

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

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Public Facing Advocacy Writing

Earlier this month, Georgia Governor Nathan Deal signed into law HB 242a complete rewrite of the states juvenile code. The revisions, which emerged from a multi-year reform process and were passed unanimously in the state House and Senate, represent a fundamental shift in the philosophy that underpins the states juvenile justice system. Aligned with best practice in the field, the new code emphasizes risk assessment and attorney presence in court proceedings while reducing reliance on detention for court-involved youth. Among the many notable elements of the law is the states new approach for intervening with children who have committed what are called status offenses, such as skipping school, running away, or violating curfew acts that would not be against the law but for the fact that they are done by children.

Georgias new juvenile code limits court and deeper juvenile justice system involvement for youth who have committed a status offense. As a starting point, these youth are newly designated by the revised code as Children in Need of Services (CHINS). Under the new law, school officials can only file a CHINS complaint with the juvenile court if they are able to demonstrate that they have attempted to address the CHINS-related issue at the school level prior to filing the petition. And, when a CHINS petition is accepted by the court, the revised code clarifies that services should be administered to a child in the least restrictive environment possible. The code also *begins* to limit the use of secure detention (equivalent to jail in the adult context) in CHINS cases, and outright prohibits the use of placement (equivalent to prison in the adult context).

These provisions in Georgias revised juvenile code reflect what experts in the field now know from current research and best practices that youth and families in crisis require a faster response than courts can offer, juvenile justice systems are often ill-equipped to provide the services these youth and families need, and immediate, family-focused alternatives to court intervention produce more favorable outcomes for this population. Over the past decade, Veras Center on Youth Justice (CYJ) has provided technical assistance to several states and localities that understand using the juvenile justice system to respond to youth engaged in troublesome, but not delinquent, behavior is both costly and ineffective, and that young people do better when offered immediate crisis services instead of juvenile court. For example, between 2002 and 2004, more than 23 New York counties analyzed their status offender systems and planned reform efforts. By 2006, petitions to court for status offense cases had decreased statewide by nearly 41 percent.

More recently, through funding from the MacArthur Foundations Models for Change Initiative, Rapides Parish, LA, created and implemented a process to reduce school referrals to their status offender system and created an informal status offense system that aims to quickly and thoughtfully provide crisis intervention and supports to youth and families. These reforms contributed to a 55 percent reduction in status offense referrals between 2007 and 2011 and an increase in the number of young people getting the help that they need outside of the juvenile justice system.

While Georgia and many other jurisdictions across the nation with which CYJ has worked, including those in New York and Louisiana, have begun to significantly rethink their status offense responses, many practitioners and policymakers who want to revise their approach often dont know where to begin or lack the resources and tools necessary to facilitate the process. And even when a jurisdiction has successfully undertaken such a process, the task of implementing and monitoring these changes on the ground can be daunting.

To aid localities that are just beginning to explore ways to transform their status offense systems and those that are already well on their way, CYJ is developing an online resource center. The center, slated to launch in fall 2013, will serve as a one-stop shop where policymakers, practitioners, and others can turn for practical, current information on status offense systems, including guidance and resources on how to devise and implement a community-based approach to serve youth who have committed a status offense and their families. Ultimately, we hope that this information will help advance a social service, rather than juvenile justice, response to youth and families in crisis.

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