

PROGRAM: The Choice is Yours

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Published by Zack Boyd, Bucks County Courier Times

Dylan Fiedler is a father of two living in Glenside, although he grew up in Philadelphia. He works as an HVAC contractor, recently bought a home with his girlfriend, and hopes to eventually move up in his company.

"Most people don't even know I'm a felon, but people do look at you differently when they know," he said.

He is working hard to overcome the label and the devastating effects it could have on his life with the help of a felony diversion program, one that recently announced plans to enhance services in Montgomery County. He is one of more than 750 benefitting from the national restorative justice program that works to give those in the system with charges a chance to do better.

Fiedler's trouble began in November 2021 when he was stopped for driving an unregistered vehicle. The police found marijuana inside, enough to charge him with intent to sell, a felony. His court date was set for March. A conviction would make him a felon, and bring with all the consequences of it.

However, it might be more accurate to say that Fiedler, 26, is not a felon, but has been charged with a felony.

It is one of many technicalities that can make a huge difference in the lives of those in The Choice is Yours program (TCY), which is run by JEVS human services.

Over the past decade, the program has helped over 750 nonviolent, first-time drug offenders work toward employment and a more stable life. According to Nigel Bowe, program manager at JEVS TCY, only 15% of past participants have re-offended since the program began in 2012.

This past September JEVS TCY received a \$400,000 federal grant secured by Senator Bob Casey, Jr. and Representative Madeleine Dean (D-4) to help JEVS TCY expand fully into Montgomery County, allowing participants like Fiedler who live here to attend program classes in their home county. The grant will also let the program expand its presence in Montgomery County, where only 10 participants graduated last year (as opposed to nearly 200 in Philadelphia).

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In March, Fiedler entered his no contest plea. Walking into the first phase of the program, where program workers get to know participants better and assess their job prospects, he expected a bare minimum program. He was pleasantly surprised.

“It’s not just a program to get the felony wiped out, it’s actually about everyday life,” said Fiedler. Although the program focuses on employment training, staffers also seek to address deeper issues holding participants back. Through weekly workshops and volunteer hours Fiedler has found a new confidence in himself.

“I was always a shy kid, but ever since the program I’ve become more outspoken. This program helped me get more interactive with people.” He’s begun telling his friends about TCY, trying to spread the word and make others aware of the program

Bowe said that the program’s intent is primarily “to stop that vicious cycle of dealers getting arrested over and over again.”

Bowe has been with TCY since its inception in 2012, and with its parent organization, JEVS, since 2002. Having a decades-long background working with at-risk youth and restorative justice, he was instantly interested in the program’s promise to address the root issues that troubled young adults face. To TCY, the members are not felons, but people who deserve a second chance.

Felonies can be an 'economic death sentence'

Ed McCann, first assistant to the District Attorney in Montgomery County, emphasized the way that a felony conviction can limit a person’s opportunities for the rest of their life. “As a former colleague used to say, a felony is an economic death sentence,” said McCann.

Fiedler, who had recently bought a house with his girlfriend, and was being hired as an HVAC contractor at the time of his arrest, was able to maintain his livelihood thanks to his participation in TCY. Convicted felons are not so lucky.

Fiedler knows it would have been much harder for him to find employment. Others can face restrictions on travelling, struggle to take out loans, and if they move to certain states, can lose the right to vote.

To George Clark, lead employment advisor at JEVS TCY, these restrictions can, in certain cases, lead people who would otherwise have a chance to reform right back to where they started.

“We’ve had participants in TCY that face severe trauma,” said Clark, “where TCY has managed to help them integrate into society. We’ve had participants who’ve been shot, and by the grace of God they’re still living... when we see [them], we don’t see [them] as a felon, but as a human being.”

JEVS TCY embodies a holistic approach: rather than seeking to punish participants for infractions, staff work to identify what’s holding them back and give them the skills to move forward.

There are two main phases to the program: an initial phase of testing and interviews, where staff get to know participants and participants decide if they think the program is right for them. After about 45 days, program clients begin job readiness programming and start checking in regularly with advisors. If they reoffend, or stop attending classes, they can be removed from the program.

The goal of these classes is to help get participants stable employment, and every member has different requirements. For some, this means getting a GED. For others, including those who are more involved in the drug trade, it can mean emotional work to see the damage that dealing can do to them and their families. Some participants have to give up tantalizing profits promised by dealing to focus on stable, legal employment. In all cases, the program is giving participants skills that can range from practical, emotional, or even occasionally, spiritual.

“We’re dealing with the soul, or the spirit of the individual,” said Clark.

A New Chapter

It was McCann who proposed bringing JEVS TCY to Montgomery County roughly five years ago. Before moving here in 2016, he worked in the DA’s office in Philadelphia, seeing firsthand what a difference the program's restorative justice model was making.

McCann also points to an economic benefit of the program: it saves taxpayer money. A 2020 report by JEVS states that incarceration numbers increased fivefold from 1990 to 2020.

While the benefits to taxpayers can be a draw for county governments, JEVS TCY staff are tightly focused on helping their participants become stronger members of their community, stable earners, and better people.

Bowe and the rest of the staff are excited for their expansion.

“We finally have stable funding,” says Bowe, explaining that getting city funding in Philadelphia has allowed them to look outward. “More and more cities are looking for diversion programs.”

According to McCann, Bucks, Delaware, and Chester counties have expressed interest in JEVS TCY. Bowe cites a similar program in Chicago that was inspired by the Philadelphia-based program as evidence that the program’s holistic, reformative approach is resonating with forward-thinking prosecutors.

Legal approaches to drug prosecution have been slowly changing over the past several decades. The Biden administration announced a plan in October to pardon federal marijuana charges and lighten federal laws governing the drug. New Jersey voters passed a state amendment to allow for recreational sale of marijuana in 2020, and Philadelphia decriminalized recreational use of the drug back in 2014. Oregon became the first state to decriminalize hard drugs in 2020.

Possession of marijuana and hard drugs, particularly with intent to distribute, remains a life-changing conviction in Montgomery and Bucks Counties.

“These are not individuals who are selling drugs to become kingpins,” said Bowe of JEVS TCY’s participants. “These are people trying to keep food on the table.” To Bowe, Clark, and the rest of the the program’s staff, they are also people who deserve a second chance.

For Fiedler, there is an opportunity to look beyond his charges. Seven months into the typically year-long program, he has surpassed his required service hours, and has had no further incidents. He’s made so much progress, in fact, that he will be graduating from the program in November.

“Once my record’s clean, I want to move up in my company,” says Fiedler. He is grateful for getting a chance at a clean slate.