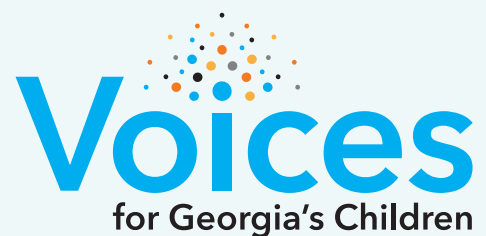


From Punishment to Potential: A Landscape Analysis of Georgia's Juvenile Justice System



May 2025

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| Authors' Note

The majority of this report was completed in December 2024 and leverages the most complete information available at that time, including the cited Georgia Department of Juvenile Justice (DJJ) Fiscal Year 2023 Annual Report. Since the conclusion of this report, DJJ has released its [Fiscal Year 2024 Annual Report](#) which may be referenced for updated information.

Additionally, the 2024/2025 Georgia Legislative Session resulted in the passage of legislation that may not be included in this report, including [Georgia House Bill 268](#). HB 268 was signed by Governor Kemp and makes substantial changes to school safety measures related to information sharing and amend the state's juvenile code to include attempted murder & terroristic act upon a school as criminal offenses punishable in superior court. The implications of these prospective changes warrant ongoing observation and analysis.

| Acknowledgements

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Acronyms

ACEs	Adverse Childhood Experiences
ADHD	Attention Deficit Hyperactivity Disorder
AEP	Alternative Education Program
AOC	Georgia Administrative Office of the Courts
BHCC	Behavioral Health Coordinating Council
CAJC	Georgia Council of Accountability Court Judges
CASA	Court Appointed Special Advocate
CCH	Computerized Criminal History
CCI	Child Caring Institution
CHINS	Child in Need of Services
CJCC	Georgia Criminal Justice Coordinating Council
CJCJ	Council of Juvenile Court Judges of Georgia
CMO	Care Management Organization
CMS	Case Management System
COC	Continuum of Care
CPRS	Court Process Reporting System
CSB	Community Service Board
CSG	Community Services Grant
CSU	Crisis Stabilization Unit
CTC	Community Treatment Center
CVIG	University of Georgia Carl Vinson Institute of Government
DAI	University of Georgia Carl Vinson Institute of Government
DBHDD	Georgia Department of Behavioral Health and Developmental Disabilities
DCH	Georgia Department of Community Health
DCYS	Georgia Department of Child and Youth Services
DECAL	Georgia Department of Early Care and Learning
DFCS	Georgia Division of Family and Children Services
DHS	Georgia Department of Human Services
DHR	Georgia Department of Human Resources
DJJ	Georgia Department of Juvenile Justice
DPH	Georgia Department of Public Health
DYS	Division of Youth Services
FBI	Federal Bureau of Investigation

FFT	Functional Family Therapy
FY	Fiscal Year
GaDOE	Georgia Department of Education
GAL	Guardian ad Litem
GBI	Georgia Bureau of Investigation
GCIC	Georgia Crime Information Center
GDC	Georgia Department of Corrections
GED	General Education Development
GOSA	Governor's Office of Student Achievement
GPD	Georgia Public Defenders
GVRA	Georgia Vocational Rehabilitation Agency
HAMFI	United States Office of Housing and Urban Development Area Median Family Income
HB	House Bill
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
JCATS	Juvenile Case Activity Tracking System
JCO	Juvenile Correctional Officer
JDAI	Juvenile Detention Alternatives Initiative
JDEX	Juvenile Data Exchange
JJIG	Juvenile Justice Incentive Grant
JLWOP	Juvenile Life Without Parole
JTS	Juvenile Tracking System
LEA	Local Education Authority
LIPT	Local Interagency Planning Teams
MATCH	Multi-Agency Treatment for Children
MCTS	Mobile Crisis Team Services
MST	Multi-Systemic Therapy
MTSS	Mobile Crisis Team Services
NCJJ	National Center for Juvenile Justice
NJCDA	National Juvenile Court Data Archive
NSLP	National School Lunch Program
OCA	Georgia Office of the Child Advocate
OCGA	Official Code of Georgia
OCI	Georgia Office of Insurance Commissioner
OPS	Office of Prevention Services
PAC	Georgia Prosecuting Attorney's Office
PBIS	Positive Behavioral Interventions and Supports

PDRA	Pre-Dispositional Risk Assessment
PP	Percentage points
PRTF	Psychiatric Residential Treatment Facility
PTSD	Post-Traumatic Stress Disorder
RBT	Registered Behavior Technician
RED	Racial and Ethnic Disparity
RYDC	Regional Youth Development Campus
SAG	Georgia Juvenile State Advisory Group
SB	Senate Bill
SBHC	School-Based Health Centers
SNAP	Supplemental Nutrition Assistance Program
SOC	System of Care
SOS	Georgia Secretary of State
SRO	School Resource Officer
STP	Short-Term Program
TANF	Temporary Assistance for Needy Families
TARGET	Trauma Affect Regulation: Guide for Education & Treatment
TCSG	Technical College System of Georgia
TF-CBT	Trauma-Focused Cognitive Behavioral Therapy
TPR	Termination of Parental Rights
UCR	Uniform Crime Reporting
USOJJDP	United States Office of Juvenile Justice and Delinquency Prevention
USOJP	United States Office of Justice Programs
USDOJ	United States Department of Justice
USG	University System of Georgia
YDC	Youth Development Campus
WIC	Special Supplemental Nutrition Program for Women, Infants, and Children

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Executive Summary

Georgia's juvenile justice system is at a crucial juncture, facing both significant challenges and promising opportunities for reform. This extensive analysis offers a comprehensive overview of the system's structure, key partners, recent reforms, and ongoing issues. It aims to inform policymakers, advocates, and community leaders about the current state of juvenile justice in Georgia and guide efforts to improve outcomes for justice-involved youth.

The landscape of juvenile justice in Georgia is intricate and unique. The state operates a functionally bifurcated system, with state-administered "dependent" courts and locally operated "independent" courts, resulting in a patchwork of practices and policies across the state. This bifurcation poses challenges in standardizing approaches and collecting comprehensive data. According to its fiscal year (FY) 2023 annual report, the Department of Juvenile Justice (DJJ) supervised more than 9,000 youth daily, with secure facilities admitting more than 7,000 individuals and maintaining an average daily population of 1,051. However, these figures only partially tell the story.

One of the most pressing issues confronting juvenile systems across the country is the overrepresentation of Black youth in the juvenile justice process. In Georgia, this overrepresentation is significant and increases as Black youth move through every stage of the juvenile justice process. This disparity indicates deeper systemic problems that require urgent attention and targeted interventions. The analysis also reveals troubling trends in behavioral health among justice-involved youth. In FY 2023, 65% of youth in long-term confinement and 48% in short-term detention were on the **mental health caseload**, underscoring the critical need for enhanced behavioral health services within the juvenile justice system and local communities.

The intersection of education and juvenile justice presents another area for improvement. There are significant racial disparities in

academic achievement, school discipline, and dropout rates. **Zero-tolerance policies** and the presence of law enforcement in schools may contribute to the "**school-to-prison pipeline**," pushing students, particularly students of color, into the juvenile justice system for behaviors that would be better addressed within the home and community.

Family and community factors play a crucial role in youth outcomes as well. Poverty, **adverse childhood experiences (ACEs)**, and lack of community resources are identified as risk factors for juvenile justice involvement. The analysis found that 18% of children in Georgia have experienced two or more ACEs, with higher rates among Black and Hispanic children, highlighting the need for **trauma-informed** approaches and community-based interventions across the state.

The report also addresses issues surrounding focus populations within the juvenile justice system. Georgia remains one of just four states that process 17-year-olds in the adult criminal justice system, a practice widely criticized by juvenile justice advocates. Additionally, the treatment of youth charged with serious, violent felonies (**Senate Bill 440 cases**) and those sentenced to life without parole raises questions about age-appropriate responses to even the most severe offenses.

Data collection and information sharing also pose a challenge. The lack of a comprehensive statewide data system impedes effective analysis

and decision-making. Cross-agency information sharing is limited in Georgia, particularly for youth involved in multiple systems, making the provision of coordinated, holistic care difficult.

Workforce challenges within the juvenile justice system present another hurdle, particularly in secure facilities. DJJ faces substantial retention and recruitment difficulties, especially for juvenile correctional officers. High turnover rates and staffing shortages impact quality of care and safety, potentially undermining rehabilitation efforts.

However, with great challenge comes great opportunity. This report proposes a series of recommendations to address these multifaceted challenges, including expanding community-based alternatives to detention and incarceration, enhancing behavioral health services, addressing racial and ethnic disparities, improving data systems, strengthening inter-agency collaboration, and investing in workforce development. Additionally, this report recommends raising the age of juvenile court jurisdiction and considering policy reform related to serious offenders, implementing a comprehensive plan for **Children in Need of Services** cases, and studying the impact of juvenile fines and fees.

By pursuing these interconnected strategies, Georgia can build on its previous reforms and create a more effective, fair, and rehabilitation-focused juvenile justice system. Such a system would better serve youth, families, and communities and improve public safety and long-term outcomes for justice-involved youth. The path forward requires sustained commitment, initial financial investment, collaborative effort, and a willingness to confront these systemic issues head-on. With thoughtful implementation of these recommendations, Georgia can again lead the way in juvenile justice reform, creating a model for other states to follow.

For a list of recommendations, see [Appendix M](#).

1 INTRODUCTION

Despite sweeping reform to Georgia's juvenile justice code in 2013, Georgia continues to see high rates of incarceration and serious inequities within its juvenile justice system.

In fiscal year (FY) 2023, Georgia's Department of Juvenile Justice (DJJ) secure facilities saw more than 7,000 admissions and an average daily population of approximately 1,000 youths.^{1,2} Black youth in Georgia are consistently arrested, detained, convicted, and placed in secure confinement at a higher rate than White youth.³ Youth with behavioral health challenges and developmental disabilities are also disproportionately justice-involved in Georgia. Well over half of youth in long-term confinement are being treated for mental health conditions and substance use disorders.⁴ Moreover, Georgia remains one of just four states to process 17-year-olds in the adult criminal justice system.⁵

Georgia's juvenile justice system does not exist in a vacuum. Numerous state agencies play a role in prevention and determining outcomes for at-risk youth and youth who encounter juvenile courts in Georgia. Barriers to healthcare, education, and community resources can push children into the system and hinder successful reentry or family reunification. While the state continues to enhance cross-agency efforts to strengthen families and prevent negative outcomes for children, youth in Georgia continue to fall through the safety nets.

The key opportunities for reform of Georgia's juvenile justice system are to reduce high rates of incarceration, racial disproportionalities, and

behavioral health disparities. For Georgia to achieve this, policymakers, advocates, and the public need a better understanding of our current system's structure, children and families served, and obstacles and strengths. This report offers lawmakers, agencies, and other interested parties an in-depth look into Georgia's juvenile justice landscape and the state agencies and adjacent systems that intersect with juvenile justice. In consideration of our findings, we provide recommendations on ways to keep youth out of the juvenile justice system and how to improve outcomes for those who become system involved.

The report summarizes and analyzes current and prior state juvenile justice laws and policies, and data and information collected from state and national agencies, courts, court-adjacent community organizations, educational entities, peer-reviewed journal articles, government publications, nongovernment reports, news articles, other grey literature, key informant interviews, and listening sessions. Additional input and report guidance was gathered from local juvenile justice subject matter experts from the Barton Child Law and Policy Center at the Emory University School of Law.

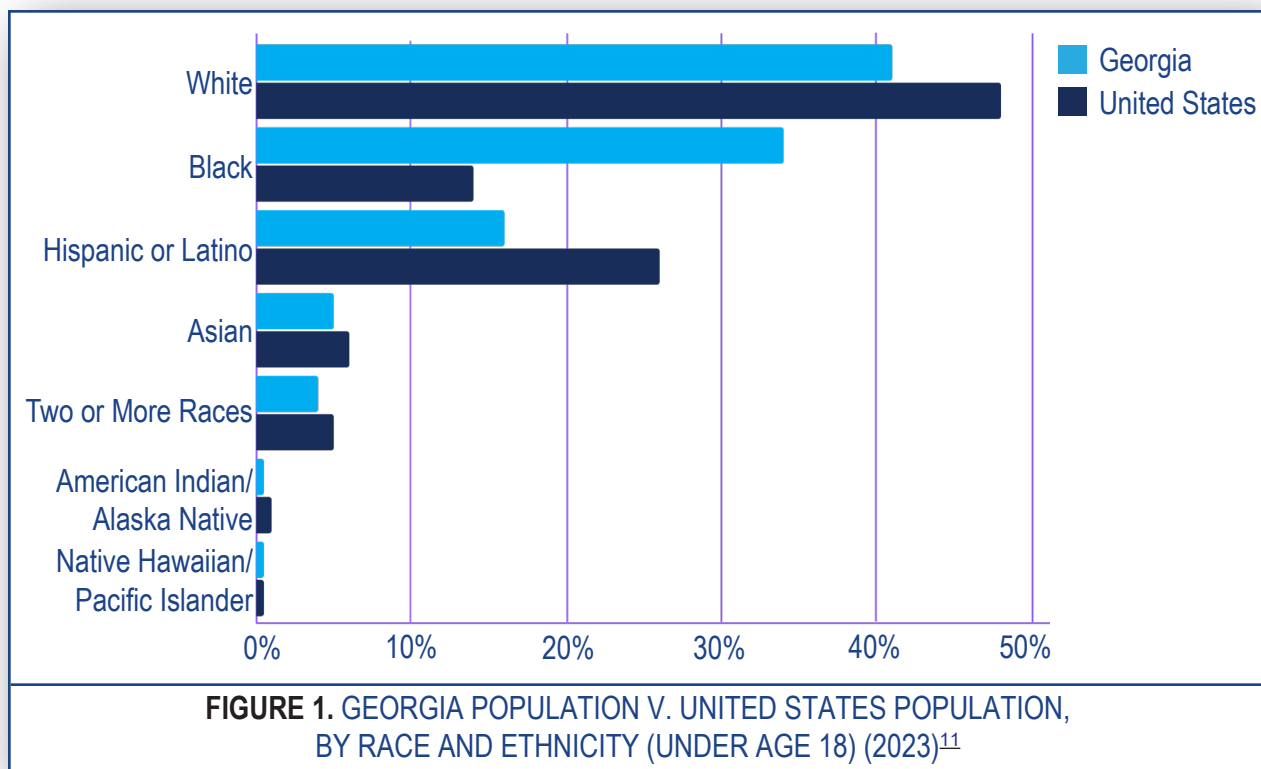
See [Appendix A](#) for a detailed description of report methods.

2 | STATE PROFILE

This section provides select information and statistics on Georgia's demographics and general determinants of well-being. The information presented in this section aims to provide a foundation for understanding factors that may contribute to juvenile justice system involvement. Contributing factors will be discussed in greater detail in subsequent sections.

POPULATION AND DEMOGRAPHICS

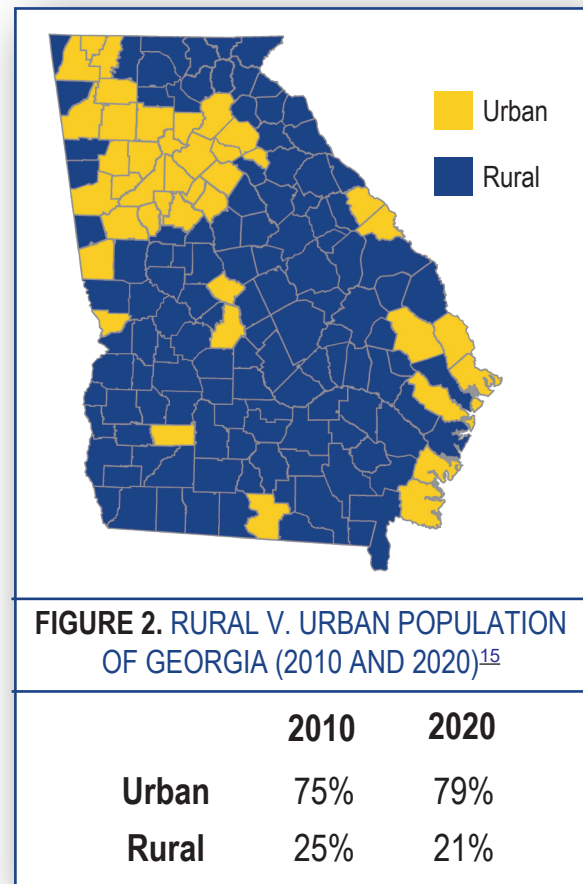
Georgia has a population of approximately 11 million and is one of the fastest-growing states in the nation.⁶ Although half of Georgia's population is non-Hispanic White, the state has a significant number of Black residents and rapidly growing Hispanic, Asian, and multiracial populations.⁷ Around 23% of Georgia's population is under the age of 18.⁸ Compared to national racial and ethnic distributions, Georgia's Black child population percentage is more than two times the national Black child population percentage. In contrast, the state's non-Hispanic White and Hispanic child population percentages are lower than the national non-Hispanic White and Hispanic child population percentages.⁹ See **Figure 1** below. Over the past 10 years, the Hispanic youth population increased by 21%, the Asian youth population increased by 26%, and the multiracial youth population increased by 28%. The non-Hispanic White youth population decreased by 8%, and Black youth population has remained relatively stable.¹⁰



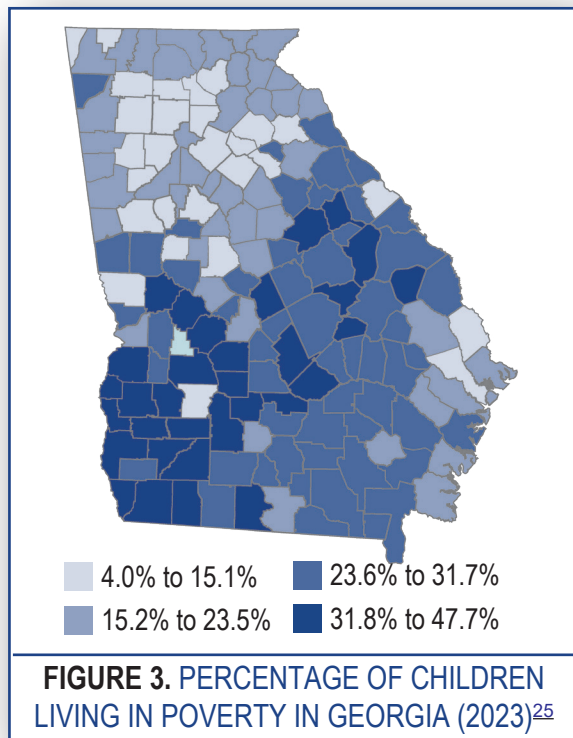
RURAL V. URBAN

Although the majority of Georgia's 159 counties are rural, more than three-quarters of the population live in the state's 39 urban counties.¹² Most of the state's population growth between 2010 and 2020 was in metro Atlanta, North Georgia, and Coastal Georgia, as well as in regional hubs throughout the state. See **Figure 2** to the right.

Many rural counties have seen significant population declines over the past two decades.¹³ Racial and ethnic trends show little to no increase in the White population in some areas of the state, an increase in the Black population through the northern part of the state, and a dramatic increase in the Hispanic population throughout most of the state, including in rural areas.¹⁴



INCOME AND EMPLOYMENT



In 2022, Georgia's median household income was \$72,837, slightly below the national average of \$74,755, and the 22nd highest in the United States.¹⁶ Approximately 13% of Georgians live below the federal poverty level or \$31,200 for a family of four; however, poverty rates vary significantly between races and ethnicities.^{17,18,19}

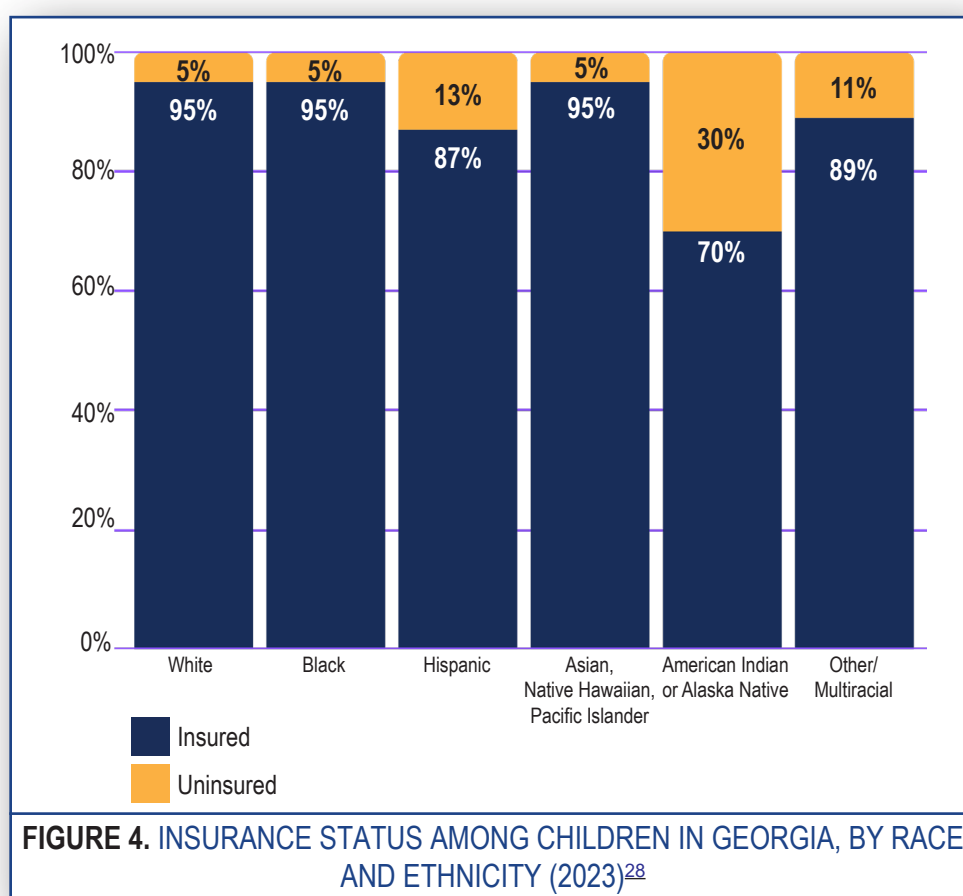
In Georgia, **15% of families live in poverty**, and of those families, half live in extreme poverty (50% of the poverty level, or \$15,600 for a family of four).^{20,21} Approximately 18% of Georgia's children live in poverty and **the rate of poverty for Hispanic children (23%) and Black children (28%) is more than twice the rate of poverty for non-Hispanic White children (10%).**^{1,22,23} **Rural southern Georgia has the highest concentration of children living in poverty;** however, other indicators of well-being, including insurance status, low birth weight, and access to pediatric care, suggest that families living in poverty face similar challenges statewide.²⁴ See **Figure 3** to the left.

¹ Notably, though Black and Hispanic residents have higher labor force participation rates (65.2% and 71.3%, respectively) than non-Hispanic White residents (61.6%), they have lower average weekly earnings. For every dollar White workers earn, Black and Hispanic workers earn 76 cents and 70 cents, respectively. See **Appendix B: Labor and Earnings** for further information.

CHILD HEALTH INSURANCE STATUS

Currently, Georgia has 160,000 children (**6.4% of children under age 19**) who do not have health insurance, ranking it as the twelfth-highest number of uninsured children in the nation.²⁶ Moreover, Hispanic children are almost three times as likely to be uninsured as White, Black, and Asian children, and American Indian or Alaska Native children are six times as likely to be uninsured as White, Black, and Asian children. See **Figure 4** below.

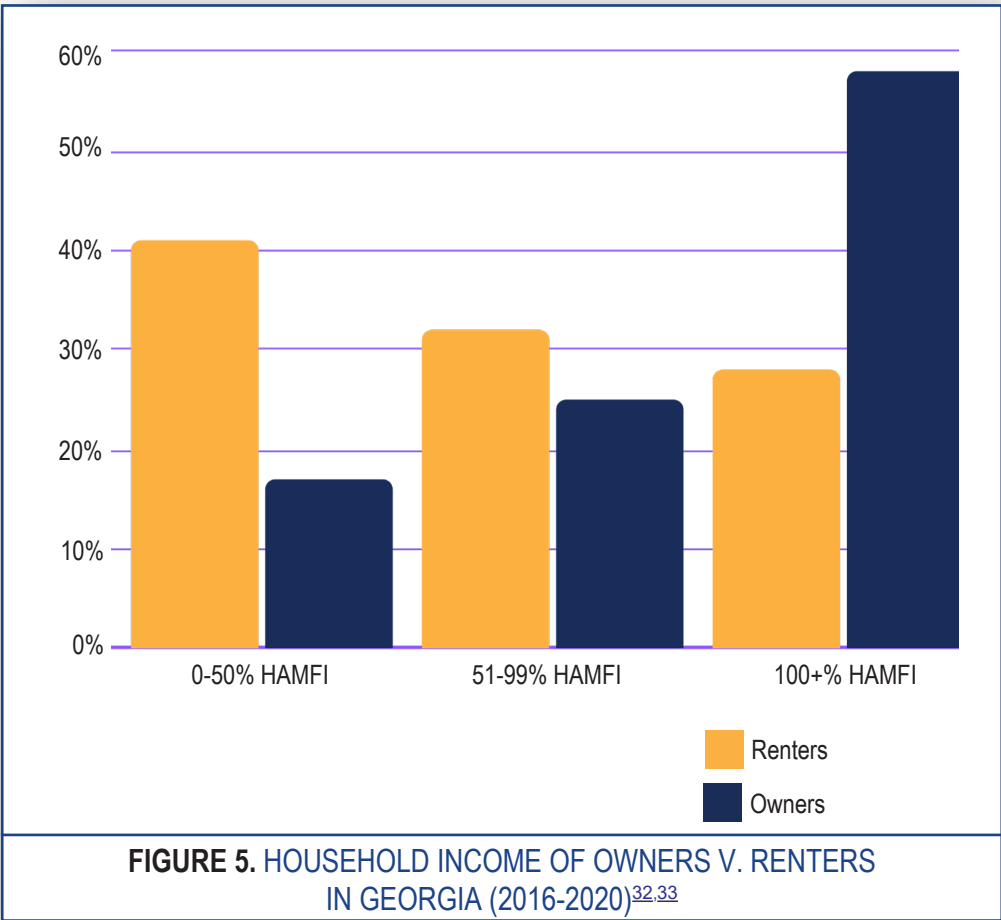
Additionally, a 2022 National Survey of Children's Health found that 48% of children aged 13-17 in Georgia struggle to or are unable to access needed mental health treatment and counseling.²⁷ Recent health coverage wins at the federal and state levels are expected to increase coverage in Georgia; however, continuing shortages of health and behavioral health providers throughout the state impede access to timely and quality care.ⁱⁱ



ⁱⁱ Effective January 1, 2024, states are required to provide 12 months of continuous coverage for children enrolled in Medicaid and the Children's Health Insurance Program (known as PeachCare for Kids). Additionally, in 2021, the Georgia General Assembly passed legislation requiring the state to implement Express Lane Eligibility, which allows the state to use Supplemental Nutritional Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) eligibility data to automatically enroll or renew eligible children in Medicaid or PeachCare for Kids.

HOME OWNERSHIP AND RENTAL MARKET

The total homeownership rate in Georgia is 66.1%, slightly higher than the national rate of 65.2%. **Of note, however, the Black homeownership rate in Georgia (24.3%) is almost three times higher than the national rate (8.3%).**²⁹ Additionally, Georgia renters tend to have lower incomes than homeowners, with 41% of renters, compared to 17% of owners, having incomes of 50% or less of the Office of Housing and Urban Development Area Median Family Income (HAMFI),ⁱⁱⁱ and renter households are three times more likely to live in poverty than owner-occupied homes.^{30,31} See **Figure 5** below.



See [Appendix B](#) for additional information on Georgia’s state profile data.

ⁱⁱⁱ HAMFI varies based on location and family size. As of September 2024, HAMFI in Fulton County, Georgia was \$106,100, with 50% being \$53,050. [Area Median Income Lookup Tool \(fanniemae.com\)](#)

3 JUVENILE JUSTICE SYSTEM PROFILE

This section provides the background and current state of the juvenile justice system in Georgia. This section also describes special populations within the system, outlines overlapping systems, and analyzes emergent issues.

A HISTORY OF GEORGIA'S JUVENILE JUSTICE SYSTEM

During the first half of the 20th century, there was a prevailing national belief that the state had a responsibility to ensure that delinquent youth “receive practically the care, custody, and discipline that are accorded the neglect and dependent child.”^{34,35} The origin of Georgia’s juvenile justice system dates back to 1905, when the Georgia State Reformatory opened in Milledgeville to serve boys formerly in the adult penitentiary. The state passed its first Juvenile Court Act in 1908 and the first juvenile court opened in 1911 in Fulton County.³⁶ In the 1930s, the Adamsville Reformatory opened to serve delinquent females, and the Augusta Reformatory was created to serve Black male youth exclusively. The male “training schools” were not integrated until 1964, a period marked by major federal civil rights court rulings and laws, including *Brown v. Board of Education*, the Civil Rights Act, and the Voting Rights Act. In 1963, the original Division of Youth Services unit was created within the Division of Family and Children Services (DFCS), then known as the Department of Social Services.³⁷

Critiques of the paternalistic approach to juvenile law came to a head in the 1967 case of *In re Gault*, as opponents noted that it ignored a youth’s right to due process. The *Gault* decision established a juvenile’s right to elements of due process while maintaining the state’s “parens patriae”^{iv} responsibility to protect children.³⁸ In Georgia, the 1970s saw further evolution of the juvenile justice system with the establishment of the state’s first juvenile court code. This code defined a *child* as an individual under the age of 17 and specified the types of cases under

the juvenile court’s jurisdiction: deprivation, delinquency, and **status offenses**.^{v,39} Shortly after that, training schools were turned into **Youth Development Campuses (YDCs)** and taken over by the Division of Youth Services.

During the 1970s and 1980s, several laws were passed that determined length of stay for incarcerated youth.^{40,41} At this time, the state also turned its eye toward community treatment for justice-involved youth, with Georgia’s first Community Treatment Center opening in Columbus in 1971 to serve youth in an after-school community setting.^{vi}

In 1982, the Georgia General Assembly approved provisions that led to the creation of a statewide juvenile court system.⁴² Additionally, policies during this decade took a more restorative approach, similar to that in the 1970s, with the addition of **needs assessment instruments**, counseling services, and restrictions on isolation for detained youth. The Public Risk Score^{vii} was also created, which determined if a youth could safely remain in the community or should be detained.⁴³

The 1990s brought “tough-on-crime” policies at the federal level that trickled down to the state. These punitive policies were linked with higher rates of violent crime overall and the now discredited myth of teenage “superpredators”

^v Despite Georgia raising the age of juvenile jurisdiction to include 17-years-olds in 1973, due to “a lack of juvenile court resources,” the legislature amended the code to exclude 17-year-olds that same year.

^{vi} By 1991, there were 23 Community Treatment Centers in operation.

^{vii} A five-point scale, with 1 being least at risk to 5 being most serious, based on the most serious committing offense.

^{iv} Parens patriae is a doctrine that charges the state with the special responsibility to protect children from harm. For additional information on this topic, see [The Perils of “Parens Patriae” | Georgetown Journal on Poverty Law & Policy | Georgetown Law](#)

committing violent crimes without care and presenting a serious threat to public safety.^{viii.44} In the wake of the Federal Safe Schools Act (1994), Georgia Senate Bill (SB) 440 was passed, extending **designated felony**^{ix} sentences and directing youth age 13 or older who commit certain felonies (known as **SB 440 felonies**) to be tried as adults.^x In the late 1990s, the state also signed a memorandum of agreement with the United States Department of Justice (USDOJ) after an investigation revealed poor conditions, including inadequate education, medical care, rehabilitation, and staffing within DJJ facilities.^{45,46,47}

The 2000s marked a return to restorative juvenile justice policies. This transition may be attributed to low juvenile crime rates, increasing evidence that harsh sentences were ineffective at reducing recidivism, and mounting research around brain development reinforcing differences between adolescent and adult cognitive reasoning.^{48,49} This period brought the passage of laws allowing judges more sentencing discretion, providing guidance on the treatment of incompetent youth, giving bail options to judges and prosecutors, and ensuring that youth with maltreatment issues cannot be committed to DJJ without also committing a delinquent act. This period also marked the beginning of discussions that led to major juvenile code reform in 2013.^{50,51}

Significant modern reform efforts started in 2011 with the establishment of the Special Council on Criminal Justice Reform for Georgians (Special Council) and the Special Joint Committee on Georgia Criminal Justice Reform. These entities were tasked with conducting a systemic study of Georgia's criminal justice and correctional

^{viii} The 1990's gave rise to the debunked "superpredator" myth, popularized by Princeton professor John Delulio, which predicted the coming of a "new breed [of] radically impulsive, brutally remorseless youngsters" who engage in violent crimes. This myth has been subsequently discredited but not before it lawmakers latched onto the theory, leading to more severe policies for juvenile offenders.

^{ix} Designated felonies include aggravated assault, aggravated battery, armed robbery, arson (first-degree), attempted murder, hijacking, escape, kidnapping (actual and attempted), criminal gang activity, trafficking in substances, battery on school personnel, racketeering, robbery, home invasion, possession et. al of destructive devices, terroristic act upon a school, and attempt to commit murder. For a complete list, see [Georgia Code §15-11-2 \(2023\)](#).

^x From 12-18 months to 9-60 months with time served in Regional Youth Detention Center as part of length of sentence.

systems.⁵² The following year, with an expanded focus on juvenile justice, the Special Council report cited serious issues and deterioration within the state's juvenile justice system. Based on these concerns, the Special Council recommended focusing the state's detention facilities on higher risk youth who committed more serious offenses and diverting lower-risk youth to evidence-based community supervision and programs.⁵³

By 2013, the Special Council's call for reform was heard with the passage of the milestone Juvenile Justice Reform Act. This legislation created a new category of juveniles termed "**Children in Need of Services**" (**CHINS**),^{xi} granted judges more sentencing discretion, expanded behavioral health services, and prioritized community-based programs over incarceration for youth who commit nonviolent offenses.⁵⁴ Additionally, the first **Juvenile Justice Incentive Grant (JJIG)** awards were distributed to 49 counties that year to reduce incarceration and recidivism through the use of evidence-based programs.⁵⁵ Further changes and innovations to juvenile justice and child welfare came in 2014 with the passage of SB 365, the use of risk assessment instruments, and the expansion of grant funding.^{56,57}

In 2015, Georgia continued its reform efforts with the creation of the **Juvenile Detention Alternatives Initiative (JDAI)** Steering Committee to pursue statewide expansion of the JDAI initiative.^{58,59} The **Juvenile Data Exchange (JDEX)** was also created to improve statewide juvenile justice data exchange and assessment.⁶⁰ Reform efforts picked up again in 2017 with the passage of SB 174, which brought reforms to accountability courts, sentencing laws, court fees, parole and probation, and laws pertaining to risk and needs assessments and programming.⁶¹

See [Appendix C](#) for more information on key milestones in Georgia's Juvenile Justice System.

^{xi} CHINS are case options for youth who are adjudicated to be in need of care, guidance, counseling, structure, supervision, treatment, or rehabilitation and adjudicated for status or delinquency but not in need of treatment or rehabilitation. For additional information, see [Glossary: Children in Need of Services \(CHINS\)](#).

PRESENT DAY SYSTEM (2024)

Georgia's juvenile courts are responsible for youth in cases involving delinquency, dependency, and CHINS. Juvenile courts in Georgia also have concurrent jurisdiction with the superior courts in some cases, including capital felonies, custody, child support cases, legitimation petitions, and termination of parental rights.⁶² As relates to juvenile court jurisdiction, the Official Code of Georgia Annotated (OCGA) §15-11-2(10) defines a *child* as any individual who is:

- » Under 17 years of age when alleged to have committed a delinquent act;
- » Under 22 years of age in the care of DFCS;
- » Under 23 years of age and eligible for and receiving independent living services through DFCS; or
- » Under 21 years of age who has committed an act of delinquency before reaching the age of 17 and has been placed under the supervision of the court or on probation to the court to enforce orders of the court.

While the functional structure of Georgia's juvenile justice system varies across the state, the goals of protecting public safety and appropriately serving youth who come into the system are universal. There is at least one juvenile court judge serving each of Georgia's 159 counties and often more, depending on the county's population. Additionally, due to the smaller size of some Georgia counties, juvenile and superior courts can be combined into a circuit of courts served by one judge. For example, the Ocmulgee Juvenile Circuit comprises Baldwin, Greene, Hancock, Jasper, Jones, Morgan, Putnam, and Wilkinson counties. It is presided over by one juvenile court judge who holds court between once a week and once a month in each county.

Georgia is the only state with a bifurcated juvenile court system, where there are both independent and dependent courts. Due to this bifurcation, resources for Georgia's juvenile courts are state- and locally funded.⁶³ **Independent courts** are funded by county

commissions and provide juvenile intake, probation, and program services through locally controlled and directed county juvenile probation departments. Independent courts tend to be in the state's most populous counties and have a combined jurisdiction over half of the state's youth population.

Dependent courts have jurisdictional authority in 142 Georgia counties. In most dependent jurisdictions, juvenile intake and probation services are provided exclusively by DJJ employees under the juvenile court judge's direction. Shared courts are the rare juvenile courts where DJJ provides some intake and probation services. For example, in Henry County, DJJ provides probation and intake for delinquency cases, but county staff provide intake and supervision over CHINS cases. There are only seven juvenile courts that fall into this designation.⁶⁴ See **Figure 6** below.

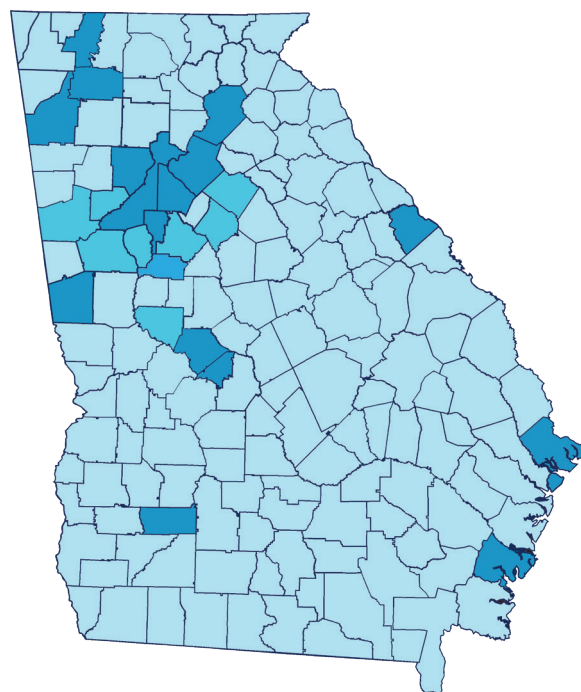


FIGURE 6. DEPENDENT, SHARED, AND INDEPENDENT COURTS IN GEORGIA⁶⁵

- **Dependent Courts:**
DJJ provides all intake and probation services
- **Shared Courts:**
DJJ provides either intake or probation services
- **Independent Courts:**
County provides all intake and probation services

GEORGIA DEPARTMENT OF JUVENILE JUSTICE

OCCA §§49-4A-1 through 49-4A-18 delineate the DJJ's statutory authority. DJJ meets the needs of the state's justice-involved youth until age 21. The department has more than 3,400 financed positions throughout the state, whose common goal is to maintain public safety by using rehabilitative treatment to hold young people accountable for their delinquent behavior. In FY 2023, DJJ had an operating budget of \$357,600,428^{xii}, distributed between community services, administration, commitment, and detention.⁶⁶ See **Figure 7** to the right.

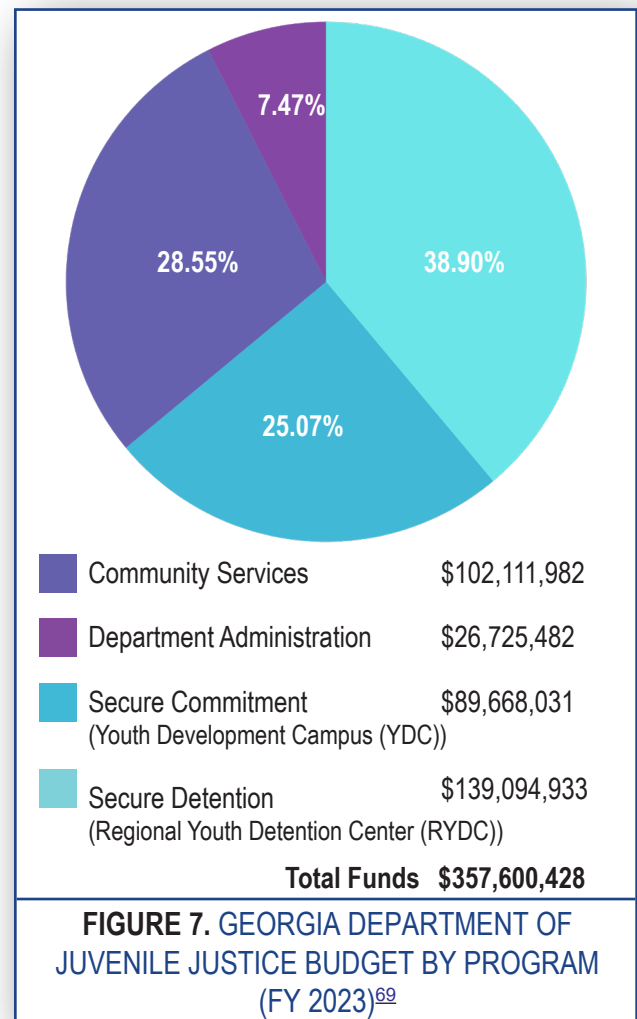
The department is organized into five functional branches directly impacting youth served: Administrative Services, Education, Community Services, Secure Facilities, and Treatment and Care.⁶⁷

See [Appendix D](#) for additional information on DJJ's organizational structure.

| Office of Re-Entry Services

The department's Office of Reentry Services aims to provide a seamless transition for youth returning to the community after secure confinement. Utilizing a One Team Reentry model since 2017, the staff from the Division of Secure Facilities and the Division of Community Services provide transition services to youth before and after their release from the YDC. The youths' parents are included as much as possible in periodic, prerelease Youth Centered Reentry Team meetings. Through the use of evidence-based programming in reentry planning and reentry support, and through the use of a Reentry Task Force, the department's goal is to successfully place youth back in the community and provide support to reduce the likelihood of recidivism.⁶⁸

^{xii} This figure does not include bonds for juvenile facility maintenance and construction which can total tens of millions of dollars or more in a given fiscal year. For more information, see [Georgia State Financing and Investment Commission 2023A and 2023B Bond Authorizations](#)



| Division of Administrative Services

The Division of Administrative Services includes the Office of Building Services and Real Estate, the Office of Engineering, the Office of Grants and Strategic Planning, the Office of Human Resources, the Project Management Office, the Office of Property Management, and the Office of Technology and Information Services. These administrative services provide a framework for departmental operations through the streamlining of processes. For FY 2023, the division's budget for administration was \$26,725,482, which was 7% of DJJ's annual budget that year.⁷⁰

| Division of Community Services

The Division of Community Services is responsible for intake, case management, probation, detention planning, residential care, reentry services, and aftercare supervision. The division has 78 community services offices statewide, an Office of Residential and Community-Based Services, and an Office of Re-Entry Services. In FY 2023, this division's budget was \$102,111,192 (\$10,688 per youth), which was 29% of DJJ's annual budget that year.⁷¹

The Community Services division uses several tools, evidence-based programs, and services to implement juvenile justice reform. These include improvements to mental health services, gang prevention training and preventive methods, and services for human trafficking victims and families. See **Table 1** below.

EVIDENCE-BASED PRACTICE	DESCRIPTION	OUTCOMES
Detention Assessment Instrument (DAI)	Statewide, objective, validated risk assessment	Revalidated in FY 2022
Youth Tracking Program	Surveillance and electronic monitoring	FY 2023: 1,123 received services
Education Transition Center	Alternative educational services for suspended/expelled youth	FY 2023: 100 received services in Chatham, Muscogee, and Richmond counties
Evening Report Center	90-day program that aims to give system-involved adolescents in Lowndes County structure and supervision instead of detention	FY 2023: 40 received services; 39 of these did not reoffend, and 26 completed the program
Multi-Systemic Therapy (MST)	A family-focused, in-home, evidence-based intervention; shown to be successful with medium- to high-risk justice-involved youth and their families	FY 2023: funded MST services for 193 youth and families, with 156 successfully completing the program
Residential Placements	Placements in residential settings for Room, Board, and Watchful Oversight and Wraparound programs	FY 2023: provided residential placements for 553 youth with 65 residential providers
F.R.E.S.H. Start Youth Initiative	Community re-entry program offering career opportunities to current and former DJJ youth	FY 2023: 41 youth able to secure a job through the program
TABLE 1. GEORGIA DEPARTMENT OF JUVENILE JUSTICE'S COMMUNITY SERVICES EVIDENCE-BASED PRACTICES^{xiii, 72}		

^{xiii} For a complete list of evidence-based programs offered by DJJ, see [DJJ FY2023 Annual Report](#).

| Division of Education

The Division of Education provides services to assist youth in becoming college- and career-ready. DJJ is the 181st school district in Georgia and is accredited as the Georgia Preparatory Academy. The district has the same rights and authority as any other school district in the state. Under the deputy superintendent's direction, the Division of Education is responsible for managing the DJJ school system. The DJJ board acts as the DJJ Board of Education, while the department's commissioner is the school superintendent.⁷³

To finish their high school education while in detention, students have the option of completing coursework from their home school, so they do not fall behind when they return to the community. Students can also enroll in an online high school equivalency curriculum called Pathway to Success — a General Education Development (GED) program. This program prepares students for the official GED test and the official GED Ready exam. Additionally, the Connections Graduate Program is open to students in DJJ with a high school diploma or GED. It offers employment skills development and postsecondary possibilities and prepares youth for reentry into the community. In FY 2023, 31 high school diplomas, 40 GED certificates, and 30 Technical Certificates of Credit were awarded to youth in DJJ secure facilities.⁷⁴

| Division of Treatment and Care

The Division of Treatment and Care provides help to youth placed in the secure care of DJJ. Through its five offices — the Office of Health Services, the Office of Nutrition and Food Services, the Office of Chaplaincy Services, the Office of Behavioral Health Services, and the Office of Classification and Transportation Services — this division offers an array of services and programming. Youth residing in the state's 25 secure facilities are eligible for these resources.

