



## What will the new Juvenile Code change?

The majority of offenses committed by Georgia youth are non-violent, and the recidivism rate among youth who spend time in youth detention centers is increasing. Reforms in HB242, passed by the Georgia General Assembly in the 2013 session and signed into law by Gov. Nathan Deal in May 2013, address this reality. Changes in Georgia's juvenile law are based on research and best practices that show when states take appropriate steps before, and sometimes instead of, incarceration, results are for children and communities.

This monumental reform will be a sea-change not only for our state in terms of smart and effective use of tax dollars for public safety, but also in terms of the positive change it will make in the lives of so many generations of Georgia's children and families for years to come. For a long time, Georgia has locked up not only the children that scare us, but also those kids that we are simply mad at. Now, finally, we can stop locking up the kids we're just mad at, and keep them from going down the path of criminal behavior and ruined lives.

Here are some highlights of the new law:

- **Status offenders:** Children under 18 who become truants, runaways or unruly will be considered "children in need of services" would not be detained.
  - The focus of the court will be on addressing the problems that led to the behavior.
- **Alternative to detention:** Children who need to be detained will be, but wherever possible alternatives to detention will be found for those who will benefit from more focused treatment.
- **Recidivism:** Currently, about 65 percent of children released from Department of Juvenile Justice detention go on to commit more crimes.
  - Community-based programs are proven to reduce recidivism and the state is committing \$5 million dollars, plus \$1 million from a federal grant, to fund community, evidence-based programs for young offenders.
  - Programs that focus on why kids join gangs, commit robberies or start taking drugs are examples of programs that a community can design to meet its local needs.
- **Mediation:** Mediation tools will be strengthened. Although some juvenile courts in Georgia have mediation programs, they are not used routinely in delinquency cases. The new law will encourage this practice.
- **Assessment:** Assessments measuring a child's risk to re-offend will become more important in the court's proceedings. Judges will have more information about each case and more flexibility to balance the interests of public safety and the child's well being.
- **Representation:** Children will have representation at every step in the legal process.
  - Many parents and most children don't understand their rights in these cases.
  - If we want our offending children to be rehabilitated into society as functional and law-abiding citizens, research shows that we must protect our children even as we prosecute them.

- **Foster children:** Foster children will find permanency faster.
  - By moving up the timeframes for key court review hearings, the new law will ensure that all the players remain focused on returning the child home or, if that's not possible, finding a safe, stable alternative as soon as possible.
- **Federal funding:** By conforming state laws with federal programs, Georgia can protect its share of federal dollars applied to juvenile justice.
- **Savings:** The state will save about \$88 million dollars over five years.
  - Currently, it costs \$91,000 per bed per year to detain a child. By comparison, the cost of a non-secure residential placement is \$29,000 per year and community supervision of a child left at home costs only \$3,000 per year.