

Real Reform is Real Change

Written by: [Judge Steven Teske](#) on Feb 13, 2013

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I read with interest the excellent **op-ed** by my fellow contributor **John Lash** titled **“Putting a Face on Reform”** and his comments gave me pause to consider those faces.

To reform something is “to change to a better state, form, etc; improve by alteration, substitution, abolition, etc.”

My wife and I are undergoing a reformation of the second level of our home. Our house has undergone a “change to a better state,” but not without some pain—to our pocketbook—and let’s not overlook the two months of agony throughout the construction. Despite the pain, the results catapulted us out of the harvest gold and avocado green colors of the 1970s and into this century.

The adage “no pain, no gain” is a fact of life. We are fooling ourselves if we think changing anything for the better is painless—and that also goes for systemic change.

When the Special Council on Criminal Justice Reform was re-established by our governor, Nathan Deal, last May with an added objective to assess and evaluate our juvenile justice system in Georgia, the governor made it quite clear he wanted frank and honest discussions grounded in data and to focus on best practices in juvenile justice. He wanted real reform—the kind that can be painful, but in the end beneficial.

The message was clear — he wanted us to bring our subject matter expertise to the room and leave our allegiances at the door whether they be to my juvenile court, the citizens of Clayton County, the membership of the Council of Juvenile Court Judges, or other memberships and interests I may possess. These allegiances were relevant only to the extent of the experiences and knowledge I gained to develop the subject matter knowledge.

This is not to say we did not seek comment from representatives from stakeholder groups like the judiciary, Department of Juvenile Justice (DJJ), prosecutors, law enforcement, county commissioners, and defenders — we did, but after we developed the bulk of the recommendations.

It was imperative that we consider the data and research in an environment free of the pulling and tugging associated with allegiances to constituents, memberships, and associations. The governor went to extra lengths to make sure outside independent resources were brought in to provide technical assistance to the special council — the Pew Trust Center (Washington, D.C.) and the Annie E. Casey Foundation (Baltimore). We already knew that data interpreted by sources inside Georgia were suspicious merely because somebody had a dog in the fight — whether it be DJJ, juvenile courts, prosecutors, defenders, advocacy groups, and so on. We needed an outside independent group wearing objective lens and who had expertise in analyzing data.

The stakeholder comments did influence some change to the final recommendations adopted by the special council — but we did not receive objections to the general course of action we were considering. I would like to think it’s because our efforts were grounded in data analysis, studying best practices, reinvestment strategies that will bring resources to local communities, and that we were not re-inventing the wheel — we studied other jurisdictions that already pursued this same course of action with very positive results including more than a

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But as pointed out in John's op-ed, these stakeholders are not all the faces of reform — those who may be impacted by the decisions made this legislative session. If the focus is to save unnecessary costs by eliminating the commitment of lower risk youth who can best be served in the community, does this mean a loss of jobs for some? A reasonable fear in circumstances contemplating major system change.

I don't know the answer. I do know the governor has proposed the construction of a new secure facility to house the kids who scare us. It takes employees to run that facility.

There are six of one-half dozen of the other ways to save costs to accomplish the special council's recommendation to re-invest in the local communities. I will not presume to know what course our policymakers will choose.

Still, there remains some unknowns and that scares the unseen faces of reform — the correctional officers, other staff, and the correctional construction companies.

Despite these fears, we must remain unyielding in the effort to do what must be done to re-invest money into local communities for programs that we know work to improve the lives of troubled youth. Like my house, the re-modeling of juvenile justice in Georgia or elsewhere can't occur without some pain in some shape, form, or size — but the results can be phenomenal.

Ohio's re-investment initiative began in the mid-1990s with a committed population of more than 2,600. Today it's under 550. The costs to support those beds were returned to the juvenile courts to implement programs that work in their communities — and juvenile crime fell!

Other States including Wisconsin, California, Oregon, Illinois, Pennsylvania and yes, even the Lone Star State of Texas, have emulated Ohio's re-investment strategy. And all have experienced a considerable reduction in juvenile crime. I don't know what our re-investment approach will eventually look like; our work on the special council is done. I do know it will be better than the system we have in place now.

I am approaching 14 years on the bench and during my entire tenure I have listened to countless complaints from judges that if they had more programs in the community they would detain and commit fewer kids — and I am among them!

We don't need to raise taxes or rob Peter to pay Paul to accommodate the needs of our judges and their local communities. It requires a re-direction of existing juvenile justice monies toward effective strategies. To move in that direction, the governor has proposed \$5 million for counties with emphasis on those with the highest commitment rates. The goal is to bring those rates down and realize cost savings to jump start the re-investment strategy. It's a smart strategy spearheaded by the Governor's Office for Children and Families — an agency led by our First Lady and consisting of staff committed to best practices and possessing the skills to make this work.

Georgia Supreme Court Chief Justice Carol Hunstein's State of the Judiciary before a joint session of the General Assembly focused on juvenile justice reform. She reminded us that "Today, we as Georgians — and as a nation — stand at a crossroads in juvenile justice history. We have learned, just as we did with adult criminal justice, that cracking down on juvenile crime is not enough. We must also be smart about juvenile crime and take action to reduce it."

As we stand at this crossroad, will we stay on the road paved with harvest green colors of the 1970s, or take the path into the 21st century of better practices and programs for our youth?

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Judge Steven C. Teske is the Chief Judge of the Juvenile Court of Clayton County and serves regularly as a Superior Court Judge by designation. He was appointed juvenile judge in 1999. Teske earned his Bachelor's, Master's, and Juris Doctor degrees from Georgia State University. He was a Chief Parole Officer in Atlanta, Deputy Director of Field Services of the Georgia State Board of Pardons and Paroles, and a trial attorney in the law firm of Boswell & Teske

LLP. He also served as a Special Assistant Attorney General prosecuting child abuse and neglect cases and representing state employees and agencies in federal and state court cases. Teske is a past president of the Council of Juvenile Court Judges and has been appointed by the Governor to the Children & Youth Coordinating Council, DJJ Judicial Advisory Council, Commission on Family Violence, and the Governor's Office for Children and Families. He has written articles on juvenile reform published in Juvenile and Family Law Journal, Juvenile Justice and Family Today, Journal of Child and Adolescent Psychiatric Nursing, and the Georgia Bar Journal. He serves his community in numerous other capacities including past president of the Southern Crescent Habitat for Humanity and is currently on the advisory board.

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