Mental health programming offered by the Office of Behavioral Health Services includes screening, assessment, and treatment of youth

in DJJ facilities. Within two hours of admission to a DJJ facility, each youth is screened for mental health issues, traumatic experiences, substance use, and suicide and self-harm risk. Youth are referred for additional interventions based on their needs, as determined by these preliminary screenings.⁷⁵ DJJ secure facilities behavioral health personnel also provide evidence-based mental health practices, including cognitive-behavioral methods to address suicidal thoughts and behaviors and teach coping mechanisms and problem-solving skills.⁷⁶

| Division of Secure Facilities

In addition to providing intake and probation services for dependent counties, DJJ is responsible for juvenile detention and secure confinement of juveniles in the state. There are two kinds of secure placements outside the home: **RYDCs** and **YDCs**. RYDCs offer temporary secure care for youth who are charged, found delinquent, or waiting for placement. The length of stay can vary from a few hours to several years, depending on the severity of the charges and how quickly the case is resolved. YDCs offer long-term secure care and treatment for youth committed to DJJ. The duration of YDC sentences can range from several months to several years, based on the charges and age of the youth. DJJ also provides aftercare services and supervision for most youth after they return to the community from a YDC.⁷⁷

The Secure Facilities division provides safe and secure supervision for youth in DJJ custody. This division manages 25 facilities, 19 RYDCs, and six YDCs across the state. YDCs provide long-term care for post-adjudicated youth who are ordered to secure confinement or require specialized treatment or services for sexual offending or substance abuse treatment. Youth in secure care are provided various services, including a broad range of education offerings, counseling, mental health services, food services, medical and dental services, and volunteer programming.⁷⁸ Secure Facilities' evidence-based practices include Positive Behavioral Interventions and Supports (PBIS), the Seven Challenges substance use disorder treatment program, the Sexually Harmful

Behavior Intervention Program, and Trauma Affect Regulation: Guide for Education and Treatment (TARGET). See **Table 2** below. The division also ensures facilities are following the federal Prison Rape Elimination Act.^{xiv} **In FY 2023, the Division of Secure Facilities budget for secure care (juvenile detention/confinement) was \$228,762,964, 64% of DJJ's annual budget.**⁷⁹

The cost of securing a youth in a YDC is more than 14 times higher than that in an RYDC.

This is partly because YDCs have lower staff-to-youth ratios, higher security standards, and longer lengths of stay than RYDCs. YDCs also offer specialized programs such as vocational training, substance abuse treatment, and education services. In FY 2023, the annual cost to secure a youth in an RYDC was \$20,488, and \$300,889 to secure a youth in a YDC.⁸⁰

EVIDENCE-BASED PRACTICE	DESCRIPTION	USAGE
PBIS	A proactive strategy for creating the social culture and evidence-based behavioral treatments that young people in secure facilities need to succeed	All youth to manage facility climate in its secure facilities
Substance Use Intervention & Treatment Services (The Seven Challenges)	Provides counseling to help youth identify and work on the problems in their lives, including substance use	Youth with substance abuse issues in DJJ secure facilities
Sexually Harmful Behavior Intervention Program	A cognitive-behavioral intervention with relapse prevention that has been shown to work best with this demographic	Youth charged with a sexual offense or who have undergone a psychosexual evaluation that recommends intervention
Trauma Affect Regulation: Guide for Education & Treatment (TARGET)	Group and individual therapy	Youth who have gone through extreme traumatic experiences

See **Appendix E** for information on federal and state agencies relevant to Georgia's juvenile justice system.

^{xiv} DJJ enforces a no-tolerance policy towards all forms of sexual abuse and harassment, with comprehensive mandatory training, reporting, and investigation protocols in place. See [Georgia DJJ: Prison Rape Elimination Act](#)

^{xv} For a complete list of evidence-based programs offered by DJJ, see [DJJ FY2023 Annual Report](#).

JUVENILE CASE TYPES AND SYSTEM FLOW

As previously mentioned, juvenile courts in Georgia handle three main case types: delinquency, dependency, and CHINS. Each type of case follows a unique pathway through the court system, often called a “case flow.” Throughout these processes, there are key players, including court and child welfare staff, law enforcement, and volunteers, to represent the interests of the court, DFCS, and children and families. See [Appendix F](#) for detailed information on these key players in case flow.

| Delinquency Case System Flow

A *delinquent child* is one who is found by the court to have committed a delinquent act and needs treatment or rehabilitation.⁸² Depending on the county of residence and the youth’s court history, these cases are handled by either independent juvenile courts or dependent courts in conjunction with DJJ.

Delinquency Case Decision Points

There are five primary decision points for youth entering Georgia’s juvenile justice system:⁸³

- >> **1** Referral/Arrest
- >> **2** Intake
- >> **3** Detention
- >> **4** Adjudication
- >> **5** Disposition

At any point in the process, youth may be, and often are, diverted from further involvement in the system. In addition, youth with chronic or serious offense histories may be transferred to the adult criminal justice system for capital felonies or repeated, serious delinquent offenses. Throughout the process, various decisions are made regarding the child’s placement and the services provided based on their offense history and need for supervision.⁸⁴

» **1 Referral/Arrest**

Many youth with delinquent offenses enter the system through contact with law enforcement.

However, most status offenders (known as CHINS) and some youth charged with delinquent offenses are referred directly to the court by parents, school officials, or other parties filing a petition. When a police officer encounters a youth suspected of committing an offense, the officer can either release the youth or file a juvenile court complaint. If charges are filed, the officer may recommend detention of the youth but must bring the case before a juvenile court intake officer.⁸⁵

» **2 Intake**

State law requires that court-authorized juvenile intake officers be available to receive complaints 24 hours a day. When a juvenile complaint is received, the intake worker decides whether to charge the youth or dismiss the case and withdraw the complaint. If the youth is charged, the intake officer may decide to handle the case informally (informal adjustment) or refer it to the prosecuting attorney, who may file a petition within 30 days of the filing the complaint.⁸⁶ A DJJ juvenile probation/parole specialist may also file a petition for formal processing in counties where DJJ provides intake services. If a petition is filed for formal processing, the intake worker determines whether the youth should be detained pending a detention hearing or released to their family pending adjudication.^{87,88}

» **3 Detention**

No youth may be placed in secure detention before a hearing without a juvenile court intake officer’s authorization. Detention decisions are based on numerous factors, including the child’s safety and the safety of others, the risk of property damage, and the need to secure the child’s presence in court.⁸⁹ Additionally, a **DAI** that considers the availability and stability of the youth’s family, the seriousness of the current offense, and the youth’s prior court history is completed on each youth to assist with the standardization of detention decision-making.⁹⁰

If a youth is detained for a delinquent offense, a detention hearing must be held before a juvenile court judge within 72 hours. At this hearing, the judge determines if continued detention

before the adjudication hearing is necessary. If continued detention is ordered, the youth must receive an adjudicatory hearing within 10 business days.⁹¹

» 4 Adjudication

Unless a petition is adjusted, dismissed, or withdrawn, an adjudicatory hearing will be held for all youth. During the adjudicatory hearing, a judge can dismiss or acquit the youth, hold the charge in **abeyance**, or make a finding of delinquency, dependency, or CHINS. Under certain circumstances, the judge may transfer the case to the superior court.⁹²

» 5 Disposition

When a youth's case is adjudicated delinquent, a dispositional hearing is held immediately following adjudication or through a separate hearing. During disposition, a judge may make some of the following decisions: dismissal or conditional dismissal, unofficial probation, probation, intensive probation, or commitment to DJJ. Occasionally, a juvenile court judge

will also order a child into treatment through the Department of Behavioral Health and Developmental Disabilities (DBHDD) or place the child in the joint custody of DJJ and DFCS.⁹³

Youths having three or more prior court appearances for felonies or charged with aggravated assault, aggravated battery, robbery or armed robbery without a firearm, kidnapping, arson, or several different weapons, and other offenses can also be committed as **designated felons**. Juvenile court judges have the authority to sentence these youth to a YDC for up to five years. Youths charged with one of seven violent felonies, including murder, rape, and armed robbery with a firearm, are automatically charged as adults but can still be committed to YDCs as designated felons if their cases are transferred back to juvenile court. Juvenile court judges also have the authority to mandate up to 30 days of incarceration in an RYDC for any delinquent adjudication (also called a Short-Term Program (STP) sentence). However, if the youth is already under a commitment order to DJJ, the judge cannot issue an STP sentence for them.⁹⁴

What is a Detention Assessment Instrument?

This standardized and validated tool, required before detention, measures the youth's risk of reoffending and the risk of fleeing before court proceedings occur. It must be completed for every youth considered for detention. Any detention overrides from standard scores must be explained on the DAI form, which lists mitigating or aggravating factors. These overrides can occur if a youth's score indicates detention is warranted but they are released, or, more commonly, a youth's score indicates release, but they are detained.⁹⁵

Delinquency Disposition Options

As mentioned above, there are three primary delinquency disposition options available to Georgia juvenile court judges:⁹⁶

Probation: Once adjudicated, unless the case is dismissed, all youth can be subject to a disposition of probation under the conditions of supervision the court prescribes. Depending on the nature of the offense, probation can be ordered for up to two years with a provision for extension. Several actions are also authorized

in conjunction with probation for delinquents, including placement in a residential or non-residential program for delinquent children, restitution, community service work, monetary fines, and the suspension of a driver's license up to age 18.⁹⁷

Probation conditions range from minimal reporting requirements to close supervision with mandatory curfews and participation in specific rehabilitative activities. Youth with minor

offenses are often placed on informal probation, also called an informal adjustment. If they do not come to the attention of the court for a set period, usually 90 days, their case is dismissed. However, if they do come back before the court, they face a probation sentence.⁹⁸

Various specialized programs for probated youth are available in the state's more populous communities and courts, and participation in these programs is a probation condition. However, such services are unavailable in many of the state's rural jurisdictions. In these resource-poor localities, judges often find their only options are probation, sentencing youth to a 30-day sentence, or commitment to DJJ.

Probated youth are given various conditions by the juvenile court, which, if violated, can lead to a "Violation of Probation" charge or even a probation revocation. While most probation violators are not detained before an adjudication or disposition hearing, a small number are detained under a Violation of Probation order, which is used to place them in detention. Judicial policies and practices concerning revocation vary widely across the state, sometimes in conflict with DJJ policies. Because of the bifurcated system, juvenile probation is administered in most counties by DJJ, with the independent courts operating their own individual probation units.⁹⁹

OCGA §§ 15-11-39 and 49-4A-1(10) specify the requirement for a juvenile **risk/needs assessment**. Georgia validated the **Pre-Dispositional Risk Assessment (PDRA)** for use statewide, including independent courts, in 2013. The PDRA is used to guide judicial decision-making and is also a tool for probation case management. By utilizing this Risk-Need-Responsivity framework in placement and treatment decisions for youth, Georgia can better use available resources and help reduce the likelihood of juvenile recidivism.¹⁰⁰ It is crucial to note that assessment tools are only as good as the information they are fed. The lack of a comprehensive statewide data system can impact the accuracy and usefulness of these assessments.¹⁰¹ For more information, see [Section 4: Data Collection and Key Trends](#).

30-Day Placement/Short-Term Program

Effective July 1, 1994, juvenile court judges were authorized to incarcerate any delinquent offender

for up to 60 days in an RYDC. Many jurisdictions utilize this option as an accountability-based sanction, especially for probation violators. However, youth charged with any offense are subject to this disposition, and numerous first-time and minor offenders receive this disposition. Initially, DJJ established juvenile boot camp programs to hold youth sentenced under this provision, both male and female.¹⁰² However, in 2000, the state replaced all boot camps with more treatment-oriented 60-day programs. In 2013, as part of the juvenile justice reform, these sentences were limited to 30 days in an RYDC.¹⁰³

STP sentences often involve low- and medium-risk youth as determined by the DAI. Youth are frequently detained only after disposition, bypassing the intake process. Approximately 150 of these sentences occur annually across the state.¹⁰⁴ Periodically, there are criticisms of the DAI process, which seems to be misunderstood by some members of law enforcement, prosecutors, and the public. The DAI is a validated instrument that helps measure the risk that a young person will commit another delinquent offense or fail to appear for their court hearing. The DAI minimizes risk in the detention decision — no magic bullet totally eliminates risk. Some public criticism of the DAI is that it does not hold youth accountable, and that youth know how many points are needed for detention. This is a potential growth area for community engagement in policy discussions of the detention of youth.¹⁰⁵

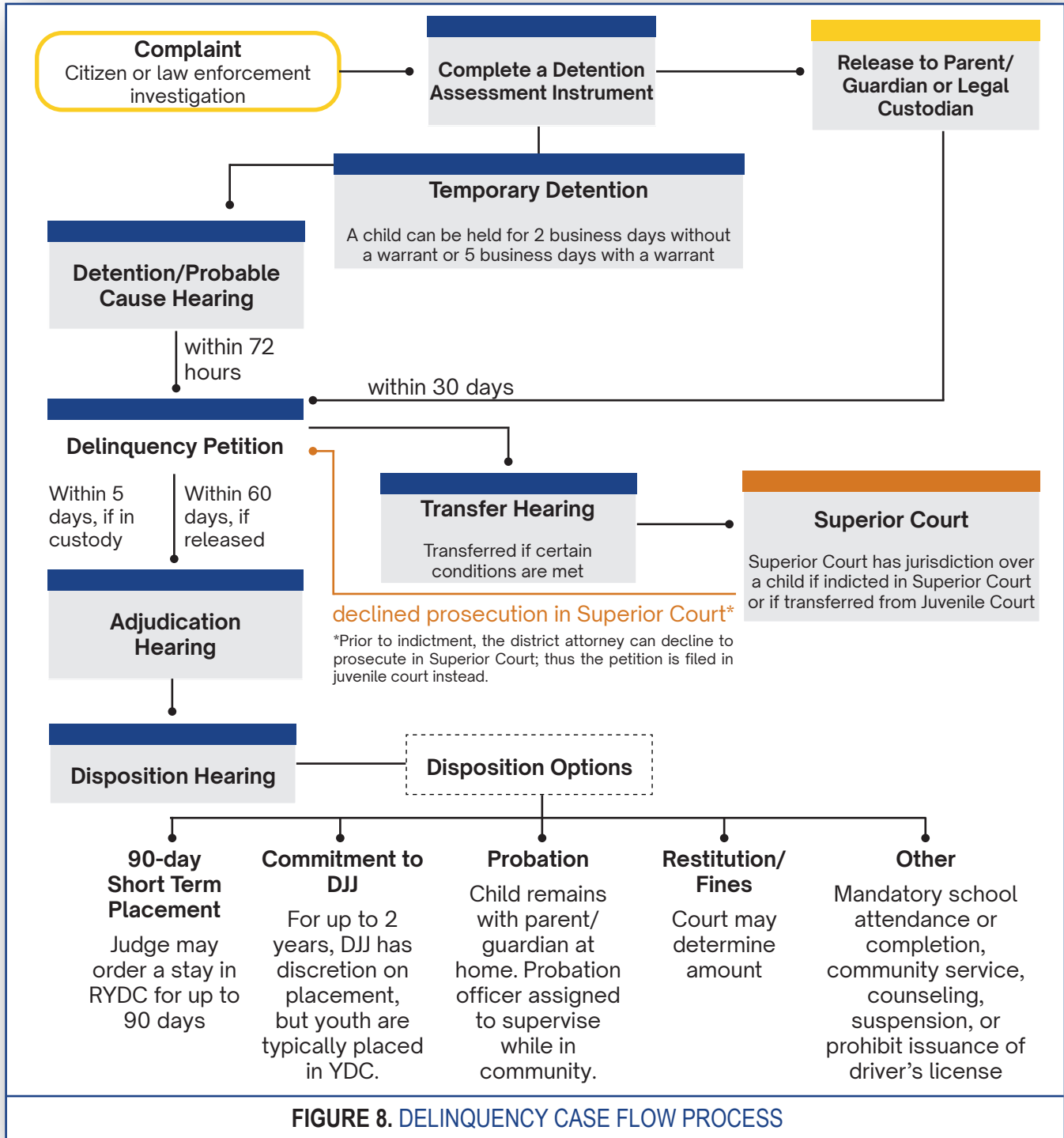
Commitment/Placement: Commitment to DJJ as part of a disposition for delinquency falls under OCGA §15-11-601(a)(11). Once a youth has been committed to DJJ, a panel of DJJ staff and other professionals is convened to determine the most appropriate placement. These "screening committees" consider multiple factors in making placement decisions and utilize a standardized screening instrument to determine placement based on their review of the youth's social history and risk and needs scores.¹⁰⁶ "In consideration of these many factors, a determination is made regarding the likelihood that the youth will recidivate. This also helps to create a plan to deliver the most appropriate services in the least restrictive environment. **While commitment can lead to incarceration in a YDC, more than 60% of all committed youth are currently placed in nonsecure programs.**¹⁰⁷ This number is expected to continue rising as more alternative programs become available. Youth who are alternatively placed (not placed in

secure confinement) are subject to revocation of their non-secure placement and are subject to placement in a YDC if they commit new offenses or violate the placement rules.¹⁰⁸

Youth placed in YDCs are assigned minimum and maximum lengths of stay based primarily on the seriousness of the committed offenses and past court involvement. Once released from a YDC or an alternate placement, youth are placed on aftercare supervision in their community for

a defined length of time. Aftercare is typically terminated when the supervising worker feels the youth has made a satisfactory adjustment within the community or when the youth's commitment order expires. Commitment orders are valid for two years, except in **designated felony** cases, when commitment can be ordered for up to five years, depending on the nature of the offense.¹⁰⁹

See **Figure 8** below for the Delinquency Case Flow Process.



| Dependency Case System Flow

Juvenile courts in Georgia also have jurisdiction over dependency cases, where a child is alleged to have been abused or neglected and is in need of the court's protection. See [Appendix G](#) for additional information on Dependency Cases.

| CHINS Case System Flow

This case option for juvenile courts was added to the code in 2013 as part of juvenile justice reform.

According to OCGA §15-11-2(11)(A) and (B), a CHINS youth is “a child adjudicated to be in need of care, guidance, counseling, structure, supervision, treatment, or rehabilitation and who is adjudicated” for truancy; running away; being ungovernable; curfew violations; hanging out in bars; being on probation for being ungovernable; guilt of a child-only offense (e.g., possession of alcohol, underage driving); and delinquency, but **not** in need of treatment or rehabilitation.

CHINS Case Decision Points

There are nine decision points in the CHINS case process in Georgia:^{[110](#)}

- » **1** Complaint
- » **2** Intake
- » **3** Petition
- » **4** Summons
- » **5** Adjudication Hearing
- » **6** Disposition Hearing
- » **7** Case Plan Development
- » **8** Periodic Reviews
- » **9** Case Closure

The CHINS process focuses on providing the child and family with the services and support needed to address the underlying issues and prevent future court involvement. The goal is to ensure the child's safety, well-being, and success in the community.

» **1 Complaint**

A complaint is filed with the juvenile court alleging that a child needs services. The complaint may be made by any person, such as a school official, parent, guardian, or law enforcement officer, who has knowledge of the facts or is informed and believes that such facts are accurate. A prosecuting attorney may also file a complaint alleging a child needs services to represent the state's interest.^{[111](#)}

» **2 Intake**

The court's intake officer reviews the complaint to determine if it meets the criteria for a CHINS case. If the complaint is accepted, the officer may divert the case to informal processing or refer it to the court for formal processing.

Temporary detention under CHINS: A child taken into temporary custody under CHINS can be held only for 12 hours.^{[112](#)} Every effort must be made to contact the child's parents or legal guardian. If the child's parent or guardian cannot be located within 12 hours, the court will place the child in the least-restrictive placement consistent with their needs for protection and control.^{[113](#)}

» **3 Petition**

If the case is referred for formal processing, a CHINS petition is filed with the court, outlining the specific allegations and the basis for the court's intervention.

» **4 Summons**

The court issues a summons to the child and the child's parents or guardians requiring them to appear in court for the adjudication hearing.^{[114](#)}

» **5 Adjudication Hearing**

At the adjudication hearing, the court determines if the allegations in the petition are true and if the child needs services. The child and the parents have the right to an attorney and to present evidence.^{[115](#)}

» 6 Disposition Hearing

If the child needs services, a disposition hearing is held to determine the appropriate services and interventions for the child and family. This may include counseling, educational support, or placement in a community-based program.¹¹⁶

» 7 Case Plan Development

In collaboration with the child, family, and service providers, the court develops a case plan outlining the services and actions needed to address the issues that led to the CHINS case.¹¹⁷

OTHER SERVICES

The following additional services are available in some juvenile courts:

| Juvenile Accountability Courts

In 2012, the Georgia Legislature created the Georgia Accountability Court Program, one of several criminal justice reform initiatives established to provide effective alternatives to sentencing for nonviolent offenders and reduce the state's prison population. The program's annual appropriations provide economic support to courts statewide and offer a sentencing option for nonviolent property and drug offenders. The objectives of the Accountability Court Program are to reduce incarceration rates, encourage adherence to standards, save lives, and restore families.¹¹⁸

Georgia has the following adult accountability courts:

- » Felony Drug Courts;
- » Mental Health Courts;
- » Veteran's Treatment Courts;
- » DUI/Misdemeanor Courts; and
- » Family Treatment Courts.

Juvenile accountability courts in Georgia typically accept teens aged 13-17 who live in the county where the court operates and face pending charges. Participants must demonstrate significant substance abuse or mental health needs that can be treated through outpatient

8 Periodic Reviews

The court conducts periodic reviews (usually every six months) to assess the progress made toward the case plan goals and the child's well-being.

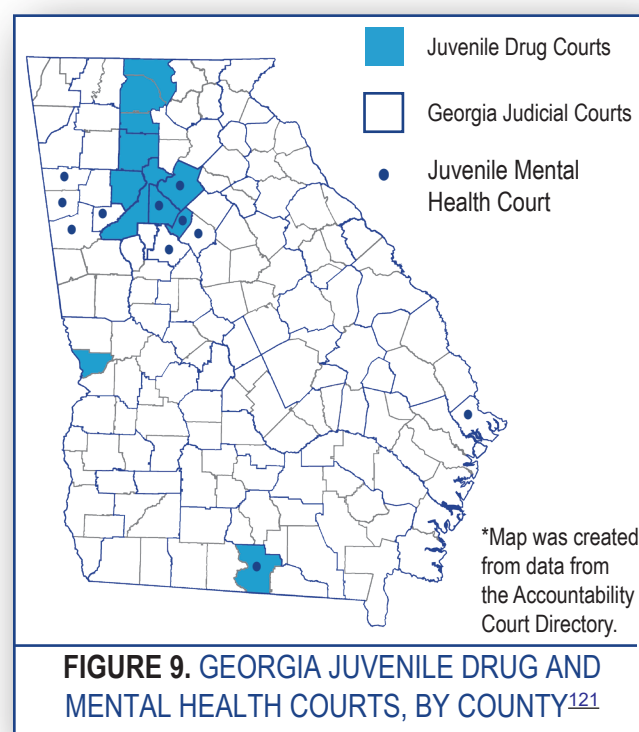
» 9 Case Closure

The CHINS case is closed when the child and family have successfully completed the case plan and the court determines that the child is no longer in need of services.

See **Figure 10** on p. 30 for the CHINS Case Flow Process.

services. Above all, youth must be willing to fully commit to the program requirements.

Since the Council of Accountability Court Judges (CACJ) was established in 2015, the accountability court model has expanded to include juvenile courts. There are currently nine juvenile drug courts and eight juvenile mental health courts.¹¹⁹ See **Figure 9** below. Between FY 2020 and FY 2023, juvenile accountability courts in Georgia served 920 youth, with an annual average participation count of 184.¹²⁰



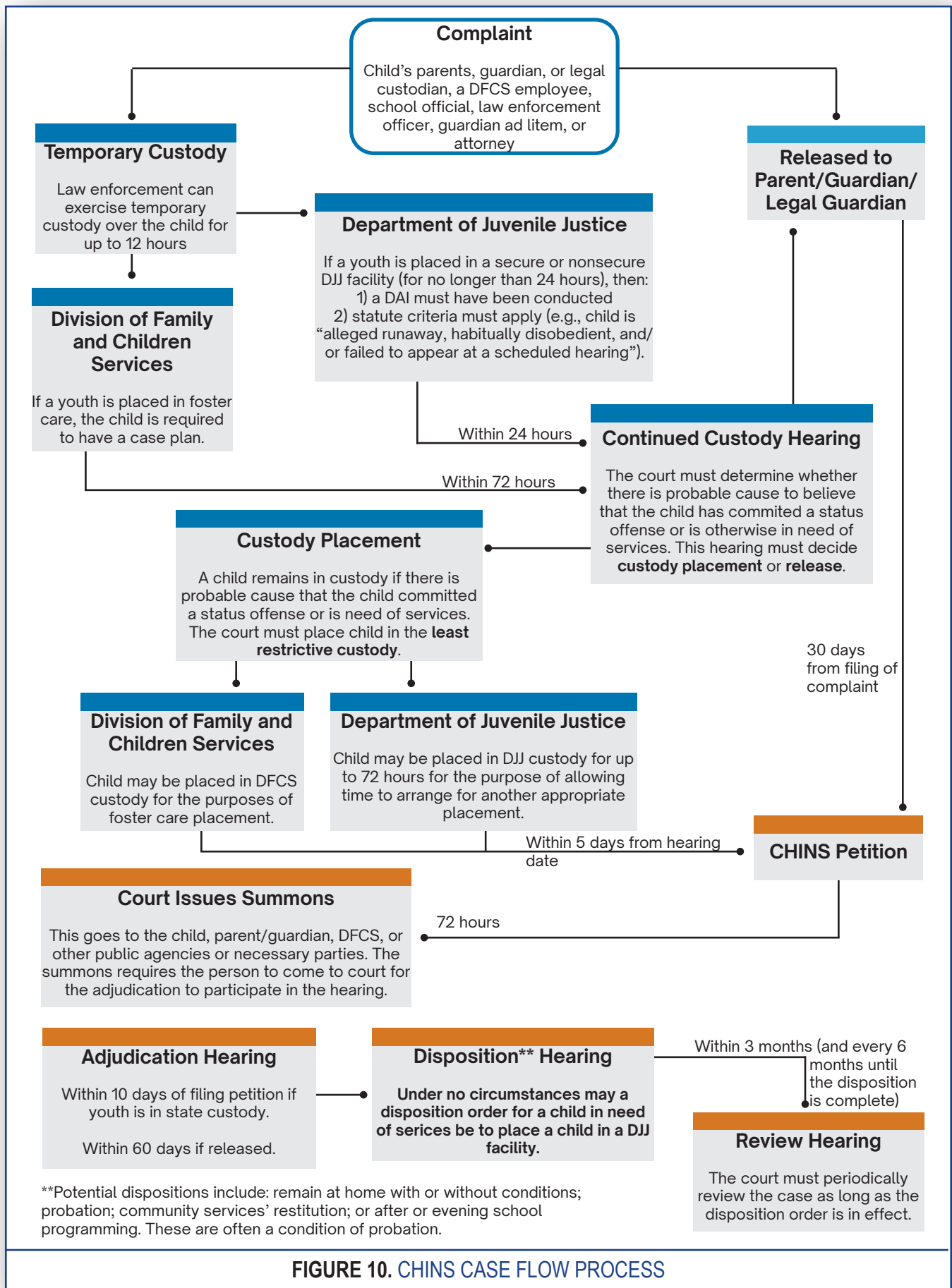


FIGURE 10. CHINS CASE FLOW PROCESS

| Juvenile Justice Incentive Grant Program and Community Services Grant Program

Juvenile Justice Incentive Grant

The Criminal Justice Coordinating Council (CJCC) established the JJIG in 2013 to fund community programs for lower-risk youth who would otherwise be committed to DJJ or sentenced to a short-term program. This competitive grant program is offered annually to juvenile courts to fund evidence-based programming that provides support and supervision to address youth needs; promote positive relationships among youth, their families, and their communities; and ultimately reduce juvenile recidivism. In addition to funding, the grant program provides technical support for nationally recognized treatment programs appropriate for moderate- to high-risk youth, as scored by juvenile court staff utilizing the PDRA.¹²²

The JJIG was initially funded primarily with federal funds, with some additional state dollars. As juvenile federal funding declined over the past 10 years, most of JJIG funding comes from state dollars. In FY 2023, state funds accounted for just over \$7 million with federal funding of only \$125,000.¹²³

Only treatment programs found by crimesolutions.gov, an evidence-based program registry supported by the United States Office of Justice Programs (USOJP) “promising” and “effective” at addressing adolescent criminal behavior are permitted by CJCC. Currently, Functional Family Therapy (FFT), Thinking for a Change, Aggression Replacement Training, MST, Seven Challenges, and Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) are among the approved treatment programs funded by the JJIG.¹²⁴

Community Services Grant

The Community Services Grant program provides evidence-based services to juvenile courts in counties that do not have the capacity to apply for or manage a JJIG. In FY 2023, DJJ provided \$3.2 million in funding, and the CSG program served 392 at-risk youth. **Between these two programs, every judicial circuit in Georgia has access to at least one evidence-based program designed to reduce high-cost, unnecessary, out-of-home placement of youth.**^{125,126}

Evaluation and Model Fidelity

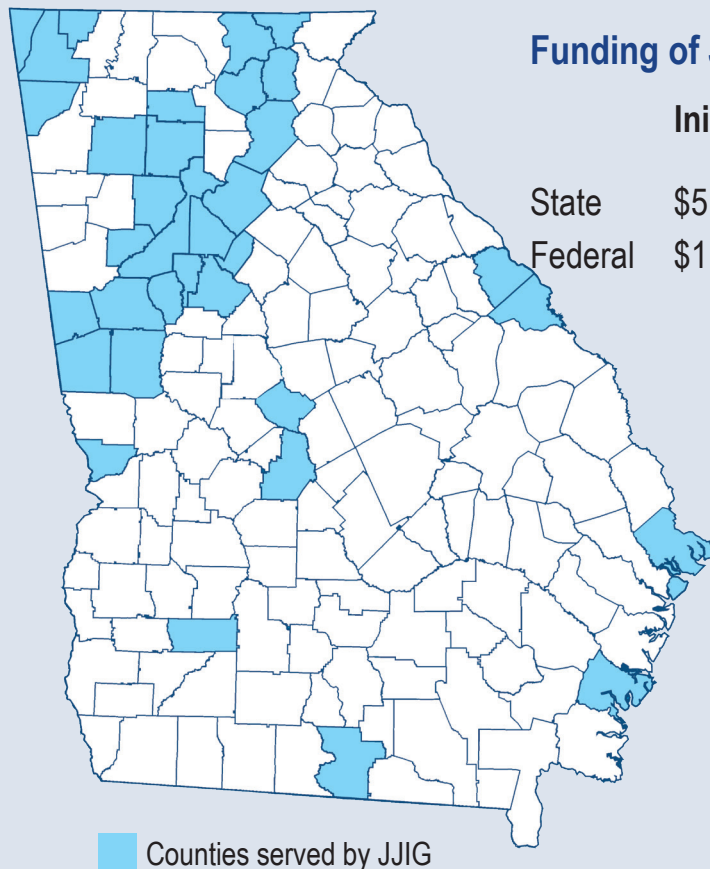
Since 2013, DJJ has partnered with University of Georgia’s Carl Vinson Institute of Government (CVIG) to evaluate JJIG and CSG strategies and publish annual progress reports.¹²⁷

According to national research findings, delinquency risk and implementation quality are the two main factors that influence a program’s ability to effectively reduce juvenile recidivism. Programs that prioritize services for youth at higher-risk and uphold higher implementation standards, including faithfulness to a specific program model, obtain the best results. Interestingly, providing intensive treatment to lower-risk youth can actually increase their recidivism.¹²⁸

JJIG grantees receive support from CJCC in implementing evidence-based programs that utilize feedback and coaching on general programmatic operations and model fidelity. CJCC has concentrated on providing training and continuing support for staff members executing these programs to maintain fidelity to their chosen model. To underscore the importance of guaranteeing model integrity across all models in the state, CJCC employs a full-time model integrity coordinator. CJCC staff findings indicate that three components are necessary to maintain fidelity to a program model: (1) staff training, (2) staff supervision and coaching, and (3) adherence to the Crime and Justice Institute and the National Institute of Corrections’ Principles of Effective Intervention.¹²⁹

Juvenile Justice Incentive Grant

administered by the Criminal Justice Coordinating Council



Counties served by JJIG

Funding of Juvenile Justice Incentive Grant

	Initial (2013)	Current (2023)
State	\$5 million	\$7.9 million ¹³⁰
Federal	\$1 million	\$126,000 ¹³¹

Cost Savings of Juvenile Justice Incentive Grant in FY23¹³²

Cost per year to house a child outside the home: \$90,000+

Number of youth diverted with a successful outcome: 590

Avoided cost of detaining youth due to diversion: \$53.1 million

Juvenile Justice Incentive Grant Outcomes in 2023¹³³

Out-of-Home Placements: 62%

Reduction in out-of-home placements compared with FY14 baseline

Program Completion: 73%

Successful completion rate for youth in JJIG placements

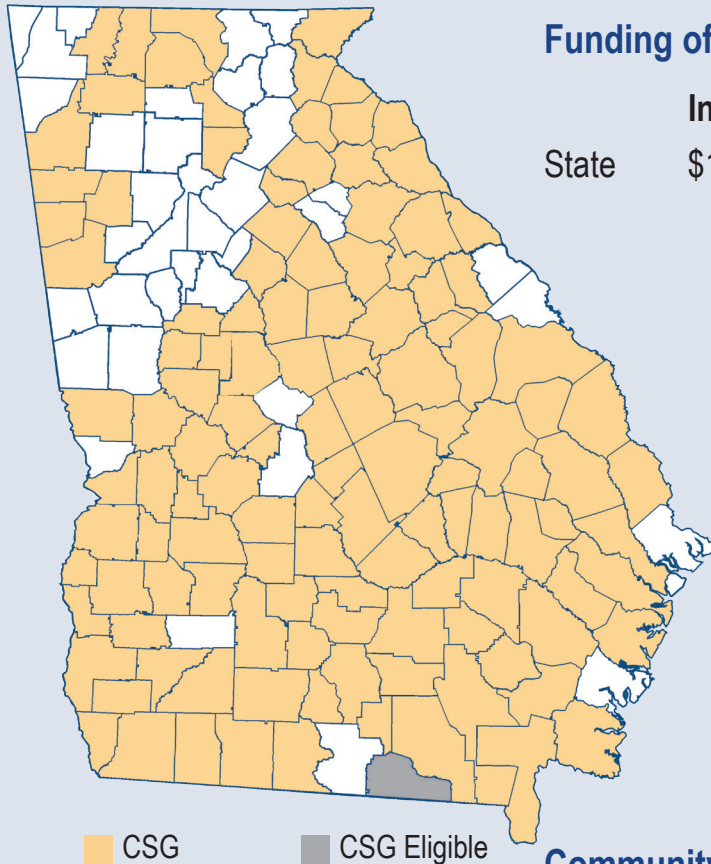
School Engagement: 93%

Youth who were actively enrolled in, or had completed, school

In FY23, Juvenile Justice Incentive Grant served 927 at-risk youth, 68% of those youth were Black.

Community Service Grant

administered by the Department of Juvenile Justice



Funding of Community Service Grant

	Initial (2014)	Current (2023)
State	\$1.6 million	\$3.2 million ¹³⁴

Cost Savings of Community Service Grant in FY23

Cost per year to house a child outside the home: \$90,000+

Number of youth diverted with a successful outcome: 248

Avoided cost of detaining youth due to diversion: \$22.32 million

Community Service Grant Outcomes in 2023¹³⁵

Out-of-Home Placements: 57%

Reduction in out-of-home placements compared with FY14 baseline

Program Completion: 76%

Successful completion rate for youth in CSG placements

School Engagement: 92%

Youth who were actively enrolled in, or had completed, school

In FY23, Community Service Grant served 392 at-risk youth. 65% of those youth were Black.

| Court Appointed Special Advocates

With an FY 2024 budget of \$18.2 million, approximately \$4.6 million of which comes from state funding, the nonprofit Georgia CASA acts as the coordinating body for Court Appointed Special Advocates (CASAs) statewide. It assists CASA affiliates in recruiting skilled, sympathetic volunteers to represent children's best interests in dependency matters before the courts. In all 159 counties in Georgia, CASA volunteers are recruited, screened, trained, and overseen by the 46 CASA affiliate organizations. The court appoints these adult volunteers, who undergo specific training to enhance children's foster care experiences. When a child's reunion with their family is unlikely, CASA volunteers provide the specialized care and support each child needs during court proceedings.¹³⁶

| Juvenile Detention Alternatives Initiative

JDAI was developed by the Annie E. Casey Foundation more than 30 years ago to help local communities address the rise in unnecessary out-of-home placements of juveniles. Several juvenile courts in Georgia have participated in this initiative for more than a decade.^{137,138} While the use of this initiative by Georgia juvenile courts has decreased in recent years, Georgia has a dedicated JDAI coordinator who works with the Juvenile Justice Unit at the CJCC to assist interested courts in exploring their detention data and developing alternatives.¹³⁹ As the **JDEX** system continues to improve juvenile data sharing, opportunities for this initiative should increase. For additional information on data sharing, see [Section 4: Data Collection and Key Trends](#).

Foster Care and Court Appointed Special Advocates in Georgia

As of October 2024, there were: ¹⁴⁰

- **15,838** Georgia children in foster care;
- **2,522** CASA volunteers in Georgia; and
- **8,367** (55%) children in foster care served by a CASA volunteer.

4 DATA COLLECTION AND KEY TRENDS

This section sets forth general information on juvenile justice data collection, dissemination, and challenges associated therewith. Additionally, we present overall referral data and other decision point data focusing on racial, ethnic, and gender disparities.

COLLECTION AND CHALLENGES

Data collection and dissemination play a pivotal role in the functionality of the juvenile justice system, especially in the evaluation and improvements that directly impact the lives of children and families across the state. OCGA § 15-11-704 gives state agencies the authority to inspect and extract data from individual courts. While not exhaustive, the following section identifies the entities entrusted with recording, gathering, and reporting juvenile justice data in Georgia.

Individual courts and DJJ collect most of the juvenile justice data in Georgia. Individual court data comes from information entered into the Juvenile Tracking System (JTS) (dependent courts) or individual court case management systems (CMSs). Most juvenile courts use an electronic CMS to manage cases and record court data, most commonly Juvenile Case Activity Tracking System (JCATS). Because dependent courts rely on DJJ officers to do intake and probation services, risk assessment scores and other information is entered directly into JTS. Dependent courts may use a CMS for other case management purposes. DJJ internal data collection occurs daily as records are accessed and updated within JTS.¹⁴¹ While data is maintained in JTS, DJJ disseminates select data via its annual reports, which are published on the DJJ website.

CJCC and the Administrative Office of the Courts (AOC) also collect and analyze data through their respective platforms, the Juvenile Justice Data

Clearinghouse (Clearinghouse) and JDEX. The Clearinghouse is an interactive online database used “to determine equitable distribution of resources, and to inform program and policy analysis.”¹⁴² JDEX is a data repository of juvenile justice data containing statewide juvenile legal and detention history reported by individual CMSs and JTS that can be accessed by court staff, defense attorneys, and policymakers.^{143,144}

While significant improvements in data collection and dissemination have been made with the advent of databases and dashboards like JDEX and the Clearinghouse, gaps still remain. **The primary barrier to data collection and analysis is the bifurcation and overall division of the juvenile court system in Georgia.** With regard to decision points, while there is complete, reliable data on detention, commitment, and secure confinement, the data for referrals, diversions, complaints, petitions, and probation sentences is less reliable due to the bifurcation at intake. **Until there is some agreement or policy on the standardization of data collection and reporting across the entire juvenile court system, much of the data currently collected is unreliable, at best.**

In addition to data issues resulting from a bifurcated system, there are significant gaps in data that could show the relationship between juvenile justice and social and environmental factors. As illustrated throughout this report, social and environmental factors play a role in a youth’s risk for court involvement. Although data

is collected and disseminated at a county level, location by county doesn't tell the whole story — mainly what factors may play a part in the child becoming court-involved.

More uniform and detailed data collection at earlier stages of the juvenile justice process

will allow the state to analyze social and environmental factor and design interventions and diversions to target youth and prevent them from deeper involvement in the legal system.

See [Appendix H](#) for additional information on data collection and challenges.

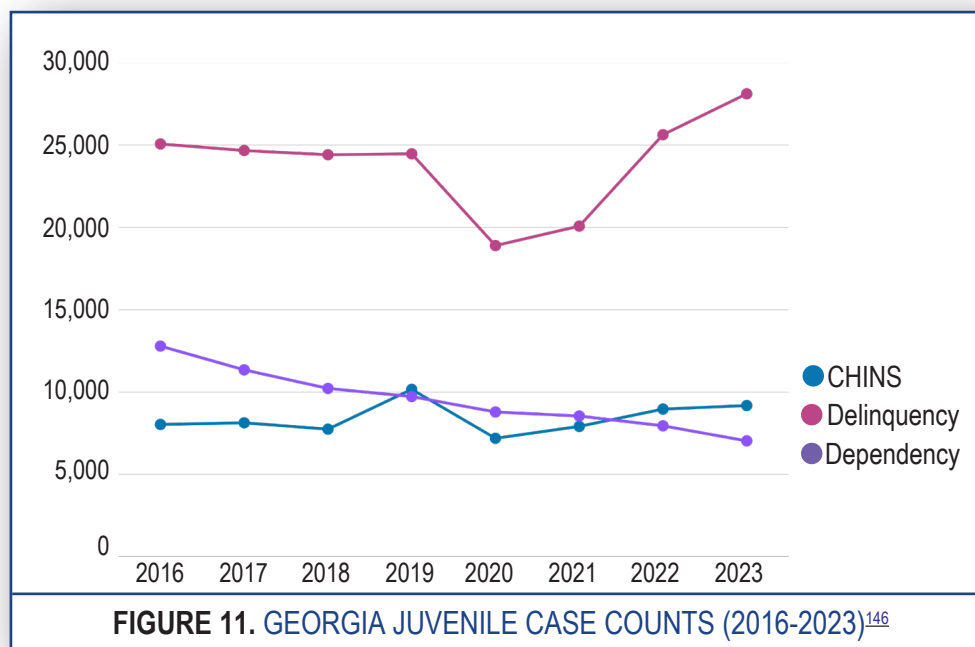
DATA AND TRENDS

The following sections show select juvenile justice data and trends in Georgia. Case count trends from AOC show data from 2016 to 2023, as that was the only data available at the time of this report. Decision point data for delinquency and CHINS (from the Clearinghouse) show 10-year averages and trends between 2013 (when the Juvenile Justice Reform Act was passed) to 2022 (the most current year available). Decision point data is not available for dependency cases.^{xvi}

| Case Counts

From 2016 to 2023, Georgia experienced an overall rise in delinquency and CHINS cases and a gradual decline in dependency cases. Delinquency and CHINS cases dropped significantly in 2020 and then rose from 2021 to 2023.¹⁴⁵ The drop in delinquency and CHINS

cases in 2020 is most likely due to the COVID-19 pandemic, as youth spent less time at school (which is a significant referral source for juvenile courts) and in the community (where youth may partake in delinquent behavior and encounter law enforcement). See **Figure 11** below.



