsylvania are seeing an increase in gun violence involving juveniles. At the same time, many counties are struggling to find secure detention facilities for juveniles accused of gun crimes due to a shortage of treatment beds and long waiting lists. Many are sent home on electronic monitoring or placed on home confinement. The lack of secure facilities is particularly troubling because, as you know, it reduces the likelihood that the juveniles will receive the support and services they need for rehabilitation in a timely manner.

In May 2023, the Juvenile Court Judges' Association reported that 15 detention facilities closed in Pennsylvania between 2006 and September 2021. Today, there are only 13 facilities in Pennsylvania providing secure detention services in Pennsylvania, offering just over 400 staff secured beds for juveniles.

This has created a crisis for counties trying to find secure facilities for juveniles accused of crime. The fear is that juveniles, without the proper support and services, will commit new crimes because there are no detention facilities available for them to get needed treatment and services.



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We ask that you and your administration work with county officials to find a thoughtful solution to this pressing issue.

Behavioral Health

Thank you for recognizing that mental health and substance use is a crisis in communities across Pennsylvania. PDAA supports your Executive Order of October 2023 creating a Behavioral Health Council charged with recommending a statewide action plan to address mental health issues. PDAA asks that you consider including an elected District Attorney on Council or the Advisory Board to join the discussion and offer input on the issues prosecutors are experiencing in the criminal justice system while working toward solutions.

The Pennsylvania Department of Corrections, which is responsible for more than 36,000 inmates, estimates that more than 35 percent of those incarcerated require some sort of behavioral health treatment. Law enforcement officials in our communities report that they are encountering an increased number of individuals with mental health needs.

District Attorneys across Pennsylvania are working with behavioral health specialists to address the mental health crisis in our counties. However, more needs to be done. Counties need additional resources, more collaboration with state agencies, better integration of behavioral health and substance use disorder treatment, and more assistance on the local level. Incarcerated individuals often have a difficult time finding adequate housing, meaning those with high treatment needs often experience extended prison stays waiting for basic services.

Many of our prosecutors have embraced diversion programs for non-violent crimes where individuals can receive treatment for mental health and substance use disorder. However, these diversion programs only work if there are resources available for treatment.

We know that this issue is a priority for your administration. We hope that significant improvements are made that will improve services and safety in our communities.

Skill Games

In November 2023, Commonwealth Court in a 7-0 decision ruled that unregulated “skill games” are not illegal gambling devices under the Pennsylvania Crimes Code. The Pennsylvania Office of Attorney General has appealed the decision to the Pennsylvania Supreme Court.

PDAA is not taking a stand on the legality of the skill game machines, which is clearly the purview of the General Assembly. Rather, we are highlighting the impact seen by law enforcement due to the proliferation of skill games in our communities.



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Thousands of skill game machines are found in pizza shops, convenience stores, gas stations, and taverns across Pennsylvania. Law enforcement has seen an increase in crime related to the proliferation of the machines. When you were Attorney General, you announced the arrest of two men accused of robbery of 25 machines in gas stations and convenience stores in the Philadelphia area. Your agents executed a search warrant and seized five firearms and cash.

Unlike the highly regulated casinos in our state, the local establishments with skill game machines generally have minimum security and are easily observed by and accessible to children. Each machine contains a cash box containing untraceable cash, making them targets for thieves seeking to break into the machines.

These unlicensed and unregulated skill games have put a strain on law enforcement in many communities. We sympathize with the owners of the establishments that rely on these machines for extra income, but we must recognize that there are societal costs with their operation.

We are asking for your support in regulating the skill games and giving law enforcement clear guidance on what is legal and what is illegal. The legislative process should include consumer protection measures, security requirements, and mechanisms to prevent underage use.

While there are other public safety issues, PDAA would like to highlight these three issues and offer our willingness to work with your administration and lawmakers to find solutions to these problems.

Sincerely,

Brian Sinnett
President

Kelly Callihan
Executive Director