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## The Need for a Balanced System and More Community-Based Programs and Interventions in Juvenile Justice Reform in Georgia

Ebony R. Bullock  
*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Ebony R. Bullock

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Review Committee

Dr. Clarence Williamson, Committee Chairperson,  
Criminal Justice Faculty

Dr. Dianne Williams, Committee Member,  
Criminal Justice Faculty

Dr. Tony Gaskew, University Reviewer,  
Criminal Justice Faculty

Chief Academic Officer and Provost  
Sue Subocz, Ph.D.

Walden University  
2020

Abstract

The Need for a Balanced System and More Community-Based Programs and  
Interventions in Juvenile Justice Reform in Georgia

by

Ebony R. Bullock

A00748145

Dissertation Submitted in Fulfillment  
of the Requirements for the Degree of  
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Criminal Justice

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## Abstract

The research problem that this study addressed was the rising juvenile crime in Fulton County, Georgia. Georgia's juvenile justice system went through a significant overhaul in 2013 that promised to reduce juvenile crime and recidivism, create more community-based interventions and programs, reduce the number of juveniles in out-of-home placement, and save taxpayers money. Despite the efforts put into place by House Bill 242 of 2013 (HB242), there was still an increase in juvenile crime, and there were not many community-based interventions and programs put into place. The purpose of this study was to assess the impact of HB242 on juvenile crime, juvenile recidivism, and community-oriented programs and interventions. The theoretical foundation used in this study was the policy analytical framework; a qualitative comparative analysis methodology was used to address the research questions, which focused on the impact of HB242 on the juvenile justice system in Fulton County, Georgia. Citizen participants (n = 113) were recruited through social media to complete a questionnaire about their perceptions of juvenile crime. Juvenile crime and arrest disposition data pre- and post-HB242 were analyzed to determine if the reform was successful. The key results from this study showed that citizens did not believe that the current juvenile justice system was effective at reducing juvenile crime and that more community-based programs were needed in South Fulton County. The positive social implications from this study would be that more community-based programs could be created to address juvenile delinquency before juveniles entered the justice system and bridge the gap between the community, law enforcement, and the justice system.

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## Chapter 1: Introduction to the Study

### **Introduction**

The United States saw a dramatic increase in arrest rates of young people who had committed violent crimes in the 1980s and 1990s. In response to the panic that ensued, harsh punitive policy changes in juvenile justice followed. From 1992 to 1997, 47 states, Georgia included, enacted legislation that made their juvenile justice system more punitive, which further blurred the lines between juvenile and adult legal systems (Howell et al., 2013). One of the main concerns was the steady push to increase the number of youths tried in adult criminal courts. Every state has at least one means of transferring a juvenile offender to the adult criminal court. The current provisions are judicial waivers, prosecutorial waivers, and statutory exclusions (Griffin et al., 2011). According to Ghetti and Redlich (2001), statutory exclusion provisions preset an age and a committing offense in which the juvenile's case automatically began in juvenile court. In Georgia, children thirteen and older who were charged with murder would automatically be transferred to adult criminal court.

According to Teitelman and Linhares (2011), throughout the last decade, justice systems have moved to implement evidence-based treatment practices designed to determine the safest, most cost-effective ways to prevent a variety of offenders from reoffending. The courts that focus on evidence-based treatment practices, when possible, recommend services that can offer the opportunity for offenders to become more productive citizens. It is the researcher's belief that implementing evidence-based assessments and treatments will not only improve the lives of at-risk youth but also improve the safety of the public overall, all while reducing the cost for which the taxpayer is responsible.

After the more punitive juvenile justice system was put into place, juvenile crime in Georgia seemed to remain at a steady pace, which mirrored what was seen around the country. Georgia's current juvenile crime and recidivism rate is on a steady incline despite the efforts made by Governor Nathan Deal in 2012 to reform the juvenile justice system (GBI, 2017). In 2012, Governor Deal began his research and efforts to reform the juvenile justice system in Georgia. The system at the time was highly punitive and was not effective. The Governor asked the Georgia Criminal Justice Coordinating Council (CJCC) to further their scope to the juvenile justice system and provide recommendations for much-needed reform. The Georgia General Assembly created the CJCC in 1981, and one of its core functions is to serve as a statewide clearinghouse for criminal justice information and research (CJCC, 2020).

After the CJCC conducted their research and presented their findings that led to the newly reformed juvenile justice systems, very few studies have been undertaken to examine Georgia's recently implemented juvenile justice system. Russell and Manske (2017) conducted research that highlighted the changes to the post-2013 juvenile justice system in Georgia and showed an initial decline in juvenile crime in Georgia. This decline was used to praise the reformed system and as an announcement that the new system had achieved its ultimate goal of reducing the number of juvenile offenders housed in secure juvenile detention facilities and saving the state money in the process (Russell & Manske, 2017).

The social implications associated with this study are that the study highlighted the need for community-based interventions for juvenile offenders in South Fulton County and showed the importance of having a balanced juvenile justice system in Georgia. The community-based interventions and programs would help to reduce juvenile crime and recidivism. The balanced

juvenile justice system would potentially eliminate the need for having to conduct a significant reform when the previous system becomes outdated. The balanced system could also aid in reducing juvenile crime and recidivism rates. By reducing juvenile crime and recidivism, the juvenile justice system could potentially reduce the population of nonviolent juvenile offenders who are housed in detention centers. The funds could be reallocated into other areas that would be more beneficial. Making the recommended changes would impact the citizens of the target area as well. The impact would potentially be in reducing the likelihood of being a victim of juvenile crime and knowing that their voices are heard, and their suggestions are used to help the at-risk youth in their area. The social implications would not just be focused on monetary aspects but on the community and the people directly affected by juvenile crime.

### **Background**

Mears, Pickett, & Mancini (2015) addressed the gap in the literature associated with research conducted on a balanced juvenile justice system. They gathered the public's opinion on rehabilitation, detention, or a balanced system. This was done by using multinomial logistic regression to examine the support for different approaches to sanctioning violent juvenile offenders. This study was done by using data collected from college students enrolled in criminal justice and criminology classes. The results of this study showed that a majority of the respondents supported balanced justice for violent delinquents.