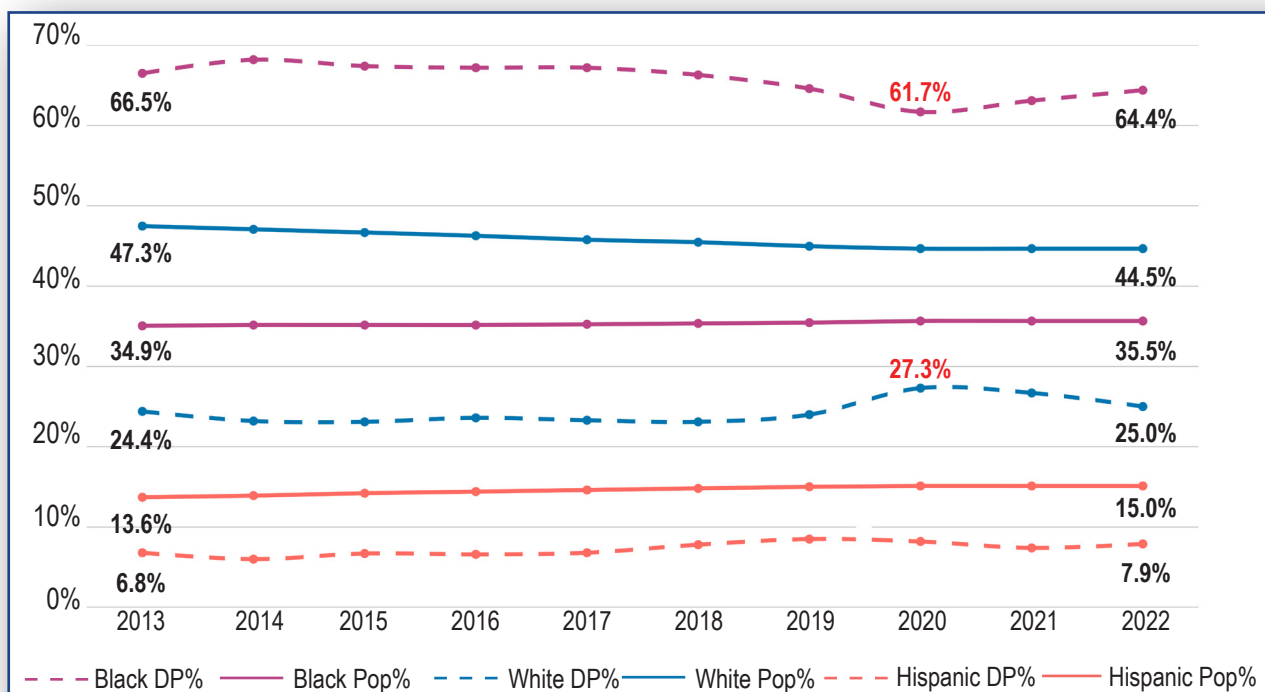
^{xvi} Data from the Clearinghouse is used to monitor racial and ethnic disparities for youth who come into contact with the juvenile justice system. It is separate from the case count data provided by the AOC, and there may be discrepancies that prevent these two separate data sets from alignment. [About - Georgia Juvenile Justice Data Clearinghouse](#)

| Delinquency Data and Trends by Race/Ethnicity and Gender

As mentioned, the overall number of delinquency cases has been rising since 2020. Between 2016 and 2023, delinquency cases rose by approximately 12%; however, between 2020 and 2023, there was an almost 50% increase to exceed pre-COVID-19 pandemic levels.¹⁴⁷ The post-pandemic rise could be related to economic stress and disruptions caused by the pandemic, as well as escalated gun violence, which has since subsided to pre-pandemic levels.¹⁴⁸

Although Black youth consistently made up approximately 35% of the state's youth population over the 10-year period, the average representation for Black youth across all delinquency decision points declined by about

two percentage points (Pps). The number of White youth in the state decreased from 47.3% to 44.5%, while the average representation for White youth (across all delinquency decision points) remained relatively the same. The population of Hispanic youth in the state rose by one Pp, and the average representation for Hispanic youth (across all delinquency decision points) rose from 13.6% to 15%. Notably, in 2020, Black youth representation across all decision points declined (61.7%), while White youth representation across decision points rose (27.3%); however, Black youth remained overrepresented while White and Hispanic youth remained underrepresented across all delinquency decision points for all 10 years.¹⁴⁹ Although not confirmed, these anomalies may likely be related to circumstances surrounding the COVID-19 pandemic. See **Figure 12** below.



**FIGURE 12. DELINQUENCY DECISION POINT REPRESENTATION (DP%)
V. POPULATION REPRESENTATION (POP%) BY RACE AND ETHNICITY IN GEORGIA,
ALL DELINQUENCY DECISION POINTS (2013-2022)¹⁵⁰**

When comparing average representation across all decision points with the average share of the state youth population over a 10-year-period, Black youth appeared in delinquency decision points at nearly double their proportion in the overall state

population. Additionally, “Other/Mixed” youth represented less than .01% of the overall state population but 2.4% of the delinquency decision point representation.

Conversely, White and Hispanic youth

representation in the delinquency decision points was about one-half the size of the overall state population percentage and Asian youth are vastly underrepresented as illustrated in **Figure 13** on the right.^{xvii.151}

Furthermore, **these disparities increase for Black youth as they move further into the system. Of note, at the probation decision point, there is a spike in White youth representation and a dip in Black youth representation. This indicates that White youth tend to receive probation sentences while Black youth are more likely to be committed to DJJ and incarcerated** (as indicated by increased Black youth percentages at later delinquency decision points). For Hispanic youth, the disparities remain relatively unchanged.¹⁵² See **Figure 14** below.

^{xvii} Representation disparities were calculated by subtracting the average percentage of youth at all decision points over 10 years (2013-2022) by the average statewide population by race over 10 years.

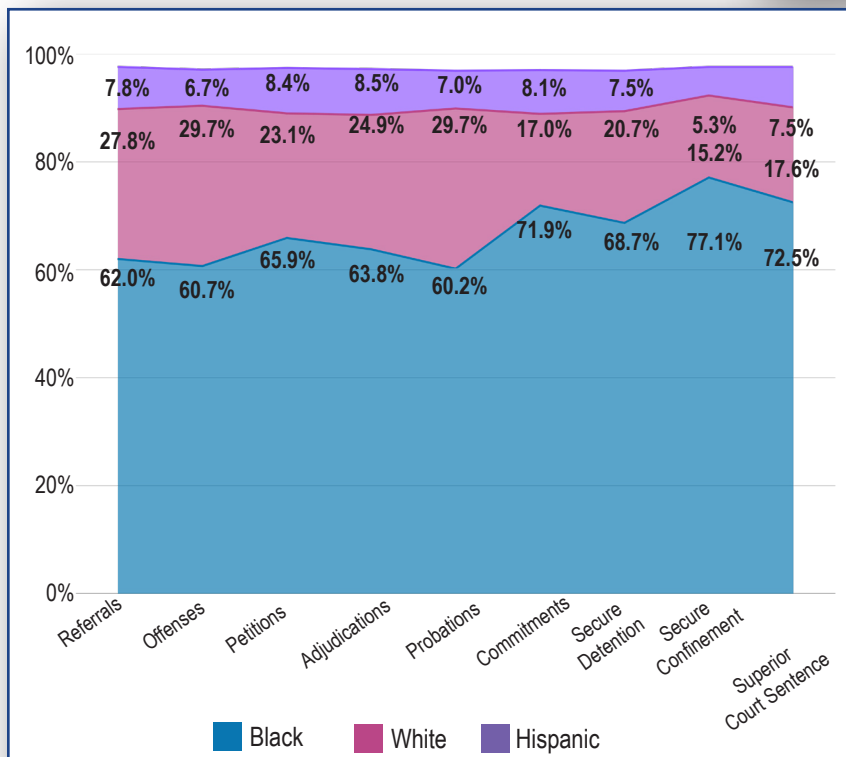
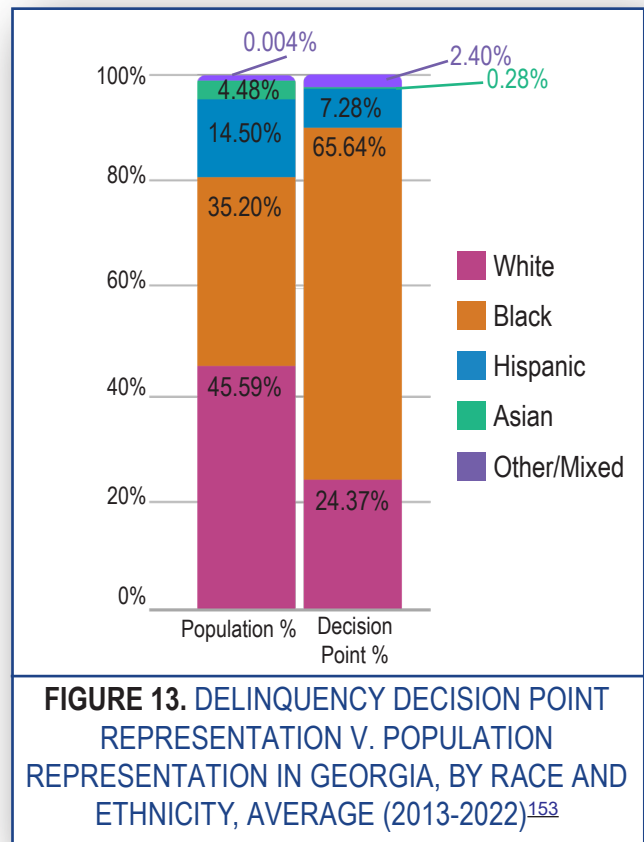


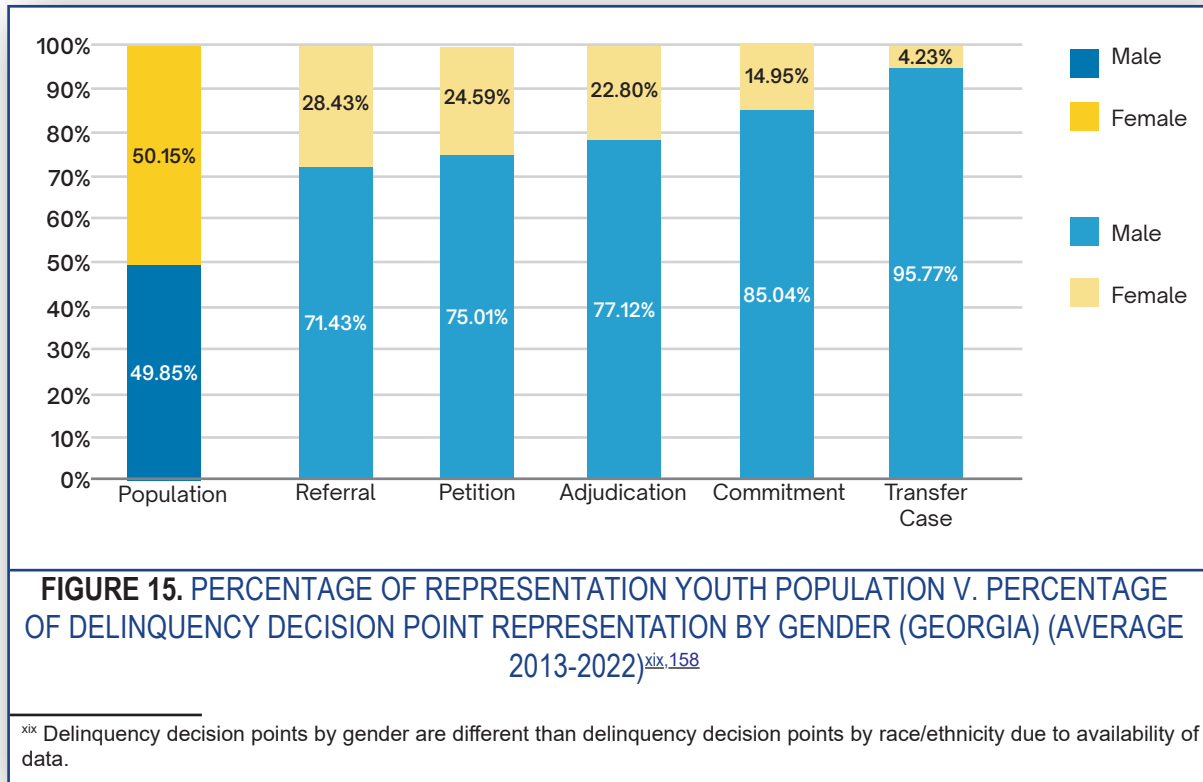
FIGURE 14. PERCENTAGE OF YOUTH REPRESENTATION AT DELINQUENCY DECISION POINTS BY RACE AND ETHNICITY (GEORGIA), AVERAGE (2013-2022)^{xviii.154}

^{xviii} Representation percentages do not equal 100% due the chart considering only White, Black, and Hispanic populations. Other races (i.e., Asian, Native American, and other/mixed) that constitute the remaining representation percentages are not shown in this chart.

One explanation for these increasing disparities for Black youth is the existence of bias in how Black and White youth are perceived and treated as they move through the system. **Of note, racial and ethnic disparities in decision point representation are not unique to Georgia. Although it varies from state to state, national data shows disparities in delinquency decision point representation. A 2022 United States Office of Juvenile Justice and Delinquency Prevention (USOJJD) literature review revealed that Black and other youths of color are more likely to be arrested, referred to court, petitioned, and receive an out-of-home placement than White youths on a nationwide basis.**¹⁵⁵ For further discussion on bias in juvenile justice, see **Section 10: Discussion and Recommendations: Racial/Ethnic and Gender Bias.**

Gender disparities also exist across delinquency decision points. Although the male and female youth populations in Georgia have been approximately equal over the 10-year period between 2013 and 2022, male youth are overrepresented across all decision points. Furthermore, **male youth are increasingly**

overrepresented as they move further into the system as shown in **Figure 15** below.¹⁵⁶ Gender biases, severity of crimes, and increased male youth susceptibility to peer pressure may explain some of these disparities. Remarkably, “being male” is one of the risk factors for juvenile delinquency.¹⁵⁷

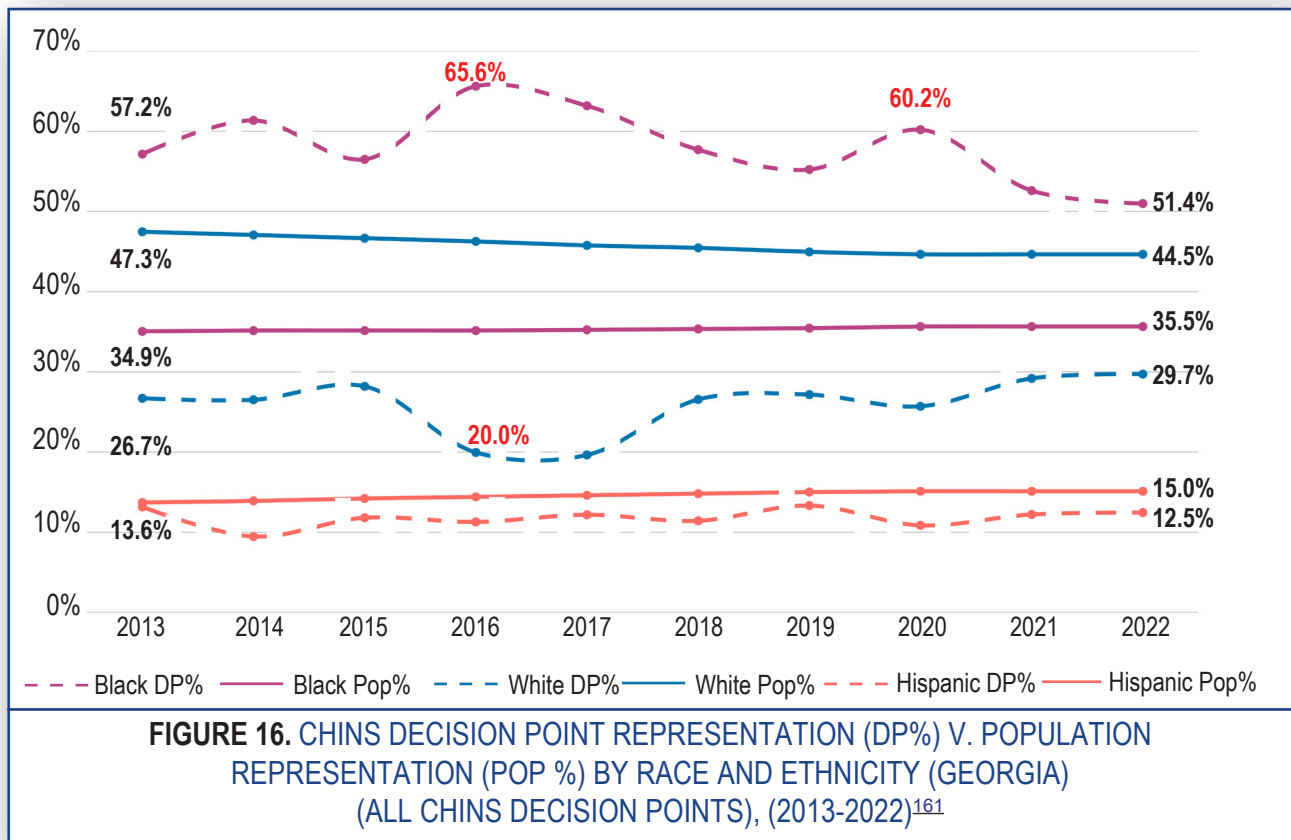


| CHINS Data and Trends by Race/Ethnicity and Gender

Similar to delinquency cases, CHINS cases increased by about 14% between 2016 and 2023. Although not as significantly as delinquency cases, CHINS cases rose by approximately 28% between 2020 and 2023.¹⁵⁹

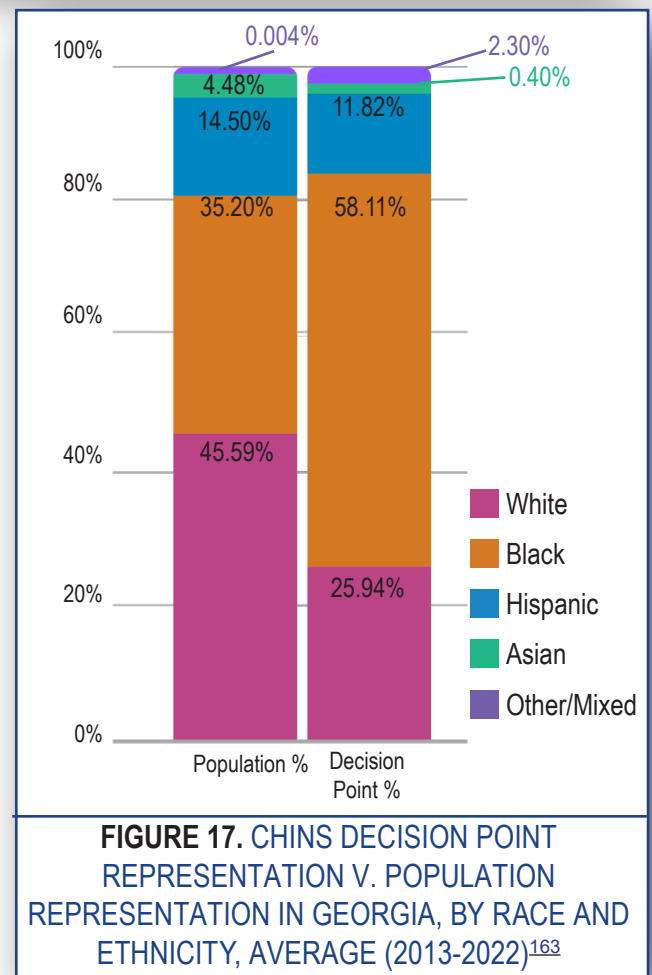
It is important to note that while the CHINS system shares similarities with the delinquency system, the CHINS decision points are different. Youth with CHINS cases are not seen as youth in need of treatment and rehabilitation but as youth in need of services to address the issues bringing them before the court. As such, they are not generally detained and cannot be sentenced to secure confinement, which was the norm before juvenile justice reform.

Between 2013 and 2022, Hispanic youth were slightly underrepresented, White youth were underrepresented to varying degrees, and Black youth were overrepresented across an average of all CHINS decision points to varying degrees. In 2016, there was a noticeable decrease in White youth representation and an increase in Black youth representation, though the reason for this shift is unclear.¹⁶⁰ There was a similar spike in Black youth CHINS decision point representation in 2020, which could be related to the COVID-19 pandemic. See **Figure 16** on p. 40.



Interestingly, the spike in Black youth CHINS decision point representation corresponds with a dip in 2020 in Black youth delinquency case representation. This may be due to Black youth spending less time out of the home during the COVID-19 pandemic, which may have reduced school and community delinquency referrals, and prompted parents to seek help with behavior through CHINS filings.

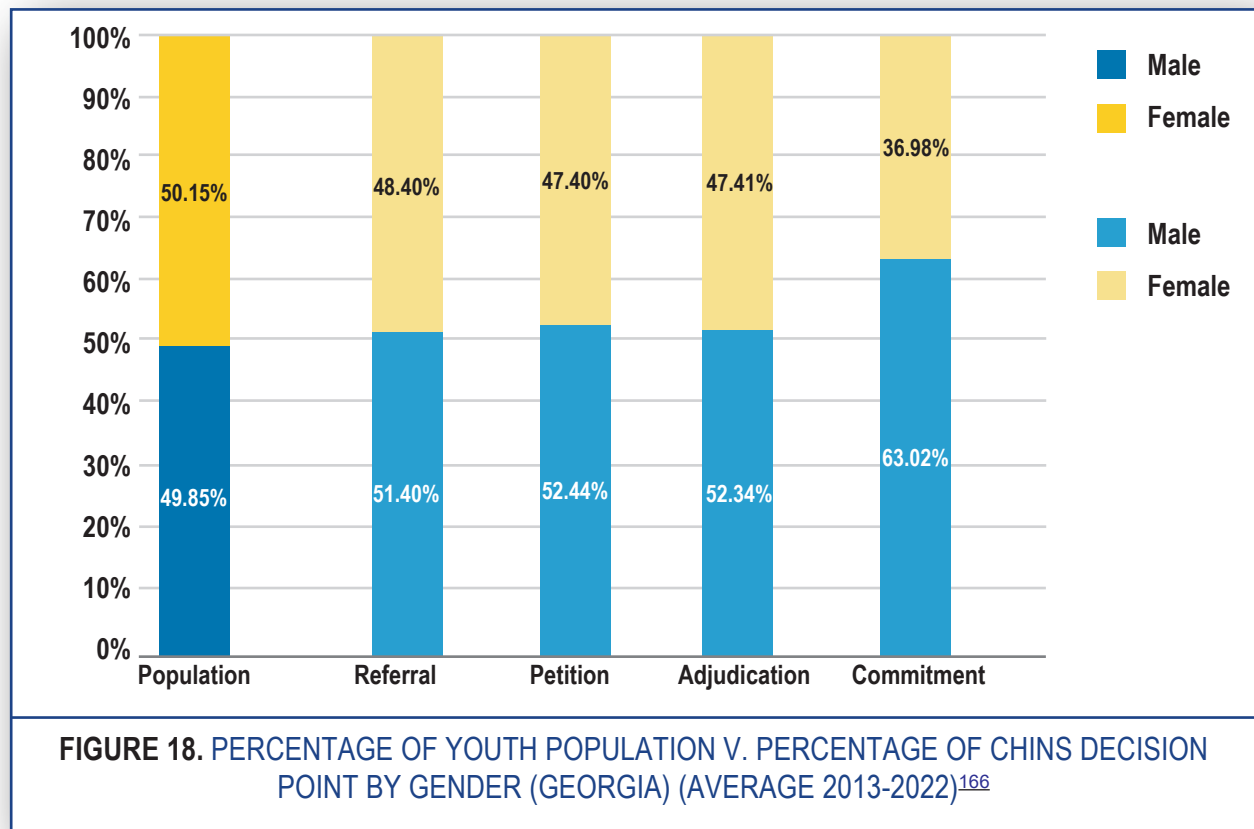
CHINS decision point data reveal racial and ethnic disparities when compared to the overall state youth population, particularly between representation of White and Black youth. Averaging representation percentages across all decision points and years (2013-2022), Black youth appear in CHINS decision point data at nearly twice the rate of their representation in the state's youth population. Youth categorized as "Other/Mixed" are overrepresented by nearly 500%. In contrast, White youth were represented at about half their proportion in the state population, Hispanic youth at approximately 80%, and Asian youth at less than 0.1%.¹⁶² See **Figure 17** to the right. These disparities could be explained by racial bias, poverty and disparate resources, or other risk factors that may



disproportionately affect Georgia's Black population.¹⁶⁴ See [Section 2: State Profile](#) and [Section 6: Prevention Challenges: Poverty and Adverse Childhood Experiences](#) for additional information.

As previously mentioned, on average, female and male youth were almost equally represented in the population between 2013 and 2022. Male

youth were referred, petitioned, and adjudicated for CHINS cases at slightly higher rates than female youth; however, **male youth were committed at a significantly higher rate (63.02%) than female youth (36.98%).**¹⁶⁵ See [Figure 18](#). Again, this could be due to gender bias and the propensity for male youth be at greater risk of court involvement.



In conclusion, **10-year juvenile justice data for delinquency and CHINS reveals a stark overrepresentation of Black, Mixed Race, and male youth. What's more, these overrepresentations increase as Black and male youth move further into the system and encounter more punitive measures.**^{xx} See [Section 10: Discussion and Recommendations: Racial/Ethnic and Gender Bias](#) for additional information. There are notable anomalies around 2020 showing a decrease in delinquency decision point

representation and an increase in CHINS decision point representation for Black youth that are seemingly associated with the COVID-19 pandemic. One possible explanation could be that remote learning caused a decrease in school-based referrals for delinquency cases and an increase in CHINS referrals by parents.

^{xx} While "Mixed-Race/Other" youth were over-represented in an average of all delinquency and CHINS decision points, we did not see an increase in overrepresentation as they moved across decision points. Additionally, the small size of the "Mixed-Race/Other" population makes it difficult to see meaningful trend in the data.

5 FOCUS POPULATIONS IN GEORGIA'S JUVENILE JUSTICE SYSTEM

This section addresses five populations within Georgia's juvenile and criminal justice system that warrant additional focus: 1) **SB 440 cases**, 2) **Juvenile Life Without Parole (JLWOP)** cases, 3) 17 year-olds, 4) **CHINS**, and 5) **Crossover Youth**. Each group faces different challenges and issues within the system, warranting careful examination and consideration.

SB 440 CASES (TRANSFER/WAIVER TO ADULT COURT)

In 1994, Georgia enacted SB 440 to ensure that juveniles who commit specific violent felonies are tried as adults in superior court. This legislation granted exclusive jurisdiction to superior courts over criminal cases involving juveniles aged 13 to 16 who are charged with one of the "seven deadly sins": murder, armed robbery (with a firearm), rape, voluntary manslaughter, aggravated sexual battery, aggravated sodomy, and aggravated child molestation.¹⁶⁷ Since SB 440's enactment, additional offenses have been added to the list of cases for automatic transfer to superior court, including aggravated assault if committed with a firearm upon a public safety officer, aggravated battery upon a public safety officer, and terroristic acts on a school.¹⁶⁸

Per OCGA §15-11-560(b), juveniles charged with one of the crimes mentioned above in Georgia will automatically have their case heard in superior court, where they will be charged, tried, and punished as adults. If convicted and sentenced to prison, juveniles will be sent to an YDC facility managed by Georgia's DJJ until they reach the age of 17. At that point, they will be transferred to an adult correctional facility. At the prosecutor's discretion, an SB 440 case may be transferred back to juvenile court "after investigation and for cause" if the case has not yet been indicted. However, after the indictment, an SB 440 case can be transferred to juvenile court only for "extraordinary cause."¹⁶⁹

In 2022, the most recent year with complete

data available, 256 youths were charged with an SB 440 offense in Georgia.¹⁷⁰ In an equitable system, with regard to race and ethnicity, one would expect the percentage of the population to closely match their percentage at each stage in the overall system. However, **Black youth continue to be overrepresented compared to their percentage of the state's population, constituting 36% of the state's youth population but accounting for 69% of SB 440 charges. Conversely, White youth are underrepresented at this stage, making up 44% of the state's youth population but accounting for only 18% of SB 440 charges.**¹⁷¹ See **Table 4** on p. 44. Because Black youth are significantly more likely to have their cases transferred to adult court, racial disparities in the juvenile justice system continue to grow. Moreover, the lack of robust statewide juvenile data to help determine causes for these disparate outcomes (e.g., resources, education, opportunity) has furthered claims that transfer laws are being used as a tool for social control over minority communities.¹⁷²

As discussed in the **Section 4: Data Collection and Key Trends**, Georgia is not alone among states with disparities in its juvenile system; the disparity in transfer/waiver cases is shared with other states as well. Nationally, in 2020 (the most recent year available), Black youth accounted for 55% of all transfer/waiver cases despite representing only 17% of the U.S. population.¹⁷³

GROUP	GEORGIA'S YOUTH POPULATION	% OF POPULATION	NUMBER OF SB 440 CHARGES	% OF SB 440 CHARGES
Black	836,067	36%	188	69%
White	1,046,654	44%	50	18%
Hispanic	353,954	15%	18	10%
Asian	112,843	5%	0	0%

TABLE 4. DISPARITIES IN SB 440 CASES IN GEORGIA, 2022¹⁷⁴

Youth charged with SB 440 offenses often spend significant time in juvenile detention. This is often the result of how cases are processed in the adult criminal system and the severity of these charges. The average length of stay in the RYDC for youths whose cases are overseen by juvenile court is 57.9 days. In contrast, those charged under SB 440 have an average duration of 321 days. It is important to recognize that when youth in Georgia reach the age of criminal responsibility (17), they are physically transferred to an adult jail, lockup, or correctional facility, irrespective of the status of their case in the SB 440 process. This transfer results in a reduced average length of stay in juvenile facilities for youths facing these charges.¹⁷⁵

One of the primary challenges with collecting transfer case data in Georgia is that no centralized authority supervises SB 440 cases. Before their indictment, youth under the age of 17 are detained in an RYDC. While youths are housed in these DJJ facilities, the decisions made in SB 440 cases are handled by superior court personnel and the district attorney in the county where the youths have been charged. Because there are 159 superior courts across Georgia, each operating under the auspices of its own chief judge, communication about case status can be irregular.¹⁷⁶ This decentralization leads to a lack of systematic collection of crucial dispositional data, including trial outcomes, plea agreements, case transfers, and sentencing information.

In SB 440 cases, the superior court determines bail. However, even if bail is granted, many families of youths facing these serious charges cannot afford the large bail amounts set.¹⁷⁷ As a result, **juveniles with SB 440 cases frequently languish in detention for extended periods, sometimes years, while they wait for their cases to be heard** in superior court. This prolonged detention can have a significant negative impact on the youth's development, education, and prospects for the future.

Youths tried as adults face much harsher sentencing, including potential sentences that developmental psychologists argue fail to account for the juvenile capacity for rehabilitation. Recent research on adolescent brain development shows that young brains continue the maturation process of their self-regulation centers into their mid-20s, suggesting that most youth will age out of delinquent/criminal behavior if given the time and opportunity.¹⁷⁸ However, this is not true for youth who are under the influence of a substance or experiencing psychopathy.¹⁷⁹

Moreover, **juveniles tried as adults are 34% more likely to reoffend with more severe crimes than those retained in the juvenile system for the same offenses.**¹⁸⁰ Youth who are housed in adult jails and prisons lose access to age-appropriate rehabilitation services, education, and family and community ties that are crucial for development. This increases their risks of mental illness, suicide attempts, and

difficulties reintegrating into society upon their release. Additionally, young adults housed in adult prisons face higher risks of violence and sexual abuse.¹⁸¹ The traumatic experiences of incarceration can exacerbate cyclical matters like poverty, substance abuse, and criminal recidivism in impacted communities.

The financial implications of SB 440 cases are significant and multifaceted. According to the Justice Policy Institute, the annual cost of incarcerating one youth in Georgia is \$112,862, or approximately \$309 per day.¹⁸² In stark contrast, the Georgia Department of Corrections (GDC) spends approximately \$26,000 annually to incarcerate one adult prisoner, or about \$71 per day.¹⁸³ However, this comparison of annualized incarceration costs does not provide the whole picture. Other factors to consider when performing a cost-benefit analysis on trying juveniles in adult court versus juvenile court include:

- Expensive legal processes like jury trials and frequent appeals that strain court resources;
- Higher taxpayer costs over decades for long adult sentences compared to shorter juvenile system supervision;
- Lost future earnings potential due to adult convictions limiting employment prospects;
- Increased recidivism costs;
- Delayed education and skill development impacting future economic potential; and
- Higher long-term health care costs due to increased risks of mental health

issues, substance abuse, and physical trauma in adult prisons.

While trying juveniles in adult court may offer some short-term cost savings for the juvenile justice system, the long-term financial costs are likely to be significant. Higher recidivism rates, loss of future earning potential, and increased health care costs can outweigh immediate savings. It is the government's role to ensure that fiscal costs are weighed against public safety priorities. The research is clear that the system's response to juvenile delinquency must be thoughtfully delivered to have the desired effect. The latest research shows that juvenile transfer laws are ineffective, as they do not have a deterrent effect and have been shown to increase recidivism, especially among violent offenders.¹⁸⁴ In contrast, investing in rehabilitative services and intervention programs within the juvenile justice system may yield substantial long-term financial benefits by reducing future criminal justice costs and increasing the economic contributions of justice-involved youth.¹⁸⁵

Some states have reconsidered punitive transfer laws in recent decades due to the social and fiscal impacts (e.g., Ohio), favoring blended juvenile and adult sentencing models, while others have doubled down, arguing that community protection requires strict transfer laws and that adult sentences provide more excellent public safety through deterrence and incarceration.¹⁸⁶ To date, Georgia has not conducted a detailed cost-benefit analysis on this issue.

JUVENILE LIFE WITHOUT PAROLE SENTENCES

Two U.S. Supreme Court rulings, *Miller v. Alabama* (2012) and *Montgomery v. Louisiana* (2016), found mandatory JLWOP sentences to be unconstitutional.^{187,188} These rulings required parole eligibility for juveniles convicted of homicide based on the court's interpretation that the Eighth Amendment ban on "cruel and unusual" punishment prohibited automatic life-without-parole sentences for minors. The *Montgomery* decision held that this ban on JLWOP sentences applied retroactively to

cases sentenced before 2016. As of the date of this report, 33 states have banned sentences of life without parole for juveniles, in keeping with the U.S. Supreme Court's ruling. Seven of the 27 states that have not banned this practice are in the Southeast.¹⁸⁹

In 2021, Georgia passed a bill providing parole eligibility for juvenile offenders after they serve 25 years for serious violent felonies or 30 years for murder. However, this law was

not retroactively applied to those already sentenced to JLWOP before July 2021, in contravention of the *Montgomery* decision. This left more than 30 individuals convicted as juveniles still serving life without parole, not granted the parole reviews required by the U.S. Supreme Court. Georgia has one of the highest rates of youths sentenced to life without parole, having sentenced 31 young people to life without parole since the U.S. Supreme Court ruled such sentences unconstitutional in 2012.¹⁹⁰

There are two categories of individuals in Georgia who have a JLWOP sentence: those sentenced before 2012 (pre-Miller decision) and those sentenced after 2012 (post-Miller decision):

- » **Pre-Miller Sentences:** Of the 15 individuals who received JLWOP sentences before 2012, 11 have been resentenced to life with the possibility of parole, one had their conviction overturned, and three are still serving a sentence of life without parole. All 15 were convicted of the offense of murder.¹⁹¹
- » **Post-Miller Sentences:** Of those 31 individuals who received sentences after 2012, six have been resentenced to life with the possibility of parole, one has a sentence pending a new trial, one has died in prison, and 23 are still currently serving life without parole. All 31 were convicted for the offense of murder.¹⁹²

Like SB 440 cases, there are sentencing inequities in the JLWOP population. Studies have found significant gender and racial disparities in Georgia's use of JLWOP sentences. **Since 2012, 100% of JLWOP sentences were males, and 80% were Black** (10% were White, and 10% were Hispanic).¹⁹³ The racial biases inherent in JLWOP sentencing have been one of the factors cited by advocates in arguing that these sentences are unconstitutionally cruel and discriminatory when applied to youth.

As discussed previously, one of the challenges with collecting case data in Georgia is that no centralized authority supervises SB 440 cases. Youth sentenced to JLWOP are a subset of SB 440 cases that fall between the juvenile

and adult criminal court systems. Before their indictment, youth under the age of 17 are detained in an RYDC. While housed in an RYDC, the decisions made in their cases are handled by the superior court personnel and district attorney in the county where the youth has been charged. As Georgia's court system is highly decentralized, communication about case status can be inconsistent and irregular, leading to challenges in tracking and analyzing these cases effectively.¹⁹⁴

The social impacts of JLWOP sentences are similar to those of SB 440 cases but are often more severe due to their length. As discussed in the SB 440 section, bail for youth charged with murder is often set at a level most families cannot afford. Youth tried as adults face much harsher sentencing, including potential life sentences, which developmental psychologists argue fail to account for the juvenile capacity for rehabilitation. As previously mentioned, youth housed in adult jails and prisons do not receive the age-appropriate services and access to their families and communities that they would have in a juvenile detention setting. As a result, they face increased risk of mental illness and suicide and may find it more challenging to reintegrate into society upon their release. A 2023 cohort study of 8,951 youths revealed that incarceration in an adult facility before age 18 was associated with a 33% increased mortality rate between the ages of 18 and 39.¹⁹⁵ The racial biases inherent in JLWOP sentencing have been cited by advocates in arguing these sentences are unconstitutionally cruel and discriminatory when applied to youth.

Housing juveniles sentenced to life is costly for Georgia's prison system, but allowing parole reviews could reduce these expenses. While it is challenging to provide a precise cost-benefit analysis of sentencing juveniles when the loss of life is involved, many of the same financial considerations discussed in the SB 440 section apply to juveniles sentenced to life without parole. These include the long-term costs of incarceration, lost potential economic contributions, and increased health care costs over the life span of the individuals.

ONGOING DEBATE OVER JUVENILE LIFE WITHOUT PAROLE SENTENCES

The debate over JLWOP in Georgia continues, with arguments on both sides. Supporters of JLWOP argue that some juvenile crimes are so heinous that they warrant a sentence of life without parole, that JLWOP serves as a strong deterrent for juvenile offenders, and that it provides the justice and closure needed by victims' families. They also contend that public safety is ensured through the incapacitation of these offenders.

On the other hand, opponents of JLWOP contend that juveniles have a greater capacity for rehabilitation and change compared to adults; that JLWOP violates the Eighth Amendment's prohibition on cruel and unusual punishment (as per the Miller decision); and that uniformly sentencing juveniles to life without parole fails to consider their individual circumstances, such as background, mental health, and potential for reform.

Some Georgia lawmakers have pushed for new legislation that would definitively make the 2021 parole provisions retroactive for all JLWOP sentences. However, these bills have stalled in the legislature amid opposition to further criminal justice reforms.

In February 2024, House Bill (HB) 1214, banning life without parole sentences for juveniles, was filed in the Georgia House of Representatives. However, the bill was never assigned to a committee and did not receive a hearing or a vote.¹⁹⁶ Advocacy groups argue that continuing to litigate the remaining pre-2021 cases is unnecessary and costly, and new legislation is the solution for bringing Georgia into compliance.

In 2021, Georgia passed a law that made people who are incarcerated under 18 at the time of their offense eligible for parole consideration after serving 25-30 years, depending on the severity of their crime. This law was not retroactive, so juvenile offenders sentenced before July 2021 were not made eligible for parole by this new statute.¹⁹⁷ The state continues to appeal any federal court rulings that have found the 2021 law granting parole eligibility for juveniles after 25-30 years must be applied retroactively to those already serving JLWOP sentences before the law changed. In August 2022, the 11th U.S. Circuit Court of Appeals ruled in favor of JLWOP inmates, arguing for retroactive parole reviews, but Georgia has appealed that decision.¹⁹⁸ The state's position is that the 2021 law was an act of legislative grace not subject to retroactive application under the court rulings against mandatory JLWOP sentences.¹⁹⁹

Georgia's current laws on JLWOP are inconsistent with the national trend of states moving away from this practice. While Georgia has begun exploring such a change, the debate surrounding JLWOP remains ongoing. The state's approach to SB 440 cases and JLWOP sentences continues to evolve, influenced by legal challenges, advocacy efforts, and ongoing research into juvenile justice practices. As this debate progresses, it is crucial to consider these policies' long-term social and financial implications and their impact on public safety and justice for all parties involved.

JUVENILE JURISDICTION FOR 17-YEAR-OLDS

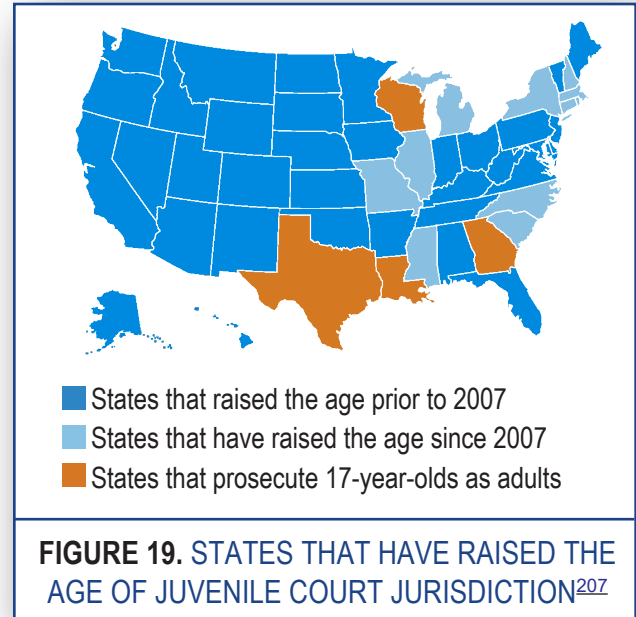
Georgia law defines a child as:

- one who is under the age of 17 years when alleged to have committed a delinquent act,
- between 18 and 21 years of age and receiving extended care youth services from DFCS,
- or under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court to enforce orders of the court.

The superior court has original jurisdiction over juveniles who commit serious violent felonies (SB 440 offenses), who are statutorily exempted from juvenile court jurisdiction.²⁰⁰ The basic design of Georgia's juvenile court system was first codified in the major provisions of the Juvenile Court Code of 1971, passed by the legislature, and became effective July 1, 1971.²⁰¹ As delineated in this 1971 code, a *child* was an individual under the age of 17 years. Additionally, after July 1, 1973, those under the age of 18 years would become subject to the jurisdiction of Georgia juvenile courts. However, during the legislative session of 1973, due to a lack of juvenile court resources, the legislature amended the Juvenile Court Code to remove 17-year-olds from Georgia's juvenile justice system.²⁰² Effectively, Georgia increased the age of juvenile court jurisdiction to include 17-year-olds once before, over 50 years ago. Unfortunately, this previous effort to “**raise the age**” was abandoned due to insufficient resources.²⁰³

Advocates cite the following reasons for raising the age of juvenile jurisdiction in Georgia:^{204,205,206}

- » Georgia is one of just four states to include 17-year-olds as adults (See **Figure 19** to the right);
- » Adolescent brains are not fully developed at 17 years old;
- » The juvenile justice system is treatment-oriented and more developmentally appropriate for 17-year-olds; and,
- » Reducing unnecessary detention protects public safety in the long term.



There are, however, practical considerations and logistical concerns associated with raising the age, including:²⁰⁸

- Projected court caseload increases, requiring staffing increases in larger-population courts;
- Projected juvenile detention bed space demands increases;
- Projected transportation demand increases on local law enforcement; and,
- A need for revalidation of assessment instruments to include 17-year-olds.

For any change to the age of juvenile responsibility to be successful, the associated costs must be fully understood and accounted for before the necessary code change is enacted.^{xxi,209}

^{xxi} In a 2020 report, CJCC estimated the number of additional cases, individuals, transports, and detentions that may result from the Raise the Age Act, based on 2019 arrest data. The number of arrests in subsequent years (2020-2022) were highly varied due to the COVID-19 pandemic, and we were unable to obtain 2023 arrest data. As such, we could not make any practical updated projections on costs.

Children in Need of Services

Since 2016, there have been more than 67,000 CHINS cases filed across the state.²¹⁰ While the total number of juvenile court case filings decreased by about 3% between 2016 and 2023, the number of CHINS cases increased by 14%. (See [Section 4: Data Collection and Key Trends](#)). According to a review of the state's attendance data from the Governor's Office of Student Achievement (GOSA), 23% of all students missed more than 15 school days during the 2022-2023 school year (more than 432,000). In contrast, pre-pandemic, 12% of all students missed more than 15 school days during the 2018-2019 school year (more than 228,000). This is an increase of 89% in potential truancy (CHINS) cases across Georgia.²¹¹

Much like delinquency and dependency cases, CHINS cases also have the potential to positively or negatively impact the youth and families involved. If done well, legal involvement with the juvenile court addresses the child's needs and can improve their well-being. CHINS policy is designed around the hope that family functioning and communication will improve through the court's mandated participation in services, such as counseling and parenting classes. The desired outcome is that these interactions will build a better support system for the child and ultimately result in positive outcomes.

Through CHINS:

- » The child may receive appropriate services and support to address their behavioral, emotional, or educational needs.
- » The family may learn new skills and strategies to cope with the child's challenges and improve their communication and relationships.
- » The court may provide guidance and oversight to ensure the child's safety and well-being and monitor their progress and compliance.
- » The child may benefit from the involvement of other professionals and partners, such as social workers, counselors, guardians ad litem, or mentors, who can advocate for their best interests and offer resources and

referrals.²¹²

However, increased court supervision can place additional strain on the family, including financial stress from addressing underlying issues that brought the child before the court. For example:

- » The child may feel stigmatized, labeled, or blamed for their problems and lose their sense of autonomy and dignity.
- » The family may experience stress, conflict, or resentment from complying with the court's orders and participating in services they may not agree with or find helpful.
- » The court may impose sanctions or consequences on the child or the family for noncompliance or lack of progress, which may escalate the situation or create further barriers.
- » The child may face negative peer influences or exposure to trauma or violence in the juvenile justice system or out-of-home placements, such as foster care or residential treatment.²¹³

While the goal is to address the child's needs and improve their well-being, family change is not always easily achieved.²¹⁴

Since the CHINS process was instituted in 2014, there have not been any specific reforms in this area, and juvenile courts have been left to provide their own direction with these cases without developed standards. This presents both challenges and opportunities for the CHINS process in Georgia.

