

Senator Lisa Baker

Floor Remarks – SB 815 Concurrence

From the moment the details of the judicial corruption in Luzerne County came to light, I was convinced that any reform effort must include mandatory counsel legislation. As much as the public agreed, there were strongly dissenting views registered from the inside. To be on the verge of sending a bill to the Governor, has taken time, perseverance, and a refusal to be discouraged or dissuaded. Our action on Senate Bill 815 sends an important message about delivering reform, about underscoring the profound purpose of Constitutional rights, and about ensuring the respect owed those appearing before our juvenile justice system.

In the end, this bill mirrors the enhanced rule adopted by the state judiciary. That is as far as it could be taken without provoking a fight over the separation of powers.

The juveniles who were victimized, the families who had lives turned upside down, the citizens who were outraged, all believe we have an obligation to adopt whatever measures are necessary to protect against any possible recurrence of justice for sale.

There is a good reason why action by each of the branches of state government has been necessary. No one in a position of responsibility acted in response to complaints – not the state judiciary, not DPW, not county officials. The feds had to come in to investigate, indict, and prosecute.

In this dark story, there are several bright spots. The first is the parents and the juveniles victimized by the corruption, who desperately tried to have their story heard, who finally found people willing to listen and determined to act. It takes courage to confront powerful wrongdoers, and a system unwilling to believe that something is so horribly amiss. The young people who came forward, the mothers and fathers who turned this into a mission, this success is really because of them, and dedicated to them.

The second is the superb advocacy of the Juvenile Law Center. They are resourceful, resilient, and relentless. Their passion for true justice is refreshing and indispensable.

The third is the tremendous work of the Interbranch Commission on Juvenile Justice, under the leadership of Judge John Cleland. Even though they did not include mandatory counsel among their dozens of well-considered recommendations for reform, their intrepid work remains among the finest examples of public service we shall ever witness. We in turn assured them their work would not just sit on the shelf, and so it has not.

The fourth is the voters, who used the opportunity afforded by the elections last November to apply some electoral justice and replace individuals they believed had not acted in the public interest.

Even with the new laws, new rules, and new oversight procedures, it still comes down to having quality people with integrity and fortitude to make the system work as it should.

The juvenile justice system in Luzerne County is very different today. Dedicated individuals, some public officials, some community leaders, have contributed a tremendous amount of time and effort toward revamping practices, providing public guidance on how the system should work, and developing strategies for addressing problems before kids come into the system. A juvenile system marked by fairness, integrity, and true justice is the goal that this legislation should help to guarantee.