Russell and Manske (2017) conducted a study that focused on the post-2013 juvenile justice system in Georgia. The study focused on practice and process changes, the number of law enforcement referrals, the number of secure out-of-home preadjudication detentions, the number of adjudications, and the number of dispositions to out-of-home placements. Their study focused

on 15 counties across the State of Georgia. Interviews and focus groups were held in those focus counties to understand how the tools were introduced, how training and implementation were supported, and how the tools supported evidence-based decision making. The results showed there was improved communication and coordination between Georgia Department of Juvenile Justice (DJJ) and the courts, but there was also a need for expanded training and support, which was highlighted as well. The study also highlighted the need for more research and data on this topic.

Weisburd (2015) conducted a study on the use of electronic monitoring in juvenile courts. The study found three misperceptions of about the use of electronic monitoring: (1) that it lowers incarceration rates because it is used only on youths who would otherwise be detained; (2) that it effectively rehabilitates youth; and (3) that it is cost-effective. The outcome of this study was that electronic monitoring should be categorized as a form of punishment and that more research should be done on forms of noncarceral control. Weisburd's research was the first of its kind and has set the foundation for other researchers to expand upon the theory. This study coincides with the present study because it highlighted the need for more research to be done on alternative forms of control in the juvenile justice system, such as community-based interventions and programs.

Ehrhard-Dietzel, Barton, and Hickey (2017) conducted a study on the success and challenges experienced while implementing the Juvenile Justice Mobile Response Team (JJMRT) in Albany, New York. It was a collaborative effort focused on identifying the needs and risks of youth at the time of the arrest to ensure that their needs are adequately met. The data collected during this study came from interviews conducted with the organizations involved and

from the JJMRT intake forms. What this study found was that this initiative had a limited impact on the juvenile justice system. This study focused on the need for some form of front-end juvenile justice reform, but it showed that this program was not one that would be beneficial. The Ehrhard-Dietzel et al. study aligns with the current research by highlighting a juvenile justice reform initiative that was attempted and was not beneficial. Although this reform was deemed somewhat successful in the beginning, issues have arisen that are affecting the efficiency of the policy.

Young, Greer, and Church (2017) conducted an in-depth review of juvenile delinquency and interventions. The study highlighted evidence-based treatments for mental health problems among juvenile offenders. The review explained who counted as a juvenile, what a crime is, general principles in juvenile justice, and trends in youth crime. The study concluded that there was a need for age-appropriate services and establishments for juvenile offenders. Evidence-based therapeutic intervention philosophy was adopted during this review, and it added an essential contribution to the welfare and justice needs. Young et al.'s study aligns with the present study because there is a need for more age-appropriate services and establishments, which is where the community-based interventions and programs are most important. There is a lack of evidence-based programs and practices in place that are community-based, and there is a need for them in those areas deemed as having a high population of at-risk juveniles.

### **Problem Statement**

In 2013, Georgia House Bill (HB) 242, also known as the Juvenile Justice Reform Act of 2013, was passed into law. The primary goal of HB242 was to confine the most serious and violent offenders. Young offenders charged with minor offenses would be diverted to specialized

community-based interventions aimed at identifying the core problem, reducing the recidivism rate, and saving money for the taxpayers. According to the PEW Charitable Trusts (2013) in Georgia, more than 50% of adjudicated youth were readjudicated delinquent or convicted of a crime within 3 years of release, and the recidivism rate for youth released from youth detention centers was 65%. Evidence-Based Associates (2015) found that within the participating counties, felony commitments and placements in short-term programs dropped more than 62% in the first 9 months. The participating counties were counties identified as having the highest number of at-risk youths. The reason for this drop was that there were funds available to provide alternatives to confinement when previously there were not enough funds to create and sustain short-term community-based options. Essentially HB242 was somewhat successful at achieving its goals in the beginning, but in the later years, it has not been successful at achieving its goals.

HB242 was created to address a problem where harsh punishment for juvenile offenders was being used during a time where juvenile crime was not as big of a problem as it had been in the 1980s and 1990s. Juvenile crime was on the rise in the late 1980s to early 1990s, but in the late 1990s and early 2000s, juvenile crime was seeing a steady decline (National Criminal Justice Reference Service, 2012). There have been three issues identified with HB242 that address the system, and there has been a lack of research conducted to address why these issues have arisen. This study addressed the gap in the literature regarding the lack of research conducted on HB242 and its outcomes, as well as extended the literature on evidence-based juvenile reentry strategies, community-based interventions and programs, and the need for more standardized practices concerning competency evaluations and juvenile offenders.

There have been three issues identified with the post-2013 juvenile justice system in Georgia. The first issue is that despite the initial decline in juvenile crime from 2013 to 2015, there was a drastic increase by 2016, according to the Georgia Bureau of Investigation's (GBI) Uniform Crime Reporting (UCR) Program (2018). The second issue was that although there was an increase in juvenile crime, there was a decrease in total juvenile arrest dispositions from 32,479 in 2013 to 24,037 in 2017 (GBI, 2018). The potential cause of the reduction in juvenile arrest dispositions could have been a child being deemed incompetent, not having the skills to aid in their defense, and therefore they no longer must face the criminal charges that are brought against them. The third issue is that, despite HB242 identifying the problem of a lack of community-based options, there are still a small number of community-based options available.

### **Purpose of Study**

The purpose of this qualitative comparative study was to assess the impact of HB242 on juvenile crime, juvenile recidivism, and community-oriented programs. I analyzed the 5 years before HB242 and the 5 years post-HB242 to determine the impact of HB242 on the identified concepts. By exploring these concepts, it was possible to develop a conceptual model of the possible relations between HB242 and variations in juvenile crime and recidivism pre- and post-HB242. Upon identifying those problems, I offered recommendations based on the findings of the research. Understandably, an entire policy cannot be removed entirely, but there is the option of finding the areas that require repair and providing suggestions.

### **Research Questions**

RQ1: How has HB242 impacted the juvenile justice system in Fulton County, Georgia?

RQ2: How has HB242 impacted juvenile crime reduction programs in Fulton County, Georgia?

### **Theoretical Framework**

The framework for this study was the policy analytical framework (PAF). Policies are created to optimize the general well-being of the population they impact. Policy analysis is used for an in-depth study of a social problem. The Centers for Disease Control and Prevention (CDC, 2013) has identified five domains essential to the PAF. The domains are Problem Identification, Policy Analysis, Strategy and Policy Development, Policy Enactment, and Policy Implementation.