On August 15, 2024, more than 40 CHINS coordinators from across Georgia gathered at Middle Georgia State University for a statewide CHINS convening to discuss these challenges and opportunities. One of the most significant challenges identified for CHINS policy is the limited resources. County governments grapple with insufficient funding, which hampers their access to services. There is also a shortage of qualified professionals like counselors and case managers, who are crucial to these programs. The availability of community-based resources and programs needed to support CHINS cases also varies depending on location.

Data collection on CHINS cases also poses a challenge since uniform data has historically not been collected. As previously mentioned, **JDEX** is moving toward centralizing juvenile court data in the state. With the planned addition of child welfare datasets by the end of 2024, the ability to analyze cross-jurisdictional data trends will greatly enhance the ability to serve Georgia's youth.

Another challenge with CHINS is that the system itself is overburdened. Juvenile court staff and case managers face high caseloads, complicating the timely processing of CHINS cases due to the sheer volume of referrals in some jurisdictions. Further, unlike the delinquency and dependency case processes, CHINS does not have a standardized assessment instrument to help identify needs and risk factors. Because of this, courts can struggle to provide personalized care to each child.

CHINS coordinators also remarked that children often are not identified as CHINS until their issues have escalated severely. When this happens, children are at risk of moving further into the system. These issues with late identification stress the need for a stronger focus on prevention and early intervention strategies. Family engagement can also be a barrier to service provision. Engaging families in the CHINS process can be challenging, especially when parents lack cooperation or understanding of the system. The resources for family-centered interventions are also limited, making it harder to effectively bring the family unit into the fold. Lastly, coordinators spoke of the stigma associated with CHINS. Children labeled as CHINS may face negative stereotypes, which can adversely affect their future opportunities. This labeling can shadow their lives, impacting how they are perceived and how they perceive themselves, causing some to miss out on opportunities for more positive outcomes.

In addition to challenges, CHINS coordinators identified the following opportunities to improve the system and outcomes for CHINS children and their families:

1. Implement statewide standardized screening and assessment tools, develop community-based prevention programs, and collaborate with schools and other partners to provide early support and

prevent the escalation of issues that lead to CHINS involvement.

2. Adopt a collaborative approach by developing functional multidisciplinary teams that meet regularly to address the holistic needs of CHINS children. Utilize existing teams across the state to bolster CHINS programs and promote information sharing and coordination among service providers. That can bolster CHINS programs, especially where personnel and other resources are scarce.
3. Implement evidence-based interventions targeting specific issues and risk factors of CHINS youth, such as FFT and Triple P. Continuously evaluate and improve CHINS services based on outcomes through appropriate data collection measures.²¹⁵
4. Engage and support families throughout the CHINS process by providing education, resources, and family-centered interventions. Involve families as active participants in case planning and decision-making to address underlying issues.
5. Implement trauma-informed practices throughout the CHINS process, including screening, treatment, and creating a safe environment. Provide training for professionals to better understand and respond to trauma in CHINS children.
6. Develop and expand community-based alternatives for CHINS children, including accessible services and diversion programs. Strengthen partnerships with community organizations to provide comprehensive support when appropriate.

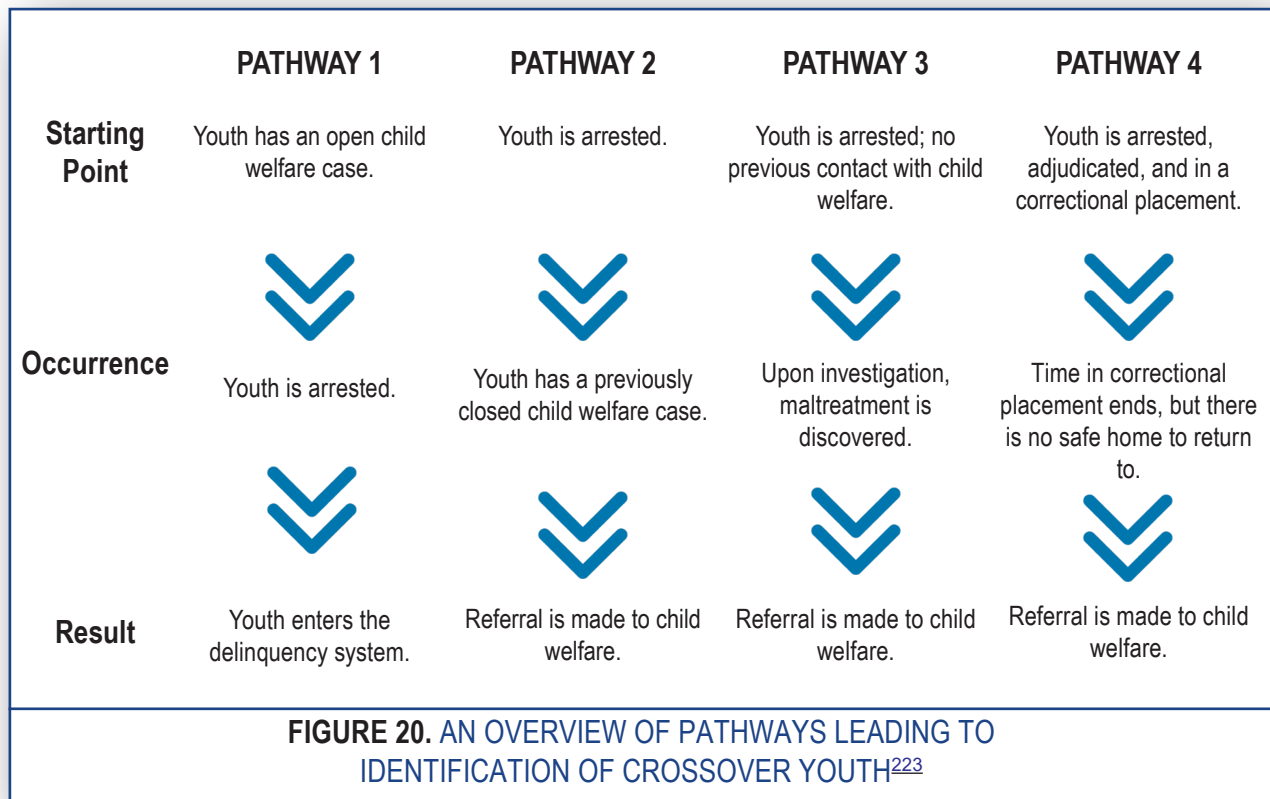
These challenges and opportunities highlight the need for a collaborative, evidence-based, and child-centered approach to the CHINS process in Georgia. By addressing these issues and leveraging opportunities, the juvenile justice system can better serve and support CHINS youth and families.

CROSSOVER YOUTH

A “crossover youth” is a child who is “at risk of or is fluctuating between the child welfare and juvenile justice systems.” There are different subsets of crossover youth based on their level of involvement and history with each system.²¹⁶ A child may become a crossover youth in several ways, as illustrated in **Figure 20** below.

Just because a youth encounters the child welfare system does not mean they will become involved in the juvenile justice system. However, longstanding research shows that “a history of child abuse, neglect, and child welfare system involvement increases the likelihood of aggression, violence, delinquency, and justice system involvement.”^{217,218} Furthermore, a recent study concluded that, nationwide, at least half of youth entering in the juvenile justice system have a history of child welfare intervention.²¹⁹

To effectively serve crossover youth, the child welfare system and the juvenile justice system must collaborate on the delivery of services and assistance to families and limit the amount of time youth spend in out-of-home placements.²²⁰ Georgia has sought to address this population in several ways. Major juvenile justice reforms in the past 10 years, including the creation of CHINS and detention alternatives, have aimed at preventing youth from entering the juvenile justice system and reducing the use of and time spent in detention.²²¹ Additionally, Local Interagency Planning Teams (LIPTs) and Multi-Agency Treatment for Children (MATCH) can serve as ways to bring together multiple agencies and court staff to address the treatment of youth with complex needs. The state also allocates funding for CASA volunteers who are often assigned to more complicated cases, including crossover youth.²²²



One opportunity to improving outcomes for dual-system youth is cross-agency data and information sharing. Child welfare history can assist judges when figuring out the best solutions for a child. Additionally, interactive agency data

sharing can help with the early identification of dual-system youth, foster collaborative case management, identify best practices for youth, and inform future policy.²²⁴ In Georgia, early identification of **crossover youth** can be

challenging if the child welfare history is from a county different than the one where the child has delinquency contact. Historically, dependency data was not captured in a statewide database; however, recent legislation requires all juvenile courts to collect data on “all cases in which a child alleged or adjudicated to be a dependent child is placed in foster care” and submitted to AOC to be incorporated into JDEX.²²⁵ Once this information is available in JDEX, courts can see a youth’s previous or current dependency history in any county across the state. Additionally, AOC can analyze this data to track crossover youth and inform policy decisions and best practices.

While collecting dependency data is an important step forward for better serving crossover youth, there is still the issue of cross-agency information sharing on individual cases. Although some locales in Georgia may have established protocols for interagency information sharing, there is no statewide agency agreement between DJJ, individual courts, and DFCS. When DFCS information is not made readily available to court staff, it must be requested, and the fulfillment of those requests is sometimes left up to the discretion of the Special Assistant Attorney General. DJJ shares data with other agencies only if the family signs an Authorization for Release of Information or the requesting agency presents a valid subpoena. Information can also be obtained by attending court hearings. Although agencies often cite legal issues as to why they cannot share information across systems, these should not deter agencies from collaboration.²²⁶ Some existing databases in Georgia already facilitate the exchange of information between DFCS, court staff, and CASA volunteers, including the Court Process Reporting System (CPRS) and Georgia Communicare. See [Appendix G: Child Welfare Agencies: DFCS Information Sharing Systems](#) for more information on p. 99.

6 PREVENTION CHALLENGES

The following section presents three key factors that significantly impact a youth's risk of becoming justice-involved: behavioral health and developmental disability challenges, challenges with the **school-to-prison pipeline**, and challenges with poverty and adverse childhood experiences (ACEs).

BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES

Having a behavioral health condition or a developmental disability does not mean a child will end up in the juvenile justice system. However, behavioral health conditions such as affective or mood disorders, psychotic disorders, anxiety disorders, trauma and post-traumatic stress disorder (PTSD), disruptive behavior disorders, and substance use disorders are more prevalent among justice-involved youth than in the general population. When left untreated, some behavioral health conditions may cause aggressive or concerning behavior that can lead to law enforcement interactions and result in juvenile justice system involvement. **Often, when community resources are not available, the juvenile justice system ends up being the “placement of last resort by default.”**²²⁷ Once youth are in custody, these behaviors may worsen due to real or perceived threats of

aggression and additional trauma.

Nationwide, 50-75% of justice-involved youth meet the criteria for a mental health disorder, 40-80% of incarcerated juveniles have at least one diagnosable mental health disorder, and an additional 10% meet with criteria for a substance use disorder. Also, many justice-involved youth have a history of trauma, particularly youth who have witnessed or survived violence.²²⁸ Like behavioral health disorders, developmental disorders (e.g., attention deficit hyperactivity disorder (ADHD), intellectual disabilities, autism spectrum disorder) are also associated with conduct that can put youth at greater risk of becoming justice-involved.²²⁹ For example, a 2017 study found that the tendency of individuals with autism to misread the behavior of others is a risk factor for offending behavior.²³⁰

Who is detained in Georgia?

Among those youth detained in Georgia in FY 2023:^{231,232}

- » **48%** in **RYDCs** and **65%** in **YDCs** were on the **mental health caseload**
- » **48%** in secure facilities had a neurodevelopmental disorder (not including ADHD)
- » **40%** were diagnosed with trauma and stressor-related disorders
- » **Nearly all** diagnosed with ADHD had a co-occurring conduct disorder
- » **Disruptive disorders were most common, followed by substance-use disorders, neurodevelopmental disorders, trauma, and depression.**

Furthermore, developmental disorders often co-occur with mental health disorders with research showing a co-occurrence rate of approximately 40-50%.²³³ It is important to note, however, that not all behavioral conditions occur at the same level of intensity or result in the same behaviors and that most adolescents engage in disruptive behavior as a normal course of development. Consequently, an array of treatment options is necessary to effectively address youth needs once they become involved with the juvenile justice system.²³⁴

These statistics are particularly astonishing when compared to national statistics on the prevalence of certain behavioral health diagnoses. For example, **about 9% of children (aged 3-17 years) in the U.S. have ever been diagnosed with a “behavior problem,” while approximately 63% of youth in Georgia’s detention centers have been diagnosed with disruptive, impulse-control, and conduct disorders.**²³⁵ Also, about 4% of children nationwide have a diagnosis of depression, while about 38% of Georgia’s RYDC and YDC population has a depression diagnosis.²³⁶ See **Table 5** to the right.

While DJJ provides behavioral health care treatment and programming as outlined in **Section 3: Juvenile Justice Profile: Georgia Department of Juvenile Justice**, the treatment of complex needs youth remains a challenge. Youth with intense behavioral health issues and developmental disabilities are sometimes placed in detention facilities due to a lack of therapeutic placement options. In 2024, a U.S. Senate report alleged that DFCS improperly prolonged children’s time in detention by refusing to release children who were eligible for release and requesting that DJJ hold children in detention until a placement could be found.^{xxii,237} Further, DJJ reports that community-based behavioral health providers often deny access to DJJ youth due to the complexity of their needs, bed space, and DJJ status. Moreover, until recently, DJJ clinicians were unable to make direct referrals to psychiatric residential treatment facilities and

^{xxii} DFCS released a response to the 2024 Senate report wherein the agency said that Senate report “misstates what Commissioner’s Broce said and mischaracterizes the entire conversation” and denies that the Georgia Department of Human Services (DHS) Commissioner made any request of judges related to the detention of children. For additional information, see **DFCS RESPONSE TO OSSOFF REPORT**.

This table lists every Diagnostic and Statistical Manual of Mental Disorder, Fifth Edition diagnosis received by youth in secure facilities in FY2022, as well as the number and percentages of youth who received each diagnosis.

DIAGNOSIS	COUNT	PERCENTAGE
Disruptive, Impulse-Control, and Conduct Disorders	1,050	62.50%
Substance-Related and Addictive Disorders	863	51.37%
Neurodevelopmental Disorders	809	48.15%
Other Conditions that May be a Focus of Clinical Attention	626	37.26%
Trauma- and Stressor-Related Disorders	670	39.88%
Depressive Disorders	641	38.15%
Sleep-Wake Disorders	270	16.07%
Anxiety Disorders	156	15.93%
Bipolar and Related Disorders	112	6.67%
Schizophrenia Spectrum and Other Psychotic Disorders	61	3.63%
Personality Disorders	29	1.73%
Obsessive-Compulsive and Related Disorders	8	0.48%
Elimination Disorders	10	0.60%
Paraphilic Disorders	6	0.36%
Gender Dysphoria	1	0.06%
Other Mental Disorders	4	0.24%
Somatic Symptoms and Related Disorders	1	0.06%
Medication-Induced Movement Disorders and Other Adverse Effects of Medication	4	0.24%
Dissociative Disorders	1	0.06%
Neurocognitive Disorders	2	0.12%

TABLE 5. DIAGNOSIS OF YOUTH WITH PSYCHODIAGNOSTIC EVALUATION - RYDCs AND YDCs IN GEORGIA (2023)²³⁸

other intensive treatment settings, instead having to rely on community clinicians to assess and make referrals to residential facilities.²³⁹ Additionally, DJJ as an agency does not have intensive crisis stabilization capacity and depends on the same community-based treatment facilities that serve non-DJJ youth.²⁴⁰ These challenges only reinforce the need for better community behavioral health and therapeutic placement options for all system-involved youth.

DJJ also reports that a growing number of youths with developmental disabilities, including autism and cognitive disabilities, are entering the juvenile justice system. **Although there is a statutory process in place to establish a child's competency to proceed with a CHINS or delinquency case, judges are not bound by the findings and may order an "incompetent" child to be placed in a detention facility.**²⁴¹

These youth, some with IQs of 46 and 47, often have trouble interacting with peers and become the target of bullying in DJJ facilities.²⁴²

It is important, however, to look at behavioral health in the broader context of the state to fully understand the relationship between the current System of Care (SOC) and Continuum of Care (COC), at-risk youth, and juvenile justice involvement. By the time a youth becomes justice-involved, usually preventive and early intervention services have failed. This can be due to lack of funding for early intervention, lack of physical access to clinics, provider shortages, insurance barriers, and cultural and class biases and stigma associated with treatment.²⁴³ See [Appendix E: Physical and Behavioral health Agencies: Georgia Department of Behavioral Health and Developmental Disabilities](#) for additional information on the SOC.

What is the System of Care?

SOC was established in Georgia by O.C.G.A. § § 49-220 through 49-5-227. It is "a spectrum of effective, community-based services and supports for children and youth with, or at-risk for, mental health or other challenges and their families, that is organized into a coordinated network, builds meaningful partnerships with families and youth, and addresses their cultural and linguistic needs, to help them function better at home, in school, in the community, and throughout life."²⁴⁴ Because of the high prevalence of behavioral health needs in the juvenile justice population, the SOC's functioning has a critical impact on juvenile justice outcomes.

State SOC infrastructure includes:

Behavioral Health Coordinating Council (BHCC)^{xxiii}

Works to improve the provision of behavioral health services by increasing coordination between relevant state agencies.

Mindworks Georgia (formerly known as the Interagency Directors Team)

The primary organization working to improve Georgia's SOC.²⁴⁵

MATCH

A statewide team comprising representatives from each child-serving state agency that facilitates cross-agency collaboration by reviewing cases of children with complex needs that cannot be met through their local communities.

LIPTs

Committees operating on a regional level, charged with reviewing and modifying decisions about the placement of children and adolescents with severe behavioral health needs or addictive diseases in out-of-home treatment or placement settings.

^{xxiii} The BHCC was established in 2009 by the General Assembly and aims to increase coordination between relevant state agencies in order to improve the provision of behavioral health services. For additional information, see [Georgia Behavioral Health Coordinating Council](#).

LIPTs are one of the only late interventions available to youth with behavioral health diagnosis who come into contact with juvenile court, including many CHINS and **crossover youth**. There are, however, several issues that prevent LIPTs from functioning to their full capacity. Although state law requires that each region have an LIPT, functionality varies from region to region depending on the availability of agency workforce and community resources. Even when resources are present, private and public insurance policies can prevent youth from accessing necessary care.²⁴⁶ Lack of attendance by agency staff and families can also impact an LIPT's ability to have meaningful conversations and determine solutions for youth. Family participation is voluntary, and meetings regarding a particular youth may not be held if the family is not present.²⁴⁷ Further, to be referred to an LIPT, a youth must have at least one diagnosed mental health disorder, which excludes youth who may have an undiagnosed mental health disorder, youth who have only been diagnosed with a substance use disorder, or intellectually disabled youth without a mental health diagnosis. As such, many youths miss out on appropriate and necessary resources and supports that an LIPT could provide.

SCHOOL-TO-PRISON PIPELINE

Like the behavioral health system, the education system is inherently intertwined with the juvenile justice system. Low academic achievement, disabilities necessitating special education, and school dropout are often associated with delinquency.^{250,251} School discipline (e.g., out-of-school suspension) can exacerbate learning loss and sometimes result in juvenile court referral, perpetuating what is known as the “**School-to-Prison Pipeline**”. As with other systems, racial and ethnic disproportionalities appear in school data, particularly related to learning achievement and discipline.

Although the direction of causality is unclear, research shows that poor school performance is associated with juvenile delinquency. Students who are labeled or see themselves as failures may lose interest in learning and connection with

At the state level, MATCH appears to be a promising way to connect youth with complex behavioral health needs to community resources; however, it is still in its infancy, and eligibility criteria must be limited based on availability of funding and resources.²⁴⁸ For additional information on MATCH, see [Appendix E: Physical and Behavioral Health: Georgia Department of Behavioral Health and Developmental Disabilities](#).

Limitations on the capacity of existing late intervention strategies may perpetuate recidivism and child welfare involvement, creating a systemic cycle from which many youths cannot escape. In fact, research has shown that juvenile justice involvement increases the risk of adult criminality.²⁴⁹ While DJJ provides physical and behavioral health care when the youth is in their custody, secure confinement can exacerbate mental health conditions. Although reentry services are offered, parents may be uncooperative with the reentry planning process, and community resources for post-reentry care and career readiness may be limited or unavailable. Furthermore, although DJJ provides follow-up for youth and their families upon reentry, there may be little the reentry team can do to ensure follow-through, especially for behavioral health care.

their school life and become more vulnerable to delinquent peer associations. Low academic achievement, disabilities necessitating special education, and school dropout are often linked with delinquency.^{252,253} However, it is important to note that other factors at the individual, family, and community levels contribute to the relationship between school performance and delinquency.²⁵⁴

As previously discussed, youth with disabilities are disproportionately represented in the juvenile justice system, and youth with emotional/behavioral disorder, learning disabilities, and other impairments (e.g., ADHD) are the most prevalent among justice-involved youth. Challenging behaviors associated with certain intellectual and developmental disabilities, including impulsivity, susceptibility to peer influence, and ease of frustration, are

often interpreted as or can lead to delinquent behavior.^{xxiv,255} **In Georgia, students with disabilities are overrepresented in the disciplined population at school (14.7% of the overall population compared to 19.7% of the disciplined population).**²⁵⁶

The school-to-prison pipeline refers to “a process by which youth who experience punitive punishment in schools are increasing enmeshed within the criminal justice system,” typically through the use of exclusionary school discipline.²⁵⁷ **Zero-tolerance policies** and increased law enforcement presence on school campuses are often at the heart of this issue.

While access to school-based mental health services is increasing in Georgia, 39 counties still do not have a school-based mental health program. More than 80% of the state’s 123 school-based health centers (SBHCs) provide behavioral health services on site and all screen for behavioral health risk factors.^{258,259} Limited staff capacity, insufficient financial resources, or other lack of resources may prevent schools from providing these robust behavioral health services to students.^{xxv} What’s more, **Georgia averages one social worker for every 1,958 students, well below the recommended ratio of one for every 250 students.**²⁶⁰ Like most of the nation, Georgia is also struggling with a general shortage of teachers, who play a critical role in student mental health and discipline. And although the state has adopted a progressive discipline process, state laws on school discipline include several zero-tolerance policies regarding bringing weapons to school, bullying, and acts of violence against school personnel.²⁶¹ Depending on the charge, punishments for these offenses include yearlong expulsion, referral to juvenile court, and assignment to an alternative school. In 2023, 37.2% of discipline incidents resulted in out-of-school suspension.²⁶² See **Appendix I** for more information on “zero-tolerance policies” and alternative education programs (AEPs).

Although not required by law, many local

^{xxiv} It should be noted that factors beyond the behavioral aspects of a disability (e.g., poverty, parental treatment, and failure of schools to address disabilities properly) may contribute to offending behaviors.

^{xxv} School-based mental health programs include **Georgia Apex**, Project Aware, and comprehensive school-based health centers.

education boards in Georgia employ school resource officers (SROs) or other school security personnel to help implement school safety plans. School security personnel, including SROs, who are certified by the Georgia Peace Officer Standards and Training Council, have the same law enforcement powers on school property as law enforcement officers in that county or municipality, including the power of arrest and the ability to carry a firearm or other weapon.²⁶³ Although Georgia law states that it is the “best practice” for SROs to complete a training course,^{xxvi} it does not make this training mandatory.²⁶⁴ As such, there is no guaranteed uniformity in SRO training or duties from district to district across the state. While some SROs may be focused on **school climate** and building relationships with students, others may be solely focused on criminal infractions that take place in the school, which may, in turn, lead to more punitive and exclusionary discipline outcomes.

Black youth in Georgia receive disciplinary actions, including suspension, at a higher rate than their peers. Historically, the suspension rate for Black students has been at least two times as high as the suspension rate for White students, except for in 2021, during the COVID-19 pandemic.²⁶⁵ Moreover, **Black students are overrepresented in the disciplined population at school in Georgia (37.5% of overall population compared to 54.3% of the disciplined population).** Of note, they are the only racial and ethnic group to be overrepresented in the disciplined population.²⁶⁶

Additionally, Black students receive harsher punishments than White students for similar offenses. For example, while Black students represented 55% of attendance-related offenses in Georgia for the school year 2022-2023, they represented 71% of the out-of-school suspensions for that offense. White students represented 18% of “attendance-related offenses” but represented only 9% of out-of-

^{xxvi} Pursuant to **OCGA §35-8-27**, the Georgia Peace Officer Standards and Training Council “shall maintain a training course consisting of 40 hours” that “shall, at a minimum, provide training in the role of a peace officer assigned to an elementary or secondary school, search and seizure in elementary and secondary schools, criminal offenses, gang awareness, drug awareness, interviews and interrogations, emergency preparedness, and interpersonal interactions with adolescents, including the encountering of mental health issues.”

school suspensions for those offenses. Black students were also more likely than White students to receive out-of-school suspensions for dress code violations and cheating.²⁶⁷ This data suggests that there may be racial bias around school punishment.

While Georgia Department of Education (GaDOE) has implemented a variety of policies to promote fair and appropriate discipline, zero-tolerance policies, law enforcement personnel presence in schools, and underperforming alternative learning programs may be pushing

students, especially Black students and students with disabilities, into the juvenile justice system. Further, disparities in academic performance among Black students, disabled students, and students from families with low income, may further contribute to the inequities — that can be seen in the juvenile justice-involved population in Georgia. Last, bias must be considered as a factor that pushes Black youth out of schools and into the juvenile justice system, especially in light of the data showing unequal punishment for similar offenses.

POVERTY AND ADVERSE CHILDHOOD EXPERIENCES

Families and communities play a significant role in a child's chances of becoming justice-involved, and poverty often drives adversity in these environments. Research shows that youth from families with low socioeconomic status are more likely to engage in delinquent behavior and that delinquency is more prevalent in low-resource communities.²⁶⁸

Several theories propose an explanation for the linkage between poverty and juvenile delinquency. Among these is the rationale that poverty creates stress for parents, which interferes with the parent-child relationship. Accordingly, research shows that “youths are more likely to offend if their parents experience higher stress levels, know less about their activities, spend less time with them, or fail to consistently reinforce prosocial behavior.” Furthermore, families with low socioeconomic status tend to live in underserved communities, which may facilitate delinquent behavior due to a lack of resources and residential instability caused by unsafe housing conditions or eviction.²⁶⁹ In Georgia, more than 150,000 children live in unsafe communities; more than 50,000 live in communities with litter, rundown housing, and vandalism; and almost half a million live in communities with no parks, recreation centers, sidewalks, or libraries.^{270,271} Additionally, approximately 40,000 children identified as homeless in FY 23, many of whom share living arrangements with others, or are living in temporary accommodations (e.g., hotels, motels, or transitional housing) due to a loss of housing or economic hardship.²⁷² Lack of stable housing

can affect academic performance, exacerbate behavioral issues, and interfere with normal development, putting these youth at greater risk of becoming justice involved.^{273,274} In fact, recent estimates by the Center for Coordinated Assistance to States show that **46% of youth who have experienced homelessness have been held at a juvenile detention center at some point.**²⁷⁵

Poverty may also contribute to the higher rates of court involvement for Black youth in Georgia, as they are more likely to live in families with low socioeconomic status than White youth.^{276,277} Racial and ethnic wealth gaps in Georgia have persisted for generations due to structural bias that makes it more difficult for Black families to access home ownership, gainful employment, and quality education, all factors that put youth at risk for justice system involvement.²⁷⁸

Although poverty may contribute to the risk of juvenile delinquency, it is only one of a myriad of factors that affect families and communities. Other familial and community risk factors include parental criminality, poor family attachment, child abuse and neglect, individual or familial isolation, and low education levels, amongst others. On a community level, risk factors include community violence, easy access to drugs, and food insecurity (often driven by poverty). These risk factors alone or, more often, in combination, can result in ACEs.^{279,280} Like poverty, some of these risk factors disproportionately affect Black and Hispanic youth. **In Georgia, 18% of children experience two or more ACEs, and Black and**

Hispanic children experience ACEs at higher rates than their White counterparts.²⁸¹

Just as certain factors can put youth at risk for ACEs, protective factors can decrease the likelihood of youth experiencing ACEs. Family stability, strong social support networks, and access to community resources can help mediate the effects of poverty and other risk factors in families and communities.²⁸² The presence of protective factors can also directly mitigate

the effects of risk factors for delinquency. For example, if a youth is experiencing poverty (a risk factor) supportive parental relationships and prosocial peers (protective factors) can lessen a youth's risk of delinquency. Thus it is important to identify and build upon protective factors that are present in a youth's environment to "[reduce] risk, [reduce] negative chain reactions, [establish] self-esteem and self-efficacy, and [open] up opportunities."²⁸³

What is an Adverse Childhood Experience?

ACEs are potentially traumatic events that occur and cause high levels of stress that interfere with healthy brain development and lead to high-risk behaviors and negative health outcomes in adulthood. ACEs are not often caused by a single factor. Instead, a combination of factors (risk and protective)^{xxvii} at the individual, relationship, community, and societal levels can increase or decrease the risk of violence.^{284,285}

Examples of ACEs:²⁸⁶

- Living with a family member who:
 - Has a mental illness
 - Is addicted to alcohol or another substance
 - Is in prison
- Witnessing violence within or outside the home
- Physical, sexual, and verbal abuse
- Physical and emotional neglect
- Loss of a parent due to separation, divorce, or other reason
- Racism or gender discrimination
- Bullying
- Community violence

^{xxvii} For a list of risk factors and protective factors, see [Risk and Protective Factors | Adverse Childhood Experiences \(ACEs\) | CDC](#).

While research varies with regard to the connection between ACEs and juvenile delinquency, many of the risk factors associated with ACEs (including parental abuse and neglect, parental separation, and community crime) are the same risk factors for juvenile delinquency.²⁸⁷ Further, while trauma does not necessarily cause delinquent behaviors, research shows links between childhood trauma and subsequent justice system contact, as witnessed by the high prevalence of trauma-related disorders of youth in secure facilities (40%) in Georgia.^{288,289,290,291}

Understanding that trauma is not only prevalent in justice-involved youth but is a risk factor for all children, Georgia state agencies and various organizations have put services and programs in place to address youth trauma in Georgia's communities and juvenile justice system. Some examples include Strengthening Families Georgia, Georgia Essentials for Childhood, **trauma-informed care** trainings, mental health screenings, and evidence-based programming (e.g., TARGET, TF-CBT).^{292,293,294,295,296,297} For additional information on programs addressing

youth trauma in Georgia, see [Appendix J](#).

These services, however, are just a start. We must continue to expand trauma awareness, ensure the use of trauma-informed care in all child-serving agencies and organizations, and provide culturally competent and widely accessible treatment to prevent youth from becoming court-involved.

Rural v. Urban Communities

Very little research exists on the prevalence of delinquency in rural versus urban communities, and there are mixed opinions in the studies that do exist. A USOJJDP study on rural youth violence compares delinquency rates in rural settings to the expectations of Social Disorganization Theory. Social Disorganization Theory links crime and delinquency to certain community characteristics that can disrupt community cohesion, including residential instability, ethnic diversity, family disruption, economic status, and population density. Although poverty exists in rural areas, these populations tend to have more residential stability and more homogenous and cohesive communities, which may mitigate the effects of poverty on delinquency.²⁹⁸ Another study, using the theoretical framework of the Social Developmental Model, focuses on the role of risk and protective factors on juvenile offending. This study found that rural populations are at greater risk of juvenile justice contact than urban ones.²⁹⁹ A cursory analysis of 2022 juvenile justice decision point data by judicial circuit in Georgia did not reveal a greater prevalence of delinquency in rural areas than urban and vice versa.³⁰⁰

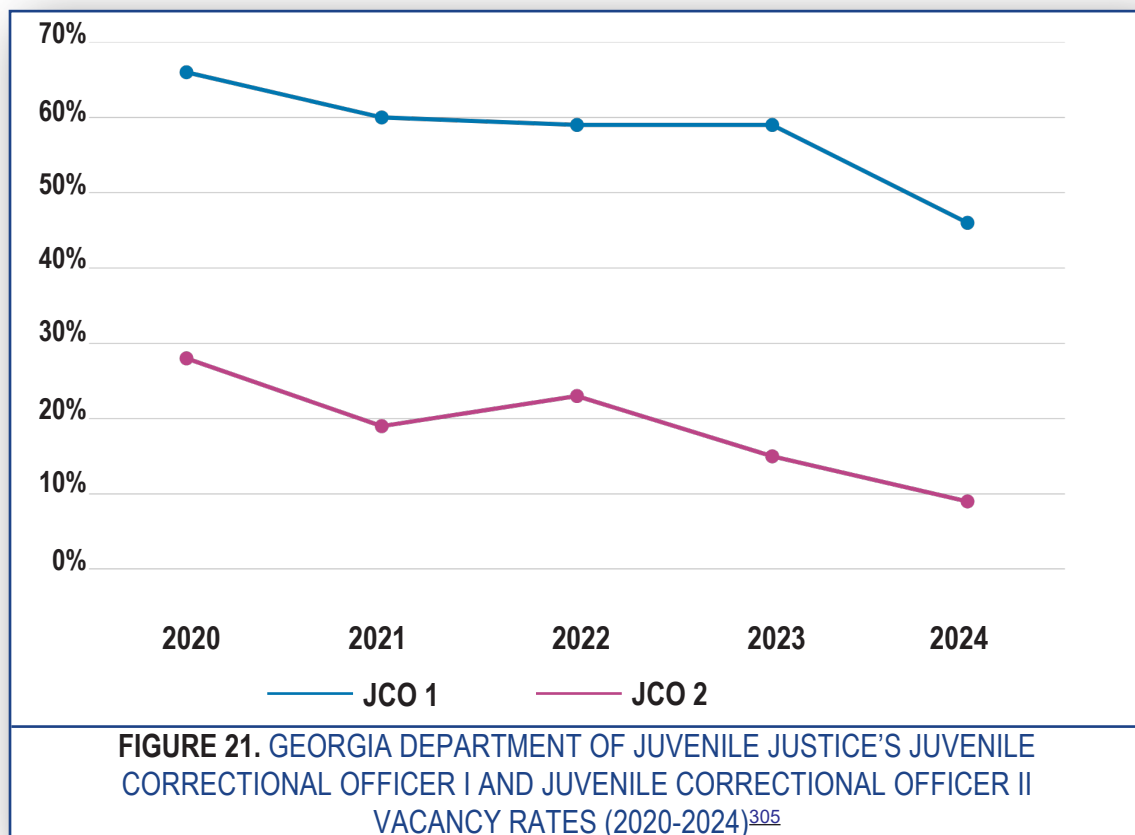
7 | WORKFORCE

DJJ workforce issues can impact a youth's experience in secure confinement, particularly with regard to Juvenile Corrections Officers (JCOs). JCOs interact with youth in secure confinement on a daily basis and are primarily responsible for supervising and keeping youth safe within DJJ facilities.

RETENTION CHALLENGES

DJJ has had significant retention and recruitment difficulties with its workforce of juvenile correctional officers (JCOs), who staff its **RYDCs** and its **YDCs** as guards. Since 2019, the turnover rate for JCO Series I and II has remained above 90%.³⁰¹ The turnover has generated large JCO vacancies, and **facilities have been operating at above 45% JCO I vacancies since 2020**. As of June 2024, the vacancy rate for JCO Series 1 was approximately 46%.³⁰² See **Figure 21** below.

The difficulties are emblematic of an overarching decrease in the public sector workforce and an industry long plagued by staffing issues. Adult corrections facilities nationally are struggling to fill vacancies even as prison populations increase.^{303,304} The problem also extends to juvenile justice systems. Historically, juvenile justice systems have had challenges with recruitment and retention of corrections officers, a situation exacerbated by the COVID-19 pandemic.



As a result, many facilities are left short-staffed and unable to provide basic supervision, much less meet other needs of detained youth. Nationwide, juvenile corrections staff reported the emotional nature of cases and staff burnout, low starting salaries and inadequate increases, insufficient training and wellness supports, working conditions, generational divides, mission confusion and skill mismatches, and bureaucratic barriers in human resource management as causes for staffing shortages and turnover.³⁰⁶ In Georgia, low pay, long hours, the nature of the work, and poor leadership were among the top reasons for job dissatisfaction.^{307,308} Additionally, DJJ reported shortages of qualified employees in rural areas.³⁰⁹

Inadequate Pay

Inadequate pay was commonly reported as a reason for job dissatisfaction among JCOs in Georgia.³¹⁰ Pay does not reflect the difficulty of the work, especially in current understaffed conditions. DJJ's starting salaries are lower than those for similar positions in adult facilities.³¹¹ For example, the starting salary for an adult correctional officer is advertised at \$48,448 per year at Pulaski State Prison, while the advertised salary for a JCO at the Marietta RYDC is \$43,040.^{312,313} A 2022 report also showed that starting salaries in most neighboring states exceed Georgia's starting JCO salary.³¹⁴ Further, JCOs reported being dissatisfied with the frequency of pay increases.³¹⁵ Recent pay increases and bonuses for staff in FY 2024 and FY 2025 are expected to reduce turnover rates; however, salary is not the only issue causing high turnover.^{316,317}

“Holdover Shifts”

In addition to low pay, JCOs complain of long hours, “holdover shifts,”^{xxviii} and other overtime, for which they report not being adequately compensated.³¹⁸ Understaffing increases the number of hours a JCO may be expected to work and further contributes to “stress, inadequate rest, and limited personal leave,” thus creating a cyclical issue where low morale leads to turnover, which further exacerbates poor working conditions.^{319,320} In Georgia, a typical

^{xxviii} **Holdover shifts** are “unplanned mandatory overtime to cover a vacancy in the next shift.”

shift for a JCO is 11.5-12 hours, and a JCO can work three days, followed by two days of rest, while the frequency and likelihood of holdover shifts vary.³²¹

Lack of Wellness Supports for Staff

In a 2023 audit report, DJJ acknowledged that more “aggressive and violent youth” are being detained as a result of juvenile justice reform, as well as an increase in the **mental health caseload** of youth in custody.³²² Juvenile facility staff report being overwhelmed by the complex needs of youth in custody, which contributes to stress and volatility within the facility. Staff are not always trained to adequately deal with behavioral health issues and do not receive wellness supports to mitigate secondary trauma from the workplace.³²³ Combined with understaffing, these factors can create volatile environments and intensify the stress already felt by many JCOs, some of whom see protections for juveniles as impunity. A 2023 audit of Georgia's juvenile facilities reported that the most cited reason for special incident reports not to be filed was “lack of consequences for those involved.”³²⁴ Further, facilities are often unable to meet administrative requirements, causing them to dismiss disciplinary reports for administrative reasons, including lack of staff, leaving youth unaccountable and possibly causing further disciplinary issues and low staff morale.³²⁵

Organizational Instability

Issues with staff supervision and leadership, including frequent leadership changes and unfair treatment, were also reported as reasons why JCOs quit.³²⁶ Leadership issues can stem from high turnover rates (22% in Georgia as of August 2024) that reduce the pool of qualified candidates, lack of adequate training for supervisors, and lack of succession planning and employee development.^{327,328}

Hiring Practices

While not a problem cited by employees, hiring practices may also contribute to high JCO turnover.³²⁹ To quickly fill vacancies, DJJ may hire candidates who meet qualifications but are not well-suited for the position, as often

reflected in the time frame in which a JCO leaves the agency.³³⁰

IMPACT ON YOUTH

Workforce shortages and high turnover rates can have lasting effects on the youth and communities that DJJ facilities serve. For one, some DJJ facilities have seen a marked uptick in the instances of solitary confinement and the average duration of isolation increased from .5 days to over 1.5 days between FY18 and FY22.³³¹ **Understaffing and overwhelmed JCOs were listed as contributing factors for the increased use of isolation on youth,** which is known to have adverse effects on the brain.^{332,333} Furthermore, staffing shortages increase the risk of serious incidents, leading to staff and youth injuries. Last, staffing shortages can interfere with service delivery and derail the agency's mission of improving outcomes for the youth it serves. It is also incredibly costly to pay current staff for overtime and onboard new employees.³³⁴

To enhance recruitment, DJJ has collaborated with the governor's office and state leaders to raise salaries, increase benefits for front-line staff, and advertised on various media platforms to reach a wider audience. DJJ has also created a new position, JCO III, to broaden the career path for corrections officers.³³⁵ Additional efforts to retain employees include:

- » Collaborating with law enforcement agencies to develop salary benchmarks to stay competitive;
- » Implementing mandatory leadership courses for all staff at the management level and above;
- » Creating a new employee orientation program that is linked to the employees throughout their first 90 days on the job; and,
- » Implementing agencywide town hall meetings to enhance employee engagement, reinforce the agency's core values, address employee concerns, and create a feedback loop between employees and agency leadership.³³⁶

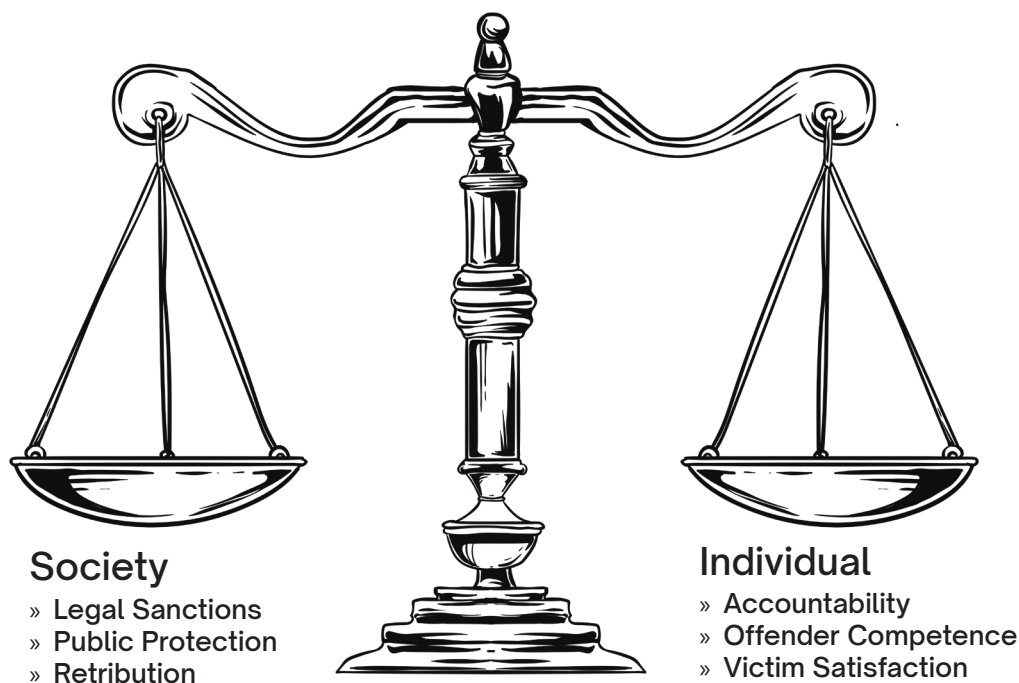
Currently, DJJ is reviewing all policies in depth

to ensure they are appropriately aligned with operations post-reform. The agency also reports that it is working to understand from front-line staff what ideas they have regarding youth accountability and continuing to prioritize therapeutic accountability over punitive measures. The agency hopes these efforts will increase employee recruitment and retention and improve outcomes for the youth in their care.³³⁷

8 FINANCIAL IMPLICATIONS OF JUVENILE COURT

The balancing act in juvenile justice is not new. A June 1988 policy brief on juvenile restitution published by the Bureau of Justice Assistance depicted this challenge using the scales of justice to balance societal needs against individual needs and illustrate the tensions between the two. This concept from 36 years ago continues to influence present-day juvenile courts, including those in Georgia.³³⁸

The Balance of Societal Needs and Individual Needs³³⁹



FINES AND FEES

Courts have the authority to assess several different fines and fees. The types of fines and fees that juvenile courts can assess vary by state statutes; however, the most common fees in juvenile court are restitution, supervision fees, and fines.³⁴⁰

The Georgia Juvenile Code allows juvenile court judges to order any of these fines, depending on the individual circumstances of each case. While this is not an argument against judicial discretion, research over the past three decades has revealed the negative impacts of fines (see **Table 6** to the right).^{341,342}

A recent research collaboration between the Deep Center in Savannah and the Berkeley Law Policy Advocacy Clinic sheds some light on Georgia juvenile court fees. According to their report, *The High Cost of Youth Fines and Fees*, monetary charges are an “inefficient and unsustainable revenue source” for courts and county governments. Even if fees and fines were fiscally efficient, relying on youth and their families as revenue generators creates a perverse incentive for officials who may look to keep youth in the juvenile system to maximize revenue.³⁴³ Further analysis of publicly available budgets from 23 representative rural and urban Georgia counties indicated that, on average, juvenile fees and fines constituted less than 1% of juvenile court budgets. The counties with the most significant shares of juvenile fees and fines in juvenile court budgets typically had the smallest general funds. Additionally, using data on remittable and reportable funds from the Georgia Superior Courts Clerks Cooperative Authority CourtTrax database, researchers found that payments from youth tried as adults (SB 440 cases) contribute minimally to revenues, with estimated statewide earnings of \$92,280 annually.³⁴⁴

SUBJECT	POTENTIAL CONSEQUENCES
Youth	<ul style="list-style-type: none">» Additional court visits resulting in missed school» Extended case duration» Placement in a juvenile facility due to inability to pay» Prolonged placement
Families	<ul style="list-style-type: none">» Family going into debt» Additional court visits resulting in missed work» Civil court judgment
System	<ul style="list-style-type: none">» Formal petition filed due to inability to pay (instead of diversion)» More youth penetrate farther into the system than necessary» Increased recidivism» Unequal impact on minority youth» Decrease in public trust in the justice system

TABLE 6. POTENTIAL CONSEQUENCES OF COURT FINES ON YOUTH, FAMILIES, AND THE SYSTEM^{345,346}

Furthermore, surveys administered to all court clerks across the state in fall 2021 further indicated a “black hole” of data surrounding juvenile fees and fines in the state. Just five clerks, representing ten counties, responded. Nonetheless, the findings included fee ranges and the discovery that ability-to-pay determinations are commonplace and regularly result in payment plans being set up rather than reductions or waivers in amounts owed. Another survey was circulated to juvenile judges, which also resulted in a meager response.³⁴⁷ These data gaps highlight the need for more comprehensive and transparent reporting systems on juvenile court fines and fees.

