

States Mull Ohio-Style Juvenile Justice Reform

Written by: [Maggie Lee](#) on Nov 26, 2012

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Georgia has room to make its juvenile justice system more regular, cheaper and better, according to preliminary suggestions from a blue-ribbon panel charged with drafting an overhaul. States including Texas and Ohio have gone down the same path, which, say experts, is not completely smooth.

Georgia's juvenile justice system lacks in various ways, according to the findings from a juvenile justice workgroup within Georgia's Special Council on Criminal Justice Reform.

The state needs to do a better job evaluating kids, so that only the most acutely dangerous ones end up in jail, the workgroup announced last week. And Georgia needs a uniform method for deciding what to do with kids: court, probation or other options. Those and other reforms would save money, which the state should re-invest in county-level programs aimed at keeping kids out of state

lockups.

"By and large they're going in a great direction, I think," said Polly McKinney, advocacy director at the nonprofit **Voices for Georgia's Children**. "If they continue in this direction, it will definitely be a step forward for kids."

The Council's instructions are to come up with policy recommendations for juvenile justice reforms by the end of this year, in time for the state Legislature to consider at its next session, beginning Jan. 14.

"I really like the overall tenor of the conversion, it's about actually helping kids," said McKinney. "They're finally looking at the data and looking at what's going on with the children who are incarcerated or who touch the juvenile justice system and what kind of outcomes we've been getting for the last ten years and realizing that those outcomes are not good and that they have not gotten any better."

Half of kids released from **Georgia Department of Juvenile Justice** custody in 2007 reoffended within three years, according to state numbers. According to research by the **Pew Center** on the States, which is providing technical assistance to Georgia, if the state wants to bring down that recidivism number, it's got to better target services to high-risk kids, not do things like lock up youth for fairly mild behavior like breaking curfew.

"Some of the [workgroup] recommendations like the fiscal incentive one are based on what's going on in some of the other states," like Texas and Ohio, said Pew's Jason Newman.

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“And some of them are very Georgia-specific,” he continued.

Georgia needs to fix its unique laws governing the most acute crimes, according to the workgroup. Right now, the treatment for so-called “designated felons” covers crimes from smash-and-grab burglary to murder. The workgroup recommends breaking designated felony treatment into two tracks.

But other items, such as keener evaluation of youth and channeling them to county-level diversion programs lean on reforms in other states.

Ohio pioneered those approaches via **RECLAIM Ohio**, Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors. Since passing its reforms in the early 1990s, the state juvenile prison population has dropped from roughly 2,600 to about 650.

Ohio’s communities use programs like intensive probation, community services, counseling and substance abuse treatment.

“RECLAIM has just been a fabulous success,” said Sharon Weitzenhof, director of the Juvenile Justice Coalition, an Ohio nonprofit.

But she added that like any program, it needs refinement and continues to evolve. For example, it took Ohio counties some time to learn to spend their money on innovative, customized, proven programs rather than simply, say, adding another probation officer.

Ohio also has a strong evaluation and feedback loop, Weitzenhof also said. The **University of Cincinnati** evaluates the programs, the counties buy in and decision-makers listen.

“Building a constituency is quite important,” said Weitzenhof. “When the state budget has been on its knees ... RECLAIM hasn’t really been cut.” If it had not been for the “constituency” of county judges, commissioners and others committed to the model, funding probably would have been cut, she said.

Such an informal coalition may be the only way to guarantee funding to any county-level programs in Georgia. State monies can only be locked down via constitutional amendment and the General Assembly regularly raids fees that are tied down by the much looser bond of state law. Georgia has a formula for divvying state money among local school systems, but the formula has not been fully funded for years.

That is, if there’s even a formula that exists that could pay for local diversion programs. James Howell, a juvenile justice researcher for decades who’s now at the National Youth Gang Center, researched the question in North Carolina.

Howell advocates many of the things that Georgia is pondering, like use of evidence-based programs, deinstitutionalizing status offenders and systematic decision-making. But local diversions, he said, can’t work everywhere.

“In a rural state like Georgia there just wouldn’t be enough money saved to make it work,” said Howell. “North Carolina looked at it as well and came to that conclusion very quickly.”

With sparse population and very few offenders, not enough cases would be kept at the county level for significant reimbursement, Howell said.

The math for low-population counties is a challenge, said Newman, adding that one thing counties could look at is working together on a regional level to attract providers. “It’s definitely possible. It’s not easy, it’s a challenge, but it’s definitely possible,” he said.

About a dozen years after Ohio, Texas took some of the Midwestern state’s reforms to its own much larger, much more rural territory.

Since then, **Texas has closed several state juvenile detention centers, and apparently saved money and pleased advocates.**

But **Jeffrey Butts**, director of the Research and Evaluation Center at John Jay College of Criminal Justice at the City University of New York, co-authored a **2011 report comparing different juvenile justice reform strategies** and said even nearly two decades’ worth of data is not enough to draw from in some cases.

“My criticism of RECLAIM Ohio and a lot of the others [modeled after it] like REDEPLOY Illinois is we don’t really know if they will work because most of them were implemented during a point in which crime was on the rise,” in the mid 1990s, said Butts. That nationwide rise was followed by a nationwide fall. “A lot of the retrospective review of their effectiveness has been done during the crime decline,” he said.

“We’ve all been riding our sleds down the same hill, congratulating ourselves on how fast we’re going, but we don’t really know what’s going to happen when we hit bottom,” he said.

That is to say, if the juvenile crime rate starts to go back up, it’s not clear how lawmakers, prosecutors, judges and the public in newly-reformed states will respond. It’s not clear if Ohio-type changes, even changes found to be useful and cost-effective, are sustainable.

Georgia’s Council is tentatively scheduled for two December meetings. Members can amend, accept or reject any of the preliminary suggestions now on the table. Then it’s up to the Georgia General Assembly to enact any or all of the full Council’s recommendations.

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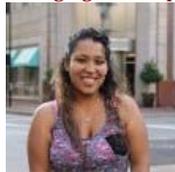
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