The first step in the PAF is one of the most important, which is identifying the problem. The problem, that I have identified through thorough research, in the Georgia Juvenile Justice System is the increasing rate of juvenile offenders and the recidivism rate. I believed that the cause of this dramatic increase was due to the lack of community-based interventions and programs along with the competency evaluation process. The second step is policy analysis. The goals of policy analysis are to identify, describe, assess the policy options, and prioritize policy options that are relevant to the identified problem. According to Knoepfel, Larrue, Varones, and Hill (2011), policy analysis is a means of explaining the actual essence of public action because policies are interpreted as revealing its nature. I utilized the second step to gain a better understanding of HB242 and the community-based programs available. The third step is to develop a strategy to further adoption of the policy solution. All the steps in the PAF are essential, but the first three steps are the most important because they are essential to completing the last two steps.

According to Dunlop and Radaelli (2018), learning and its link to beliefs, policy development, and change is a central theme of public policy analysis. Policy learning can fall into two categories; it can be treated as a mechanism that supports other explanations or be a part of the evaluation stage of the heuristic policy cycle. This research fits the criteria of the latter. There are five stages in the policy cycle, and the evaluation stage is the final stage. The evaluation stage is the phase of determining how well the policy is working. The cost-benefit analysis is what is typically used in government to assess how well the system is working. But when it comes to juvenile offenders, the cost-benefit analysis does not fit the evaluation methods needed to determine effectiveness. One of the main goals of the juvenile reform in Georgia was to reduce the cost to the taxpayers of the state. But it is questionable whether a lower or higher price determines how well a system geared towards reducing juvenile crime works. In the case of the juvenile justice system in Georgia, most of the overall juvenile justice budget was being spent on out of home placements for juvenile offenders before the passage of HB242. With the passage of HB242, there was a steady decline in the number of juvenile offenders placed in out of home facilities with the initial decrease and drastic incline in juvenile crime rates.

The PAF related to this study because the study focused on a policy implemented to reform the juvenile justice system in Georgia. The policy has received little research to determine how effective the policy has been at achieving the goals that were set forth. I intended to evaluate the system that is in place, analyze how well it was working, and possibly identify any problems and bring forth solutions to those problems. This method also related to the research questions because the research questions focused on community-based interventions

and their effectiveness at reducing juvenile crime and recidivism, which were aspects of the policy known as HB242.

### **Nature of the Study**

This study was a qualitative comparative analysis. I conducted an analysis of HB242 policies in comparison to the juvenile arrest data and dispositions that were gathered. I chose a qualitative research method for this study because it was important to not just view the numbers associated with the juvenile justice reform; an in-depth analysis also needed to be done on the policies that had been put into place to determine their effectiveness. There has been little research conducted on the community-based interventions and programs put into place by HB242, so there is little evidence to support whether these programs are effective and what parts of the policies work or do not work. I gathered data from citizens in the target area to help determine what their beliefs were regarding the juvenile justice system in Fulton County, Georgia.

Although HB242 promised to reduce the recidivism rate of juvenile offenders, juvenile crime was soon on the rise again. According to the GBI's UCR Program (2018), there was an initial decline between 2013 and 2014 in violent crimes being committed by juveniles (crimes such as murder/non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft). However, there was a drastic increase between 2015 and 2016 in those crimes. This quantitative data is to be used as evidence to present the failure of the HB242.

The methodology I used for this research was to obtain archived data and to administer a survey to the citizens in the target area. I retrieved archived data from the Georgia DJJ, Georgia Department of Behavioral Health and Developmental Disabilities, Georgia Bureau of

Investigation, and the Federal Bureau of Investigation Uniform Crime Reporting National Incident Data Base. I used this data to conduct the 5-year comparative analysis. I thoroughly reviewed and analyzed publications on HB242 to identify the changes that it had proposed concerning community-based interventions and programs and competency relating to juvenile offenders. I compared the goals that were identified by HB242 to the juvenile arrest data and disposition data that I collected for comparative analysis to determine if the changes had been successful at reaching the legislation's goals.

The second methodology I used was a questionnaire. The purpose of the questionnaire was to understand the opinions of the citizens in the target area regarding the impact of HB242 on the juvenile justice system and juvenile crime. The questionnaire that I administered to the citizens in the target area of South Fulton County provided a mixture of open-ended questions as well as questions with multiple choice answers. I administered the questionnaire through SurveyMonkey, which has features that provide skip logic, block randomization, sentiment analysis, text analysis and statistical significance, and custom variables. The survey helped me to identify themes in the respondent's answers to determine their beliefs concerning the impact of HB242 on the juvenile justice system in Fulton County, Georgia.

### **Significance of Study**

The results of this study provide much-needed insight into the impact community-based intervention programs have on juvenile crime and recidivism. Reform usually comes at a time when the system is already outdated, and the revisions made are usually outdated within the first 2 years of inception. Because there has been a dramatic increase in juvenile crime in recent years that has been documented by the GBI (GBI, 2017), it is crucial to evaluate HB242 to determine

where changes might be recommended as a result of the findings of this study. With these changes, I hope that juvenile crime and recidivism will be reduced. This study could lead to positive social change regarding policy surrounding juveniles and juvenile crime. The positive social change would be that the citizens would have more faith in the juvenile justice system policies and have more involvement in the policies and programs that are implemented. The positive social change would also be the impact on recidivism because the community would potentially be involved with the juvenile justice system by creating more community-based interventions and programs to help combat juvenile crime in a proactive rather than a reactive manner.

With the first gap in the literature concerning the lack of research on the post-2013 juvenile justice system and how effective it is and the second gap concerning the lack of research concerning competency and juvenile offenders, policies implemented with HB242 must be evaluated. It is vital that problems with the procedures are identified and rectified, or the juvenile justice system will once again become ineffective. It is also essential to understand the impact that competency has on the criminal cases of juveniles. All these factors directly impact juvenile offenders and how they are handled within the juvenile justice system. For a plan to work efficiently and effectively, every aspect has to be cohesive and well put together.

### **Definition of Terms**

*Evidence-based:* An approach to medicine, education, and other disciplines that emphasizes the practical application of the findings of the best available current research (Evidence-Based, n.d.)

*Recidivism:* A relapse of criminal behavior (Recidivism, n.d.).

*Juvenile justice system:* The structure of the criminal legal system that deals with crimes committed by minors, usually between the ages of 10 and 18 years (Spannhake, 2019).

*Competency:* The possession of sufficient knowledge or skill, legal authority ability, admissibility (Competency, n.d.).