American Bar Association Restitution Findings

In September 2022, after comprehensive analysis of the historical and current use of restitution in the juvenile justice system and its impact on youth, victims, and communities, and potential alternatives, the American Bar Association released findings on restitution, which accounts for many of the fees and fines collected in the juvenile justice system. Key findings include:³⁴⁸

Restitution often fails to meet the needs of crime victims.

Many youths in the juvenile system and their families do not have the money to pay restitution, and victims may want different forms of reparations other than monetary ones.

Victims can sometimes get compensation without youth paying restitution.

Restitution does not make youth accountable for harm.

Restitution fails to make youth accountable for the harm they have caused because children generally cannot pay. This means that parents, not children, end up paying the bill.

Restitution creates an unequal justice system.

Young people from wealthy families pay and can end their cases quickly, while youth from low-income families remain stuck in the juvenile system, sometimes for years, just because they cannot pay.

Children's brains do not respond to these long-term negative consequences.

Studies have shown that financial penalties increase juvenile system recidivism and undermine the rehabilitation efforts of youth while generating little net revenue.³⁴⁹

There are effective alternatives to restitution.

Diversion programs that use restorative justice principles can rebuild trust and meet victims' needs without requiring monetary restitution. These programs show promising results for reducing reoffending and increasing victim and youth satisfaction.

CONSTITUTIONAL AND LEGAL CONSIDERATIONS

On April 20, 2023, the USDOJ’s Office for Access to Justice issued a “Dear Colleague Letter” on fines and fees. It outlined situations where imposing fines and fees on adults and juveniles could violate their civil rights. The letter emphasized seven constitutional principles in the use of fines and fees and noted how unjustly ordered fines and fees damage public trust in local governments.³⁵⁰

The letter highlights that unjust fines and fees disproportionately impact low-income communities and people of color, who are more likely to be involved in the criminal justice

system and face economic challenges due to systemic inequalities.³⁵¹ The Office for Access to Justice expanded on these themes, providing an overview of promising practices, new ideas for funding victims’ services, global approaches, and the impact of fees on youth.³⁵²

Given the potential negative impacts and constitutional concerns surrounding juvenile court fines and fees, Georgia must comprehensively study this issue. By thoughtfully addressing these financial implications, Georgia can work towards a more just and effective juvenile court system.

U.S. Constitutional Protections Related to Court Fines and Fees

Eighth Amendment

- » Forbids fines and fees that are excessively high compared to the seriousness of the offense

Fourteenth Amendment

- » Forbids jailing people for not paying fines and fees without first assessing their ability to pay and finding that they deliberately refused to pay
- » Requires the evaluation of the other options before jailing people who cannot afford to pay fines and fees
- » Forbids fines and fees that create situations where there is a conflict of interest
- » Forbids making access to the judicial process depend on the payment of fees by people who cannot afford to pay them
- » Forbids fines and fees that are imposed in a way that intentionally discriminates against a group that is protected by law

Sixth and Fourteenth Amendment

- » Due process protections are required, such as the right to a lawyer in some cases and notice when imposing and enforcing fines and fees

9 YOUTH VOICE IN JUVENILE JUSTICE

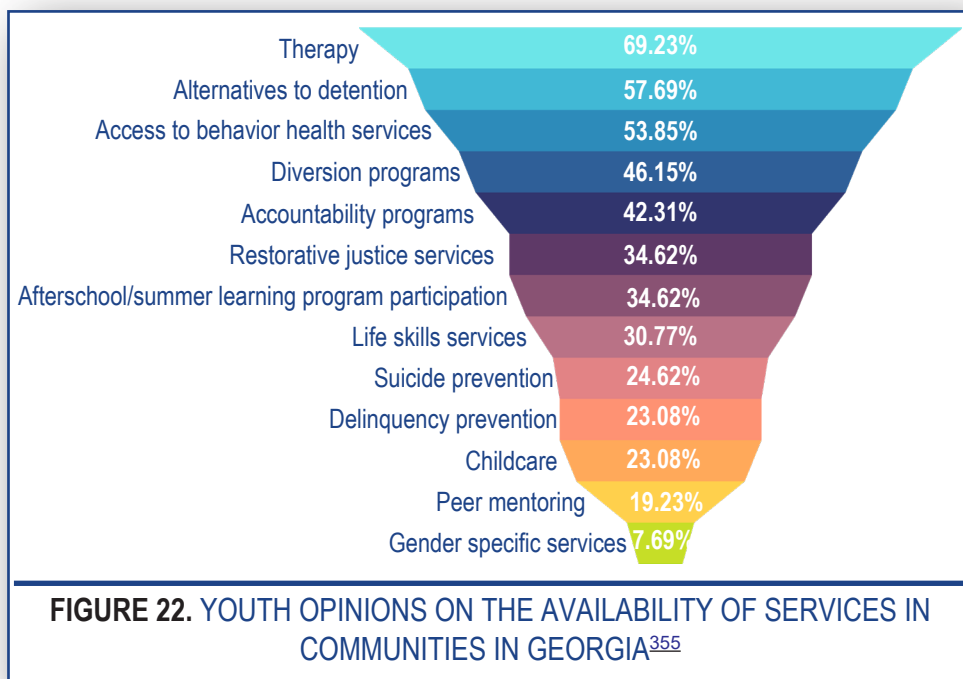
Although quantitative individual court and state agency data is imperative to understanding how the juvenile justice system can affect youth, it does not tell the whole story. Youth voice is a necessary component in any authentic movement toward change. While incorporating youth voice in advocacy is becoming more prolific in community and nonprofit organizations, it is not widely used in Georgia's juvenile justice system beyond reentry planning.

In 2023, the Juvenile Justice State Advisory Group of the CJCC conducted a statewide community feedback survey to inform Title II funding allocation. The survey had more than 600 respondents, 43 of which were youth. Of these youth respondents, 37 were currently involved in the juvenile justice system or had prior involvement. The findings shared in this report were from the youth responses only.

Most of the youths surveyed believed their communities have a juvenile crime problem, and **only 50% of youth said they felt safe in their communities. Among the reasons listed as the cause of crime in their communities,**

the most cited were gang issues, lack of parental involvement or supervision, lack of structured activities, and inadequate services and resources. Youth respondents reported the following behaviors — substance abuse, mental illness, truancy, bullying, and gang activity — as occurring most frequently.³⁵³

Regarding available community services for youth and their peers, therapy, detention alternatives, and access to behavioral health services ranked in the top three. (See **Figure 22** below.) However, **on a scale of 1 to 100, youth ranked ease of access to services at 50.**³⁵⁴

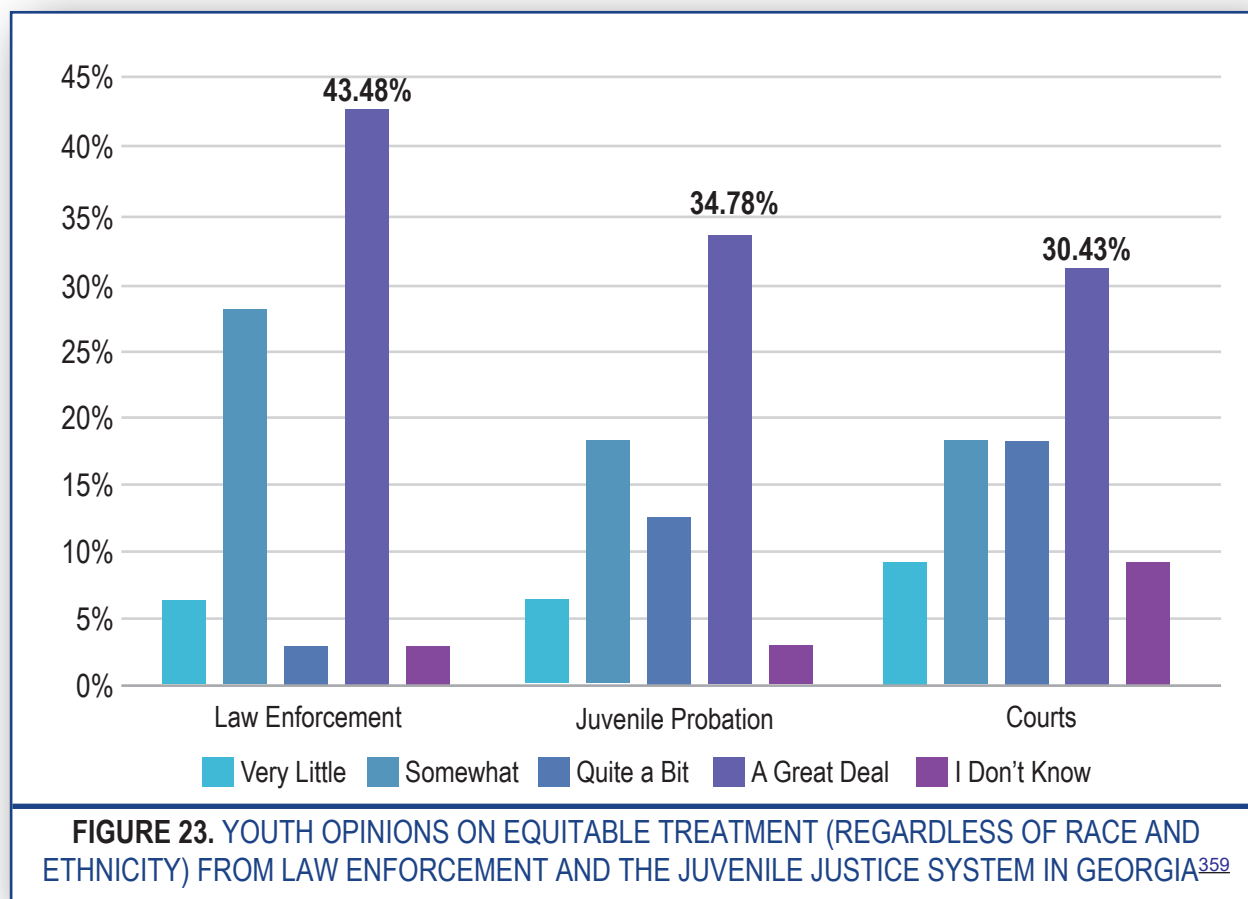


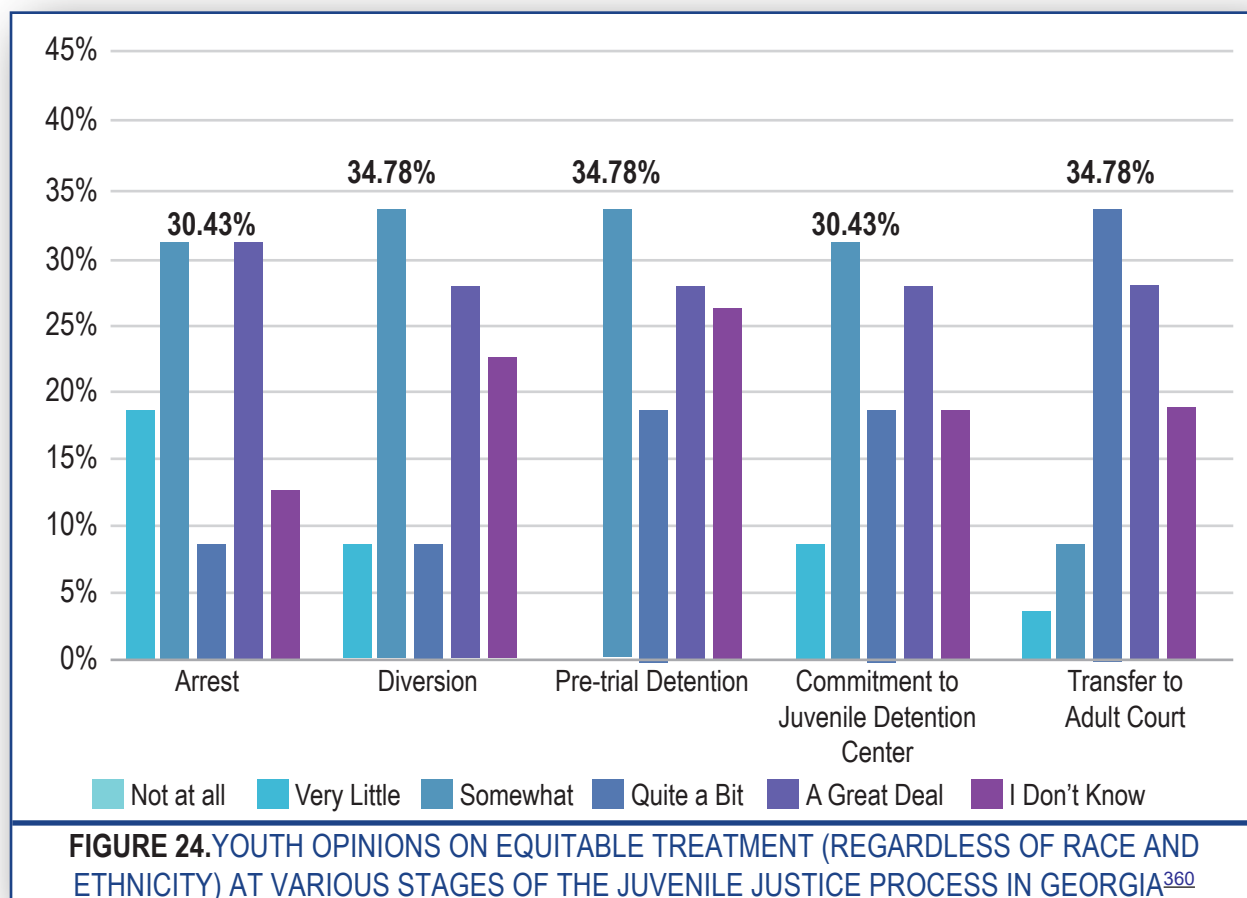
When asked about the general need for services in the community, 65% of youth responded that therapy, life skills services and peer mentoring were most needed. Regarding services needed for parents in their communities, youth most frequently cited support groups (76%), education classes (68%), peer mentoring (60%), therapy (60%), and basic needs support (60%).³⁵⁶

Youth respondents somewhat agreed that mental illness experienced by their peers impacts juvenile crime. Conduct disorder, oppositional defiant disorder, ADHD, and other behavioral disorders were ranked as the most commonly occurring mental health illnesses experienced by peers in their communities. When asked about ways to address mental illness, youth respondents mentioned therapy, mentoring, consistent and available resources, and parent education. Further, youth indicated that tobacco/vaping, marijuana, and alcohol are the most common substances among their peers. They suggested therapy and affordable treatment as

solutions for substance use, much like they did for mental illness.³⁵⁷

Youth opinions on equitable treatment from law enforcement and the juvenile justice system were mixed. (See **Figure 23** below). Most respondents felt they received “somewhat” to “a great deal” of equitable treatment by law enforcement but were more likely to say they did not receive equitable treatment by juvenile probation and courts. When asked how to ensure equitable treatment, youth recommended raising awareness, providing more community resources, and offering more cultural and diversity training, education, and communication within the justice system and communities. With regard to changes for equitable treatment, youth suggested higher pay for juvenile justice workers, better relationships between officers and communities, less racial disparity in youth-serving systems, more community resources, and the need for youth to stay out of adult courts and jails.³⁵⁸





In terms of fair treatment at various stages of the juvenile justice system (see **Figure 24** above), the majority reported experiencing it as “somewhat” fair, with very few indicating a complete lack of fairness. In response to the question “Are you and your peers, regardless of race or ethnicity, treated equitably at different juvenile justice system contact points?”, youth mostly felt that they and their peers were “somewhat” treated equitably.³⁶¹

When asked for suggestions to improve Georgia’s juvenile justice system, youth respondents recommended:

- » Increasing pay for juvenile justice workers
- » Providing parenting classes
- » Educating youth on the law
- » Offering more community resources and programs
- » Having staff spend more time with youth rather than paperwork
- » Reevaluating CHINS, because it lacks consequences
- » Increasing resources for parents and kids who can’t afford counseling

- » Improving teamwork within agencies and collaboration with others
- » Learning about local youth organizations for referrals
- » Stopping excessive incarceration and creating better support systems
- » Enhancing cooperation with community partners

The survey shows that young people see behavioral health issues as key factors in community problems and crime, and it indicates a need for resources to reduce juvenile crime and hold parents and systems accountable for better youth outcomes. Youth respondents emphasize the necessity for more parental services, education, structured activities, and easily accessible behavioral health resources and peer mentoring. Moreover, while not highly distrustful of law enforcement and the juvenile justice system, youth suggest enhancing consistent service provision, equitable treatment, alternatives to detention, and improving staff conditions to better address youths’ needs. See [Appendix K](#) for additional information on the survey results.

10 | DISCUSSION AND RECOMMENDATIONS

As detailed in [Section 3: History of the Juvenile Justice System](#), approaches to juvenile justice policy have vacillated between punitive and rehabilitative in Georgia and the nation.

Although some reforms were based on scientific evidence and data, many reforms (particularly those in the late 1980s and 1990s) were associated with popular beliefs and moral panics centered around baseless theories (e.g., the myth of the “superpredator”). Unfortunately, many of Georgia’s punitive policies (e.g., SB 440, JLWOP sentences) have persisted despite the state’s recent movement towards more rehabilitative policies and in contrast to evidence surrounding the culpability of children and adolescents. Furthermore, racial, ethnic, and gender disparities continue to appear in statewide juvenile justice data. This implies that Georgia still has work to do to ensure age-appropriate and fair treatment for its at-risk and justice-involved youth.

This report provided a comprehensive analysis of Georgia’s juvenile justice system. Our approach was to map out the justice system and examine the larger context in which it operates. Through our research and analysis, it became apparent that the juvenile justice system is often an unfortunate destination for youth navigating a larger environment of systems, many of which are failing to serve this population and pushing them into the juvenile justice system. Additionally, data limitations, structural issues, and policies within the juvenile justice system further hamper a youth’s ability to succeed once

they become court-involved.

As we conducted our analysis, we identified several factors that seem to significantly impact a youth’s risk of becoming justice-involved, including behavioral health, school discipline policies, poverty and ACEs (in families and communities), and bias. The provision of behavioral health care, education, and families and communities can offer protective aspects to mitigate the risk of youth becoming justice-involved. However, when these protections do not function well, they have the potential to push youth into contact with the juvenile court and create adverse outcomes that can have a lasting impact on young lives. Additionally, some racial and other disproportionalities that are prevalent in justice-involved populations can originate in these systems. **We know that racial, ethnic, and gender bias can affect a youth’s risk of coming into contact with the system and how they are treated as they go through the juvenile justice process.** Treatment within the system and outcomes for youth are likewise affected by the structure of the system itself, as well as the policies that govern the system, and the information and data that is used for decision-making and improving the lives of youth. As such, we sought to identify causes of these disproportionalities to find meaningful solutions.

A Note Regarding Relevant Entities

In the following recommendations, please note that our use of the term “Relevant Entities” is meant to identify agencies and/or organizations that may be affected by our recommendations. It is not meant to imply that any listed agency is responsible for implementing or acting upon a recommendation.

1 | Behavioral Health and Developmental Disabilities

We identified behavioral health care as a factor in justice involvement, as evidenced by high **mental health caseloads** and co-occurring disorders for youth in detention. Although Georgia offers preventive behavioral health services through school and community programs, barriers to accessing high-quality care (including racial and cultural bias) may prevent some youth from

benefitting from these services, putting them at risk of becoming involved with the court or child welfare systems. Youth in Georgia also identified a need for better access to behavioral health services for youth, caregivers, and communities as illustrated in [Section 9: Youth Voice in Juvenile Justice](#).

Recommendations

- Continue to enact policies and funding to support the availability of comprehensive school-based behavioral health services, and high-quality community services via Certified Community Behavioral Health Clinics.

Relevant entities: GaDOE, DBHDD

- Continue to implement and improve training for those working with children (school personnel, afterschool and summer learning professionals, school resource officers, public safety officers, juvenile court personnel, health care providers, and staff, etc.) on how to recognize trauma, behavioral challenges, and biases.

Relevant entities: Georgia Department of Community Health (DCH), Georgia Department of Public Health (DPH), GaDOE, DBHDD, DJJ, Department of Early Care and Learning (DECAL), Department of Human Services (DHS)

- Require Georgia's behavioral health providers to undergo regular training to increase understanding of a broad range of cultures as part of their existing continuing education requirements.

Relevant entity: DBHDD

- In accordance with requirements under the federal Consolidated Appropriations Act, create an amendment to the Medicaid State Plan to allow Medicaid payments for case management and assessment services for incarcerated youth and ensure the reinstatement of Medicaid coverage for eligible youth as soon as possible or, at the latest, within a 60-day period following their release.

Relevant entities: DCH, DJJ

- Facilitate Medicaid reimbursement and access for behavioral health treatments proven to reduce court involvement and recidivism.

Relevant entities: DCH, DJJ

- Address barriers, including financial, to agency collaboration and family participation in LIPT meetings and other preventative services for behavioral health.

Relevant entities: General Assembly, DBHDD

- Continue to streamline the process for DJJ clinicians to refer youth in secure confinement to residential treatment facilities and ensure that there is bed space available for DJJ youth.

Relevant entities: DCH, DJJ, Care Management Organizations (CMOs)

2 | School-to-Prison Pipeline

Although the state has implemented an array of interventions to support students and ensure fair discipline practices, zero-tolerance policies, high suspension rates, and underperforming alternative schools can disrupt education and exclude youth from a “normal” school experience. The use of law enforcement in schools, particularly without specific training, takes discipline out of the hands of school staff

and may lead to more punitive disciplinary measures, including juvenile court referrals. As a result, youth are pushed out of schools and into juvenile courts. Furthermore, the data indicates that Black and disabled youth are disproportionately disciplined, which may further explain the high rates of Black youth and youth with behavioral health and developmental conditions in Georgia’s juvenile justice system.

Recommendations

- Re-examine the use of zero-tolerance policies and alternatives to suspension or other exclusionary discipline practices to prevent disruption of education.

Relevant entities: GaDOE, Local education agencies (LEAs)

- Regularly review Georgia Student Health Survey and disciplinary data (as reported by GOSA) to identify and work to address negative school climate and disparities in school discipline.

Relevant entities: GaDOE, GOSA, LEAs

- Continue to use and build upon integrated multi-tiered systems of support in schools, including PBIS and mental health and wellbeing programs in school curriculum.

Relevant entities: DBHDD, GaDOE, Community organizations, LEAs

- Ensure that school codes of conduct are evidence-based, trauma-informed, free of bias, and include input from local child-serving partners (e.g., mental health providers, social workers, juvenile courts) to ensure fairness and reduce the number of referrals to juvenile court.

Relevant entities: DBHDD, Community organizations, GaDOE, LEAs

- Expand federal and state funding for afterschool and summer learning programs to increase access and ensure affordability.

Relevant entities: General Assembly, U.S. Congress

3 | Poverty and Adverse Childhood Experiences

Poverty is one of the most prominent factors putting youth at risk of justice involvement and is most prevalent at the family and community levels. Parents with low income experience high stress levels, which can disrupt family dynamics and mitigate familial protective factors (e.g., supportive relationships and parental monitoring). Further, communities with high poverty rates often have high crime, drug, and gang activity, are unstable, and do not offer constructive activities for children, which can drive youth toward delinquent behavior.³⁶² Poverty can also prevent at-risk youth from accessing quality behavioral health and educational services.

Aside from poverty, other risk factors within families and communities can put youth at risk of justice involvement. Parental separation, mental illness, addiction, neglect, and abuse are ACEs that can lead to trauma, which is particularly prevalent in justice-involved populations. Community violence, discrimination, and bullying are ACEs that occur at a communal level and can also lead to trauma and risky behaviors in youth that become a risk factor for court involvement.

As Black youth are more than twice as likely to live in poverty and experience risk factors associated with ACEs at a higher rate than

their White peers, it stands to reason that poverty and ACEs may be one driving factors of disproportionate representation of Black youth in the juvenile justice system.

Recommendations

- Simplify and automate enrollment in access to social supports and crucial benefits that families living in or near poverty levels rely on (e.g., Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), National School Lunch Program (NSLP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Medicaid), and coordinate “live” support with community resource referral platforms to ensure connections to housing, food access, and other basic needs.

Relevant entities: DHS/DFCS, DCH, DBHDD, DECAL, GaDOE, DPH

- Increase the availability and distribution of quality, affordable housing and supportive policies (e.g., rent and mortgage subsidies) to protect families and children from unsafe housing, hardship or baseless evictions, and untenable fees and penalties.

Relevant entities: U.S. Department of Housing and Urban Development, Georgia Department of Community Affairs

- Increase opportunities for social cohesion and community building (e.g., At-Promise Youth and Community Centers) through initiatives that encourage community involvement, such as after-school and summer programs, volunteer programs, mentorship opportunities, and neighborhood events, to strengthen bonds and create a sense of belonging and connection among residents.

Relevant entities: Nonprofit organizations, Local governments

- Ensure adequate, affordable health insurance coverage, including coverage for mental health and substance use treatment services, for all adults, regardless of income, work, or court-involved status.

Relevant entities: DHS, DCH, Office of Insurance Commissioner (OCI)

4 | Racial/Ethnic and Gender Bias

National studies have shown that Black youth are more likely to be referred to juvenile court, be formally charged, receive more restrictive sentences, be securely confined, and be transferred to adult court than White youth.^{363,364} These statistics are in line with the state data presented in [Section 5: Juvenile Justice Data and Trends](#). Furthermore, some youth in Georgia feel that there is not equitable treatment in the juvenile justice system, especially in terms of arrest, as discussed in [Section 9: Youth Voice in Juvenile Justice](#). There are competing hypotheses on the cause of racial and ethnic disparities. One is the “differential behavior theory”, which purports that disproportionality is due to certain youth committing a disproportionate amount of the crime.³⁶⁵ We believe this is a consequence of the prevention challenges discussed in Section 6. The other is the “differential selection and

processing hypothesis” or “differential treatment theory” which asserts that “minority youth” are overrepresented in the justice system due to unequal treatment in the juvenile justice process.^{xxix,366} We have previously discussed the disparities in community factors and preventive resources that can lead to delinquent behavior, thus supporting the differential behavior theory, so we will focus on differential processing for the purpose of this section.

Law enforcement, school personnel, prosecutors, and juvenile court staff have a great deal of discretion over outcomes for justice-involved youth. Although the data shows the existence of racial disparities, bias in decision-making is not easily measured, as people are

^{xxix} Some research suggests that differential behavior theory and differential treatment theory are not mutually exclusive and may both contribute to REDs found in data. [Literature Review: Racial and Ethnic Disparity in Juvenile Justice Processing | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

often unwilling to admit the presence of bias. In a 2017 study, law enforcement agencies, judges, prosecutors, court staff, school administrators, and other groups were interviewed about the causes of disproportionate minority contact. When asked if “they believed or had experienced disproportionate minority contact being fueled by prejudice,” most interviewees strongly denied the possibility of prejudice or stated that it was unintentional. Interestingly, while they denied the existence of intentional prejudice, some interviewees viewed disproportionate minority contact as logical because “Black kids are just more likely to commit crime,” thus unintentionally underscoring their own biases.³⁶⁷ Given the overall denial or downplaying of prejudice in the juvenile justice process, education on the existence and prevalence of disproportionate minority contact is an important first step to addressing this issue. This is supported by data collected from the Georgia CJCC Youth Survey, as youth highlighted the need to raise awareness around inequities and offer more cultural and diversity training for law enforcement and

court personnel. See [Section 9: Youth Voice in Juvenile Justice](#).

Gender bias also influences how youth move through the juvenile justice system. Research shows that male youth are more likely to be referred to court, securely detained, and transferred to adult court than female youth. Furthermore, male youth are less likely to be diverted, have their case dismissed, and be referred to mental health treatment than their female counterparts.³⁶⁸ Other studies reveal, however, that there is a “limited tolerance for girls’ misbehavior and a greater acceptance of boys’ delinquency,” that girls remained under court supervision longer than boys, and that girls were more likely to be recommitted to residential treatment facilities than boys. This could suggest that law enforcement and courts take a paternalistic approach when it comes to the treatment of male and female youth — that the system is trying to protect girls by treating them with more lenience while also punishing girls for deviating from gender norms.³⁶⁹

Recommendations

- Investigate and address the factors contributing to Black and Mixed Race overrepresentation in all delinquency and CHINS decision points, including implementation of recommendations and guidance provided through the Youth in Custody Practice model initiative.

Relevant entities: DJJ, Individual courts, AOC/CJCJ, Georgia Council of Juvenile Court Judges (CJCJ)

- Expand the use of community-based, evidence-based alternatives to detention and confinement, especially for nonviolent and low-risk youth, and address the factors that contribute to the overrepresentation of Black and Mixed-Race youth in the system.

Relevant entities: DJJ, Individual courts, Community organizations

- Require Georgia’s healthcare providers, school personnel, law enforcement, front-line court staff and court administrators, and DFCS supervisors and caseworkers to undergo regular implicit bias and cultural competency training as part of their initial and on-going training or continuing education requirements.

Relevant entity: DBHDD

- Ensure that school codes of conduct are evidence-based, trauma-informed, free of bias, and include input from local child-serving stakeholders (e.g., child and adolescent behavioral health providers, social workers, juvenile courts).

Relevant entities: DBHDD, GaDOE, Individual courts, Community organizations

5 | Agency Coordination, Information Sharing, and Data Limitations

We identified opportunities for improvement in agency coordination, particularly when it involves **crossover youth**. Even when information is accessible, agency and community partners stressed the need for more consistent and timely information. When courts have difficulty obtaining information on their history with child welfare or the education systems, judges and court staff cannot make informed decisions on appropriate treatment. These decisions could have important consequences for youth and potentially push them further into one or both systems.

Additionally, while improvements in data collection have been made, significant gaps remain, mainly due to the division in Georgia's juvenile court system. DJJ collects recidivism data for certain courts, but **independent courts**,

responsible for half of the state's juvenile population, may not follow these standards. This bifurcation results in incomplete and unreliable data. Moreover, the lack of standardized data collection hinders proper assessment of youth court histories, affecting decision-making.

Addressing social and environmental factors is also challenging due to insufficient data on economic stability, education, and health care. Collecting address, ZIP code, and benefits data could provide more accurate insights. Additionally, data on interventions for delinquency or CHINS cases is not reported at the state level, preventing evaluation of service effectiveness. Standardized tracking and reporting of interventions could help identify successful services and improve youth outcomes.

Recommendations

- Mandate better and more consistent identification of crossover youth and evaluation of integrated systems approaches to improving their outcomes.

Relevant entities: General Assembly, Individual courts, DJJ, DHS/DFCS, AOC

- Create a comprehensive data system to share robust and timely information and data between the DJJ, individual juvenile courts, and other child-serving agencies to better identify needs, prevention strategies, and outcomes.

Relevant entities: Individual courts, DJJ, DHS/DFCS, AOC/CJCJ, DCH, CASA

- Encourage and enforce cooperation and coordination among the various agencies and courts that administer, oversee, and support the juvenile justice system.

Relevant entities: General Assembly, Governor's Office, independent courts, DJJ, DHS/DFCS, AOC/CJCJ, GaDOE, DHS, DBHDD, Community organizations

- Mandate meaningful data collection, standard data definitions (including CHINS and recidivism), data fidelity, and data reporting across all counties to evaluate youth outcomes.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- Mandate the collection and reporting of address data across all counties to evaluate the relationship between social and environmental factors and juvenile justice involvement to target resources and better serve communities.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- Mandate the collection and reporting of court interventions and outcomes across all counties to evaluate the effectiveness of court services and programs.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- Explore ways to operationally share Medicaid and benefits data with juvenile justice data to provide insight into income status, behavioral health needs, and juvenile justice involvement.

Relevant entities: Individual courts, CJCJ, DJJ, DHS, DCH

6 | Policy and Procedural Issues

More than a decade after juvenile justice reform, Georgia continues to allocate nearly two-thirds of its juvenile justice budget to detention and secure confinement (\$229 million in FY 2023). Transitioning some of those funds towards enhancing front-end, community-based services could create a more cost-efficient system.

SB 440, JLWOP, and age of majority (17 years old) policies deny children age-appropriate sentencing and a chance for rehabilitation. Furthermore, they are likely more costly to the state, have little to no public safety benefits, and trying juveniles as adults has been shown to increase recidivism. Moreover, Black youth are overrepresented in both SB 440 cases and JLWOP sentences, suggesting racial bias may play a role when working with these populations.

The CHINS process also faces challenges, mainly because it does not have a designated funding stream. As such, each county must implement CHINS policies based on its own capacity, and many areas do not have the staff or community services needed to address the needs of CHINS youth. This results in inconsistency in the implementation of CHINS policies across the state. Because of this

inconsistency and lack of standardization, any CHINS data that is collected does not yield meaningful insight into how the program works statewide.

High turnover and vacancy rates for JCOs are also an ongoing, significant challenge for DJJ. Staffing shortages within juvenile detention facilities can lead to increased use of solitary confinement, inadequate service delivery, and an overall unsafe environment. These conditions are traumatizing for both youth and staff and perpetuate recidivism and staff turnover.

Fines and fees associated with court can also have adverse consequences for families and youth involved with the juvenile justice system. Many families cannot pay these fines and fees, which can lead to family debt, additional court appearances, and prolonged or deeper court involvement. Moreover, research shows that restitution is not an effective form of compensation for victims and does little to hold youth accountable. There are lingering questions about the actual benefits of fines and fees in Georgia due to a lack of transparency and data reporting.

Recommendations

- Develop a plan for fully funding, implementing, and evaluating CHINS policy.

Relevant entities: General Assembly, CHINS coordinators, Individual courts, DJJ, CJCJ, CJCC

- Create or continue the use of a youth advisory council or other mechanism to routinely gather feedback from current and former justice-involved youth (e.g., through surveys, focus groups, and interviews) to incorporate lived experience into the juvenile justice decision-making process.

Relevant entities: Individual courts, DJJ, CJCC/Georgia Juvenile State Advisory Group (SAG)

- Create a task force to review Georgia's policies on SB 440 cases, the age of criminal majority (17-year-olds), and JLWOP sentences.

Relevant entities: General Assembly, DJJ, CJCC, CJCJ, Individual courts, Prosecuting Attorney's Council (PAC), Georgia Public Defenders (GPD)

- Create a task force to gather accurate and complete data on the use and impact of fines and fees across all Georgia counties, assess the effectiveness of fines and fees in achieving juvenile justice system goals, evaluate alternative approaches that may better serve both youth and victims, and ensure that Georgia's juvenile justice practices align with constitutional principles and promote fair outcomes.

Relevant entities: General Assembly, DJJ, CJCJ, CJCC, Individual courts, PAC, GPD

7 | Structural Issues

The structure of Georgia’s juvenile justice system also has implications for youth outcomes. The bifurcated system of independent and **dependent courts** leads to a host of issues, including:

- Misaligned priorities between county and state governments
- Inconsistent decision-making processes in intake and probation cases
- Inequitable resource allocation between court types

- Challenges in collecting meaningful statewide data
- Potential inaccuracies in assessment instruments
- Challenges with data because counties still have jurisdiction over cases while youth are in DJJ custody

These structural issues severely hamper the state’s ability to address systemic problems effectively.

Recommendations

- Ensure the alignment of juvenile justice priorities, procedures, and decision-making across state and county governments to promote consistency and fairness in the juvenile justice process for youth statewide.

Relevant entities: Individual courts, CJCJ, DJJ

- Ensure all court staff consult JDEX when completing assessment instruments.

Relevant entities: Individual courts, CJCJ, DJJ

- Target funding for under-resourced counties to ensure that youth have equal opportunities for positive outcome, regardless of their location.

Relevant entities: Individual courts, CJCJ, DJJ

See [Appendices L](#) and [Appendix M](#) for additional resources and expanded recommendations.

In summary, factors outside of the juvenile justice system as well as policy and structural issues within the system all contribute to a youth’s justice involvement and successful treatment and release. It is imperative to address these issues holistically to shift our focus away from punishment and towards realizing the potential of Georgia’s at-risk and justice-involved youth.

11 | GLOSSARY

Abeyance

Suspension of a case when a juvenile court judge decides to handle a youth's case in an informal proceeding and provided the youth has no additional charges within 6-12 months. If the youth does come back before the court prior to the expiration of the abeyance order, then the original charges are brought forth.³⁷⁰

Adverse Childhood Experience (ACE)

An event occurring during childhood that is potentially traumatic or undermines a child's sense of safety or stability. ACEs are risk factors associated with justice involvement. Examples include experiencing violence, abuse, or neglect; witnessing violence at home or in their community; having a family member attempt or die by suicide; or growing up in a household with substance misuse, mental health challenges, or instability due to parental separation or household member incarceration.^{371,372}

Case Management System (CMS)

A data-tracking system used to maintain case records for courts.

Case Plan

In a dependency case, a case plan is developed by DFCS, outlining the services and actions needed to address the issues that led to the dependency case as well as the goals for regaining custody. In CHINS cases, the case plan is developed by the court in collaborations with the child, family and service providers to address the issues that led to the filing of the CHINS case.

Children in Need of Services (CHINS)

Case option for youths that are "adjudicated to be in need of care, guidance, counseling, structure, supervision, treatment, or rehabilitation" and adjudicated for truancy, being a runaway, being ungovernable, curfew violation, hanging out in bars, being on probation for being unruly, guilt of a child-only offense, or delinquency but not in need of treatment or rehabilitation.³⁷³

Crossover Youth

Youth who are involved in both the child welfare and juvenile justice systems.

Dependent Courts

A court where juvenile intake and probation services are provided by DJJ state employees under the direction of the juvenile court judge; generally funded by the state.

Designated Felony

A delinquent act that is designated as a felony because of its severity; an act committed by a juvenile aged 13 or older that, if committed by an adult, would be one of the crimes listed in O.C.G.A. § 15-11-2(12-13).³⁷⁴

Detention Assessment Instrument (DAI)

Statewide, objective, validated risk assessment, required before detention, that standardizes detention decisions and reduces the number of low-risk juveniles in secure detention by measuring the youth's risk of reoffending and the risk of fleeing before court proceedings occur.³⁷⁵

Four core protections

The four core protections states must comply with to receive federal funds from the Juvenile Justice and Delinquency Prevention Act. These protections are: deinstitutionalization of status offenders, separation of juveniles from adult inmates, removal of juveniles from adult jails and lockups, and addressing racial and ethnic disparities.³⁷⁶

Georgia Apex Program (Apex)

A school-based mental health program that provides earlier detection of students' behavioral health needs and greater access to behavioral health services and which allows for greater coordination between community providers and local schools.^{377,378}

Georgia Crime Information Center (GCIC)

The division of the Georgia Bureau of Investigation (GBI) tasked with developing and maintaining a computerized criminal justice information system.³⁷⁹

Independent Court

A court that is staffed by county personnel rather than the state's DJJ; and that provides juvenile intake, probation, and program services through a locally-controlled and directed county juvenile probation departments.

Judicial Citizen Review Panel

A volunteer review panel that helps fulfill juvenile courts' statutory requirement to review child custody cases at least once every six months.³⁸⁰

Juvenile Case Activity Tracking System (JCATS)

The most commonly used juvenile court CMS in Georgia; free of charge to any Georgia juvenile court. It offers a web-based system with various platforms which can be customized depending on the size of the court and its needs.³⁸¹

Juvenile Data Exchange (JDEX)

A statewide data repository of juvenile justice data created to provide better outcomes for youth; contains statewide juvenile legal history and detention history reported by individual court CMSs and JTS, and can be accessed by court staff, defense attorneys, and policymakers.^{382,383}

Juvenile Detention Alternatives Initiative (JDAI)

An initiative created in 1993 by the Annie E. Casey Foundation to help local communities address the rise in unnecessary out-of-home placements of juveniles and decrease the number of youths in secure detention for nonviolent acts.³⁸⁴

Juvenile Justice Incentive Grant (JJIG)

A competitive grant program created in 2013 offered annually to juvenile courts to fund evidence-based community programs to support and supervise youth who would normally be committed to DJJ or sentenced to a 30-day Short-Term Program sentence; promotes positive relationships among youth, their families, and their communities and aims to ultimately reduce juvenile recidivism.³⁸⁵

Juvenile Life Without Parole (JLWOP)

A sentence in a SB 440 criminal case where a child under the age of eighteen is convicted of murder and sentenced to life in prison without the opportunity for parole.

Juvenile State Advisory Group (SAG)

A group that advises the Governor and General Assembly on juvenile justice matters affecting the youth and families of Georgia, guided by the "four core protections."³⁸⁶

Juvenile Tracking System (JTS)

A web-based data tracking system used to maintain case records for dependent courts and DJJ.³⁸⁷

Local Interagency Planning Team (LIPT)

A committee charged with reviewing and modifying decisions about the placement of children and adolescents with severe behavioral health needs or addictive diseases in out-of-home treatment or placement settings; each community in Georgia is required to establish an LIPT.³⁸⁸

Mental Health Caseload

All youth who have an identified mental health disorder, including psychiatric disorders, that DJJ believes need psychiatric or psychological care.³⁸⁹

Miller v. Alabama (2012)

A U.S. Supreme Court case deciding that it is unconstitutional under the Eighth Amendment to mandate sentencing juveniles to life in prison without the possibility for parole. The court found that juveniles are constitutionally different from adults in sentencing issues because of their vulnerability, underdeveloped decision-making skills, and potential for rehabilitation.³⁹⁰

Montgomery v. Louisiana (2016)

A U.S. Supreme Court case finding that *Miller v. Alabama* (2012) had a retroactive effect because it announced a substantive rule of constitutional law carrying a significant risk that defendants would face a punishment that the law could not impose. Juveniles who have been sentenced to life in prison without the possibility for parole must be extended the opportunity for parole under this ruling.³⁹¹

Multi-Agency Treatment for Children (MATCH)

A statewide team comprised of representatives from each of the child-serving state agencies that builds on SOC infrastructure by strengthening and facilitating cross-agency collaboration as they review cases of children with complex needs that cannot be met through their local communities. The MATCH committee is charged with finding resources for these referred children and youth.³⁹²

Needs Assessment Instrument

A standardized tool that identifies juveniles' risk of recidivism and needs for services such as the residential support, medical, mental health, alcohol/drug, vocational, and/or educational needs of the youth.^{393,394}

United States Office of Juvenile Justice & Delinquency Prevention (USOJJDP)

A federal office that administers juvenile justice funding directly to states for delinquency prevention and improvements in state and local juvenile justice programs and practices; funds have requirements called the "four core protections."³⁹⁵

Pre-Disposition Risk Assessment (PDRA)

A statewide assessment that scores youths' risk levels for reoffending before the final case disposition.³⁹⁶

Raise the Age

A movement by many organizations advocating to raise the age of juvenile court jurisdiction to 18. Georgia is one of four states that processes 17-year-olds as adults in the criminal justice system. The brains of 17-year-olds are still developing and are more capable of change than those of adults. However, youth placed in the adult system tend to recidivate (or reoffend) and go deeper into the adult criminal justice system as they grow older.^{397,398,399,400,401}

Regional Youth Detention Center (RYDC)

A DJJ facility that offers temporary secure care and supervision for youth who are charged, found delinquent, and/or waiting placement elsewhere. The length of stay can vary from a few hours to several years, depending on how quickly the case is resolved.⁴⁰²

SB 440 Felony

A case that involves any juvenile aged 13 to 16 who has committed a specific violent felony. These juveniles are tried as adults in superior court. Felonies in this category, known as the “7 deadly sins,” include murder, armed robbery with a firearm, rape, voluntary manslaughter, aggravated sexual battery, aggravated sodomy, and aggravated child molestation.⁴⁰³

School Climate

A term that refers to the quality and character of school life based on the interactions between students, school personnel, and parents. Georgia employs a School Climate Star Rating system based on data obtained from student, teacher, and parent surveys; student discipline; safe and substance-free learning environment information; and attendance.⁴⁰⁴

School-to-Prison Pipeline

Policies and practices that move children from school into the juvenile and criminal justice systems.

