


New Assessments for the New Juvenile Code

9/4/2013

1




Training Objectives

- Discuss House Bill 242 and the recommendations of the Special Council.
- Identify the Pre-Dispositional Risk Assessment (PDRA) definitions
- Explain the Structured Dispositional Matrix (SDM)
- Identify the Designated Felony Class offenses

9/4/2013

2




Overview of House Bill 242


In 2011 Governor Nathan Deal appointed a Special Council on Criminal Justice Reform to develop recommendations on how to improve public safety and decrease costs in the justice system. In 2011, they issued recommendations for the adult system. In 2012, the Governor asked the Council to study the juvenile system. In December 2012, they issued recommendations that guided the new code and new reforms.

9/4/2013

3




House Bill 242




- **Article 6**-Delinquency relates to cases involving children who have committed acts that would be crimes if the children were adults.
 - Excludes statements made by a child during intake, screening, treatment, or evaluation from evidence, meaning that these statements cannot be considered by the court, except as impeachment or rebuttal if the child tells a conflicting story in court.
 - Provides victims with the same rights in juvenile delinquency cases that they would have in adult criminal proceedings.
 - Requires that whenever the juvenile is brought before the court or to a secure or non-secure facility, a detention assessment be used to determine if a juvenile should be detained or released

9/4/2013 4




House Bill 242




Additional Provisions:

- Allow DJJ to transfer a child age 16 and older to the Department of Corrections if the child was committed to DJJ for either class of designated felony act and the child's behavior presents a substantial danger to someone in the DJJ facility.
- Require DJJ to develop policies and regulations to ensure the use of evidenced-based practices with children committed to DJJ.
- Requires the use of evidence-based services and practices for children committed to DJJ.

9/4/2013 5



Amendment to O.C.G.A. 49-4A-2



- Requires that detention assessments, risk assessments and risk and needs assessments be developed and used by juvenile courts.
- Requires that all such assessments be validated every five (5) years.
- Requires that DJJ collect and analyze data and performance outcomes and to report that information to the leadership of the executive and legislative branches of Georgia government.

9/4/2013/4/2013 6

Special Council on Criminal Justice Reform Recommendations

- Recommendation 1: Create a two-class system within the Designated Felony Act.

	CLASS A	CLASS B
Disposition	Confinement Terms: no minimum, maximum of 60 months. Total Commitment to DJJ: up to 60 months	Confinement Terms: no minimum, maximum 18 months. Total Commitment to DJJ: up to 36 months
Intensive supervision	12 months following confinement	6 months (either following confinement or initial 6 months of supervision).
Placement	Must serve their time at YDC unless there is a diagnosis of developmental disability and amenable to treatment at YDC.	Medium and High Risk – Must serve ½ of their disposition at YDC Low-risk –if ordered, the judge must make a finding of fact, , as to why restrictive custody is required.

9/4/2013 7

Special Council Recommendations



CLASS A	CLASS B
<ul style="list-style-type: none"> • Murder (SB 440) • Attempted murder • Voluntary manslaughter (SB 440) • Rape (SB 440) • Aggravated sodomy (SB 440) • Aggravated child molestation (SB 440) • Aggravated sexual battery (SB 440) • Aggravated battery • Aggravated Assault • Hijacking of Auto- ETC.... 	<ul style="list-style-type: none"> • Robbery • Attempted Kidnapping • Arson in 2nd Degree • Aggravated Assault with a deadly weapon • Aggravated Assault • Theft of a Motor Vehicle-2nd or subsequent • 4th or Subsequent when current and none of the other priors include felony against a person or sexual felony assault

9/4/2013 8

Special Council on Criminal Justice Reform Recommendations



- **Recommendation 4:** Mandate use of validated risk and needs assessment and detention assessment instruments prior to detention and disposition decisions.
- **Recommendation 5:** Mandate that the Department of Juvenile Justice and local probation agencies develop and adopt a structured decision-making (SDM) tool to guide placement recommendations.

9/4/2013 9

 **Special Council on Criminal Justice Reform Recommendations** 


- **Recommendation 6:** Authorize the Department of Juvenile Justice and local probation agencies to establish administrative caseloads for youth who abide by the conditions of their supervision.
- **Recommendation 7:** Reinvest a portion of the generated savings to create evidence-based programming options in communities around the state.
- **Recommendation 8:** Require that the state focus its resources on evidence-based and promising practices.
- **Recommendation 9:** Require that any state agency utilizing state funding to acquire juvenile justice services establish performance-based contracts with private providers.

9/4/2013 10

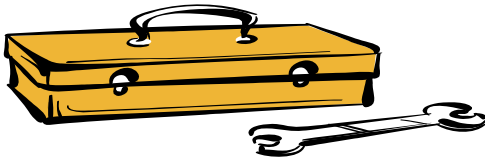
 **Special Council on Criminal Justice Reform Recommendations** 

- **Recommendation 10:** Implement a performance auditing system.
- **Recommendation 11:** Require consistent and uniform data collection and reporting across the state and implement a performance measurement system.
- **Recommendation 12:** Require juvenile courts to collect and track data about referrals to the juvenile justice system.