*Community-based intervention:* Multicomponent interventions that generally combine individual and environmental change strategies across multiple settings aiming to prevent dysfunction and to promote well-being among population groups in a defined local community (Petridou & Antonopolous, 2017).

*Policy analytical framework:* A common structure for summarizing the advantages and limitations of proposed policies with regard to various aspects relevant to decision making (National Collaborating Centre for Healthy Public Policy, 2012).

*Balanced justice system:* Simultaneously employing juvenile rehabilitation and punishment to sanction youth (Mears et al., 2015).

*Juvenile:* An individual who is legally able to commit a criminal offense owing to be over the minimal age of criminal responsibility yet under the age of criminal majority, when a person is legally considered an adult (Young et al., 2017).

### **Assumptions**

There were assumptions associated with this research, and it is essential to identify them. The first assumption was that citizens are in support of HB242 and believe that it is effective at reducing juvenile crime. This statement is an assumption because there is no evidence to support this assumption as accurate. It is essential to identify this assumption because citizens are considered stakeholders, and they would support such a law that has been put into place with the

hopes of providing a safer community for them. The second assumption is that competency does not influence juvenile offenders and juvenile crime. This statement cannot be demonstrated to be true because research concerning juvenile offenders and competency is lacking. The final assumption is that there is not a need for a balanced justice system. This statement cannot be demonstrated to be true because there has not been any research conducted on what type of impact a balanced system in Georgia will have on juvenile crime.

### **Scope and Delimitations**

The three problems identified with HB242 that were addressed in this study are significant because they are vital components in the current system that are potentially the cause for the failure of reaching the goals that were set forth. It is my belief that the problems may be influencing an increase in juvenile crime that is being seen in Georgia. This indicates the need for a juvenile justice system that is balanced rather than focused on a single track or system.

The population included in the study were the residents of South Fulton County, Georgia, and they were the respondents to the survey that I administered through SurveyMonkey. The reason for focusing on South Fulton County is that I have worked in the community for several years and have seen the impact that juvenile crime has on that community. Juvenile crime is steadily increasing in this community, and this supports the idea that change is needed for the juvenile justice system in Georgia.

### **Limitations**

Several potential limitations have been identified. A potential limitation when using secondary data is that the data is not as up to date as needed to assess the current context of the problem. Another potential limitation for collecting the primary data (surveys) includes the

recruitment of participants and having an appropriate amount of time to gather the desired number of participants. Resources are also a potential barrier because conducting an online survey and being able to break down the data generated through the responses does have a cost associated with it.

Limitations could arise from researcher-associated biases. I have had a career in law enforcement and have dealt with the juvenile justice system in Georgia firsthand. The limitations that could arise would be if I attached my judgment to the study or included my perspectives rather than stating the documented facts. These limitations were addressed by epoché; all researcher judgment and personal views were vacated and did not interfere with this study.

### **Conclusion**

In this research I sought to understand the post-2013 juvenile justice system in Georgia and how effective the community-based programs and interventions are at reducing juvenile crime and recidivism. The study is divided into five chapters. The introduction chapter provided a comprehensive background of the subject matter. The introduction also explained the problem, research questions, the nature of the study, the purpose of the study, and the significance of the study. Chapter 2 provides an in-depth review and analysis of the literature; in it, I explain the gap in the literature. Chapter 3 focuses on the research methods used for this study. In Chapter 4, I discuss the research findings and the methods used to achieve the results of the study. Chapter 5 includes an in-depth summation of the research conducted and provides suggestions for further review and research studies.

## Chapter 2: Literature Review

### **Introduction**

There is a problem concerning juvenile crime and the juvenile justice system in Georgia. The problem is that despite the efforts of HB242, which had a major component geared towards reducing the recidivism rate of juvenile offenders and juvenile crime, juvenile crime has drastically increased within 2 years of the new system being put into place (GBI, 2017). More than 50% of adjudicated youth were readjudicated delinquent or convicted of a crime within 3 years of release, and the recidivism rate for youth released from youth detention centers was 65% (PEW Charitable Trusts, 2013). Few studies have been conducted to determine the cause of the high recidivism rate for juvenile offenders in Georgia.

The problem that this study addressed was three issues identified with the post-2013 juvenile justice system in Georgia. First, despite the initial decline in juvenile crime, there was a drastic increase within the first 2 years, according to the GBI's UCR Program (GBI, 2018). According to the GBI (2018), 1,054 juveniles (age 16 and under) were arrested for violent crimes identified as murder, rape, robbery, or aggravated assault. Between 2012 and 2016, the statistics involving juvenile offenders varied significantly. There was an increase in arrests of juvenile offenders for violent crimes between 2012 and 2013, with a decline between 2013 and 2015, and finally, another increase in 2016 (GBI, 2018). The second issue was that although there was an increase in juvenile crime, there was a decrease in total juvenile arrest dispositions from 32,479 in 2013 to 24,037 in 2017 (GBI, 2018). The decline in juvenile arrest dispositions potentially could be due to a child being deemed incompetent, not having the skills to aid in their defense, so that they no longer must face the criminal charges that are brought against them. This could be

viewed as a positive and negative outcome of HB242. It could be deemed as positive because there are fewer juveniles who were being tried and convicted of crimes. But it could also be viewed as unfavorable because although fewer juvenile offenders were being tried and sentenced, juvenile crime was steadily rising again. The third issue was that, despite HB242 identifying the problem of a lack of community-based options, there are still only a small number of community-based options available.

As stated in Chapter 1, the purpose of this qualitative study was to assess the impact of HB242 on juvenile crime, juvenile recidivism, and community-oriented programs. This qualitative study also identified certain issues and provided recommendations that have been proven successful at reducing the recidivism rate of juvenile offenders in other states such as Florida that have implemented community-based interventions and programs.

### **Literature Search Strategy**

The purpose and intent of the literature review for this study was to provide the most accurate and relevant literature associated with the topic. The literature review for this study focused on articles related to juvenile justice reform, community-based programs and interventions, evidence-based practices, and balanced juvenile justice. They are evaluated in this chapter. With the objective of exhaustively reviewing the literature, I used the following online databases and search engines: Google Scholar, EBSCOhost Online Research Databases, SAGE Journals, and Thoreau. The key search terms that I included in the previously mentioned databases and search engines were as follows: *juvenile justice system, recidivism, competency, Georgia juvenile justice system, community-based interventions, policy analytical framework, balanced justice system, qualitative comparative analysis, and justice*. Each of these key terms

was used to search through each of the databases and search engines mentioned. I used the key terms to locate studies that were correlated to the problem presented in the previous chapter and the respective research questions.

