

**How Did We Get Here?
What's Changing?
Where are We Going?**
An overview for Juvenile Justice
Reinvestment Grantees

Judge Sheri Roberts
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JJRG Funding Committee

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A brief look back.....

- 1972: New juvenile code to treat juveniles *as juveniles*
- Mission creep?:
 - 1973 age of adult responsibility lowered to 17
 - First “designated felony” bill 1980, expanded several times
 - 1994: SB 440
 - “You are creating an animal.”
 - Denmark Groover, during debate on SB 440.

“You are creating an animal”

- Youth 18 and older:
 - In 2000, were 7% of YDC population
 - Now 40%
- Recidivism rate for armed robbers:
 - In adult system: 31%
 - In juvenile system: 44%
- Designated felons in YDC:
 - 2001: 50% of YDC population
 - 2013: 95% of YDC population

Taming the beast

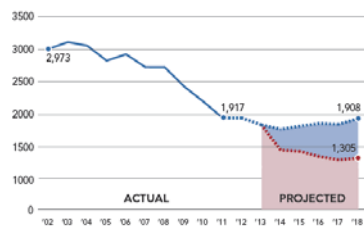
- **New Legislation** -- HB 242:
 - CHINS
 - Reduction in some DF penalties
 - Higher standards for commitment to DJJ
 - Higher standards for short-term program
- **Goal:** Keep more youth in the community.

Taming the beast

- **New Resources** – Governor’s Council on Criminal Justice Reform
 - Grants: \$6 million/year, 3 years
 - Anticipate savings of at least that amount from reforms.
 - Plow that money into local community-based programming.
- **Goal:** Provide resources to keep more youth in the community.

Georgia Council’s Policies to Save \$85 Million

Figure 1: Juvenile out-of-home population and projections, 2002-2018



Note: Projection includes only those reforms that were proposed by the council. Source: Georgia Department of Juvenile Justice (historical data); The Pew Charitable Trusts (projections)

Taming the beast

- **New Programming** –
 - Expanded use of risk assessment and needs assessments
 - Using programs that are shown to work
 - Transferring institutional knowledge to the local level.
- **Goal: Greater efficiency and effectiveness in treating juveniles**

What works?

- Much has been learned in the past 10 years regarding the effects of chronic neglect and trauma on the developing brain.
 - Strong links with impulsive and delinquent behavior
 - Effects of trauma
- How do we incorporate that learning into local programming?
 - Lack of solid local therapeutic infrastructure
 - Knowledge and programming have been at State level

What works?

- **Risk and needs assessments**
 - How do we know what to do with these youth?
 - Mental Health Issues?
 - Drug abuse issues?
 - Risk to the community?
 - Developing statewide risk and needs assessments for use at critical decision points.
 - Using data to create consistency in our approaches.
 - Using evidence-based practices

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Honorable Sheri C. Roberts
Newton County Juvenile Court
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**What are you
afraid of?**

Philosophy of Reform

- Overarching Themes
 - Increase public safety and decrease costs
 - Reflect social science research
 - Incorporate best practices collected from other states
 - Embody consensus from a wide range of juvenile court practitioners and system stakeholders
 - Comply with federal law to maximize state funding and reimbursement

**How Does the New Code help us
EFFECT CHANGE?**



Children in Need of Services

- Creates a new approach for intervening with status offenders
- CHINS complaint may be filed by a parent, DFCS, school, law enforcement, GAL, or attorney
 - School must first exhaust administrative remedies
- Provides a right to counsel and allows for additional appointment of a GAL
- Permits a CHINS to be taken into temporary custody under limited circumstances, but directs the least-restrictive environment
 - A CHINS may not be held in jail or adult detention facility; secure detention is reserved for youth who have run away or who are ungovernable and limits detention to 72 hours pre-hearing and 72 hours post-hearing

Delinquency

- Retains most of the current dispositional options for a delinquent child but requires the court to consider the results of a risk assessment if considering restrictive custody.
- Prohibits children found to have committed misdemeanors from being committed to DJJ or detained unless they have 3 other previous delinquent offenses, at least one of which would have been a felony if committed by an adult
- Adds criteria for decision to place a child in restrictive custody for a Class A or Class B designated felony. The court must consider the child's maturity, culpability, and educational and dependency background.
- Provides sentencing flexibility for designated felonies. Class A: max 60 months; Class B: max 36 months w/ max 18 months served in restrictive custody. Followed by 6-12 months intensive supervision.
 - Low risk offenders may be placed in non-secure residential facilities
 - Med to high risk must spend at least half of their term in a secure residential facility

