Georgia Juvenile Justice Trends and Legislative Update

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LEGISLATIVE LEADERSHIP
CONFERENCE
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Brief History of Juvenile Justice

- First Juvenile Court established in 1899
- Georgia has had current juvenile code since 1976
- State of Georgia and DJJ sued by U.S. D.O.J. in 1998
- Discussions begin on need for juvenile code rewrite in 2006
- Bill introduced for Code Rewrite in
You Know the Type

- Looking for Trouble
- Start Young Then Watch Out!
- They just keep on coming! (Pop. Projections)
- Everyone knows a troubled kid.
JUST FRIENDS OR CRIMINAL ASSOCIATES?
Beliefs

- Children can change their behavior when provided the appropriate environment, incentives, and resources.
- Families are the most powerful influence in a child’s life.
- Partnerships with parents, local communities, other government agencies, and private citizens create opportunities and conditions necessary for young juvenile offenders to mature into healthy, self-sufficient adults.
Balanced and Restorative Justice …

- Is not a program.
- Is a mission or philosophical framework.
- Is a different way of responding to crime in communities and criminal justice systems.
Georgia DJJ At-Risk Population growth
FY2007 – FY2011

- **Negative or No Growth**
- **Up to 5% Growth**
- **5% to 10% Growth**
- **Over 10% Growth**
What is the Juvenile Code?

- O.C.G.A. Title 15, Chapter 11
- Applies to young people who violate the law or are victims of abuse or neglect.
- Establishes jurisdiction, and sets the rules and procedures of the juvenile court.
Legal Definitions

- Delinquent child means a child who has committed a crime and is in need of treatment and rehabilitation.
- Delinquent child does not have a criminal record.
- Unruly child or status offender is a child who habitually and without justification is truant, disobedient, ungovernable or commits an offense only applicable to children (curfew violation, smoking, etc.)
The Proposed New Juvenile Code

- The Child Protection and Public Safety Act
- Senate Bill 127 and HB 641
- Senator Hambrick sponsoring in the Senate
- Representative Willard sponsoring in the House
- Supported by Governor Deal and Speaker Ralston
- Vote is expected this legislative session
Why re-write the juvenile code?

- Poor outcomes for children in Georgia: school achievement, graduation rates, pregnancy, employment, and violent deaths compared to youth across the nation.

- Outcomes for those entering the juvenile justice system due to delinquency or deprivation can be even worse.

- Judges and lawyers who use the current code every day describe it as “difficult to use, lacking in clarity, and outdated.”

- The code does not reflect research-based best practices.
Major Issues in the Proposed Juvenile Code

- New approach for status offenders (CHINS)
- Reorganization of Code
- How to handle competency issues
- Right to an attorney and costs
- Involvement of Prosecuting Attorney on each case.
- Costs
Issues for Georgia and Counties

- Philosophy
- Impact of Budget Cuts
- Costs to the County and the State
- What can we afford vs. what we want
- Juvenile court’s responsibilities and DJJ
- What is the potential impact of a new juvenile code
- How to impact juvenile delinquency
- Social and Family issues and the impact
- Use of secure detention
Regional Youth Detention Center Locations (RYDC)

Detention Population Issues

- 20 centers
- Serve over 17,000/yr.
- Diverse population
- Managing Population
- Alternatives
Secure Detention Population

- Detention
- Superior Court Cases
- Pre-adjudicated
- STP
- Awaiting Placement
- Competency Status
- Probation Violators
National Initiatives

- Use of assessment instruments
- Less reliance of secure facilities
- Positive Youth Programs
- Restorative Justice
- Community Service Learning
- Evidence Based
CAN’T DEPEND ON LUCK BUT KEEP YOUR FINGERS CROSSED!