Much of the literature included were published between 2010 and 2019. This literature was specific to the topics of juvenile justice, recidivism, competency, community-based programs, and a balanced justice system. Recent findings needed to be included to keep the study as updated as possible. However, it should be noted that there are limited studies on competency as it relates to juvenile offenders. Competency is being evaluated because it plays a large role in the number of juvenile offenders who are entering the juvenile justice system and being tried and convicted. Therefore, during this study, I included older studies as a reference to demonstrate the scope of the problems. The research articles that were included in this study were chosen because they addressed the key concepts associated with the research.

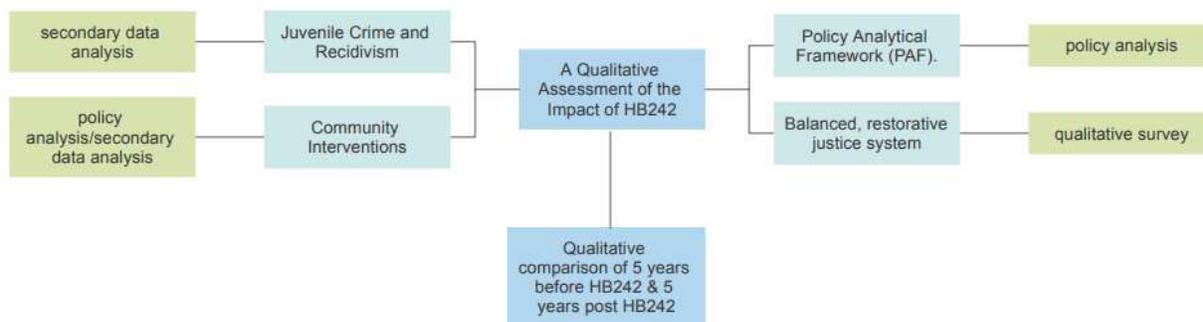


Figure 1. Literature review concept map. Note. Concept map that shows the research topic and subtopics and their relationships.

In order to address the research problem and questions presented in the previous chapter, I conducted a thorough background search that began with identifying the search strategy that I would use to find the necessary literature. The second section of this chapter addresses the

theoretical foundation of this study, which outlines the details of the framework and how it applied to the study. The third section provides a review of the present literature that focuses on Georgia's juvenile justice system, a subsection of Fulton County, recidivism, competency, community-based programs, and a balanced justice system. The fourth section summarizes the findings and conclusion. The fifth section addresses the gap in the literature.

### **Theoretical Foundation**

Policy analysis dates as far back as the Hebrew Bible, but a thorough review would include commentators from various locales and periods. According to Sharkansky (1995), the books of Samuel, Kings, and Chronicles detail the successes and failings of monarchies over the span of 500 years. These assessments highlighted a concern for having acted wisely, achieving military and political success, personal stability, regime maintenance, and other standards of doctrinal correctness (Sharkansky, 1995). Others believe that policy analysis was not created until after World War II, with a specific focus on the 1960s in the United States. "Policy analysis has its intellectual roots in political analysis of Harold Lasswell (1940s) and Tony Downs (1960s)" (as cited in Healy, 2015, p.1). However, there are records of essential developments in the eighteenth and nineteenth centuries that focused on the collection of data concerning social and economic issues (Sharkansky, 1995).

Policy analysis also has a function of cost-benefit analysis as well. When analyzing a policy that is in place, to the analyst should determine whether the benefit is commensurate with the cost associated with taking action. The problem that Georgia was having before HB242 was allotting a vast majority of the budget to place juvenile offenders in detention, which left little money for alternatives to incarceration; Due to this, the system was not cost effective. This

relates to the literature review because one of the main goals of HB242 was to save money and also provide an alternative to detention. In this review I explore other cost-effective options for detention.

I used the PAF as a theoretical foundation to identify the social problem. A key element of credible policy analysis involves the use of an analytical framework grounded in one or more theories and models of policymaking (Sheldon, 2016, p. 102). The frameworks aid in identifying and interpreting the relationships between the key variables that are relevant to the policy. The PAF focuses on five essential domains, as outlined by the CDC (2013). The domains in order are Problem Identification, Policy Analysis, Strategy and Policy Development, Policy Enactment, and Policy Implementation.

### **PAF Domain 1: Identifying the Problem**

The first domain is identifying the problem at hand. This research has identified the main problem and several secondary problems as well. The problem was the increasing rate of juvenile crime and recidivism despite the efforts to reduce them with a complete overhaul of the juvenile justice system in 2013.

### **PAF Domain 2: Identify, Describe, Assess, and Prioritize**

The second domain is to identify, describe, assess the policy options and prioritize policy options that are relevant to the identified problem. Policy analysis is a means of explaining the actual essence of the public action because policies are interpreted as revealing its nature (Knoepfel et al., 2011). HB242 was created and signed into law to govern changes and create new policies for the juvenile justice system in Georgia. The passage had the promise of confining only the most serious and violent offenders, and young offenders who were charged with minor

offenses would be diverted to specialized community-based interventions aimed at identifying the core problem, offering a remedy to reduce the recidivism rate, and saving money for the taxpayers. Some of the key policy options were to implement the use of a detention assessment instrument to determine the risk of the juvenile offender and ultimately make a preliminary decision on whether to detain.

### **PAF Domain 3: Strategy and Policy Development**

The third domain is Strategy and Policy Development. One of the key strategies used for this new policy was to save the citizens of Georgia money when it came to juvenile offenders. The average cost of housing a juvenile offender was \$90,000 a year. The new policy promised to save \$5 million over 5 years (PEW Charitable Trusts, 2013).

### **PAF Domain 4: Policy Enactment**

The fourth domain is Policy Enactment. The policy was enacted in phases by rolling it out in the counties that housed the state's greatest population of at-risk youths.

### **PAF Domain 5: Policy Implementation**

The fifth domain is Policy Implementation. During this phase, each of the counties identified was allotted grant money to begin implementing the changes that were created by HB242.

