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“Modern Approaches to Juvenile Justice”
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Good morning, Chairman Goodlatte, and members of the Judiciary’s Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Thank you for inviting me here to testify today about Juvenile Justice.

My name is Joe Vignati and I currently serve as Chief of Staff, Assistant Commissioner for the Georgia Department of Juvenile Justice. At the request of Governor Nathan Deal, I serve as Co-Chair of our Juvenile Justice Incentive Funding Committee and as a member of our State Advisory Group for Juvenile Justice. On October 1, 2016 I was appointed to the Federal Advisory Committee on Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice. I currently serve as the primary member for Jurisdiction G, which comprises the states of Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina and South Carolina.

This past February marked my 30th year working in juvenile justice in Georgia. Over the course of my career, I have worked in direct care roles: in secure detention centers, as a juvenile probation officer, as a residential placement specialist, and as a case expeditor. I have worked in administrative roles: as a juvenile grant manager, as a juvenile compliance manager, and as the state’s Juvenile Justice Specialist helping develop and implement our state’s juvenile justice plan. During the past three decades, I have had the good fortune to be able to grow and to adopt a common-sense approach in the care for our youth all the while protecting public safety and decreasing crime.

In much the same way, over this time period, research has caught up and we have begun to better understand what works in juvenile justice. In my testimony today, I would like to provide a picture of what we now know and where the field of juvenile justice is headed and what Georgia has learned during its juvenile reform.

An overwhelming majority of US youth do not commit delinquent offenses.

In 2013, only 3% of all youth at risk were referred to juvenile court for a delinquent offense.¹

This means that over 96% of our youth are not involved with the juvenile justice system. For communities, schools, and law enforcement, it is important to recognize that most of our youth are better served outside the court system and focus on alternative methods to address adolescent behavior.

The number of youth brought to juvenile court for violent offenses is very, very small.

In 2013, only 4% of all delinquency cases were petitioned to court for a violent offense.²

This means that 96% of the youth involved in juvenile court are there for less serious offenses. Appropriate interventions are no doubt required, but how we approach and serve these youth should be based in response to their risk and need, and not misperceptions about juvenile crime.

Principles of Effective Intervention for Delinquency (Risk-Need-Responsivity)

When I began my work in the field in 1987, there was not much understanding of what worked in juvenile justice and so, most of our business was modeled on adult corrections. As you can imagine, youth are dramatically different than adults both developmentally and in their level of responsibility so that approach had wildly different success rates. Overall, youth who were referred for lower level, minor offenses tended not to return to court. Youth who were sent to juvenile confinement, for whatever offenses, tended to re-offend.

Fortunately, the research in the field improved over the years and we now have a more targeted approach to youth based on the Principles of Risk-Need-Responsivity.

RISK- Target youth who have risk factors that indicate likelihood for **re-offense**

(Utilizing a validated risk assessment instrument, focus on medium and high risk youth, Reserve resources for youth most likely to pose public safety risk).

NEED- Target those need factors associated with **re-offending**.

RESPONSIVITY- Implement evidence-based interventions proven to work with youth population and tailor services for medium and high risk youth with eye toward individual fit (gender, IQ, mental health).

In order to ensure expected results, the implementation and fidelity to the treatment model must be monitored. The most effective interventions have been shown to be behavioral and the good ones are based on research. These are known as Cognitive-Behavioral Interventions. Research has shown the programs listed below to be effective interventions to engage youth and their families:

- Multi-Systemic Therapy (MST)
- Functional Family Therapy (FFT)
- Thinking For A Change (T4C)
- Aggression Replacement Training (ART)
- Seven Challenges (7C)

We now know that these interventions are typically more successful for youth and reduce recidivism at rates better than similarly situated youth who do not receive these services and are securely confined. Two important caveats to note: While these are the gold standard programs, the research is still

evolving and one cannot consider any of these as the “magic bullet” that cures juvenile delinquency. Providing these type of intensive services to low risk youth may increase their likelihood of re-offense.

How do we refocus our efforts to intervene appropriately so that youth who come to the attention of our juvenile system receive the appropriate level of care and supervision?

I will share how we attempted to address some of these issues in Georgia in the hopes that our lessons learned may be instructive. Under the leadership of Governor Nathan Deal, our General Assembly, and Commissioner Avery Niles, we have been reforming our juvenile justice system over the past four years in order to meet this challenge. Starting in 2012 after the formation of the Governor’s Special Council on Criminal Justice Reform and our state’s efforts to address adult criminal justice reform, the attention was turned to Georgia’s juvenile justice system. With technical assistance from the Pew Charitable Trusts, the Annie E. Casey Foundation, & the Crime and Justice Institute, the Special Council discovered that nearly two-thirds of our \$300 million juvenile budget was being used to operate out of home facilities. The cost of those placements, at that time, was approximately \$90,000 per bed, per year. 25% of the youth in these out of home placements were placed for low level offenses (misdemeanors & status offenses). 40% of these youth were assessed as a LOW risk to reoffend. In summation, our state’s over-reliance on secure detention for juveniles was a poor use of resources and a poor return on taxpayer’s dollars.

Based on this critical self-examination, the Special Council issued the report of its findings in December 2012, along with several specific recommendations for changes in our state’s juvenile code to improve outcomes. These recommendations included a focus on reserving out of home facilities for high risk offenders (including the establishment of a voluntary fiscal incentive grant program) and reducing recidivism by requiring the use of risk assessment instruments and ensure that resources are restricted to programs proven to reduce recidivism. These changes are projected to avert \$85 million in costs through 2018.