Delinquency

- Permits motion for early release to be filed at any time with 6 month wait for a subsequent motion
- Requires that a child receive credit for time served in secure confinement in connection with the proceedings

Commitments and use of Predisposition Risk Assessment & Structured Decision Making Matrix

1. If child in preadjudication custody without a warrant, detention hearing must be within 2 business days
2. If child in preadjudication custody with a warrant, detention hearing must be within 5 business days
3. Disposition max in a secured residential facility = 30 days with credit for time served
4. Dispositions for Class A DF = finding of fact to support restrictive custody and can sentence from 0 to 60 months followed by 12 months intensive supervision
5. Dispositions for Class B DF = finding of fact to support restrictive custody and can sentence from 0 to 36 months, but no more than 18 months with no more than 1/2 of the sentence spent in secure residential facility if child is moderate or high risk – if child is low risk, placement will be a non-secure facility followed by 6 months intensive supervision
6. Any child with a developmental disability who is not amenable to treatment in a secure facility will be transferred to a non-secure residential facility by DJJ
7. Motions for early release can be filed and subsequent motions can be filed every 6 months of confinement

Additional Provisions

- Amendment to O.C.G.A. §42-5-52 that will allow DJJ to transfer a child age 16+ to DOC if the child was committed to DJJ for a DF and the child's behavior presents a substantial danger to someone in the DJJ facility
- Amendment to O.C.G.A. § 49-4A-1 to define key terms and require that detention, risk, and risk and needs assessments be validated every 5 years
- Amendment to O.C.G.A. § 49-4A-3 to require the use of evidence-based services and practices for children committed to DJJ
- Amendment to O.C.G.A. § 49-4A-7 to require DJJ contracts to be performed-based and include financial incentives/consequences for measurable outcomes

Why did we select the Office of Justice Programs'?



RELIABLE RESEARCH. REAL RESULTS.

What were the primary EBPs selected for year 1?

- Functional Family Therapy = 13 sites
- Aggression Replacement Therapy = 9 sites
- Thinking for a Change = 9 sites
- Multisystemic Therapy = 4 sites
- Multidimensional Family Therapy = 2 sites
- Strengthening Families Program = 1 site
- Connections = 1 site

Sites also choose secondary/support programming that is EBP but not on crimesolutions.gov such as 7 Challenges and Active Parenting

FFT: Short Term Intervention

- 3-4 months
- strength based and provided within the home

studies show a **reduction** in recidivism between **30 to 60%** and reductions in out of home placements

ART: Cognitive Behavioral Approach

- designed to improve social skill competency
- improve moral reasoning, address anger
- management and reduce aggressive behavior

Studies show recidivism **reduced** by
20 – 30% and
decrease in anger issues

T4C: Cognitive Behavioral Approach

- including cognitive restructuring
- social skill development & problem solving skill development
- delivered in small group setting

studies show recidivism **reduction** of
30 – 50%, **increased** school retention
and **reduced** substance use

MST: Intensive Family Community Based

- addressing all systems that impact chronic/violent offenders
- provided in the home

studies show recidivism **reduction** from
25 to 70% plus **reductions** in out of home
placements between **47 and 64%**

MDFT: Manualized Family Based

- delinquency, substance abuse and behavioral issues
- designed to help the youth achieve appropriate attachment to family and to external systems such as school, pro-social peers

studies show a clinically significant **reduction in drug use of 45%**

SFP: Reduce Substance Use & Behavior Problems

- 14 hours of programming over 7 weeks
- 6 months to 1 year of aftercare services

Goal is to **REDUCE** substance use and behavior problems by improving nurturing and child management skills in parents and improved interpersonal and personal competencies in youth

Connections: Court Based Program

- targeted at probated youth who have emotional or behavioral problems
- wraparound model of services using youth and family teams to coordinate services

studies indicate that youth in the program were **3 times less likely to commit a felony**

Light at the end of the Tunnel



Judicial leadership
STAKEHOLDER participation
Equitable treatment of youth
Right **intervention** at the right **time** with the right **youth**
Clarity of system performance
Expansion of community based services