9/4/2013 11

 **4 Tools** 

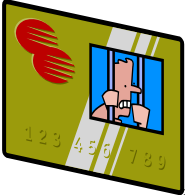
- ✓ PDRA- Pre-Disposition Risk Assessment
- ✓ SDM- Structured Dispositional Matrix
- DAI- Detention Assessment Instrument
- CNA- Comprehensive Needs Assessment





9/4/2013 12

 **Assessments** 

- Do not determine good and bad
- Predict future needs of **criminogenic** risk or **criminogenic** need
- Not judgment tools
- Are a piece of the pie
- Are evidenced based
- Are nationally supported
- Must be validated regularly





9/4/2013 13

 **How/When is the PDRA completed?** 



- Post-Adjudication
- Pre-Disposition
- This is to be completed in JTS.
- The PRDA generates the SDM.

9/4/2013 14

 **Pre- Dispositional Risk Assessment (PDRA)** 



- 10 item tool
- Replaces the Risk portion of the CRN
- Will provide risk level of each youth
- Will be done post adjudication- pre disposition
 - Will need to be done early in the process
 - Has information that must be gathered by interview with youth and parents/guardians
 - Has information that must be gathered from court recorders and schools

9/4/2013 15

 **Prior to Completing the PDRA** 



- Interview the youth and gather information on school, peers, activities, substance use and parental supervision.
- Interview the parents/guardians and gather information on the youth to include school, peers, activities, substance use and parental supervision.
- Gather and enter all information into JTS- especially legal and ensure prior entries are complete and correct.

9/4/2013 16

 **Additional Information** 



- Education records
- Intake meeting with youth and family is very important.
- This information will allow you to complete the PDRA and SDM accurately.

9/4/2013 17

 **PDRA Definitions** 

- 1. Age of first Juvenile Adjudication**
 - Youth's age at 1st adjudication for delinquent or status(CHINS) offense
- 2. Total number of Juvenile Adjudications**
 - Count of total number of different dates youth has been adjudicated, not the number of charges, including the current adjudication.
- 3. Total prior adjudications for violent/assaultive offenses**
 - Again this is the number of different dates not number of charges.
- 4. Most Serious Current offense is property-related**

9/4/2013 18



 **PDRA Definitions** 

5. Number of Prior Out of Home Placements –
 this is a count of the number of times the court has previously ordered an out of home placement as a result of a delinquent or status offense. (Do not include pre-dispositional detention or Dependency placements)

6. School Discipline/Attendance during the prior 12 months - this is a combined measure of the youth's school attendance and/or behavior.

- Enrolled, attending regularly, no suspensions, over 16 youth not in school and employed.
- Some truancy, or suspended 1-2 times or considered somewhat disruptive
- Major truancy or dropped out; suspended 3+ times or considered seriously disruptive

9/4/2013 19

 **PDRA Definitions** 



7. Substance Abuse - indicate the degree to which drug/alcohol involvement has affected the youth's functioning in the year prior to the current disposition.

- No Problem/Experimentation
- Use sometimes interferes with functioning:
- Use frequently interferes with functioning; chronic abuse; dependency

8. Peer Relationships- past year

- Friends provide positive influence
- Some delinquent friends with negative influence
- Mostly delinquent friends or youth is a gang member

9/4/2013 20

 **PDRA Definitions** 


9. Parental/Primary Caregiver Supervision

- No Problem
- Some Problem
- Major Problem


10. Youth Participation in Pro-Social Activities-youth participates in at least one pro-social activity.

- Youth participates in at least one sport/athletic, church, hobby/creative, or school activity
- Youth does not participate in any of the above pro-social activities Is an adult supervised activity

9/4/2013 21




PDRA Scoring




- Use both negative (-) and positive (+) scores
 - A negative score is giving credit for a strength
- Will be automated in JTS

Low:	-4 to -1
Medium:	0 to 3
High:	4 and above

9/4/2013 22




The Structured Dispositional Matrix




- Prompted by legislative changes in Georgia and a recommendation of the Special Council that required the use of a pre-dispositional risk assessment
- Evidenced base for combining risk assessment with seriousness of offense to structure dispositional recommendations

9/4/2013 23





The Structured Dispositional Matrix- GOALS



- Least restrictive custody/supervision required to ensure community safety
- Maximize use of community-based options
- Control cost of intervention

9/4/2013 24

 **Reporting to the Court** 


- The PDRA and SDM will be completed on each youth after adjudication and pre-disposition.
- Each court will determine how the timing of this will occur. It may be necessary to complete the PDRA and SDM prior to the adjudication hearing if done on same day as the disposition.
- JTS will print out a report that includes the PDRA score and the SDM recommendation on each youth.

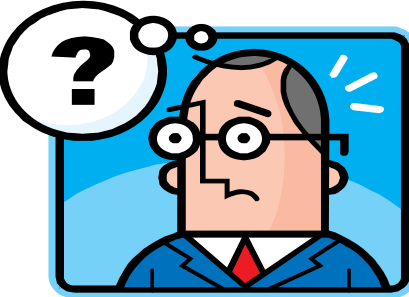
9/4/2013 28 28

 **Next Steps** 

- A Memorandum of Agreement for the use of the Juvenile Tracking System will be needed between each grant receiving court.
- Each court will determine staff who will be completing the PDRA and SDM.
- Each grant receiving court will receive training in using JTS, the PDRA and the SDM during September.
- The PDRA and SDM will be implemented on October 1, 2013.

9/4/2013/4/2013 29 29

 **QUESTIONS ???** 



9/4/2013 30