Sheldon (2016) conducted a study that focused on demonstrating the use of policy-making theory as an analytical framework in policy analysis and discussing how sound policy analysis can assist physical therapists in becoming more effective change agents, policy advocates, and partners with other relevant stakeholder groups. Sheldon used a multiple case study methodology to explore state agency policy responses to prevent work-related

musculoskeletal disorders (WMSDs). He stressed the importance of understanding the influences on the relationship between policy need and state policy responses to prevent WMSDs. These influences require a triangulation of different sources of data, as well as an understanding of the perspectives of various stakeholders associated with the phenomenon. The methodology used provided a structure to (1) study each case (state) separately; (2) analyze, interpret, and identify patterns within each case; and (3) analyze, interpret, and identify similar patterns, as well as differences, among the cases (Sheldon, 2016, p. 105). Due to Sheldon's study focusing on a different phenomenon, the findings would provide a different meaning not related to the current research. However, this study is relevant to recent research because of the methodology used. This study will not focus on multiple cases, only one, but the overall goal is the same; to analyze, interpret, and identify any patterns or differences in the policy need and the state policy responses. Also, a triangulation of different sources of data will be conducted, and the stakeholders' perspectives will be gathered through the online survey.

Dunlop and Radaelli (2018) conducted a study to determine if policy learning is effective as an analytical framework in the policy process. Four standards in relation to learning as an analytical framework were identified: assumptions and micro-foundations, conceptual apparatus, observable implications, and normative applications. Analytical frameworks contain simplifying ontological assumptions that are useful to understand the world and apply to a variety of research questions and contexts (Dunlop & Radaelli, 2018, p. S49). Frameworks are used to generate and construct explanations or theoretical propositions (Stanley, 2012, p. 476, as cited in Dunlop & Radaelli, 2018, p. S50) to normatively appraise a given phenomenon (Dunlop & Radaelli, 2018, p. S50). The study used a two by two space of higher-level typology with the focus being on the

tractability of the policy problem and social certification of actors. Dunlop and Radaelli (2018) explained that tractability, and its opposite (radical uncertainty), is prominent in the analysis of learning in systems of risk assessment, highly technical domains of environmental policy, policy instruments like regulatory impact assessment, and the social contestation of science. (p. S51). The study concluded that the field of policy learning is a promising analytical framework of the policy process, but also pointed out the need for more research to be conducted in certain areas. This study provided a more in-depth look into the meaning and goals of frameworks, especially those concerning policies. Although the type of policy and focus was different from the current study, it allowed the researcher to understand the purpose of frameworks and have the knowledge to more appropriately apply the PAF to this study.

Weible, Heikkila, deLeon, and Sabatier (2012) wrote an essay that outlined the logic of existing research of policy processes into a set of strategies for shaping policy agendas and influencing policy development and change. Three strategies were presented that operate on a policy subsystem level: developing in-depth knowledge, building networks, and participating for extended periods. The focus of the essay was to consider how a democratic ethic can inform these strategies. It was Weible et al. (2012) belief that the success or failure of influencing the policy process is a matter of odds. Still, these odds could be changed favorably if individuals employ the three strategies consistently over time. It is essential to understand the factors that can influence how and whether a policy will change. Some changes that come from policy changes range from the alternation of rules to or the creation of new, more effective programs. Weible et al. (2012) pointed out that three factors influence policy change; events, learning, and negotiation, and cooperation. Events are the most commonly mentioned factor contributing to

change and are defined as sudden changes in the external subsystem environment (Weible et al., 2012, p. 7). Learning is defined as the cognitive adjustments in the form of change or reinforcement in what we value, see, and understand in the world and how we behave (Weible et al., 2012, p. 8). And negotiated agreements and cooperation are precursors to changes in policies (Weible et al., 2012, p.8). The conclusion of this essay centralizes the arguments and interprets the strategies offered as a meta-theoretical argument of political influence. The final points that this essay presented were that there are no guarantees for influencing the policy process, and the best that can be done is to place themselves in a position to have a chance to make a difference.

The essay was very informative and provided a different point of view concerning what factors influence policy change. The aspect of influence that directly relates to this study is learning. Learning can lead to change by altering the values, knowledge, and strategies (cognitive and behavioral effects) of the policy participants in the subsystem or people outside the subsystem, such as individuals in authority or the general public (Weible et al., 2012, p. 8). The general public is often overlooked when it comes to policy changes concerning juvenile justice, and their opinion has little to no bearing on the decision to make changes. The general public are the ones who are affected by the policy changes enacted, and it is crucial to understand how they perceive these proposed changes and how beneficial they believe they will be. This current study seeks to include the general public and their perception of the policy analysis of HB242 and allow them to provide their insight on what they believe is useful and what they think should be changed. There are studies, such as Mears et al. (2015), that gathered the public's opinion concerning rehabilitation, detention, or a balanced system for juvenile offenders. But the

research was based on their willingness to pay for the changes that they supported. This study will simply focus on gathering the public's opinion on HB242 and their perception.

The policy process is defined as the study of change and development of policy and the related actors, events, and contexts (Weible et al., 2012, p. 3). This essay relates to the current study because it is the hope of the researcher to influence some form of change to HB242 and to potentially influence the policy process for the juvenile justice system in Georgia. Weible et al. (2012) stated influencing the policy process may entail a variety of goals, from the adoption of a new policy to minor adjustments to institutional arrangements in current policies. The researcher hopes to influence the policy and to make the necessary changes to make the juvenile justice system in Georgia effective at reducing juvenile crime and recidivism.

Court and Young (2006) wrote an essay on the importance of bridging the gap between research and policy changes. They provided the different viewpoints of researchers, practitioners, and policymakers concerning research and policies. Research and policy, or evidence and practice, is viewed as having a linear process. This means that a set of research findings or lessons shifts from the research sphere to the policy sphere, and then has some impact on policymakers' decisions and programs on the ground (Court & Young, 2006, p. 85). But the reality is much more complex and dynamic and consists of two-way processes that link research, policy, and practice. These processes are often shaped by multiple relations and a wealth of knowledge. Court and Young (2006) highlighted the theoretical, case-study, and practical work done by the Overseas Development Institute (ODI). Their work identified a wide range of inter-related factors that determine whether research-based and other forms of evidence are likely to be adopted by policymakers and practitioners (Court & Young, 2006, p. 86). The four factors

are; the political context, the evidence, the links between policy and research communities, and the external context. The essay concluded by presenting the following findings; The research and policy links are dramatically shaped by the political context; the quality of research is important if it is to affect policy; the sources and conveyors of evidence, the way new messages are packaged and targeted, can all make a big difference; and the links between community, networks, and intermediaries are important in affecting policy change; and external forces and donor's actions have an impact on research-policy interactions (Court & Young, 2006, p. 86-87).