Status Offenses

Non-criminal acts that are considered a law violation only because they are committed by a minor. Examples include truancy, running away, violating curfew, and underage drinking.

System of Care (SOC)

A framework that aims to decrease strain on community-based, child-serving systems and increase access and coordination of children’s behavioral health services for children with and at risk for mental health challenges; SOCs create networks that build partnerships surrounding families and youths to address their needs and help them function in their communities and everyday lives.⁴⁰⁵

Trauma-Informed Care

Practices that recognize and respond to the needs of those who have suffered trauma to avoid re-traumatization, inform best practices, and promote more effective healing.⁴⁰⁶

Youth Development Campus (YDC)

A DJJ facility that offers long-term secure confinement and treatment for post-adjudicated youth who are committed to DJJ or require specialized treatment or services (e.g., treatment for sexual offenses, substance abuse treatment).⁴⁰⁷

Zero-Tolerance Policy

A policy around any amount of bullying, physical violence, or having weapons at school, which, regardless of circumstances, will result in automatic suspension, expulsion, or assignment to an alternative school based on the offense.⁴⁰⁸

| Appendix A: Methods

1. Key Informant Interviews

Voices for Georgia’s Children (Voices) researchers interviewed 23 leaders and staff from relevant state agencies, child-serving organizations, and database administrators between March and October of 2024. Interviews ranged from formal to informal, and most were held via virtual calls. The researchers also submitted written questions and data requests to collect additional information. Additionally, the Georgia DJJ, GaDOE, DCH, DHS, DBHDD, and the CJCC were provided the opportunity to review language that is pertinent to their agencies prior to the release of the report.

2. Listening Sessions

Voices conducted a listening session with CHINS coordinators from across the state (CHINS Convening), the Statewide CHINS Coordinator, DJJ staff, and other interested parties. This convening allowed CHINS coordinators to discuss barriers and opportunities and share best practices for CHINS case processing and service delivery.

3. Data Analysis

Voices reviewed available data and existing reports from state and national agencies and related organizations to identify trends and issues in juvenile justice and related systems. Additionally, we identified what data is available, who is collecting it, and with whom it is being shared to identify barriers to data collection and dissemination and ways to improve data collection for policy decisions.

4. Systems Analysis

Voices examined the various agencies and courts that administer, oversee, and support the juvenile justice system. Our research focused on how connected child-serving agencies, healthcare agencies, and the school system interact with juvenile courts to support youth before, during, and after involvement with the juvenile court system to discover ways to strengthen the network of support.

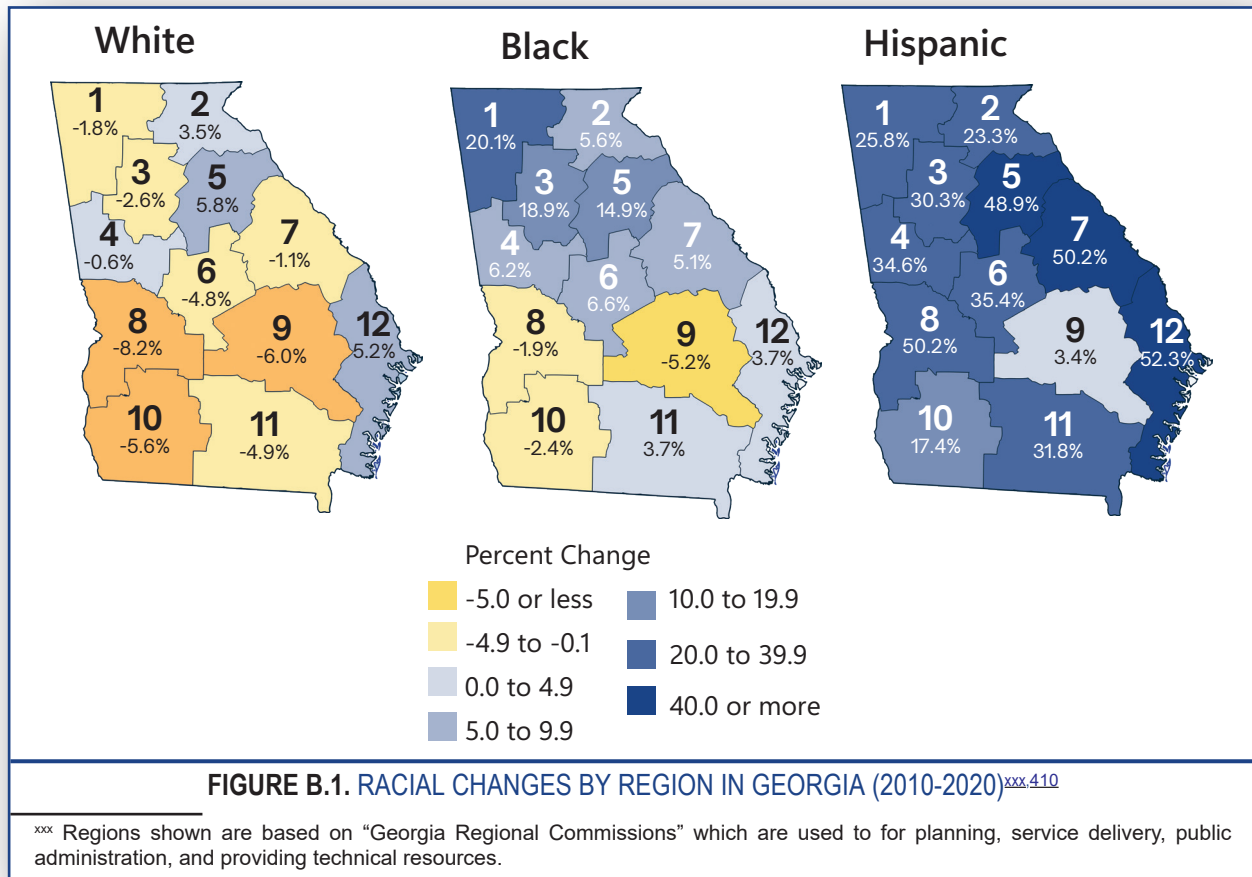
5. Policy Analysis

Voices evaluated past and present state, agency, and court policies, rules, and practices that impact juvenile justice involvement and the well-being of youth and families.

| Appendix B: Additional State Profile Data

State Population

Most of the state's population growth between 2010 and 2020 was in Metro Atlanta, North, and Coastal Georgia, as well as in regional hubs throughout the state. Many rural counties have seen significant population declines over the past two decades. Racial and ethnic trends show little to no increase in the White population in some areas of the state, an increase in the Black population through the northern part of the state, and a dramatic increase in the Hispanic population throughout most of the state, including in rural areas.⁴⁰⁹ See **Figure B.1.** below.



Labor and Earnings

Over the last decade, labor force participation rates and unemployment rates fell gradually, except for 2021, when the COVID-19 pandemic caused widespread unemployment.⁴¹¹ Georgia’s January 2024 labor participation and unemployment rates are slightly lower than the national rates of 62.5% and 3.7%, respectively.⁴¹² See **Figure B.2.** below.

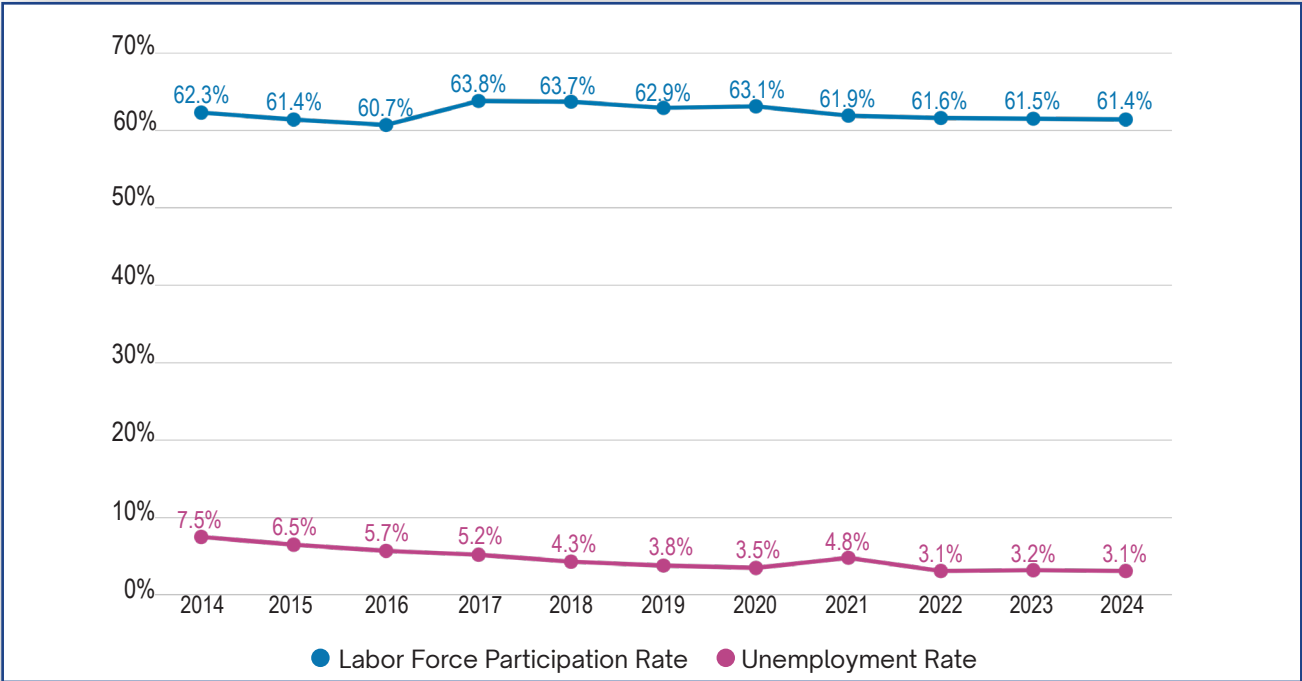


FIGURE B.2. GEORGIA LABOR FORCE PARTICIPATION RATE AND UNEMPLOYMENT RATE (2014-2024)⁴¹³

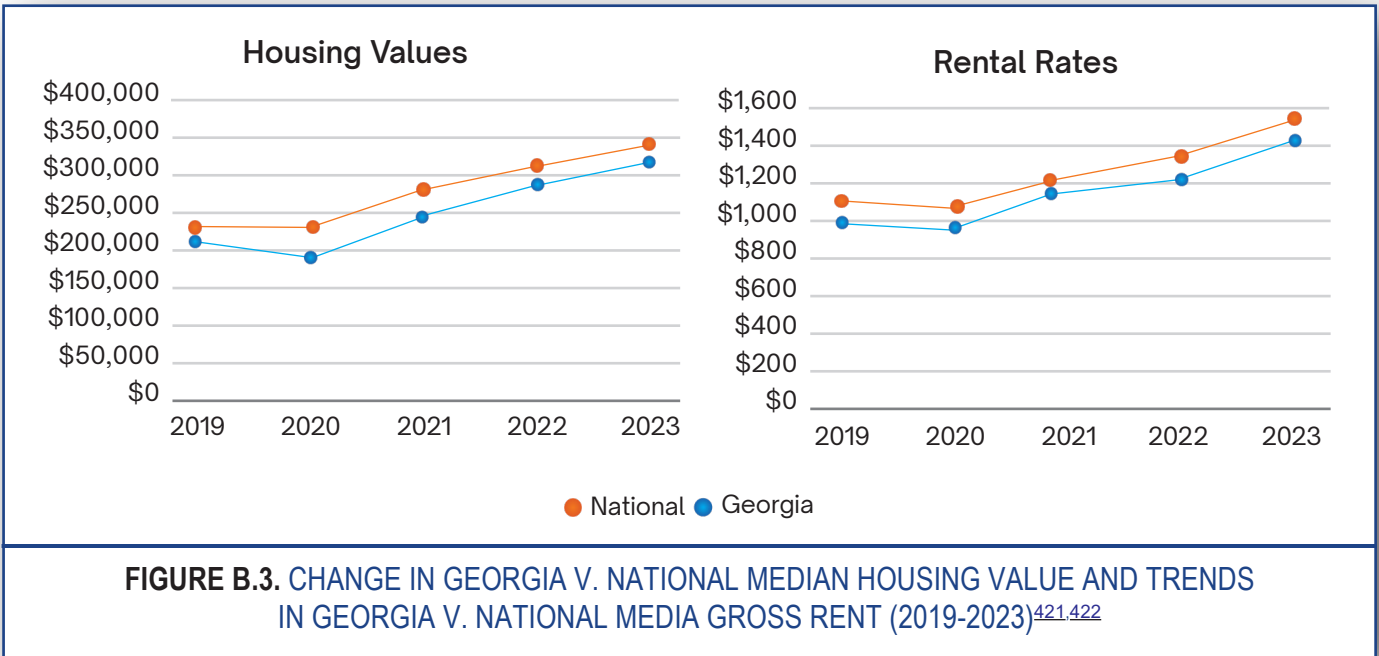
Black and Hispanic residents have lower average weekly earnings. For every dollar White workers earn, Black and Hispanic workers earn \$0.76 and \$0.70, respectively.^{414,415} See **Table B.1.** to the right.

Race/ Ethnicity	Average Weekly Earnings	Earnings Per Dollars
White	\$1,037.67	\$1.00
Black	\$786.14	\$0.76
Native American	\$1,154.77	\$1.11
Asian/Pacific Islander	\$1,045.10	\$1.01
Hispanic/Latino	\$723.12	\$0.70
Multiracial	\$910.70	\$0.88

TABLE B.1. GEORGIA EARNINGS DISPARITIES (2020)⁴¹⁶

Housing

Home ownership and rental costs in the state have been trending upwards over the past five years, on par with national trends. In Georgia, housing values rose by 60% and gross rent rose 33% between 2019 and 2023, both steeper than the national increases of 41% and 28%, respectively.^{xxxi,417,418} As of 2023, the median value for a home in Georgia was \$323,000, and the median gross rent was \$1,400, which are both below the national averages of \$340,200 and \$1,406, although home ownership and rental costs in metropolitan areas tends to be higher.^{419,420} See **Figure B.3.** below.



^{xxxi} 2020 housing value and gross rent based on American Community Survey 5-Year Estimates as that was only data available for that year. All other housing values and gross rent are based on American Community Survey 1-Year Estimates.

| Appendix C: Key Milestones in Georgia's Juvenile Justice System

| 1905

- » Georgia State Reformatory opened in Milledgeville to serve delinquent boys, who had previously been housed in the adult penitentiary.

| 1908

- » Georgia passed its first Juvenile Court Act.

| 1911

- » Georgia's first juvenile court opened in Fulton County.

| 1930s

- » Adamsville Reformatory (Atlanta) opened to serve females; Augusta Reformatory opened to serve Black males.

| 1946

- » White primaries were invalidated by the U.S. Supreme Court.⁴²³

| 1954

- » *Brown v. Board of Education* was decided by the U.S. Supreme Court.

| 1963

- » The first Youth Services Unit was created under the DFCS, which was part of the Department of Social Services. Delinquent youth were placed in one of three training schools (formerly reformatories) located in Atlanta, Augusta, and Milledgeville. These served as long-term facilities.

| 1964

- » The Civil Rights Act was enacted by the U.S. Congress.
- » The Macon Training School for Girls was opened.
- » Male training schools were desegregated: Atlanta Training School served boys ages 11–13; Augusta served boys ages 13–15; and Milledgeville served older male youth who had committed violent offenses.

| 1965

- » The Voting Rights Act was enacted by the U.S. Congress.

| 1967/1968

- » The first RYDCs were built in Albany, Rome, Sandersville, Waycross, Augusta, and Gainesville. Each RYDC had 18 rooms for males and 12 for females, creating a total state capacity of 180.

| 1971

- » The first Community Treatment Center (CTC) opened in Columbus to serve youth in the community after school.^{xxxii}
- » The Department of Human Resources (DHR) was created by merging several state agencies, including DFCS. Youth Services remained under DFCS.
- » Georgia also adopted its Juvenile Court Code, which defined “child” as an individual under the age of 17 and gave juvenile court jurisdiction over deprivation, delinquency, and status offense cases.^{xxxiii} ⁴²⁴

^{xxxii} By 1991, there were 23 CTCs in operation.

^{xxxiii} Despite Georgia raising the age of juvenile jurisdiction to include 17-years-olds in 1973, due to “a lack of juvenile court resources”, the legislature amended the code to exclude 17-year-olds that same year.

| 1972

- » YDCs were created from former training schools. Community schools opened in Fulton, DeKalb, and Chatham counties.
- » The Youth Services Unit was upgraded to the Division of Youth Services (DYS) within DHR.

| 1973

- » DYS began taking over county-run facilities.

| 1974

- » DYS instituted a “Serious Offender Policy.”

| 1976

- » Contract detention homes opened to provide emergency shelter for non-delinquent youth who could not return home.

| 1977

- » **SB 100** was signed into law, setting guidelines for handling status offenses, providing statewide 24-hour intake, and prohibiting long-term jailing of children except under extraordinary circumstances.

| 1979

- » Determinate sentencing was implemented, classifying offenders into four categories to determine length of stay.
- » The *Hall v. Skelton* ruling led to improved diagnostic orientation and counseling services, and restricted the use of detention and isolation in YDCs.
- » DYS began contracting with private psychiatric facilities for behavioral health services.

| 1981

- » A new system for determining placement and length of stay, based on commitment offense and court history, was implemented.
- » The Designated Felony Act was passed, increasing commitments for violent offenders from two to five years.

| 1982

- » The General Assembly approved provisions for the creation of a statewide juvenile court system.

| 1985

- » The Public Risk Score^{xxxiv} and Needs Assessment^{xxxv} were created.

| 1990

- » The Georgia General Assembly capped the YDC population. Age and weight distributions were eliminated, and early release procedures were introduced.

| 1992

- » The General Assembly created the Department of Children and Youth Services (DCYS) based on recommendations from the Joint Study Committee on Children and Youth.
- » Placement Assessment Score^{xxxvi} and Risk Assessment Score^{xxxvii} were implemented.

^{xxxiv} A 5-point scale, with 1 being least at risk to 5 being most serious, based on the most serious committing offense

^{xxxv} Reflects need for: (1) residential support, (2) medical, (3) mental health, (4) alcohol and drug, (5) vocational, and (6) educational needs of the youth.

^{xxxvi} Ranging from 0-26, based on most serious current offense, most serious prior offense, and number of prior adjudications.

^{xxxvii} Ranging from 1-23, based on gang affiliation, sibling/parent offense history, age at first adjudication, and other factors.

| 1993

- » Community Schools, CTCs, and Court Service Offices were merged to create Multi-Service Centers.
- » The Safe Schools Act^{xxxviii} was passed.

| 1994

- » SB 440 was passed, mandating that youth aged 13 or older who commit certain felonies be tried as adults. It also created the STP, allowing judges to place youth in a boot-camp-style program instead of committing them to a YDC, and extended designated felony sentences.^{xxxix}

| 1997

- » DCYS became DJJ.
- » The USDOJ investigated conditions within DJJ facilities.

| 1998

- » A Memorandum of Agreement was signed between the USDOJ and DJJ, outlining specific operational guidelines. The final inspection report was issued in 2009, finding DJJ in substantial compliance.

| 2001

- » [HB 201](#) was passed, giving judges more flexibility to place youth based on their risks and needs when issuing 90-day sentences.

| 2005

- » DJJ schools became accredited by the Southern Association of Colleges and Schools.
- » [Senate Resolution 161](#) created a study committee on the juvenile code, with a proposed model code completed in 2008 that later served as a foundation for 2013 reforms.⁴²⁵

| 2006

- » [HB 1145](#) was enacted, providing guidance on the treatment of incompetent youth.
- » [SB 135](#) required that youth charged in superior court have their cases presented to a grand jury within 180 days.
- » [SB 136](#) allowed for bail options for youth at the discretion of the judge and prosecutor.

| 2007

- » DJJ established a full-time Victim Advocate position to assist victims of juvenile crime.
- » [HB 153](#) ensured that youth with deprivation-related issues could not be committed to DJJ unless they had also committed a delinquent act.

| 2011

- » [HB 265](#) established the Special Council on Criminal Justice Reform for Georgians and the Special Joint Committee on Georgia Criminal Justice Reform. Among the first-year recommendations was a full review of the juvenile justice system.⁴²⁶

| 2012

- » [HB 1176](#) incorporated many of the Special Council's recommendations regarding the adult criminal justice system.
- » Governor Nathan Deal expanded the Special Council's mandate to include juvenile justice. The Council's report detailed rising recidivism rates, excessive out-of-home placements for low-level offenses, and ineffective use of assessment tools. It recommended prioritizing high-risk offenders for facility placement and strengthening community-based supervision and evidence-based programs.⁴²⁷

^{xxxviii} Initially intended to punish youth for carrying weapons or selling drugs at school but later amended to include disrupting schools, possession of drugs, vandalism on school property, and battery on a school official.

^{xxxix} From 12-18 months to 9-60 months with time served in RYDC as part of length of sentence.

| 2013

- » [HB 349](#) created the Georgia Council on Criminal Justice Reform with a five-year mandate.^{[428](#)}
- » [HB 242 \(Juvenile Justice Reform Act\)](#) was passed, creating the CHINS category, expanding behavioral health services, increasing judicial discretion, and prioritizing community-based alternatives for nonviolent youth.^{[429](#)}
- » The first JJIG grants were awarded to 49 counties.^{[430](#)}

| 2014

- » [SB 365](#) was passed, implementing reentry reforms for adults, revising child dependency definitions, creating a special school district for DJJ youth, and making several procedural and oversight updates.^{[431](#)}
- » Juvenile courts began using the PDRA and DAI tools, codified in O.C.G.A. § 15-11-505(A) and O.C.G.A. § 15-11-601.^{[432](#)}
- » The CSG Program launched to reduce criminogenic behavior and out-of-home placements.^{[433](#)}

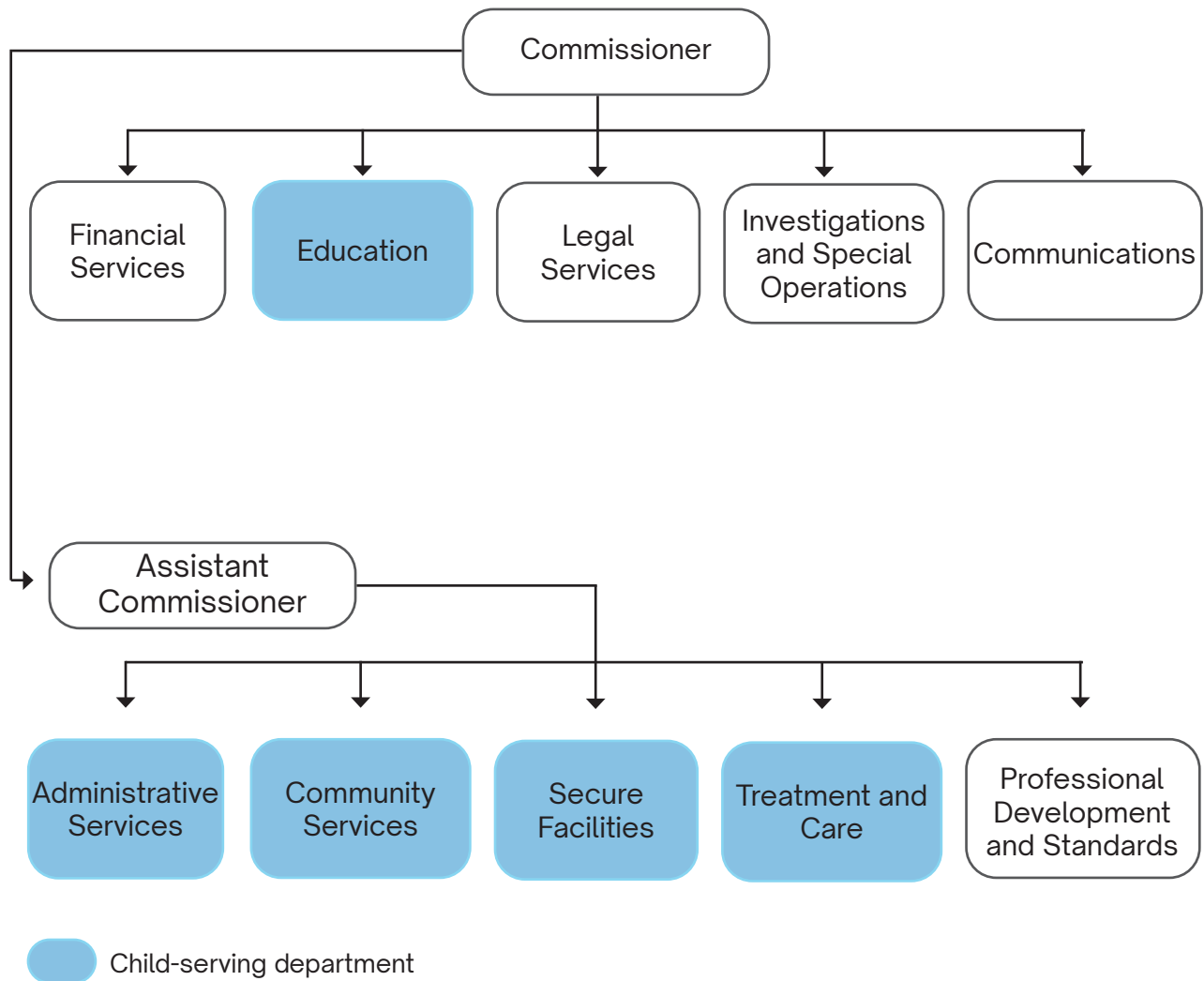
| 2015

- » Governor Deal appointed the Georgia JDAI Steering Committee.^{[434](#)}
- » JDEX, a statewide legal and assessment data repository, was launched to provide juvenile courts with comprehensive legal history and assessment data.^{[435](#)}

| 2017

- » [SB 174](#) reformed accountability courts, sentencing guidelines, and laws related to assessments, court fees, parole, and probation.^{[436](#)}

| Appendix D: Georgia Department of Juvenile Justice Organizational Chart



Department of Juvenile Justice Organizational Chart⁴³⁷

| Appendix E: Relevant Federal and State Agencies

Judicial Agencies

United States Office of Justice Programs

As a federal grantmaking agency at USDOJ, USOJP provides juvenile justice–related research, statistics, and other resources, including [USOJJDP](#). USOJJDP is the only federal agency that provides direct annual juvenile delinquency prevention funds to the states and has done so for the past 50 years.⁴³⁸ While other federal agencies provide funding and resources for children, young adults, and their families, only USOJJDP offers direct resources to delinquent youth in Georgia’s juvenile courts. In FY 2023, Federal Juvenile Justice Title II Awards to all 55 states and territories was \$75 million, an increase of \$5 million from the previous year.⁴³⁹ See [Criminal Justice Coordinating Council](#) below for more information regarding USOJJDP direct funding to Georgia and the [four core protections](#) related to that funding.

Georgia Council of Accountability Court Judges

CACJ was established in 2015 and has a state budget of \$36.2 million for FY 2024. Its purpose is to improve accountability courts and their work by establishing standards and practices based on the National Drug Court Institute’s model to reduce recidivism among offenders with substance abuse problems.⁴⁴⁰

Georgia Administrative Office of the Courts

AOC supports Georgia’s judiciary, and its FY 2024 state budget totaled \$25.2 million. This support includes policymaking, information technology, court administration, budget, and financial services to all state courts, including the CJCJ. AOC collects self-reported, aggregate caseload data from all Georgia courts (i.e., superior, state, magistrate, juvenile). Additionally, as referenced in the data section, AOC administers the [JDEX](#) Project, a data system designed to assist juvenile courts in providing better outcomes for youth by informing legal advocacy and decision-making. As JDEX data collection becomes more robust, it will be a more effective tool.⁴⁴¹ For additional information on AOC data collection and JDEX, see [Section 5: State Juvenile Justice Data and Trends](#).

Georgia Council of Juvenile Court Judges

CJCJ is composed of all judges of courts exercising jurisdiction over juveniles. CJCJ provides juvenile courts with administrative support, including legal support (e.g., research, legislative information, and sample orders) and specialized training for continuing judicial education and citizen review panel volunteers. Additionally, CJCJ provides information technology through the [JCATS](#) software and system enhancements. CJCJ also supports administration of CHINS cases with a statewide CHINS coordinator.⁴⁴² CJCJ’s FY 2024 state budget is \$9.8 million.⁴⁴³

Georgia Criminal Justice Coordinating Council (CJCC)

CJCC is an executive branch organization established in 1981. Its mandate is to “develop criminal justice legislative and executive policy proposals; serve as the statewide clearinghouse for criminal justice information and research; and serve in an advisory capacity to the governor on issues impacting the criminal justice system” among 11 areas of criminal justice coordination. Additionally, CJCC manages the Georgia Crime Victims Compensation Program and acts as the state administrative agency for federal formula and competitive grant programs. Its state budget for FY 2024 was \$122.8 million.⁴⁴⁴

CJCC also administers state and federal juvenile grants and is the recipient agency for USOJJDP grant funding. Since Georgia is a participating state in the Juvenile Justice and Delinquency Prevention Act, USOJJDP funding comes with four requirements, also known as the “four core protections”: deinstitutionalization of status offenders, removal of juveniles from adult jail and lockup, sight and sound separation of juveniles from adult offenders, and addressing racial and ethnic disparities in the juvenile justice system.⁴⁴⁵ CJCC also supports Georgia’s **SAG**, which advises the governor and General Assembly on juvenile justice matters affecting the youth and families of Georgia and develops and monitors the state’s three-year juvenile justice plan. In FY 2024, CJCC’s Juvenile Justice Unit administered approximately \$12 million in state and federal grant funds provided to local communities across the state in competitive grant opportunities. Approximately, \$1.4 million of these were federal juvenile funds.⁴⁴⁶

Prosecuting Attorney’s Council of Georgia

PAC provides essential services to elected and appointed prosecutors in Georgia, including training, legal research, professional guidance, trial support, and managing payroll, budgeting, and technology. There are two types of prosecutors in Georgia. The district attorney is the chief prosecutor within Georgia’s 50 judicial circuits, which consist of one to eight counties each. As elected officials, district attorneys manage felony trials, appeals, juvenile cases, and advise the grand jury, supported by a full-time staff. In 67 of Georgia’s 159 counties, misdemeanor cases are handled by the solicitor general, an elected county officer. This role may be full-time or part-time depending on the county. In areas without a state court, misdemeanors are prosecuted by the district attorney.⁴⁴⁷

Georgia Public Defender’s Council

In Georgia, juveniles are entitled to legal representation in cases of dependency, delinquency, CHINS, and traffic offenses. The state of Georgia administers indigent defense services for trials in all areas except where local governments choose to administer their own services. GPD, an independent state agency, offers effective and ethical defense for qualifying low-income residents facing criminal charges, fulfilling the U.S. Constitution’s mandate. Its Youth Advocacy Division ensures legal representation for all youth accused of a crime.⁴⁴⁸

GPD funding comes from a combination of state and local government sources, as well as fees collected from applicants and defendants. The state primarily provides funding but local governments also allocate some funding for overhead costs. While there have been issues with financial support for juvenile representation in the years since juvenile reform, GPD has seen substantial budget growth since 2020, hitting a high of \$108.3 million for the FY 2024.⁴⁴⁹

It is important to note that although public defenders aim to provide quality representation to justice involved youth, they are often burdened by large caseloads and a lack of funding and other resources. The resources that do exist are often miniscule compared to law enforcement and prosecutors. Furthermore, these resources may be managed by larger entities that do not provide the specialization needed to effectively represent juveniles.⁴⁵⁰ As such, the actual quality of representation may not meet the desired quality and children and families may be negatively affected.

Georgia Supreme Court Committee on Justice for Children

The Supreme Court of Georgia’s Committee on Justice for Children oversees the federally funded Court Improvement Program. This program aims to create and implement a data-driven strategy for the ongoing enhancement of juvenile dependency cases. Presently, the Committee on Justice for Children is engaged in several projects including the Cold Case Project and CPRS.⁴⁵¹

Child Welfare Agencies

Georgia Office of the Child Advocate

The Office of the Child Advocate (OCA) serves as an ombudsman's office and oversees Georgia's child welfare system. It also provides case evaluations, policy and practice consulting, education, and advocacy. As Georgia's ombudsman's office for child welfare, OCA investigates complaints regarding individual or systemic issues and attempts to resolve these concerns. OCA also provides training on several critical child dependency matters, including (1) online Guardian ad Litem (GAL) training opportunities for attorneys wishing to be GALs (to meet the code's requirements) and (2) the Statewide Model Child Abuse Protocols,^{xi} designed to ensure the cooperation and coordination of agencies involved in a child abuse case so that cases are handled efficiently while minimizing the stress placed upon the allegedly abused child.⁴⁵² OCA's FY 2024 state budget is \$1.4 million.⁴⁵³

Georgia Division of Family and Children Services

DFCS is Georgia's primary child welfare agency, with an FY 2024 state budget of \$1.4 billion. As a division of the DHS, DFCS "investigates reports of child abuse; finds foster and adoptive homes for abused and neglected children; issues [SNAP, Medicaid, and TANF]; helps out-of-work parents get back on their feet; and provides numerous support services and innovative programs to help families in need."⁴⁵⁴ Additionally, DFCS supports kinship caregivers and foster parents through training, education, and financial support; and provides licensing and oversight to Child Caring Institutions (CCIs),^{xii} including Qualified Residential Treatment Programs.^{xiii} DFCS also distributes funding to reduce child neglect and abuse and mitigate the effects of poverty across the state.⁴⁵⁵

DFCS Information Sharing Systems

Court Process Reporting System

CPRS is an online database used to share child-specific **case plan** information with juvenile courts. CPRS interfaces with the DFCS case management system (Georgia SHINES), and case plan data is uploaded daily. See **Figure E.1.** on p. 100. Access is pre-approved by DFCS and local juvenile court judges.⁴⁵⁶ GaDOE provides attendance and academic performance information to CPRS through a matching system, but the information is only uploaded every six months. While this provides insight into a child's school history, it does not allow users access to current information. DJJ does not share data with CPRS.

Through CPRS, court staff (e.g., judges, clerks, GALs), CASA volunteers, and CJCJ panels can access DFCS case plans, relative search information, assessment recommendations, visitation schedules, medical and educational information, and other documents subject to end-user restrictions to access based on their position. DFCS and Special Assistant Attorney Generals can obtain court orders, although there is no policy mandating that courts must upload orders.⁴⁵⁷ CPRS also provides capabilities for CASAs and panels to submit reports and reviews directly through the portal.^{458,459} Although CPRS access is offered in every county, not all court staff may be accessing it. Further, information depends on the accuracy and timeliness of SHINES data and the court's entry of court orders into the system.

^{xi} The child abuse, sexual abuse, and sexual exploitation protocols are revised periodically to account for changes in the code and to update for any changes in best practices. They were most recently updated in 2021.

^{xii} CCIs are child-welfare facilities that provide full-time room, board, and watchful oversight to six or more children through 18 years of age outside of their own homes. They are often referred to as "group homes." [Child Caring Institutions \(CCI\) | Georgia Department of Human Services](#)

^{xiii} Established under the Families First Prevention Services Act, Qualified Residential Treatment Programs are CCIs that use a trauma-informed treatment model, facilitate family involvement and outreach, provide family-based aftercare, and have licensed nursing and clinical staff available at all times. [Family First impact on DFCS.pdf](#).

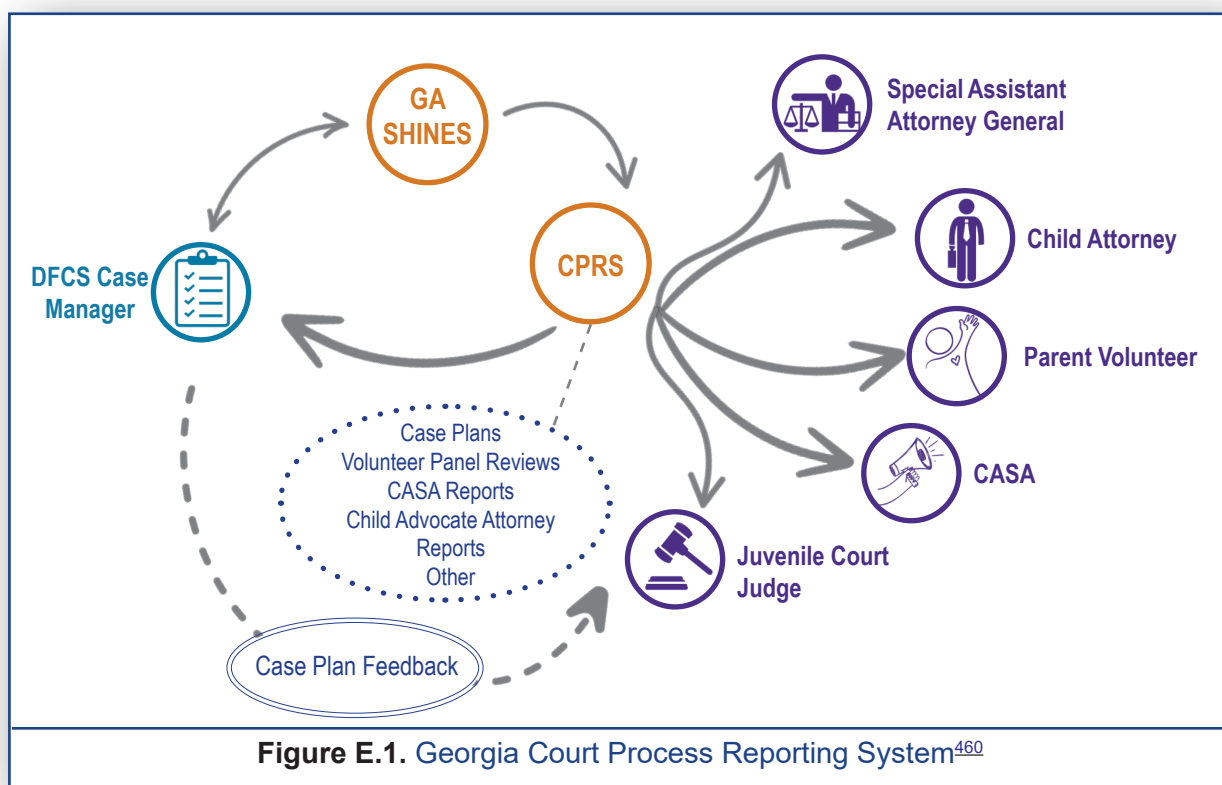


Figure E.1. Georgia Court Process Reporting System⁴⁶⁰

Georgia Communicare:

Georgia Communicare (Communicare) is an information portal supported by DFCS that allows access to case data, evaluations, assessments, and other SHINES documents to external parties to a foster care case, including biological parents, foster parents, and CASAs. The DFCS information available through Communicare is more robust than what is provided through CPRS; however, Communicare does not have any court information and is unavailable to court staff.⁴⁶¹ Like CPRS, the quality of information in Communicare is highly dependent on the timely and accurate entry of data. Issues with DFCS workforce turnover can impact the agency's ability to properly train caseworkers on data entry and potentially leave gaps in available information.

Despite these efforts in cross-agency information sharing, some child-serving agency staff and court staff voiced frustration regarding the difficulty they experience in trying to get a complete picture of a child's history based on various interviews we conducted for this report. State agency staff and other interested parties expressed a need for a single statewide database containing real-time data and reliable information from all agencies (i.e., DFCS, DJJ, individual court CMSs, GaDOE, school districts, CASA) to serve cross-over youth more effectively.

Physical and Behavioral Health Agencies

Georgia Department of Public Health

With a state budget of \$370 million for FY 2024, DPH is tasked as the lead agency in preventing disease, injury, and disability, promoting health and well-being, and preparing for and responding to disasters from a health perspective.⁴⁶² DPH provides health services and resources for children and expectant mothers, including peri- and postnatal care, early intervention (e.g., Babies Can't Wait^{xliii}) and preventive

^{xliii} Babies Can't Wait is Georgia's early intervention program that provides early identification and screening of children with developmental delays and chronic health conditions. It seeks to improve the developmental potential of children from birth through age 3 and support caregivers to enhance children's learning and development. [Babies Can't Wait | Georgia Department of Public Health](#)

services, care coordination, home visiting, and autism screening and interventions.^{463,464} These services are vital to cognitive development and provide opportunities for early intervention to keep children from developing behaviors that, left untreated, may result in delinquent behavior.

| Georgia Department of Community Health

DCH provides health care benefits under the Medicaid and PeachCare for Kids programs. These programs serve approximately 3 million residents (about 1 in 4 Georgians).⁴⁶⁵ Medicaid serves low-income residents who are pregnant, are more than 65 years old, are legally blind, are disabled, need nursing home care, or are a child or teenager. Medicaid income thresholds vary based on the category of recipient.⁴⁶⁶ PeachCare provides coverage for children whose families' incomes exceed the Medicaid threshold. DCH also oversees the State Health Benefit Plan (which provides health care benefits for approximately 660,000 state employees and family members), health care facility regulation, and the Office of Rural Health.⁴⁶⁷ Its FY 2024 state budget is \$4.8 billion.⁴⁶⁸

DCH contracts with CMOs to deliver Medicaid/PeachCare benefits for approximately 1.4 million children statewide, many of whom interact with the juvenile justice system.⁴⁶⁹ Because of their wide reach, CMO contract terms and oversight can determine access to and the quality of services for youth in the community who may be at risk of, or have had, justice involvement. Additionally, Georgia Families 360 provides managed care for approximately 27,000 youth receiving foster care and adoption services as well as select youth in the juvenile justice system.⁴⁷⁰ However, under federal law, the state may not use federal Medicaid funding to cover health services for incarcerated youth unless the youth is admitted to an inpatient medical institution (e.g., hospital, nursing facility, residential treatment facility) for more than 24 hours. As such, the state is responsible for covering all other health care costs for youths in custody.⁴⁷¹ DJJ and DCH are currently working together to expand access to Medicaid-covered services for juveniles who are incarcerated in light of recent federal legislation (see below).⁴⁷²

Federal Legislation to Support Use of Medicaid for Justice-Involved Youth

Federal SUPPORT Act

The federal SUPPORT Act passed in 2018 prohibits states from terminating Medicaid eligibility for incarcerated individuals under age 21 and former foster care youth up to age 26. Under the SUPPORT Act, instead of ending eligibility, states can suspend eligibility or Medicaid benefits for unqualified services. This allows incarcerated youth to more easily access Medicaid-covered inpatient services while incarcerated and reenroll in Medicaid upon release. As of the time of this report, however, these provisions have not been incorporated into the State Medicaid Plan for Georgia.⁴⁷³

Consolidated Appropriations Act

The Consolidated Appropriations Act will allow states to use federal funding to provide screenings, diagnostic services, and case management to eligible juveniles prior to and upon release from incarceration, beginning January 1, 2025; however, it will be up to the state to incorporate the specific terms of these services into the State Medicaid Plan.⁴⁷⁴

Georgia Department of Behavioral Health and Developmental Disabilities

DBHDD provides treatment and support services to help Georgians with mental and behavioral health challenges achieve recovery through strength-focused interventions. DBHDD is also charged with assisting individuals with intellectual and developmental disabilities and provides home settings and care to individuals who do not live with their families. For those who live with their family, support services are focused on disability-specific areas to assist their daily living activities. DBHDD operates state hospitals and provides local services through contracts with community-based providers. The department's FY 2024 state budget is \$1.6 billion.⁴⁷⁵

DBHDD and DJJ have a collaborative relationship, often working together to find services and placement for youth with behavioral health issue and developmental disorders.⁴⁷⁶ Youth with mental health and developmental disorders often become involved with the juvenile justice system, as these diagnoses are typically associated with behavioral issues and, in some cases, aggression. It should also be noted that circumstances aside from the behavioral aspects of a disability (e.g., poverty, parental treatment, and failure of schools to address disabilities properly) may contribute to offending behaviors.^{477,478,479}

Through its various offices, DBHDD provides the following key behavioral health services for children, young adults, and families: care management services, **Georgia APEX** Program, mobile crisis team services, Prevention and Mental Health Resiliency Clubhouses, **MATCH**, Behavioral Crisis Centers, Crisis Stabilization Units (CSUs), and psychiatric residential treatment facilities (PRTFs).⁴⁸⁰

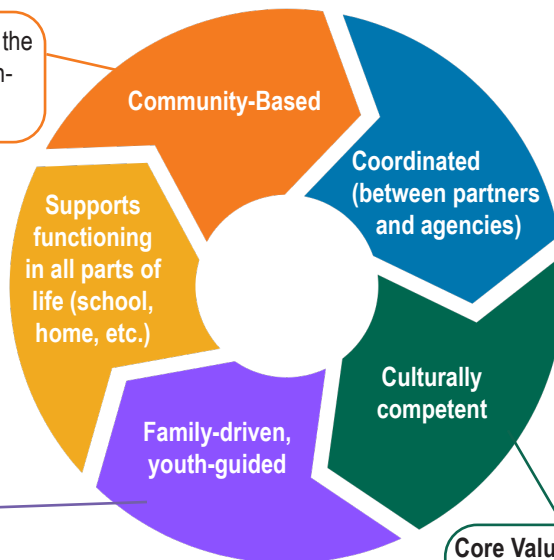
Within DBHDD:

- **Office of Prevention Services (OPS)** provides “prevention leadership, strategic planning, and services to improve the mental/emotional well-being of communities, families, and individuals in Georgia.” Through a series of contracts, OPS ensures that prevention services for substance abuse, suicide, and mental health promotion are available across the state.⁴⁸¹
- **Office of Forensic Services** provides forensic evaluations and treatment for those adults under the jurisdiction of superior and state courts and behavioral health, competency, and jurisdictional transfer evaluations to youth in juvenile courts.⁴⁸²
- **Division of Intellectual and Developmental Disabilities** helps individuals with disabilities lead independent lives and live in the most integrated settings. Eligibility for services is contingent on intellectual disability that occurred during the developmental years or a developmental disability that substantially impairs functioning, such as cerebral palsy or epilepsy.⁴⁸³
- **Office of Children, Young Adults and Families** focuses primarily on supporting a **SOC** for these populations providing services such as evaluation, assessment, diagnosis, crisis assessment, counseling and therapy, medication, physician services, and community support.⁴⁸⁴ For additional information on the SOC, see **Figure E.2.** on p. 103.