These recommendations were placed into HB 242, which passed both chambers of the legislature unanimously, and was signed into law by Governor Deal on May 2, 2013. Effective January 1, 2014, O.C.G.A 15-1-1 took effect and we were given a new mandate: the *“intent is to preserve and strengthen family relationships in order to allow each child to live in safety and security.”*

Georgia’s new Children’s Code, as it has become known, is a fundamental change from Georgia’s previous juvenile code and the first substantive change to the code in over 40 years.

Expected Outcomes for Juvenile Reform

1. **Population Changes:** The new Children’s Code redefines the population served in the community by specifying CHINS cases, the establishment of limits on restrictive custody for designated felons, and the emphasis on youth being served in least restrictive settings. We expect DJJ Secure population to drop in numbers and increase in risk & need levels of remaining youth.

2. **Evidence Based Programs & Practices:** State and federal funds from the voluntary fiscal incentive grant program have been focused on Evidence-Based Interventions shown to be *effective* with a juvenile population. This includes the development and use of validated, statewide Risk Assessments and state support for developing local capacity for these services, through trainings and fidelity monitoring.
3. **Unified Data Collection:** A statewide merged data collection for all juvenile justice partners that will give full legal information and allow for completion of assessments for all juvenile courts.
4. **Shift Institutional Funding to Community Services:** To sustain juvenile reform, we must begin difficult process of re-directing our budget priorities.

Georgia's Results

These are the practical things we are doing to impact the lives of our young people-

- We are now properly assessing and placing youth in appropriate settings, based on statewide risk assessment instruments validated by the National Center on Crime and Delinquency
- We have taken two detention centers and one Youth Development Campus off-line, representing 259 beds
- As of December 2014, every judicial circuit in the state has access to at least one evidence-based intervention program
- We are assisting communities by providing state funding for local family-based services through the juvenile justice incentive grant program (\$8.8 million in FY 2017)
- We are increasing capacity for Evidence-based models proven to improve outcomes- Functional Family Therapy, Multi-Systemic Therapy, Thinking For A Change, and others

The voluntary juvenile justice incentive grant program will complete its fourth year of operation at the end of this month and has served 4,511 youth since 2013. Participating counties have realized a 53% decrease in commitments to the Department of Juvenile Justice over their 2012 pre-reform rates. Through the provision of these community-based services, we have been able to divert youth who previously would have been placed out of home in secure facilities at a cost of \$90,000 a year, into effective services and thus reducing costs, while still protecting public safety. *(I have attached an Executive Summary of these results from the **Georgia Criminal Justice Coordinating Council** with my supplemental materials.)*

Overall, since 2013, we have reduced the number of youth in secure confinement by 36% and the number of youth in secure detention by 11%. During that same time frame, overall juvenile commitments to the Department of Juvenile Justice have decreased by 46%. These decreases have occurred during a time period when Georgia's juvenile population has grown by over 2% and we continue to see a decline in juvenile crime.

Prior to reform, our system was using only one gear, the detention gear. Just like a bicycle needs different gears to work effectively and efficiently in different situations, Georgia is now rolling forward with all its gears. This responsible approach to managing our juvenile justice resources has made our

state safer. By leading the way in reducing commitments, juvenile reform in Georgia has made it possible not only to avoid construction of new facilities, but to reduce the population in existing facilities, so those facilities are safer. The cost avoidance that goes along with these continued reductions will enable Georgia to continue its investment in community-based solutions.

Conclusion

While the state of Georgia has made significant strides in its juvenile reform, we would not have been able to achieve as much progress as quickly as we have without the help of others. In addition to the Georgia Council on Criminal Justice Reform, PEW Charitable Trusts, Annie E. Casey Foundation, the Crime and Justice Institute, National Council on Crime and Delinquency, and Evidence Based Associates, I would be remiss if I did not acknowledge that the federal government has been a significant partner as well. Through the provision of the Juvenile Justice and Delinquency Prevention Act and Office of Juvenile Justice and Delinquency Prevention (OJJDP) funding for juvenile justice and their excellent technical assistance, Georgia has been able to achieve much through this federal investment in juvenile justice. While the majority of our funding is now state funding, the support provided has been invaluable and we respect our partnership with you.

By identifying the practical things we can do to address our juvenile system- basing our decision-making on objective risk assessments and through the provision of funding to local communities for programs shown to work-we are moving towards a more targeted use of public resources and an investment in quality outcomes. I want to express my appreciation to you, Chairman Goodlatte, and to the members of the Judiciary Committee, for sharing in our success in making the lives of so many Georgia youth better and in your interest in juvenile justice.

¹ US population of Risk 2013 (all youth age 10-17) was 33,160,153. Of those youth at risk, there were 1,002,265 delinquency referrals to juvenile courts. This translates into 3% delinquency rate for all youth, with the caveat that there are some youth who had multiple referrals during the year.

Puzzanchera, C., Sladky, A. and Kang, W. (2016). "Easy Access to Juvenile Populations: 1990-2015." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

Sickmund, M., Sladky, A., and Kang, W. (2017). "Easy Access to Juvenile Court Statistics: 1985-2014." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezajcs/>

² 45,100 cases were petitioned for violent offenses out of 1,002,265 delinquency cases referred to US juvenile courts in 2013.

Sickmund, M., Sladky, A., and Kang, W. (2017). "Easy Access to Juvenile Court Statistics: 1985-2014." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezajcs/>