This essay, although short in length, was very insightful concerning the importance of the relationship between research and policy changes. It allowed this researcher to see the relationship between the two, which was something that had been previously overlooked. When conducting a study with PAF as the theoretical foundation, it is vital to understand the relationship between the research and the policy changes that could potentially be the outcome. So, it is essential to ensure that the researcher understands everyone's role (researcher, policymaker, and practitioner) when conducting policy analysis and providing suggested policy changes. Although the researcher has the thought process that there should be no resistance to policy change when there is clear and convincing evidence, there must be an understanding that policy changes have to occur in a specific time frame (i.e., legislative session) for those policy changes to be made. The researcher hopes to have this study accessible to policymakers before the decision time frame for policies.

HB242 was a policy that was created to overhaul the juvenile justice system, which was done directly in response to the need for juvenile justice reform in Georgia. Conducting policy analyses is critical when used in an attempt to understand the impact of various policies

implemented by the government on all levels. Better application of research and evidence in development policy and practice can help save lives, reduce poverty, and improve the quality of life (Court & Young, 2006, p. 85).

PAF was selected as the theoretical foundation for this study because there is a need to analyze the policy created by HB242 to determine how effective it is at reducing juvenile crime and recidivism. Other studies have used PAF as the foundation to analyze policies and how effective they are or used some form of policy analysis to pave the foundation for a compelling study. Another reason PAF was selected was the explanation of the five separate sections to help guide someone in conducting an effective and thorough policy analysis by seeing each step used in the analysis. These individual sections have allowed the researcher the ability to understand the importance of how to correctly conduct policy analysis and covering all essential aspects of the policy. By using the PAF, DJJ officials and government leaders would be allowed to view the current policies and their issues and develop a solution to correct these issues. This is important because the goal when creating new policies is to be able to achieve each goal and milestone as promised. The framework will also lay the foundation for the literature in the capacity of locating relevant publications as it relates to the topic and subtopics of the research.

The research question for this study relates to PAF as they address important topics covered by HB242. The vast majority of HB242 was to rewrite the O.C.G.A. Title 15, Chapter 11(The Juvenile Code) and provided amendments to some provisions outside of the juvenile code. The Juvenile Code is the policy, and law, that Georgia DJJ has to follow and base their departmental policies on. Barton Child Law and Policy Center (2013) provided a synopsis of HB242 and the important changes that it made. Based on the synopsis, Article 6 (Delinquency),

Article 7 (Competency in Delinquency Cases), and some of the provisions outside of the juvenile code relate directly to the research questions as they have some focus on community-based interventions and programs.

## **Review of Literature**

### **Qualitative Comparative Analysis**

Comparative research refers to the evaluation of the similarities, differences, and associations between entities (Given, 2012). The purpose of comparative research is to find the similarities and variations between the systems that are the focus of the comparison.

Comparative analysis that is conducted through qualitative research acknowledges that social relations can be challenging to categorize and occur in local contexts that differ and are deemed complex (Rouse, 2011). Qualitative comparative analysis (QCA) combines strong points from both qualitative and quantitative methods to meet the needs to gather in-depth insight into different cases and to capture their complexity while attempting to produce some form of generalization (Pattyn, Molenveld, & Befani, 2019). By utilizing QCA, the evaluator can identify patterns that help to identify the successes and failures associated with the subject at hand.

QCA was first proposed by U.S. political sociologist Charles Ragin in the mid-1980s and has gained momentum since the early 2000s (Thiem, 2017). QCA also has an epistemological foundation which rests on the theory of *INUS causation*, which is widely associated with the writings of John L. Mackie but can also be traced back to John S. Mill's concept of "chemical causation" and his *methods of agreement and difference* (Thiem, 2017). There are three phases associated with QCA; Phase I: Transform, Phase II: Minimize, and Phase

III: Decompose. And Phase III is the decomposition of this chart for deriving the solution in the second algorithmic stage (Thiem, 2017).

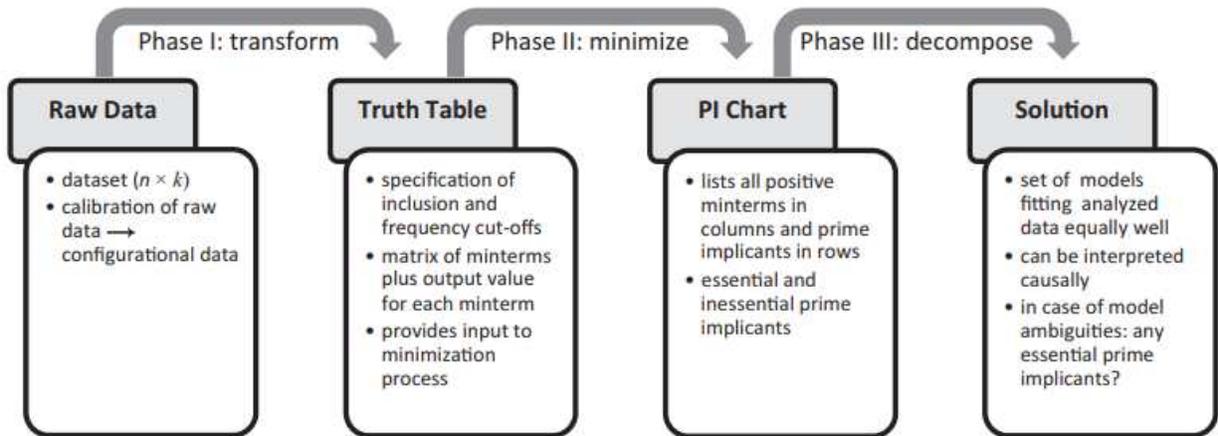


Figure 2. Illustration of qualitative control analysis phases.

During Phase I, there is a transformation of raw data into a truth table. The primary input to QCA is a data set of dimension  $n \times k$ , with  $n$  representing the number of cases (rows) and  $k$  representing the number of variables (columns) (Thiem, 2017). During this process, the raw data must be calibrated, and the variables must be transformed into factors. Factors are categorical variables whose levels provide the basis for sets of interest (Thiem, 2017). The new data is known as configural data and then subdivided into a set of exogenous facts and endogenous factors, and collectively are referred to as the factor frame (Thiem, 2017). If the categories of the variables have already been identified, calibration is not necessary unless the data should be reduced by grouping categories together for analytical purposes (Thiem, 2017).