SOC is “a spectrum of effective, community-based services and supports for children and youth with or at-risk for mental health or other challenges and their families, that is organized into a coordinated network, builds meaningful partnerships with families and youth, and addresses their cultural and linguistic needs, to help them function better at home, in school, and throughout life.”⁴⁸⁵

Core Value: SOC should be **community-based**, with the focus of services as well as management and decision-making responsibility resting at the community level

Core Value: SOC should be **child, family, person-centered, and family and community-focused**, with the needs of the child or individual and family dictating the types and mix of services provided to the health agency responsible for coordinating children’s services (typically a DBHDD Community Service Board)



Core Value: SOC should be **culturally competent**, with the agencies’ programs, and services that are responsive to the cultural, linguistic, racial, and ethnic differences of the populations they serve

Figure E.2. System of Care⁴⁸⁶

Local Interagency Planning Teams

LIPTs are part of SOC infrastructure and one of the only resources for late intervention for justice-involved youth, aside from services provided by courts and DJJ. LIPTs are committees operating on a regional level, charged with reviewing and modifying decisions about the placement of children and adolescents with severe behavioral health needs or addictive diseases in out-of-home treatment or placement settings. An LIPT is tasked with ensuring that children have access to coordinated systems and supports and various placement services, that fragmentation and duplication of services are limited, and that there is an effective referral and screening system to ensure appropriate care.⁴⁸⁷

Each LIPT must include a local representative from the following:

- The community mental health agency responsible for coordinating children’s services (typically a DBHDD Community Service Board (CSB))
- DFCS and DHS
- DJJ
- DPH
- A member of the special education staff of the local education agency
- The Georgia Vocational Rehabilitation Agency⁴⁸⁸

Committees may also include the special education administrator from the child’s school, parents of the child, and caseworkers from any agencies involved with the child. Each agency member has a specified role corresponding to their area of work. For example, the committee member from DJJ identifies community-based services and supports to prevent youth from entering the system and to support youth upon re-entry.⁴⁸⁹ Referrals to LIPTs are made via schools, child-serving agencies, and parents.⁴⁹⁰

Multi-Agency Treatment for Children

In addition to LIPTs, the state MATCH team facilitates collaboration across state agencies to find resources and solutions for children with complex treatment needs. Although similar in mission, MATCH differs from LIPTs in that it operates at the state level while LIPTs function at a local level. MATCH can also access a pool of funds and has the authority to make temporary exceptions to state policies while seeking treatment options for youth. Further, MATCH monitors and evaluates laws, policies, and practices that create barriers to accessing timely and appropriate care and makes recommendations on how to remove these barriers.⁴⁹¹

To be eligible for a MATCH referral, a youth must have complex behavioral health needs and cannot be privately insured.⁴⁹² Currently, MATCH referrals are mostly made through LIPTs. However, the team maintains a “No Wrong Door” referral pathway⁴⁹³, as reflected in **Figure E.3.** below.

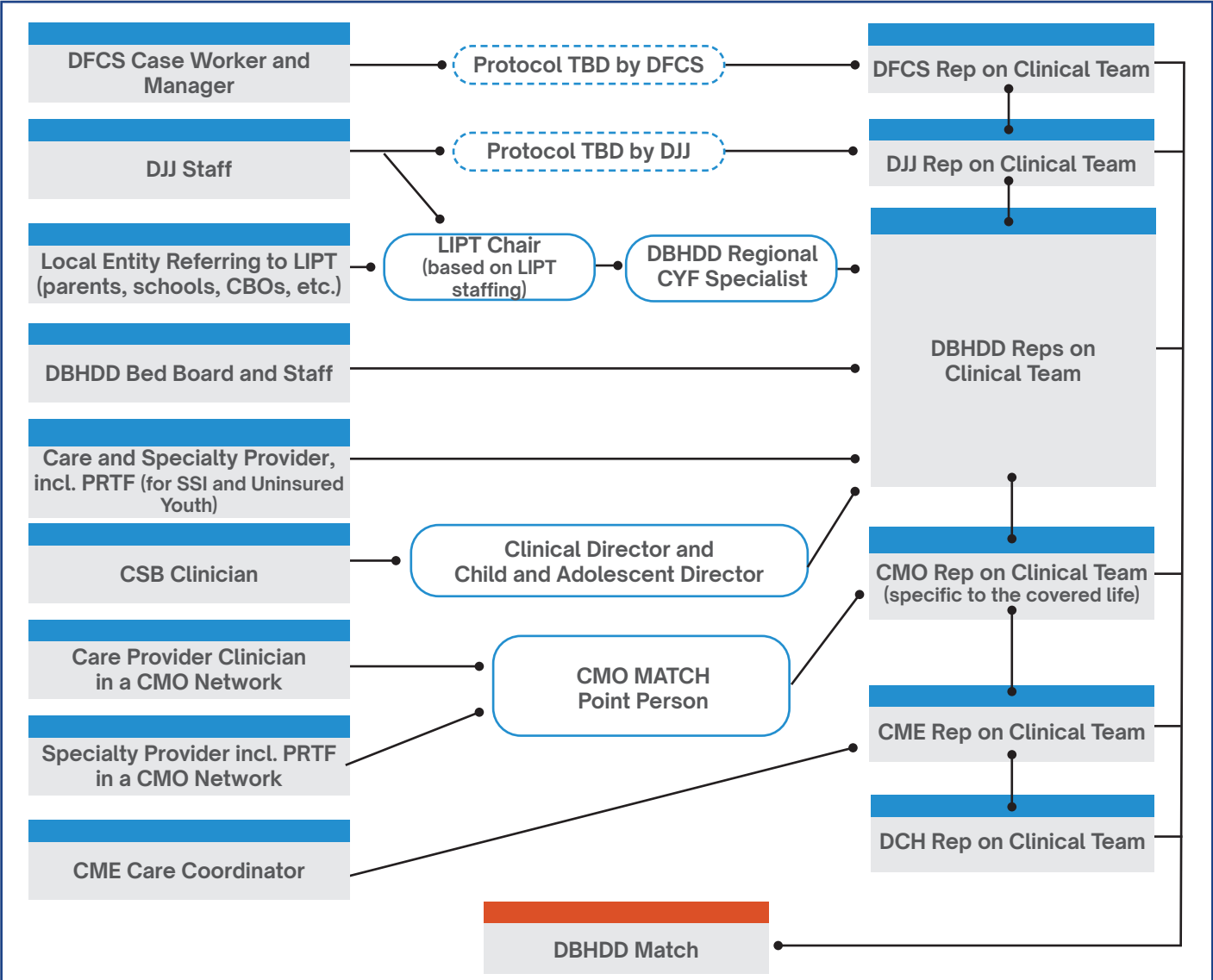
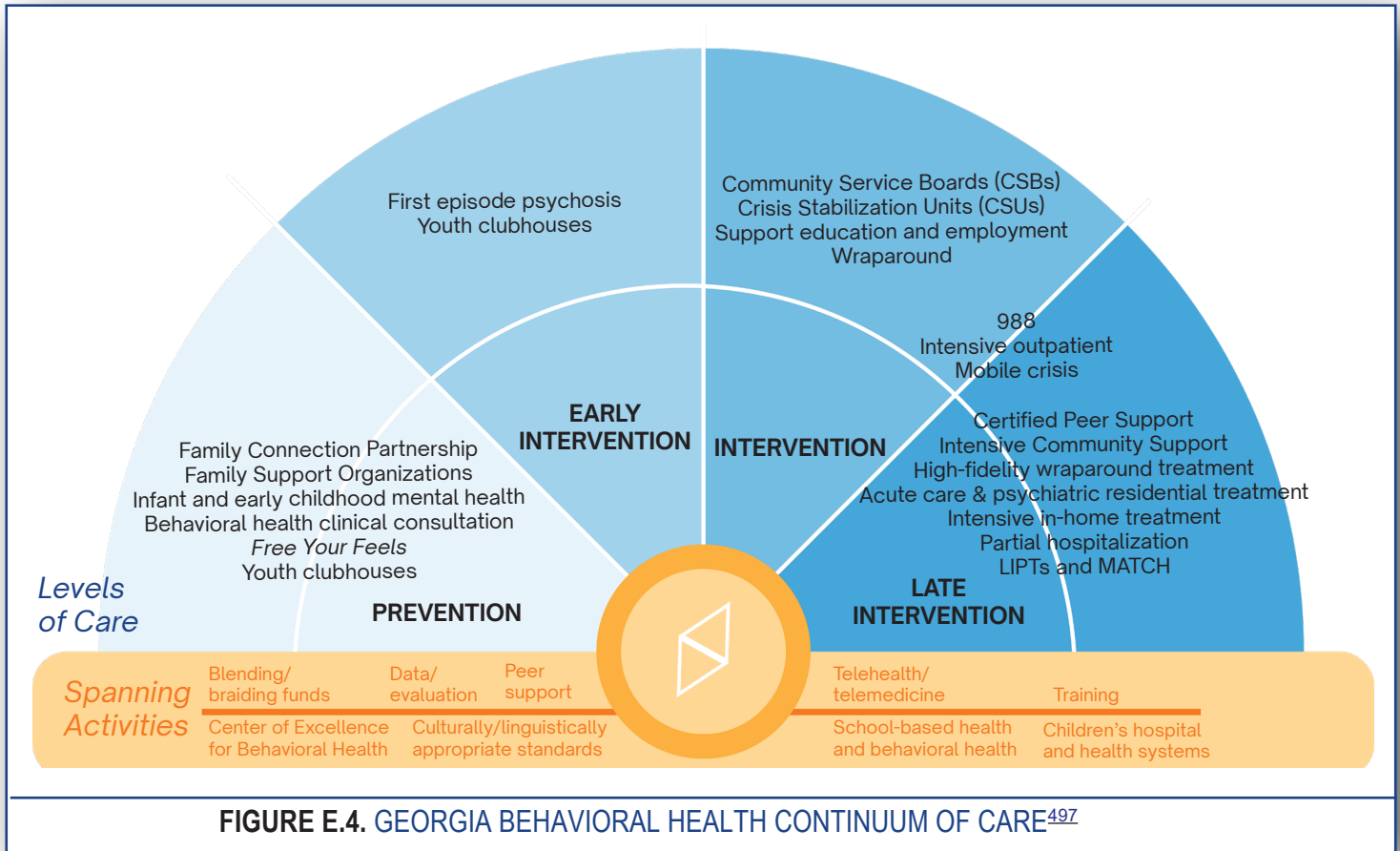


FIGURE E.3. Georgia MATCH “No Wrong Door” Referral Pathway⁴⁹⁴

The MATCH team includes representatives from DFCS, DJJ, DECAL, DPH, DCH, GaDOE, Prevent Child Abuse Georgia, and the GDC. Additionally, MATCH maintains a clinical team of behavioral health clinicians from child-serving state agencies and other key stakeholders who meet regularly to resolve referrals and identify barriers to accessing needed services.⁴⁹⁵

Continuum of Care

While SOC provides a network of services, COC focuses on providing a range of services and care across different levels of intensity within various settings. DBHDD's COC is a service continuum that recognizes four stages of intervention based on risk and provides multiple opportunities to address behavioral health issues with an array of traditional and non-traditional services and supports.⁴⁹⁶ See **Figure E.4.** below. Ideally, delinquent behavior would be pre-empted in the first three stages of the COC; however, many children become justice-involved due to systemic barriers.



Prevention

Early identification, accurate diagnosis, and effective treatment are critical for children, young adults, and their families dealing with behavioral health challenges.

Early Intervention

Early intervention requires identifying and providing effective early supports to children and young adults who are at risk of poor outcomes.

Intervention

This level consists of skills-based interventions focused on reducing behavioral health challenges that are provided in individual, family, and/or group settings.

Late Intervention

This area provides interventions and supports for improving mental health among children and adolescents with higher acuties.

Select Service Descriptions within the Continuum of Care

Care Management Services: CMOs help participants locate and obtain necessary waivers and other State Plan Services, along with medical, social, and educational services, whether funded within the program or not. These services are provided at two locations in the state.

Georgia Apex Program: The Georgia Apex Program is a school-based mental health program designed to build infrastructure and increase access to mental health services for school-aged youth by placing mental health providers in school settings to deliver therapeutic support. Apex provides earlier detection of students' behavioral health needs; and greater access to behavioral health services, and allows for greater coordination between community providers and local schools.

Mobile Crisis Team Services (MCTS): MCTS are community-based, face-to-face services provided to individuals in an active crisis who have behavioral health issues or a developmental or intellectual disability at any time or day.

Prevention Clubhouses: Prevention clubhouses are support centers where participation is limited to youth who are at high risk for alcohol and drug abuse, are involved in ongoing detention and/or alternative school, have parent(s) with current or past addiction, have sibling(s) currently receiving treatment for substance abuse disorder, or experience education or social issues. Currently, three prevention clubhouses operate in Dawson, LaGrange, and Norcross.

Mental Health Resiliency Clubhouses: The Resiliency Clubhouse program aims to deliver a variety of services to help children and families handle solitude, judgment, and struggles related to mental health conditions. Designed for high-risk youth ages 12-17, each clubhouse offers educational aid, work opportunities, peer companionship, family inclusion, social events, and programs to engage youths and aid in behavior and symptom management. Currently, 13 Resiliency clubhouses operate across Georgia.

Multi-Agency Treatment for Children: MATCH is a statewide team comprising representatives from each child-serving state agency. It facilitates cross-agency collaboration by reviewing cases of children with complex needs that cannot be met through their local communities. The MATCH committee is responsible for finding resources for these referred children and youth.

Behavioral Health Crisis Centers: Behavioral health crisis centers provide walk-in 24/7 access to psychiatric crisis assessment, intervention, and counseling for those experiencing abrupt and substantial changes in behavior. They also provide screening and referral for appropriate outpatient services and community resources for individuals not in crisis but seeking access to behavioral health care. There are currently five behavioral health crisis centers: Marietta, Griffin, Albany, Thomasville, and Valdosta.

Crisis Stabilization Units: CSUs are a component of the BHCCs and are designed for youth needing short-term, acute stabilization. They are a residential alternative to inpatient hospitalization and are available 24/7/365 for receiving and evaluating youth and adults across Georgia. The average length of a stay in a CSU is approximately six days. Four CSU programs address behavioral health needs across the state.

Psychiatric Residential Treatment Facility: PRTFs are treatment facilities that offer intensive inpatient treatment for mental health and substance abuse to individuals aged 5-21 who have severe emotional disorders and require active treatment unavailable outside of a residential setting. These services are necessary when less intensive treatment options are ineffective or not medically advisable. The state has seven such PRTF locations available.

Georgia Department of Education

While local city and county governments are responsible for providing educational services for children, GaDOE is the state agency that provides support and guidance for public education in Georgia to ensure that laws are followed and that monies appropriated for education are properly allocated. In addition to overseeing curriculum and academic achievement, GaDOE must also ensure that federal Individuals with Disabilities Education Act (IDEA) requirements are met, that students and families are provided with an array of services and supports, and that discipline is administered fairly.⁴⁹⁸ The FY 2024 state budget was \$11.9 billion.⁴⁹⁹

GaDOE and school systems are intrinsically linked to the juvenile justice system as academic performance, school-based behavioral health, and school discipline can play a significant role in determining whether youth may become justice-involved. Low-performing schools, lack of support, and harsh discipline practices are associated with the “[school-to-prison pipeline](#)” that puts students on a path from school to juvenile court involvement and, in many cases, adult incarceration. See [Section 6: School-to-Prison Pipeline](#) for further discussion.

Federal law requires schools to provide special education to children with certain disabilities, including intellectual disabilities; speech, language, visual, or hearing impairment; serious emotional disturbance; traumatic brain injury; orthopedic impairments; autism spectrum disorder; developmental delay; and specific learning disabilities.⁵⁰⁰ Specific learning disabilities are “neurodevelopmental disorders that are typically diagnosed in early school-aged children (although they may not be recognized until adulthood).⁵⁰¹ They are characterized by a persistent impairment in at least one of three major areas: reading, written expression, and/or math and are the most common disability among students in the United States.⁵⁰²

For youth with disabilities or special needs for effective learning, GaDOE offers an Individualized Education Program (IEP) or a 504 Plan. An IEP provides individualized special education and services to meet a child’s specific needs. A 504 Plan similarly provides services and changes to the learning environment to meet the child’s needs as adequately as other students. The primary difference is that IEP eligibility requires that a child has one or more of the 13 specific disabilities listed in IDEA. In contrast, a 504 Plan requires that the child has any disability, including learning or attention issues.⁵⁰³ For additional information on the IEP and 504 plans, see [GaDOE Special Education](#).

Because academic performance and school discipline can be useful in determining treatment options and progress for justice-involved youth, schools often share student information and records with individual courts and DJJ. Most of the information shared between schools, the courts and DJJ happens at a local level. Some schools and courts have formal or informal agreements on data and probation officers may visit the child’s school to obtain information and speak with school staff. On an agency level, however, GaDOE does not have a data sharing agreement with DJJ and any student data or information requested must go through an open records request and is subject to review by GaDOE’s Student Data Privacy Review Board.⁵⁰⁴

The Office of Whole Child Supports within GaDOE supports various services and programs to maintain a positive school culture, identify and address student mental health needs, and prevent school discipline issues through safe and supportive school environments.

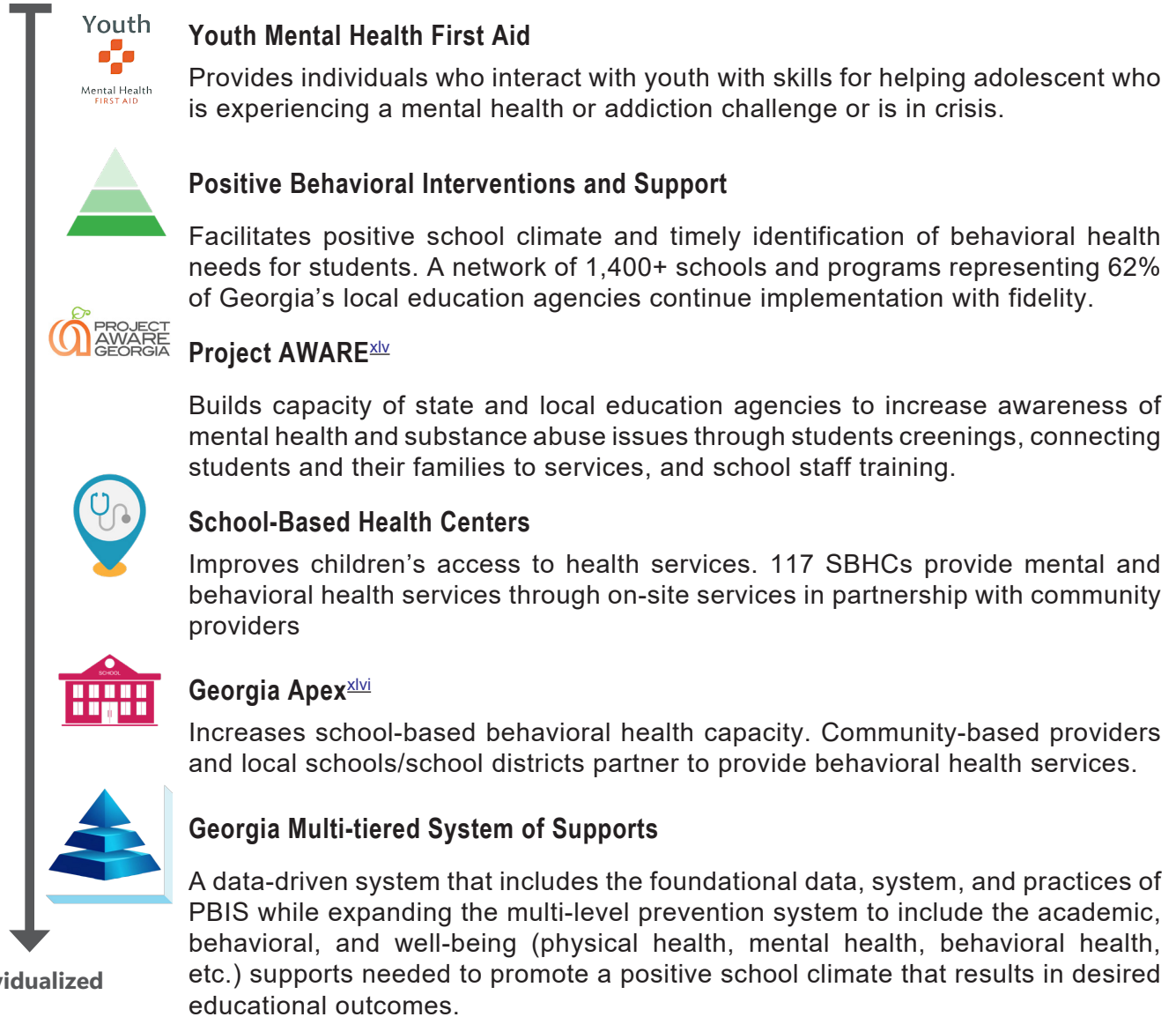
These include: PBIS, school safety initiatives and programs, Mental Health Awareness Training, school social work and school nursing programs, Multi-tiered System of Supports (MTSS), Project AWARE, SBHCs, wraparound services, and partnerships with DBHDD on programs like Georgia Apex.^{xliv,505,506}

^{xliv} GaDOE does not financially support the Georgia Apex program.

School-based Behavioral Health Services and Supports⁵⁰⁷

GaDOE supports an array of trainings, services, and supports to maintain a positive school climate, identify and address student mental health and behavior needs, and prevent school discipline issues.

Universal



^{xlv} Project AWARE is funded by a grant from the United States Substance Abuse and Mental Health Services Administration and that currently benefits three local education agencies in Georgia.

^{xlvi} Georgia Apex is funded by DBHDD.

| Appendix F: Key Players in the Delinquency, Dependency and CHINS Case Flow Processes in Georgia

Key Player and Role	Case Process
Administrative Review Panel Conduct periodic reviews of child committed to a DJJ nonsecure residential facility	Delinquency
Court Appointed Special Advocates (CASA) Advocates for the child's best interests; conducts independent investigations; visits the child; interviews relevant parties; reviews records; provides written reports and recommendations to the court; monitors the child's case; and maintains regular contact with the child	Dependency
Clerk of the Juvenile Court Maintains court filings, and collects and reports data	All three processes
Defense Attorney Represents the youth and ensures their rights are protected	All three processes
Division of Family and Children Services Attorney Represents the Division of Family and Children Services	Dependency
Division of Family and Children Services Caseworkers Assesses the child's situation; identifies risks; develops plans to ensure the child's safety and well-being; conducts home visits; assesses family dynamics; provides services and support; collaborates with the court, GALs, CASAs, and other professionals; monitors the child's progress; provides ongoing support; and reports to the court	Dependency
Department of Juvenile Justice (DJJ) Responsible for the detention, supervision, and rehabilitation of juveniles in Georgia	Delinquency
Guardian ad litem (GAL) Represents the child's best interests, investigates the child's situation; interviews relevant parties; reviews records; provides recommendations to the court; and advocates for the child's best interests	All three processes
Hearing Officer Hears cases alleging violations of conditions for supervision for administrative sanctioning	Delinquency
Intake/Probation Officer Assesses the juvenile's background; makes recommendations to the court; and supervises the juvenile if the juvenile is placed on probation	Delinquency, CHINS
Judicial Citizen Review Panel Conduct periodic reviews of dependency cases	Dependency
Juvenile Court Intake Officer Takes in an allegedly dependent or delinquent juvenile; determines if the child should be held or released	All three processes

Key Player and Role	Case Process
Juvenile Court Judge Presides over the case and makes decisions based on the child's best interests	All three processes
Law Enforcement Officer Removes the child from the home if the child is in imminent danger or a victim of trafficking; takes the juvenile into custody for delinquency proceedings	All three processes
Office of the Child Advocate (OCA) Trains or approves non-attorney GALs	Dependency
Parents or Guardians Responsible for the juvenile's well-being and is involved in the case process	All three processes
Plan Manager Appointed by the court in CHINS cases to convene relevant parties to develop a comprehensive services plan for youths who have been found "Unrestorably Incompetent to Proceed"	Dependency
Prosecutor Represents the state and brings delinquency charges against the juvenile	Delinquency

| Appendix G: Dependency Case System Flow

Under OCGA §15-11-2(11), a dependent child is one found by the court to have been abused or neglected and in need of the court's protection, placed for care or adoption, or one without a parent, guardian, or legal custodian. These cases originate with and are filed by Georgia DFCS.

DFCS is responsible for investigating reports of child abuse, neglect, and abandonment to determine if intervention is necessary to ensure a child's safety and well-being. When DFCS determines that a child needs protection, they may file a complaint with the juvenile court to initiate a dependency case. DFCS caseworkers assess the family's situation, develop a **case plan**, and provide services to help address the issues that led to the child's dependency to preserve the family whenever possible. If the court determines that a child is dependent, DFCS is responsible for placing the child in a safe environment, such as with relatives, in foster care, or in congregant care/group home. DFCS works with the court and other parties to establish a permanency plan for the child, including reunification with the family, guardianship, adoption, or another planned permanent living arrangement. Throughout the juvenile dependency process, DFCS caseworkers provide ongoing support, monitoring, and services to the child and family, and they report to the court on the family's progress and the child's well-being. DFCS collaborates with other professionals, GALs, CASAs, and mental health experts to ensure that the child's needs are met and that the court has the information necessary to make informed decisions. In cases where reunification is not possible or not in the child's best interests, DFCS may recommend terminating parental rights and pursuing alternative permanency options, such as placement with kin or adoption.⁵⁰⁸

Dependency Case Decision Points

There are 10 case decision points in the dependency process in Georgia.⁵⁰⁹

- » **1** Intake
- » **2** Investigation
- » **3** Safety Assessment
- » **4** Preliminary Protective Hearing
- » **5** Adjudication Hearing
- » **6** Disposition Hearing
- » **7** Case Plan Development
- » **8** Periodic Reviews
- » **9** Permanency Hearing
- » **10** Case Closure

Throughout the process, various decisions are made regarding the child's safety, placement, visitation, and the services provided to the child and family. The goal is to ensure the child's safety, well-being, and permanency while working toward reunification with the family whenever possible.

When Georgia's juvenile code was updated in 2013, the law was changed to require that dependent children be represented by an attorney and a GAL. Legal representation by an attorney for a dependent child was not always a common practice before this change.⁵¹⁰ Together, GALs, CASAs, child attorneys, and social workers ensure that the child's best interests remain the primary focus throughout the juvenile dependency process. They advocate for the child's needs and work collaboratively to develop and implement plans prioritizing their safety, well-being, and permanency.^{511,512}

» 1 Intake

DFCS receives a report of suspected child abuse, neglect, or abandonment.

» 2 Investigation

DFCS investigates the allegations to determine if there is evidence of abuse, neglect, or abandonment.⁵¹³

» 3 Safety Assessment

DFCS assesses the child's immediate safety and determines whether the child can remain safely in the home or needs to be removed from the home.

» 4 Preliminary Protective Hearing

If the child is removed, a hearing is held within 72 hours to determine if there is probable cause for the removal and if the child should remain in DFCS custody.

» 5 Adjudication Hearing

Within 10 days of the preliminary protective hearing, an adjudication hearing is held to determine if the child is dependent (abused, neglected, or abandoned).

» 6 Disposition Hearing

If the child is found to be dependent, a disposition hearing is held to determine the child's placement, and the services needed for the child and family.

» 7 Case Plan Development

DFCS develops a case plan outlining the services and actions needed to address the issues that led to the dependency case.⁵¹⁴

» 8 Periodic Reviews

The court conducts periodic reviews (usually every six months) to assess the progress made toward the case plan goals and the child's well-being.⁵¹⁵

» 9 Permanency Hearing

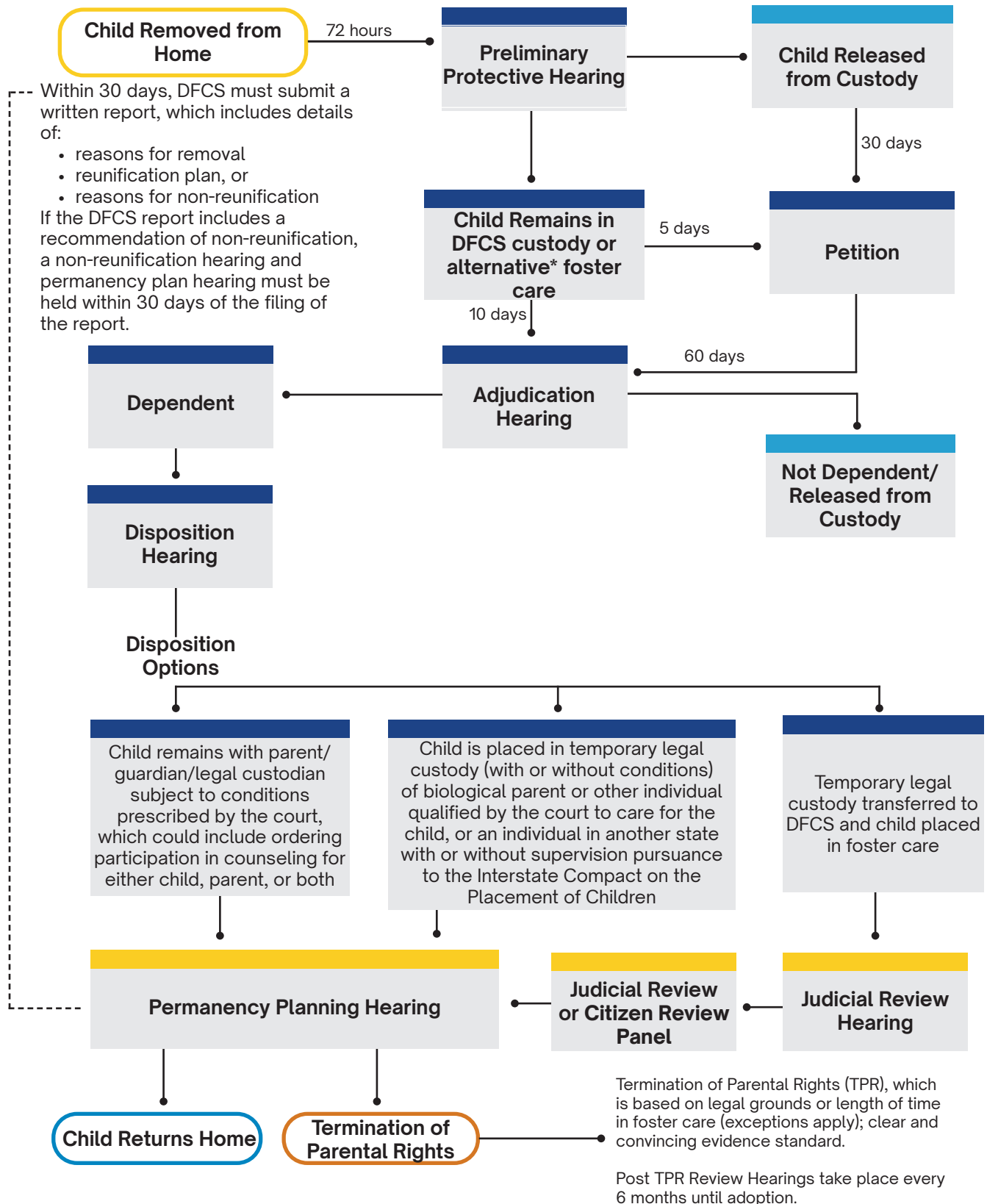
Within 12 months of the child's removal (nine months for children under the age of seven), a permanency hearing is held to determine the long-term plan for the child (reunification, adoption, guardianship, or another planned permanent living arrangement).⁵¹⁶

» 10 Case Closure

The dependency case is closed when the child achieves permanency through reunification, adoption, guardianship, or another planned permanent living arrangement or when the child ages out of the system.

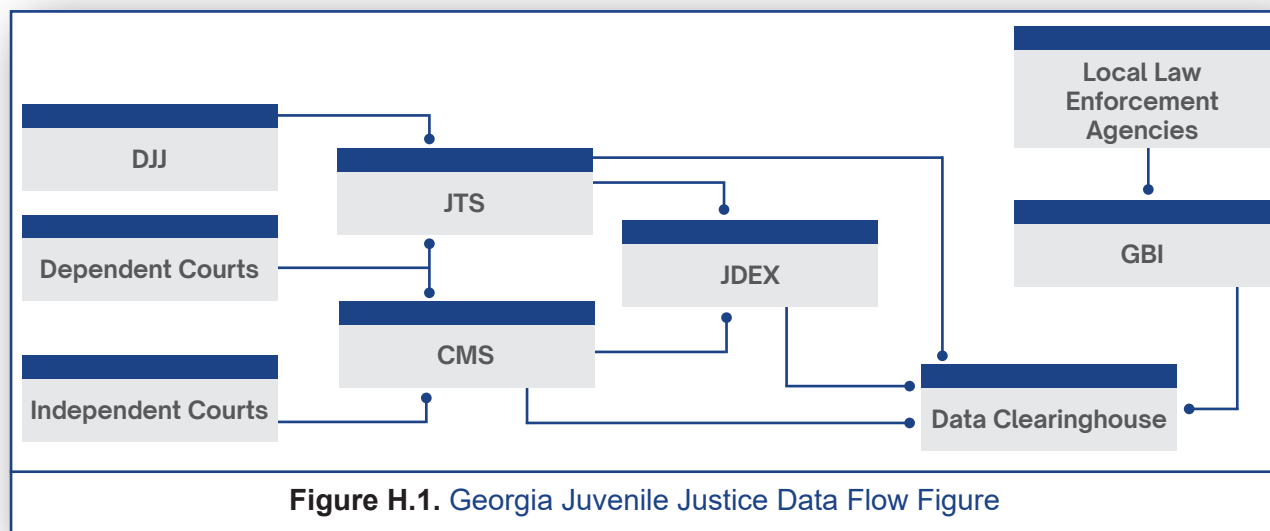
The dependency process intends to ensure the safety and well-being of children while prioritizing family preservation and reunification with the goal of keeping families together and preventing the need for removal. If a removal occurs, a case plan is developed for regaining custody. When reunification is not possible or not in the child's best interests, the court may move toward terminating parental rights. This step permanently severs the legal relationship between parent and child, freeing the child for adoption. The termination of parental rights can have significant emotional and psychological consequences for the child and parents. It is typically seen as a last resort after exhausting other efforts.⁵¹⁷

See **Figure G.1.** on p. 113 for the Dependency Case Flow Process.

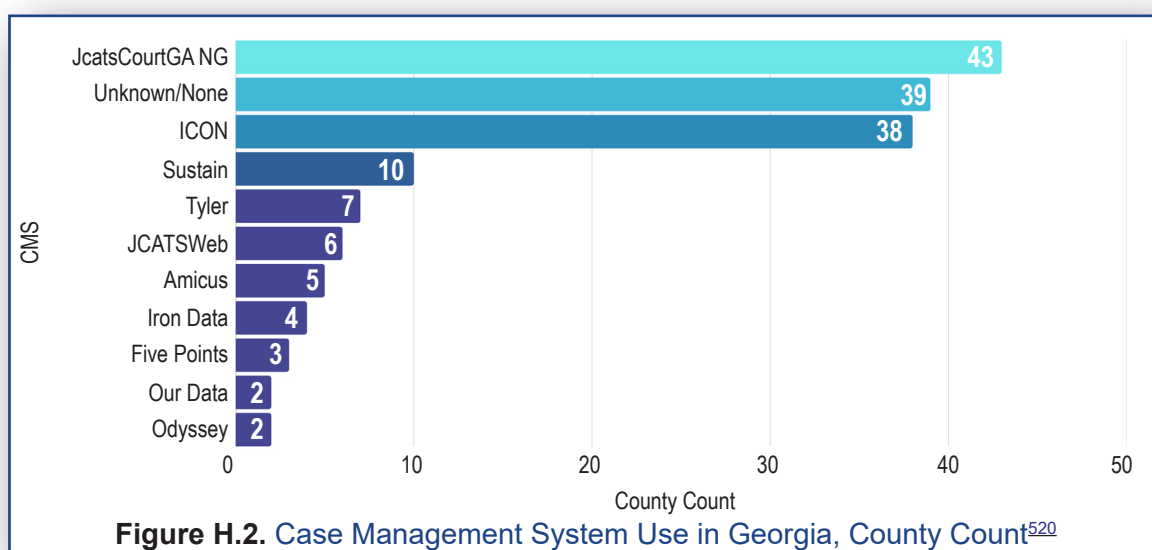
FIGURE G.1. DEPENDENCY CASE FLOW PROCESS

| Appendix H: Data Collection and Challenges

At the local level, every county has one superior court clerk^{xlvii} who maintains the criminal and civil court filings and serves as the official custodian of county property records. In most Georgia counties, the superior court clerk also serves as the juvenile court clerk, although some juvenile courts in larger counties have their own clerk. O.C.G.A. § 15-11-64 requires juvenile court clerks to collect and report specific data about delinquency, CHINS, and dependency cases.^{xlviii}



As illustrated above in **Figure H.1.**, individual court data comes from information entered into **JTS** (dependent courts) or independent court CMSs. Most juvenile courts use an electronic CMS to manage cases and record court data, most commonly JCATS.^{xlix} JCATS is free of charge to any Georgia juvenile court and offers a cloud-based and web-based system and various platforms that can be customized, depending on the size of the court and its needs. JCATS counties represent over 80% of the annual reported juvenile court cases, which allows CJCJ to maintain a data repository of all case data from those counties.⁵¹⁸ As of the time of this report, there are plans to expand JCATS into additional counties in response to new policies regarding data collection.⁵¹⁹ See **Figure H.2.** below.



^{xlvii} Like superior court judges, the superior court clerk is an elected position, and clerks serve 4-year terms.

^{xlviii} Dependency case data must be reported to the Administrative Office of the Courts on an annual basis beginning April 15, 2025, pursuant to Senate Bill 401, passed April 2023.

^{xlix} JCATS was developed by Canyon Solutions, with whom CJCJ maintains a contractual partnership. While CJCJ maintains a contract with Canyon Solutions, it does not mandate the use of JCATS in any juvenile court.

DJJ internal data collection occurs daily as records are accessed and updated within JTS. This web-based data tracking system maintains case records for DJJ, including intake and other information entered by DJJ officers for dependent courts. While data is maintained in JTS, DJJ disseminates select data via its annual reports, which are published on the DJJ website.

The CJCC receives its authority from O.C.G.A. § 35-6A-7, which establishes the need for a coordinating body and the council's vested functions. Concerning data, CJCC:

- Ensures accurate juvenile crime data is collected and reported to the USDOJ according to federal reporting requirements.
- Collects and analyzes data with help from state agencies.
- Collects and reports two sets of data to USDOJ: Juvenile Crime Data, and Disproportionate Minority Contact Data
- Contracts with the CVIG and the AOC for assistance in formalizing a data collection system and development of data-sharing agreements.⁵²¹

CJCC also houses the Statistical Analysis Center, which supports strategy planning and development, assists with federal grant administration, and works with other state agencies to conduct and disseminate research on criminal justice issues.⁵²²

CJCC's most visible data outlet is the Clearinghouse, an interactive online database used "to determine equitable distribution of resources, and to inform program and policy analysis."⁵²³ Data for the Clearinghouse comes from the GBI, JTS, and individual court CMSs.⁵²⁴ In addition to the Clearinghouse, CJCC publishes annual reports, which are available on its website.⁵²⁵

Additionally, as part of its duties to provide information technology to the courts under O.C.G.A. §§ 15-5-22 through 15-5-25, AOC (in partnership with the Governor's Office, CJCJ, CJCC, and DJJ) created JDEX, a statewide data repository of juvenile justice data.⁵²⁶ JDEX contains statewide juvenile legal history and detention history reported by individual CMSs and JTS and can be accessed by court staff, defense attorneys, and policymakers.⁵²⁷ AOC disseminates the data collected through the Juvenile Court Caseload Dashboard and data analysis reports upon request from a circuit or individual court.⁵²⁸ See **Figure H.3.** below.

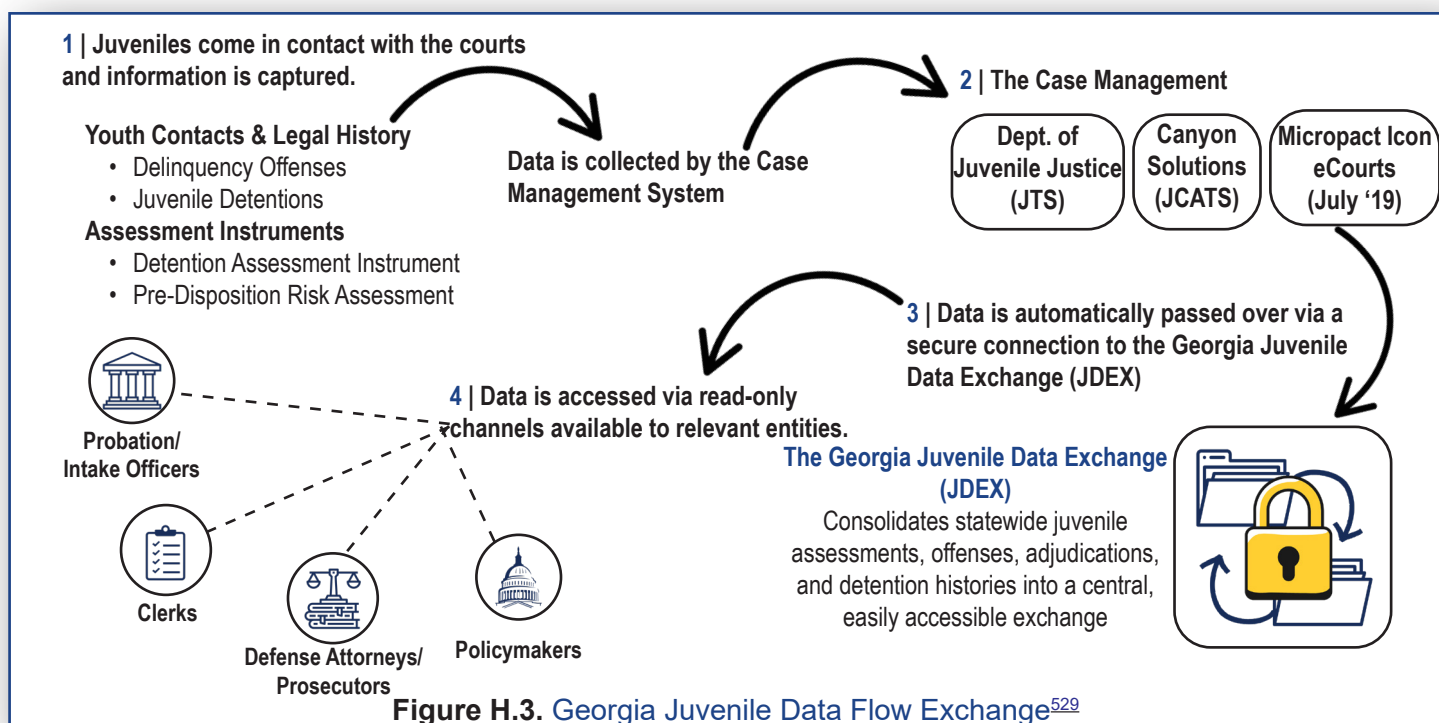


Figure H.3. Georgia Juvenile Data Flow Exchange⁵²⁹

¹ The Clearinghouse is a product of the Juvenile Data Exchange Committee which includes the State of Georgia, DJJ, GBI and JDEX. For additional information, see [Georgia Juvenile Justice Data Clearinghouse – Georgia Juvenile Justice Data Clearinghouse \(georgiacourts.gov\)](http://georgiacourts.gov).

GCIC was created as a division of GBI to develop and maintain a computerized criminal justice information system. With regard to juvenile data, O.C.G.A. § 35-3-33(a)(1)(E) states that GCIC “shall obtain and file fingerprints, descriptions, photographs, and any other pertinent identifying information on persons who are children who are charged with an offense that if committed by an adult would be a felony or are children whose cases are transferred from a juvenile court to another court for prosecution.” Inspection of active juvenile records is limited to court staff, attorneys, law enforcement officers, and state agencies to whom a child is committed (i.e., DFCS, DJJ), and only when used for “official duties in connection with the administration of criminal justice.”⁵³⁰

GCIC data is collected from law enforcement agencies, which must submit Uniform Crime Reporting (UCR) data and family violence reports. The data is disseminated through databases and reports and is available to the public by request unless reported through a public source (i.e., Clearinghouse).

