

Improve Protections for Kids in Out-of-Home Placement

HB 813 (Sappey) expands oversight of Pennsylvania's child-serving systems by creating a permanent Office of the Child Advocate.

What Problem Does the Legislation Solve?

Removal of a child from their home, even for a brief period, is a traumatic event for the child and their family, and research shows that out-of-home placements in the juvenile justice system can lead to worse outcomes for most youth. To provide any benefit, placements must include safe, stable, and evidence-based care, but many young people in Pennsylvania's child-serving systems – particularly those in out-of-home placement – feel unsafe and mistreated. In addition to the need to keep youth safe, research shows that if young people perceive the juvenile justice process to be unfair, it reinforces their likelihood to engage in antisocial behavior, which can lead to reoffending upon a youth's release. Data and research from Pennsylvania indicate:

- There is **no permanent independent entity providing oversight** of state-run juvenile justice facilities.
- On average, kids are **cycling through six facilities and stay 16 months out of home** over the course of their case.
- **Black youth are overrepresented in placement**, and programs are often not culturally competent.

In conversations with stakeholders, practitioners and youth alike expressed concern about the effectiveness, safety, and quality of out-of-home placements.

The Pennsylvania Office of the Child Advocate (OCA), a temporary body under the Governor's office, is designed to help ensure system-involved children and youth are receiving adequate treatment and education and are not experiencing physical and emotional abuse. Making the OCA permanent will ensure continued protections for Pennsylvania's most vulnerable kids.

What Does the Legislation Do?

This legislation will enhance critical due process safeguards by ensuring that every young person placed in custody of the Commonwealth is safe, treated fairly, and receiving a quality education. To establish independent oversight of programs and facilities that provide services to young people in Pennsylvania, **the bill creates a permanent Office of the Child Advocate** that will:

- Connect children and families with appropriate and available government services;
- Provide public education and recommend systemwide improvements to benefit the health, safety, welfare, and rights of children;
- Make announced or unannounced visits to licensed residential facilities for children;
- Develop a method for receiving and responding to complaints from youth and the public; and
- Issue an annual public report detailing its findings and activities.

What is the Status of the Legislation?

Representative Christina Sappey introduced [HB 813](#), which has been referred to the House Children and Youth Committee. Senators Michele Brooks, Judith Schwank, Maria Collett, and John Kane filed a similar [co-sponsorship memo](#) addressing the recommendations.