In addition to the organizations and agencies listed above, the Council of Accountability Court Judges, the CVIG, and the National Center for Juvenile Justice also collect and disseminate juvenile justice data on a state level.

See **Table H.1.** below for additional information.

Table H.1. Georgia Juvenile Justice Data Collection and Dissemination

Agency	Statutory Authority	Sources of Data	Data Maintenance and Dissemination	Public Availability
Department of Juvenile Justice	O.C.G.A. §49-4A-8(n)	<ul style="list-style-type: none"> Internal data collection (DJJ's own records) Individual juvenile court clerks 	<ul style="list-style-type: none"> DJJ Annual Report (Fiscal Year) JTS 	Data collected by DJJ and individual courts, including JTS data, is only available to the public by request and requests are subject to agency/court approval
Individual Juvenile Courts/ Clerks	O.C.G.A. §15-11-64	<ul style="list-style-type: none"> Data entered into JTS CMSs 	<ul style="list-style-type: none"> CMSs JTS Individual court publications (e.g., annual reports) and their accessibility vary by court 	Data collected by individual courts is only available to the public upon request and requests are subject to court approval
Criminal Justice Coordinating Council	O.C.G.A. §35-6A-7	<ul style="list-style-type: none"> JTS Sources GBI Individual court CMSs 	<ul style="list-style-type: none"> Georgia Juvenile Justice Data Clearinghouse Dashboards and Reports: <ul style="list-style-type: none"> Data Through the Juvenile Justice System Decision Point Demographic Data Juvenile Justice Incentive Grant Data Annual Report 	The dashboard and the Annual Report are both available to the public via the CJCC website

Table H.1. continued, Georgia Juvenile Justice Data Collection and Dissemination

Agency	Statutory Authority	Sources of Data	Data Maintenance and Dissemination	Public Availability
Administrative Office of the Courts (JDEX Project)	O.C.G.A. §§15-5-22 through 15-5-25	<ul style="list-style-type: none"> • JTS • GBI • Individual CMSs 	<ul style="list-style-type: none"> • JDEX • Juvenile Court Case Data Dashboard • Circuit/Individual Court Analysis reports (upon request from circuit or court) 	<p>AOC will provide data to the public upon request and requests are subject to approval.</p> <p>JDEX data is not available to the public beyond what is available through the Juvenile Court Case Data Dashboard.</p>
Council Accountability Court Judges	O.C.G.A §15-1-18	<ul style="list-style-type: none"> • Individual Juvenile Courts • Individual Family Treatment Courts 	<ul style="list-style-type: none"> • Annual Statewide Report • Economic Impact Report (in partnership with CVIG) • Processes and Outcomes Report (in partnership with CVIG) 	CACJ may fulfill data requests for research subject to judicial approval.
Georgia Bureau of Investigation (Georgia Crime Information Center)	<ul style="list-style-type: none"> • O.C.G.A. §§35-3-30 – 35-3-40 • Rules and Regulations 	<ul style="list-style-type: none"> • Law enforcement agencies (via UCR data and family violence reports) 	<ul style="list-style-type: none"> • Georgia CCH Database • OBTS • UCR Reports • Reports to the Council of Superior Court Clerks of Georgia and each superior court clerk detailing: <ul style="list-style-type: none"> • The number of open criminal charges • Time expired restricted charges • Closed criminal charges for each county. <p>Such reports shall also be provided to any judge or prosecuting attorney of this state, upon request.</p>	GCIC information is only available to the public via request and subject to approval.

Table H.1. continued, Georgia Juvenile Justice Data Collection and Dissemination

Agency	Statutory Authority	Sources of Data	Data Maintenance and Dissemination	Public Availability
Carl Vinson Institute of Government	Contracted with DJJ to serve as the evaluator for JJIG and CSG.	<ul style="list-style-type: none"> • Monthly data submissions from grantee courts via the CVIG portal • Admissions and enrollment data from JTS • GCIC UCR data 	Data Maintenance and Dissemination <ul style="list-style-type: none"> • For JJIG and CSG: <ul style="list-style-type: none"> • Quarterly and ad-hoc reports • Annual summary reports • Five-Year Evaluation report (2013-2018) • “Crimes Reported” data (CVIG website - come from UCR data that includes juvenile crime data) • Other reports including Georgia Criminal Justice Data Landscape Reports 	<p>Annual summaries and Five-Year Evaluation Report are available on the CJCC website.</p> <p>“Crimes Reported” data and other reports are available on the CJCC website.</p>
National Center for Juvenile Justice ⁱⁱ /United States Office of Juvenile Justice and Delinquency Prevention/EZACO	Since 1975, the NCJJ has administered the NJCDA with grant funding from USOJJDP. The National Institute of Justice now manages the data archive.	<ul style="list-style-type: none"> • EZAPOP: Census Bureau and National Center for Health Statistics • EZASHR: FBI UCR • EZAUCR: FBI UCR • EZACO: State and county agencies (annual state reports and CMSs) • JRFC Databook: Census Bureau collection from public, private, and tribal residential juvenile facilities. <p>Some state and regional agencies provide JRFC data for more than one facility under their jurisdiction.</p>	<ul style="list-style-type: none"> • Juvenile Court Statistics (Data is also in SBB) • USOJJDP SBB • Various Additional Publications 	All listed publications can be accessed via the NCJJ website .

ⁱⁱ The National Center for Juvenile Justice (NCJJ) is a private, non-profit organization that serves as the research division of the National Council of Juvenile and Family Court Judges and is responsible for maintaining the NJCDA, with funding from USOJJDP. The NJCDA collects data from juvenile court and juvenile justice agency information systems and cleans, documents, archives, analyzes, and disseminates it.

Acronyms for Table H.1.:

AOC: Administrative Office of the Courts	FBI: Federal Bureau of Investigation
CACJ: Council of Accountability Court Judges	GBI: Georgia Bureau of Investigation
CCH: Computerized Criminal History	GCIC: Georgia Crime Information Center
CJCC: Criminal Justice Coordinating Council	JCATS: Juvenile Case Activity Tracking System
CMS: Case Management System	JJIG: Juvenile Justice Incentive Grant
CSG: Community Services Grant	JRFC: Juvenile Residential Facility Census
CVIG: Carl Vinson Institute of Government	JTS: Juvenile Tracking System
DJJ: Department of Juvenile Justice	NCJDA: National Juvenile Court Data Archive
EZACO: Easy Access to State and County Juvenile Court Case Counts	NCJJ: National Center for Juvenile Justice
EZAPOP: Easy Access to Juvenile Populations	OBTS: Offender Based Tracking System
EZASHR: Easy Access to the FBI's Supplementary Homicide Reports	USOJJDP: United States Office of Juvenile Justice and Delinquency Prevention
EZAUCR: Easy Access to FBI Arrest Statistics	SBB: Statistical Briefing Book
	UCR: Uniform Crime Reporting

Gaps in Data Collection Dissemination

While significant improvements in data collection and dissemination have been made with the advent of databases and dashboards like **JDEX** and the Clearinghouse, there are still gaps in data collection. The primary barrier to data collection and analysis is the bifurcation and overall division of the juvenile court system in Georgia. For example, recidivism data is collected by DJJ based on a cohort system and only for dependent and shared courts. Considering that independent courts have jurisdiction over half of the state’s juvenile population, DJJ’s recidivism reporting only tells half of the story. To report recidivism statewide, each independent court would have to agree to track and report on recidivism according to DJJ’s definition and reporting standards. Likewise, because CHINS programs are highly varied from court to court, it is virtually impossible to derive meaningful conclusions from CHINS data. Until there is some agreement or policy on the standardization of data collection and reporting across the entire juvenile court system, much of the data currently collected is unreliable, at best.

Another issue arising from bifurcation is the completeness of information contained within respective databases. Assessment instruments, including the **DAI** and **PDRA**, are dependent upon a youth’s court history for proper scoring. By relying solely on **JTS** or a court CMS, court staff may not have access to complete statewide information, and thus risk making uninformed decisions that can have a serious impact on youth outcomes. Improvements to JDEX will hopefully encourage more widespread use of the database and lead to more accurate assessments.

In addition to data issues resulting from bifurcated systems, there are significant gaps in data that could show the relationship between juvenile justice and social and environmental factors, including the conditions in the environment where people live, learn, work, and play that affect health, functioning, and quality of life.⁵³² As illustrated throughout this report, economic stability, education, healthcare, neighborhoods, and communities play a role in a youth’s risk for court involvement. Although data is collected and disseminated at a county level, location by county doesn’t tell the whole story — mainly what factors may have played a part in the child becoming court-involved. There are ways to obtain more accurate information about the circumstances of the children and families who encounter the juvenile justice system. For one, the state could collect address and zip code data for offenses and a child’s residence. An address and zip code gives much more detailed information about socioeconomic status, education, healthcare, and the built environment in which people live. Second, benefits data

from DFCS and the DCH could be matched with juvenile justice data to provide insight into a family's socioeconomic status and ability to obtain services. Once analyzed, this aggregated data could be used to reveal trends related to social and environmental factors, target resources, and inform policy.

Another way to improve youth outcomes is to collect data on interventions. Most youth who come into the court system on delinquency or CHINS designations receive some form of services and supports. While many courts may be collecting this information in their respective CMSs, it is not being reported at the state level. If courts were required to track and report this data, it could be evaluated to show which types of services were more successful in addressing the needs of youth who are at-risk of being or are already system-involved.

| Appendix I: School-to-Prison Pipeline

Zero Tolerance School Discipline Policies:⁵³³

Although the state has adopted a progressive discipline process, state laws on school discipline include several **zero-tolerance policies** regarding bringing weapons to school, bullying, and acts of violence against school personnel. Depending on the charge, punishments for these offenses include year-long expulsion, referral to juvenile court, and assignment to an alternative school.

Bringing weapons to school

State law requires that each local board of education establish a policy regarding a student's possession of a firearm, dangerous weapon, or hazardous object at school and that "such policy shall require expulsion from school for a period of not less than one calendar year; provided, however, that a hearing officer, tribunal, panel, administrator, superintendent, or local board of education shall have the authority to modify such expulsion requirement on a case-by-case basis."

Bullying

"Each local board policy shall require that, upon a finding by the disciplinary hearing officer, panel, or tribunal of school officials ... that a student in grades six through 12 has committed the offense of bullying for the third time in a school year, such student shall be assigned to an alternative school."

Acts of physical violence against school personnel

Pending a hearing by the disciplinary hearing officer, panel, or tribunal, any accused student:

1. Shall be permanently expelled from the public school system and referred to juvenile court, if the student is found to have committed an act of physical violence as defined in 20-2-751.6(a)(2).^{i,ii}
2. May be disciplined by expulsion, long-term suspension, or short-term suspension if the student is found to have committed an act of physical violence as defined in 20-2-751.6(a)(1).ⁱⁱⁱ

Alternative Education Programs:

There are several types of AEP models in Georgia, ranging from credit and attendance recovery programs to actual alternative schools that serve as the student's home school. Each LEA must provide an AEP to serve students who have been suspended, with the option to provide an AEP for students who are allowed to attend their home school but are "more likely to succeed" in a non-traditional setting. The AEP curriculum must be aligned with Georgia Performance Standards, use standardized testing, provide academic counseling services, and adhere to other education and discipline standards.^{iv} LEAs must also annually report a school improvement plan based on a list of standards set forth by GaDOE.⁵³⁴

Alternative schools can be a means for traditional schools to rid themselves of students with poor academic performance and discipline challenges to improve test scores and graduation rates. They are often underfunded, held to lower standards, falsely advertised, and do not offer the same opportunities as traditional schools. Further, some AEPs are run by private organizations that may prioritize profit over quality education.⁵³⁵ Of note, LEAs in Georgia can contract with private, for-profit education management organizations to provide an AEP.⁵³⁶

ⁱ Defined as "intentionally making physical contact which causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself."

ⁱⁱ The student may be allowed to attend an alternative education program at the board's discretion.

ⁱⁱⁱ Defined as "intentionally making physical contact of an insulting or provoking nature with the person of another."

^{iv} For a full list of AEP requirements, see [GA R&R - GAC - Rule 160-4-8-.12. Alternative/Non-Traditional Education Programs \(georgia.gov\)](#).

| Appendix J: Programs Addressing Youth Trauma in Georgia

Understanding that trauma is not only prevalent in justice-involved youth but is a risk factor for all children, Georgia state agencies and various organizations have put services and programs in place to address youth trauma in Georgia's communities and juvenile justice system. Some examples include:

Strengthening Families Georgia

A research-informed framework and approach to preventing child abuse and neglect that focuses on family and community strengths and protective factors rather than risk factors. The framework is implemented through a partnership that provides support to organizations embedding the framework and delivers trainings to parents and professionals.^{[537](#)}

Georgia Essentials for Childhood

A comprehensive effort for child abuse and neglect prevention that works to build resilient communities, address and prevent **ACEs**, improve community environments, and reduce and destigmatize trauma.^{[538](#)}

Trauma-Informed Care Trainings

Trainings offered by DBHDD (e.g., Mental Health First Aid, cultural and linguistic competence) along a provider manual (for community providers) to ensure providers consider and utilize trauma-informed practices as appropriate.^{[539,540](#)}

Mental Health Screenings

Screenings of all youth by DJJ for mental health issues, traumatic experiences, substance use, and self-harm risk upon admission to identify and treat mental health needs.^{[541](#)}

Trauma Affect Regulation: Guide for Education & Treatment

An evidence-based program employing a group and individual treatment model for youth who have experienced multiple traumatic events. TARGET is delivered by mental health staff in DJJ facilities.^{[542](#)}

Trauma-Focused Cognitive Behavior Therapy

An evidence-based program that addresses trauma and helps youth develop a sense of safety and security, and repair or develop healthy social skills, as well as helping the caregiver feel more confident in their ability to help the child in a productive manner. It is one of the evidence-based programs administered through **JJIG** and CSG.^{[543](#)}

| Appendix K: Youth Voice (Additional Information)

In 2023, the State Advisory Group of the CJCC conducted a statewide community survey to inform Title II funding allocation. The survey had over 600 respondents, 43 of which were youth. Of these youth respondents, 37 were currently involved in the juvenile justice system or had prior involvement. The findings shared in this report were from the youth responses only.

Additional Information

When asked about the need for services in the community, youth responded that therapy, life skills services, and peer mentoring were most needed. See **Figure K.1** below.

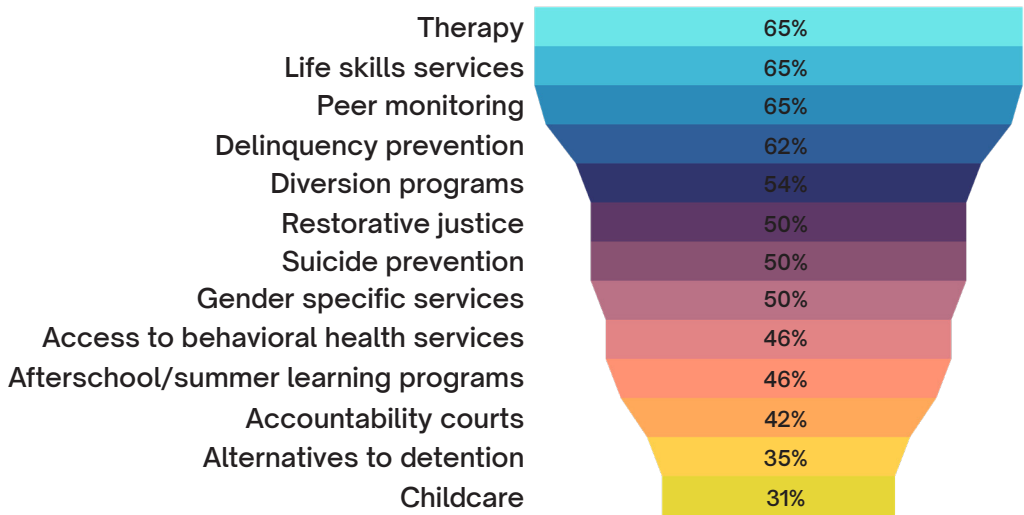


Figure K.1. Youth Opinions on Services Needed for Youth in the Community

When it came to services needed for parents in their communities, youth most frequently cited support groups, education classes, peer mentoring, therapy, and basic needs support. See **Figure K.2** below.

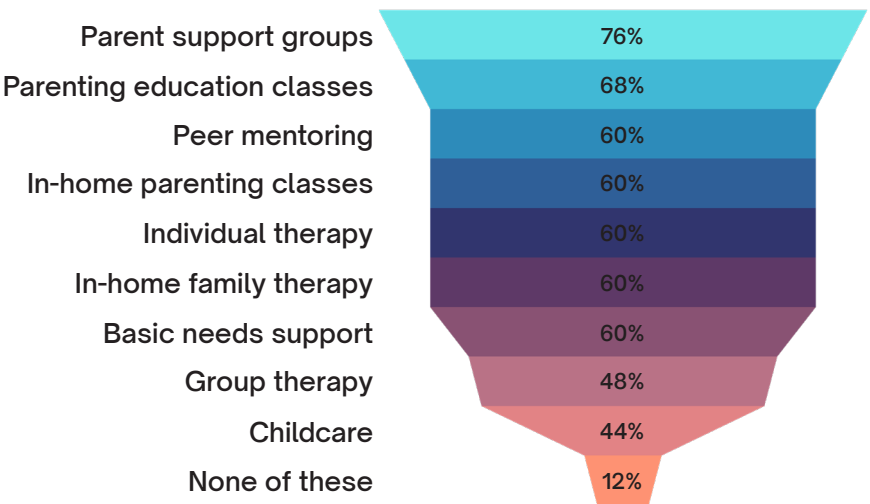


Figure K.2. Youth Opinions on Services Needed for Parents in the Community

| Appendix L: Additional Resources

Additional Resources for the History of the Juvenile Justice System:

- » [Bending the Arc Toward Justice: The Current Era of Juvenile Justice Reform in Georgia \(uga.edu\)](https://www.uga.edu/jjsr/bending-the-arc-toward-justice-the-current-era-of-juvenile-justice-reform-in-georgia)

Additional Resources for JLWOP sentencing:

- » [States that Ban Life without Parole for Children - Campaign for the Fair Sentencing of Youth | CFSY](https://www.cfsy.org/states-that-ban-life-without-parole-for-children-campaign-for-the-fair-sentencing-of-youth)
- » <https://www.sentencingproject.org/policy-brief/juvenile-life-without-parole-an-overview/>
- » <https://www.corrections1.com/juvenile-offenders/ga-legislators-look-to-ban-life-without-parole-for-juveniles>
- » James W. Marquart & Jonathan R. Sorensen, A National Study of the Furman-Commuted Inmates: Assessing the Threat to Society from Capital Offenders, 23 Loy. L.A. L. Rev. 5 (1989). Available at: <https://digitalcommons.lmu.edu/llr/vol23/iss1/2>.
- » Jeffrey A. Fagan, Garth Davies & Ray Paternoster, Getting to Death: Race and the Paths of Capital Cases after Furman, 107 CORNELL L. REV. 1565 (2022). Available at: <https://www.cornelllawreview.org/2022/09/01/getting-to-death-race-and-the-paths-of-capital-cases-after-furman/>.
- » Mills, John R.; Dorn, Anna M.; and Hritz, Amelia Courtney (2016) "Juvenile Life Without Parole in Law and Practice: Chronicling the Rapid Change Underway," American University Law Review: Vol. 65 : Iss. 3 , Article 4. Available at: <https://digitalcommons.wcl.american.edu/aulr/vol65/iss3/4>

Additional Resources for Raise the Age:

- » [Voices for Georgia's Children, Fact Sheet: Raising the Age of Juvenile Court Jurisdiction](https://www.voicesforgeorgia.org/fact-sheet-raising-the-age-of-juvenile-court-jurisdiction)
- » [CJCC, Report of the Juvenile Jurisdictional Subcommittee Juvenile Justice State Advisory Group 2021](https://www.cjcc.org/reports/cjcc-report-of-the-juvenile-jurisdictional-subcommittee-juvenile-justice-state-advisory-group-2021)
- » [Interstate Commission for Juveniles, Age Matrix](https://www.interstatecommissionforjuveniles.org/age-matrix)
- » [Juvenile Justice Geography, Policy, Practice and Statistics](https://www.juvenilejusticegeography.org/policy-practice-and-statistics)

| Appendix M: Expanded Recommendations

In the following recommendations, please note that our use of the term “Relevant Entities” is meant to identify agencies and/or organizations that may be affected by our recommendations. It is not meant to imply that any listed agency is responsible for implementing or acting upon a recommendation.

Behavioral Health and Developmental Disabilities

| Increased Awareness

- » Encourage open discussion of how to identify, share and manage feelings as part of early learning, school-age, and postsecondary curricula and practice.

Relevant entities: DPH, DECAL, GaDOE, University System of Georgia (USG), Technical College System of Georgia (TCSG), DBHDD, DJJ

- » Require the State Board of Education to issue guidance to school districts affirming that mental health–related school absences are excusable.

Relevant entity: GaDOE

- » Continue outreach and awareness to reduce stigma particularly in rural communities and for those with limited resources.

Relevant entities: DBHDD, DCH, DECAL, DJJ, DHS, GaDOE, DPH, USG, TCSG

| Targeted Programming

- » Continue funding and implementing awareness campaigns around the value of good mental health, asking for help when needed, suicide prevention, ACEs, positive childhood experiences and resiliency, outreach, and practice at all levels to reduce stigma associated with mental and behavioral health challenges and developmental disabilities.

Relevant entities: DBHDD, DCH, DECAL, DJJ, DHS, GaDOE, DPH, USG, TCSG

- » Increase funding to strengthen implementation for and promotion of the 988 campaign to children, adolescents, and targeted populations.

Relevant entity: DBHDD

- » Train caregivers and child-serving professionals on the effects of trauma and stress on children and youth to ensure they respond appropriately to behaviors and initiate effective interventions.

Relevant entities: DBHDD, DCH, DECAL, DJJ, DHS, GaDOE, DPH, USG, TCSG

| Caregiver Mental Health Access

- » Ensure health insurance coverage, including coverage for mental health and substance use treatment services, for all adults, regardless of income, work, or court-involved status.

Relevant entities: DHS, DCH, OCI

- » Better promotion of and connection to Crisis and Social Service resources.

Relevant entities: DBHDD, DHS, DPH, GaDOE, DCAL, USG, TCSG, DJJ, GDC

- » Expand maternal mental health and substance use disorder initiatives in public and private agencies.

Relevant entities: DPH, DCH, DBHDD, DHS, GDC

| Workforce

- » Increase reimbursement rates to encourage more providers to accept public and private health insurance and maintain employees.

Relevant entities: DCH, DBHDD, OCI

- » Develop a registered behavior technician (RBT) program within the TCSG to help meet the state's need for a larger autism and behavioral health workforce.

Relevant entity: USG

- » Ensure that billing codes, professional development opportunities, and wellness practices support the sustainability, and expansion of, a qualified autism workforce (e.g., Board Certified Behavioral Analyst, Board Certified Assistant Behavioral Analyst, RBT, other therapists).

Relevant entities: DBHDD, DCH, DPH

- » Develop more programs to certify master- and doctoral-level nurses in psychiatric practice.

Relevant entities: DCH, TCSG, USG

- » Expand psychiatric nurses' authorization and capacity to include additional prescriptive abilities and the ability to practice independently.

Relevant entity: DCH

- » Continue to implement training for those working with children (school personnel, afterschool and summer learning professionals, school resource officers, public safety officers, juvenile court personnel, health care providers, and staff, etc.) about recognition of trauma, behavioral challenges, and biases.

Relevant entities: DCH, DPH, GaDOE, DBHDD, DJJ, DECAL, DHS

- » Require Georgia's behavioral health providers to undergo regular training to increase understanding of a broad range of cultures as part of their existing continuing education requirements.

Relevant entity: DBHDD

- » Explore alternative licensure pathways to increase the behavioral health workforce, including identifying opportunities to make the process less burdensome and costly, and where appropriate, minimize licensing barriers for foreign-trained behavioral health professionals.

Relevant entity: Secretary of State (SOS), General Assembly

| Autism

- » Develop a RBT program within the TCSG to help meet the state's need for a larger autism and behavioral health workforce.

Relevant entity: TCSG

- » Review and strengthen policies, procedures, state licensing provisions and quality monitoring of residential treatment for children and youth with behavioral health conditions, including serious emotional disturbance, substance use disorders, and autism.

Relevant entities: DBHDD, DECAL, DHS/DFCS, DCH

- » Increase funding and support to expand respite care facilities and services for children and youth with behavioral health conditions, including autism, serious emotional disturbance, and substance use disorders.

Relevant entities: General Assembly, DBHDD, DHS/DFCS, DCH

- » Promote early autism identification and classroom inclusion information (e.g., signs and symptom education materials, developmentally appropriate curriculum, resources, agency and community supports) for new and existing childcare workforce members to better serve infants and young

children aged 0-4 and their caregivers.

Relevant entities: DECAL, DPH, DHS/DFCS, DBHDD

- » Expand funding to support classrooms in educating children, youth, and young adults with different cognitive, physical, and developmental abilities.

Relevant entities: DBHDD, DECAL, GaDOE, Georgia Vocational Rehabilitation Agency (GVRA)

- » Ensure that billing codes, professional development opportunities, and wellness practices support the sustainability, and expansion of, a qualified autism workforce (e.g., board-certified behavior analyst, board-certified assistant behavior analyst, RBT, other therapists).

Relevant entities: DBHDD, DCH, DPH

- » Ensure adequate behavioral health and developmental disability training for school staff, public safety officers, and other related discipline related fields.

Relevant entities: DBHDD, GaDOE, DECAL, DJJ

| Peer Support

- » Continue to fund formal and informal peer supports.

Relevant entities: DBHDD, DCH, DHS, GaDOE

- » Ensure that Medicaid CMOs reimburse adequately for peer support and encourage private insurers to reimburse for formal peer support services.

Relevant entity: DCH

- » Increase the use of formal and informal peer supports in all child-serving behavioral health settings (e.g., schools, hospitals, and community health or mental health centers) to improve outcomes and boost cultural and linguistic diversity within behavioral health services.

Relevant entities: DBHDD, GaDOE, DCH, DHS/DFCS, DJJ

- » Create strong career pathways for certified youth peer support specialists.

Relevant entities: DBHDD, GaDOE, USG

| School-Based Behavioral Health

- » Continue to fund and expand PBIS and the Georgia Apex Program.

Relevant entities: GaDOE, DBHDD

- » Ensure that school-based behavioral health centers are comprehensive and facilitate access to behavioral health services.

Relevant Entities: DBHDD, GaDOE

- » Provide sufficient state funding to ensure, at a minimum, one licensed counselor and one social worker for every 250 students.

Relevant entity: GaDOE

- » Encourage school-based mental health programs to create partnerships with afterschool and summer learning programs to extend services to youth during out-of-school time.

Relevant entities: DBHDD, GaDOE, DECAL

- » Leverage existing training and resources, including afterschool and summer learning programs, to develop teen-led or -focused mental health support programs and initiatives (e.g., Sources of Strength, Teen Mental Health First Aid, Free Your Feels campaign).

Relevant entities: DBHDD, GaDOE

- » Explore opportunities to integrate Certified Peer Specialists–Youth and –Parent into school-based behavioral health programs.

Relevant entity: DBHDD

- » Continue to enact policies and funding to support the availability of comprehensive school-based behavioral health services, and high-quality community services via Certified Community Behavioral Health Clinics.

Relevant entity: GaDOE, DBHDD

| Substance Misuse

- » Increase funding to promote youth-informed substance misuse prevention programs and campaigns.

Relevant entities: General Assembly, DBHDD, GaDOE

- » Utilize programs like Sources of Strength in schools to strengthen support systems, change social norms, and improve school culture.

Relevant entities: DBHDD, GaDOE

- » Increase promotion of youth-focused recovery support groups (e.g. Alcoholics Anonymous, Al-Anon).

Relevant entity: DBHDD

- » Increase the excise tax on alcohol and tobacco products.

Relevant entity: General Assembly

- » Fund, increase, and improve public anti-smoking and anti-vaping campaigns, including messaging about the drivers of substance misuse among youth (e.g., peer pressure, family environment/parental approval).

Relevant entities: DPH, DBHDD

- » Leverage opioid abatement funds to support youth-focused and -informed prevention, treatment, and harm-reduction efforts.

Relevant entities: Opioid Abatement Trustee

- » Continue to fund, provide training to, and expand the reach of Family Treatment courts to provide dependency diversion programs for parents, caregivers, and youth.

Relevant entities: CACJ, CJCJ, USOJJDP

| Behavioral Health Coverage

- » Ensure adequate, affordable health insurance coverage, including coverage for mental health and substance use treatment services, for all adults, regardless of income, work, or court-involved status.

Relevant entities: DHS, DCH, OCI

- » Require CMOs to adhere to robust quality measures for behavioral health services to improve child/youth outcomes.

Relevant entity: DCH

- » Monitor and publicly post Medicaid CMO prior authorization data for PRTFs and other key intensive inpatient and community behavioral health services (e.g., Intensive Customized Care Coordination Model (IC-3), Intensive Family Intervention).

Relevant entity: DCH

- » Incentivize combining primary health care and mental health care in one setting (known as “integrated care”), via ensured payer reimbursement for such.

Relevant entities: DBHDD, DCH

- » Continue to streamline the insurer provider certification process and billing practices to encourage more providers to accept public and private health insurance.

Relevant entities: DCH, OCI

- » Incentivize the use of electronic health records and participation in data sharing systems among behavioral health providers.

Relevant entities: DBHDD, DCH, OCI

- » Ensure that provider network capacity and policies of Georgia Families 360 allow foster youth timely access to necessary behavioral health services.

Relevant entity: DCH

- » Monitor and improve PRTF maximum lengths of stay, discharge practices, services and supports, and access to intensive community services (e.g., IC-3, Intensive Family Intervention).

Relevant entities: DCH, DHS

- » Require any CMO serving children in foster care to create portable/sharable electronic health records for children in care.

Relevant entities: DCH, DHS/DFCS

- » In accordance with requirements under the federal Consolidated Appropriations Act, create an amendment to the Medicaid State Plan to allow Medicaid payments for case management and assessment services for incarcerated youth and ensure the reinstatement of Medicaid coverage for eligible youth as soon as possible or, at the latest, within a 60-day period following their release.

Relevant entities: DCH, DJJ

- » Facilitate Medicaid reimbursement and access for behavioral health treatments proven to reduce court involvement and recidivism.

Relevant entities: DCH, DJJ

| MATCH/LIPTs

- » Create a designated funding stream for LIPTs.

Relevant entity: General Assembly, DBHDD

- » Revise code to appoint an LIPT chairperson to serve each region and allot funding for compensation to fill leadership vacancies to ensure more effective and consistent leadership and implementation.

Relevant entities: General Assembly, DBHDD

- » Encourage participating state agencies to ensure agency representation at all LIPT meetings.

Relevant entities: DBHDD, BHCC, Interagency Directors Team, DHS/DFCS, DJJ, DPH, LEAs, GVRA, Community organizations

- » Address barriers to family participation in LIPT meetings.

Relevant entity: General Assembly, DBHDD

- » Update Medicaid billing codes to increase Medicaid billable services for MATCH referrals.

Relevant entity: DCH

Education

- » Re-examine the use of zero-tolerance policies and alternatives to suspension and other exclusionary discipline practices to prevent disruption of education.

Relevant entity: GaDOE, LEAs

- » Regularly review Georgia Student Health Surveys and use disciplinary data (as reported by GOSA) to address a negative school climate and inequities in school discipline and ensure that discipline policies are clear and applied consistently to all students.

Relevant entities: GaDOE, GOSA, LEAs

- » Continue the use of and build upon integrated multi-tiered systems of support, including PBIS and mental health and wellbeing programs in curriculum.

Relevant entity: GaDOE

- » Ensure that school codes of conduct are evidence-based, trauma-informed, free of bias, and include input from local child-serving partners (e.g., mental health providers, social workers, juvenile courts) to ensure fairness and reduce the number of referrals to juvenile court.

Relevant entities: DBHDD, GaDOE, Individual courts, Community organizations

- » Require training in child development and trauma awareness for school resource officers and public safety officers who engage with children.

Relevant entity: GaDOE, Georgia Public Safety Training Center

- » Continue to collaborate with Georgia Emergency Management and Homeland Security Agency to provide training, technical assistance, and other resources for school safety, including regular and mandatory trainings for School Resource Officers.

Relevant entity: GaDOE

Family and Community

| Afterschool

- » Expand federal and state funding for afterschool and summer learning programs to increase access and ensure affordability

Relevant entities: General Assembly, U.S. Congress

- » Strengthen partnerships between community-based afterschool programs, school districts, juvenile courts, and other community partners to align services for young people through LIPTs or truancy prevention programs.

Relevant entity: DBHDD, Community organizations, DJJ, Independent courts, GaDOE, LEAs

- » Expand federal and state funding for afterschool and summer learning programs to increase access and ensure affordability.

Relevant entity: General Assembly, U.S. Congress

| Community Outreach/Mentoring

- » Increase opportunities and funding for social cohesion and community building (e.g., At-Promise Youth and Community Centers) through initiatives that encourage community involvement, such as volunteer programs, mentorship opportunities for justice-involved youth, and neighborhood events, to prevent recidivism, strengthen bonds and create a sense of belonging and connection among residents.

Relevant Entities: DJJ, Nonprofit organizations, Local governments

| Housing

- » Increase the availability and equitable distribution of quality and affordable housing and support policies, including rent and mortgage subsidies, to protect families and children from unsafe housing, hardship or baseless evictions, and untenable fees and penalties.

Relevant entities: U.S. Department of Housing and Urban Development, Georgia Department of Community Affairs

- » Support policies that facilitate housing opportunities for people with past evictions, criminal histories, and mental health issues.

Relevant entities: U.S. Department of Housing and Urban Development, Georgia Department of

Community Affairs

- » Increase local school system outreach (via the Regional Education Service Agencies) to expand funding for McKinney-Vento Education for Homeless Children and Youth programs.

Relevant entity: GaDOE

| Benefits/Resources

- » Simplify and automate enrollment in and access to social supports and crucial benefits that families living in or near poverty levels rely on (e.g. SNAP, TANF, NSLP, WIC, Medicaid, Childcare and Parent Services), and coordinate “live” support with community resource referral platforms to ensure connections to housing, food access, and other basic needs.

Relevant entities: DHS/DFCS, DCH, DBHDD, DECAL, GaDOE, DPH

- » Increase funding for WIC.

Relevant entities: General Assembly

- » Coordinate efforts and refine information for helplines (i.e., Find Help Georgia) and to help find resources for housing, food access, and other basic needs.

Relevant entities: DHS/DFCS, DCH, DBHDD, GaDOE, DPH

| Caregiver Support

- » Increase access to health care and home visiting support, including screening, diagnosis, and intervention.

Relevant entity: DPH

- » Address parental mental and behavioral health to minimize, or even prevent, a child’s exposure to traumatic environments.

Relevant entities: DPH, DCH, DBHDD, Community organizations

- » Train caregivers and child-serving professionals on the effects of trauma and stress on children and youth to ensure they respond appropriately to behaviors and initiate effective interventions.

Relevant entities: DPH, DCH, DBHDD, DECAL, DHS/DFCS, Community organizations

- » Increase access to evidence-based or research-informed programs for parenting skills and support that help parents/caregivers understand all stages of their child’s development.

Relevant entities: DPH, DCH, DBHDD, Community organizations

- » Promote and expand comprehensive and specialized supports for families of children with disabilities.

Relevant entity: DBHDD.

- » Shape social norms around positive parenting and family help-seeking in times of need (e.g., public awareness campaigns).

Relevant entities: DPH, DCH

- » Continue to fund and expand agency collaborations like State of Hope to strengthen families and stabilize communities.

Relevant Entities: DHS/DFCS

- » Ensure policy and funding to support timely and quality legal representation in juvenile court proceedings for youth and parents (or caregivers).

Relevant entities: Individual courts, General Assembly, Georgia Public Defender Council

| Trauma Training

- » Ensure that all partners who engage with children in any way (e.g., law enforcement, school resource

officers, school faculty and staff, childcare and afterschool providers, DJJ staff, child welfare, and foster care settings) receive training on trauma-informed care and implicit/explicit bias who engage with children in any way.

Relevant entities: Georgia Department of Public Safety, DJJ, DHS/DFCS, GaDOE, DECAL, Independent courts

Agency Coordination and Data/Information Sharing

- » Mandate better and more consistent identification of crossover youth, and evaluation of integrated systems approaches to improving their outcomes.

Relevant entities: General Assembly, Governor's Office, Individual courts, DJJ, DHS/DFCS, AOC

- » Create a comprehensive data system to share robust and timely information and data between the DJJ, individual juvenile courts, and other child-serving agencies to better identify needs, prevention strategies, and outcomes.

Relevant entities: Individual courts, DJJ, DHS/DFCS, AOC/CJCJ, DCH, CASA

- » Encourage and enforce cooperation and coordination among the various agencies and courts that administer, oversee, and support the juvenile justice system.

Relevant entities: General Assembly, Governor's Office, Independent courts, DJJ, DHS/DFCS, AOC/CJCJ, GaDOE, DBHDD, Community organizations

- » Mandate meaningful data collection, standard data definitions (including CHINS and recidivism), fidelity, and reporting across all counties to evaluate youth outcomes.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Mandate the collection and reporting of address data across all counties to evaluate the relationship between social and economic factors and juvenile justice involvement to target resources and better serve communities.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Mandate the collection and reporting of court interventions and outcomes across all counties to evaluate the effectiveness of court services and programs.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Explore ways to operationally share Medicaid and benefits data with juvenile justice data to provide insight into income status, behavioral health needs, and juvenile justice involvement.

Relevant entities: Individual courts, CJCJ, DJJ, DHS, DCH

Policy and Procedures

- » Expand the use of community-based, evidence-based alternatives to detention and confinement, especially for non-violent and low-risk youth, and address the factors that contribute to the overrepresentation of Black and Mixed-Race youth in the system.

Relevant entities: DJJ, Individual courts, Community organizations

- » Investigate and address the factors contributing to Black and Mixed-Race overrepresentation in all delinquency and CHINS decision points.

Relevant entities: DJJ, Individual courts, AOC/CJCJ, CJCC

- » Increase funding for restorative programs for children and youth (e.g., CHINS, Public Safety and Community Violence Reduction Grant, JJIG, and CSG).

Relevant entities: General Assembly, DJJ, Individual courts, CJCC, Atlanta Police Department

- » Provide adequate screening, assessment, and treatment for youth with mental health challenges, such as PTSD, and ensure that trauma-informed care is integrated into the juvenile justice system.

Relevant entities: DJJ, Individual courts

- » Enhance Medicaid billing for these proven evidence-based services for delinquency and CHINS cases.

Relevant entity: DCH

- » Create a youth advisory council or other mechanism to routinely gather feedback from current and former justice-involved youth (e.g., through surveys, focus groups, and interviews) to incorporate lived experience into the juvenile justice decision-making process.

Relevant Entities: Individual courts, DJJ, CJCC/SAG

- » Establish a state-funded entity to coordinate, initiate, and support quality assurance and improvement for children's lawyers.

Relevant entities: OCA, CJCJ, DHS/DFCS, Court Improvement Project (of the Supreme Court's Committee on Justice for Children)

| CHINS

- » Develop a plan for fully implementing and evaluating the CHINS system.

Relevant entities: General Assembly, CHINS coordinators, Individual courts, DJJ, CJCJ

- » Develop a standardized CHINS protocol to ensure consistency in assessment and intervention across all counties, including flexibility to address local needs and resources.

Relevant entities: General Assembly, Individual courts, DJJ, CHINS coordinators, CJCJ, Community organizations

- » Enhance resource allocation and funding by exploring new funding streams, developing resources strategies between agencies, and addressing the needs of rural counties with limited resources.

Relevant entities: General Assembly, individual courts, DJJ, CJCJ, DHS/DFCS, DBHDD, CHINS coordinators, Community organizations

- » Develop early screening tools for schools to identify at-risk youth.

Relevant entities: CHINS coordinators, GaDOE

- » Establish collaborative models between schools, community organizations, and the juvenile justice system.

Relevant entities: DJJ, Individual courts, GaDOE, Community organizations

- » Address barriers to family engagement including lack of transportation, difficulty navigating the juvenile justice system, and lack of training to increase understanding of a broad range of cultures to increase family participation in CHINS process.

Relevant entities: Individual courts, DJJ, CHINS coordinators, Community organizations

- » Expand community-based alternatives by increasing the availability of diversion programs across all counties, developing partnerships with community organizations to provide comprehensive services, and establishing methods to measure the effectiveness of these alternatives.

Relevant entities: Individual courts, DJJ, CJCJ, DHS/DFCS, DBHDD, CHINS coordinators, Community organizations

- » Promote the use of evidence-based practices by expanding the use of proven interventions such as MST, FFT, and Strengthening Families programs, addressing implementation challenges (particularly related to funding), and improving data collection and analysis methods to inform decision-making.

Relevant entities: Individual courts, DJJ, CHINS coordinators, Community organizations, AOC/CJCJ,

CVIG

- » Enhance trauma-informed care through comprehensive training on administering trauma assessments for court staff, integrating trauma-informed practices throughout the CHINS process, and developing resources for ongoing professional development in trauma informed care.

Relevant entities: Individual courts, DJJ, CJCJ, CHINS coordinators

| SB 440/Juvenile Life Without Parole Sentences/Raise the Age

- » Create a task force to review Georgia's policies on SB 440 cases, the age of majority (17-year-olds), and JLWOP sentences.

Relevant entities: General Assembly, DJJ, CJCC, CJCJ, Individual courts, PAC, GPD

| Workforce

- » Increase compensation for front-line and supervisory staff positions in DJJ facilities to reduce turnover and vacancy rates.

Relevant entity: DJJ, General Assembly

- » Ensure that training on trauma-informed care, increasing understanding of a broad range of cultures, and de-escalation is provided to all juvenile corrections officers and supervisory staff.

Relevant entity: DJJ

| Fines and Fees

- » Create a task force to gather accurate and complete data on the use and impact of fines and fees across all Georgia counties; assess the effectiveness of fines and fees in achieving juvenile justice system goals; evaluate alternative approaches that may better serve both youth and victims; and ensure that Georgia's juvenile justice practices align with constitutional principles and promote fair outcomes.

Relevant entities: General Assembly, DJJ, CJCJ, CJCC, Individual courts, PAC, GPD

Structural

- » Ensure the alignment of juvenile justice priorities, procedures, and decision-making across state and county governments to promote consistency and fairness in the juvenile justice process for youth statewide.

Relevant entities: Individual courts, CJCJ, DJJ

- » Ensure all court staff consult JDEX when completing assessment instruments.

Relevant entities: Individual courts, CJCJ, DJJ

- » Target funding for under resourced counties to ensure that youth have equal opportunities for positive outcome, regardless of their location.

Relevant entities: Individual courts, CJCJ, DJJ

- » Establish a state-funded entity to coordinate, initiate, and support quality assurance and improvement for children's lawyers.

Relevant entities: OCA, CJCJ, DFCS, Court Improvement Project (of the Supreme Court's Committee on Justice for Children)

- » Mandate meaningful data collection, standard data definitions (including CHINS and recidivism), fidelity, and reporting across all counties to evaluate youth outcomes.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Mandate the collection and reporting of address data across all counties to evaluate the relationship

between social and environmental factors and juvenile justice involvement to target resources and better serve communities.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Mandate the collection and reporting of court interventions and outcomes across all counties to evaluate the effectiveness of court services and programs.

Relevant entities: General Assembly, Individual courts, CJCJ, DJJ

- » Explore ways to operationally share Medicaid and benefits data with juvenile justice data to provide insight into income status and juvenile justice involvement.

Relevant entities: Individual courts, CJCJ, DJJ, DHS, DCH

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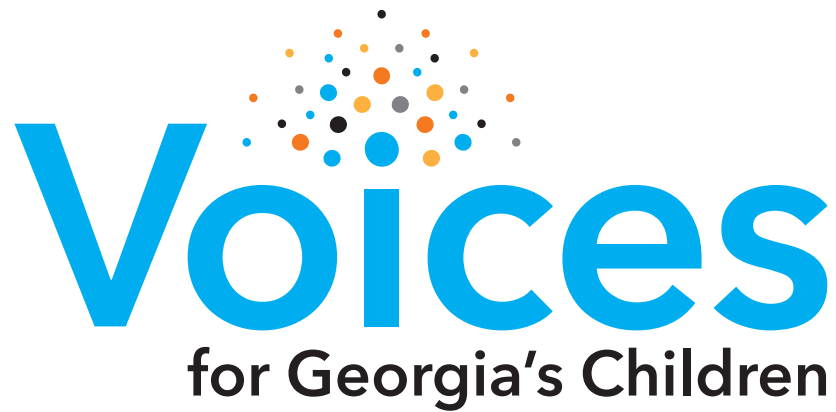
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Thank you for taking the time to read this report. If you have questions or would like to discuss our findings further, please don't hesitate to reach out to us.

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