Phase II is the minimization of the function described by the truth table to a prime implicant chart. This is done by a custom-built algorithm that eliminates redundancies. “The structure of the calibrated data under the factor frame determines the variant, four of which

presently exist (Thiem, 2014d): crisp-set QCA (csQCA), fuzzy-set QCA (fsQCA), multi-value QCA (mvQCA), and generalized-set QCA (gsQCA)” (Thiem, 2017, p. 426). When the appropriate QCA variant has been chosen, and all of the output variables have been determined to complete the truth table, this is when the identification of prime implications (PIs) can begin (Thiem, 2017).

And Phase III is the decomposition of this chart for deriving the solution in the second algorithmic stage. This is done by finding all disjunctions of the PIs that minimally cover all positive minterms, which are disjunctions that contain no redundant PIs (Thiem, 2017). This process is hardwired in the respective minimization algorithm that is implemented into the software that the researcher chooses to use to carry out this task.

### **Georgia’s Juvenile Justice System**

Georgia’s juvenile court was established in 1908. When it was established, it functioned solely under the framework of petitioning alleged delinquency, deprivation, or unruliness of a child. It should not be filed unless the court or a person authorized by the court has determined and endorsed the petition and that the petition is in the best interest of the public and child (Gerwig-Moore & Schrope, 2007). By the 1950s, children’s rights advocates became concerned about problems with the flexibility in the juvenile proceedings. *Kent v. United States*, *Winship*, and *In re Gault* were decided and brought significant changes to the juvenile justice system, which included more structure to the system and allowed more due process rights to children (Gerwig-Moore & Schrope, 2007).

Twenty-five years ago, Georgia created the most punitive juvenile justice system that the nation had ever seen (Judd, 2019a). The new system allowed children as young as thirteen years

old to be tried and convicted as adults for crimes and sentenced to decades in prison (Judd, 2019a). At the time, juvenile offenders were referred to as super-predators due to the increase in crime and the severity of the crimes being committed. According to St. Gerard (2005), the 1994 law gave Juvenile Court judges the authority to send juvenile offenders to youth prisons for up to ninety days, including first-time offenders and nonviolent offenders. Georgia's juvenile justice system mirrored the national trend of the number of youths in the system declining over the years. According to The PEW Charitable Trusts (2013), between 2002 and 2011, the population of out-of-home adjudicated youth dropped from 2,973 to 1,917. Although the numbers were falling, the costs remained high for taxpayers. Time and juvenile crime trends have since changed, and this system has become outdated and ineffective concerning the current juvenile crime trends.

In 2012, Governor Nathan Deal issued an executive order expanding the focus of the Special Council to include the juvenile justice system. The Special Council received assistance from the Public Safety Performance Project of the PEW Charitable Trusts and the Juvenile Justice Strategy Group of the Anne E. Casey Foundation (Russell & Manske, 2007). The Special Council conducted an in-depth evaluation of the juvenile justice system in Georgia and provided recommendations from their findings. The evaluation included an in-depth analysis of the state's data and juvenile justice system and included input from stakeholders. Recommendations included reducing recidivism by investing in evidence-based programs and practices, data collection, and performance-based contracting and alter the way that certain offenses were categorized. House Bill 242, also known as the Juvenile Justice Reform Act of 2013, was passed in General Assembly and signed into law on May 2, 2013, by Governor Deal. The goals of the

reform were to reduce the number of youth housed in Georgia DJJ secure facilities who were at lower risk to reoffend, decrease the number of out-of-home juvenile population committed to DJJ, and a reduce the juvenile recidivism rate as the youth were being assessed using new tools designed to measure risk and needs (Russell & Manske, 2017).

The newly recommended policies would save Georgia \$85 million over 5 years (The PEW Charitable Trusts, 2013). The savings would come from reserving out of home placement for only the most serious and violent juvenile offenders. The average cost for a juvenile to be placed in a secure residential facility was \$90,000 a year (The PEW Charitable Trusts, 2013). The savings would then be used to support evidence-based programs such as functional family therapy and Aggression Replacement Training. These programs would be implemented with fidelity, meaning that the programs would be delivered and operated consistently with the methods of delivery that have been rigorously evaluated (Parker & Upin, 2016).

One outcome of the reform was to require the use of a Detention Assessment Instrument (DAI). The DAI validated the risks and needs before detention and housing decisions (Fernandez, Doyle, Koon, & McClain, 2015). In 2019, DJJ updated its policy concerning the DAI. It required the Juvenile Intake Officer to use the DAI to guide all detention decisions and was to be used once per detention. The DAI must be uploaded into the Juvenile Tracking System (JTS) within 24 hours of the initial detention at a regional youth development center. It was completed when the Intake Officer made the initial detention decision or when the court initially detains the youth. The DAI will not be updated after the court enters an order for detention for a youth already in custody, continuation, commitment, or for transfers between facilities (Georgia DJJ, 2019). If a youth is scored low or medium on the assessment, they will not be considered

for detention unless there are aggravating circumstances. They should be provided the least restrictive alternative to detention. If youth scores a 12 or higher on the assessment, they will be detained immediately. All decisions and circumstances must be thoroughly documented.

A comprehensive report titled “Report of the Georgia Council on Criminal Justice Reform 2015” was released in February 2015 (Georgia Department of Community Supervision, 2015). This report outlined the progress and recommendations from the Council for the adult and juvenile justice systems in Georgia. The report also provided advice to improve the administration of HB242. It was reported that Georgia saw dramatic declines in out of home placements of juvenile offenders in the first nine months of the initiative. According to Evidence Based Associates (2015), the counties participating in phase one saw a 62% decrease in felony commitments and placements in short-term programs, which exceeded the projected goal of fifteen percent. There were 49 counties selected to participate in the first phase, and they were given \$7 million in resources to implement a list of evidence-based interventions that met high standards of scientific testing. The previous report showed that the juvenile justice system featured high costs and relatively low results, reliant on out-of-home facilities, and lacking in community-based alternatives in many areas. Many areas in the state had limited or no community-based programs, which left judges with no option but to commit the juvenile offender to a state facility. It was reported that 25% of the juveniles who were placed in secure residential facilities were adjudicated for low-level offenses, which included misdemeanors and status offenses. Juveniles who were released from these facilities saw a recidivism rate of 65% (The PEW Charitable Trusts, 2013).

Georgia's Juvenile Justice Reinvestment and Incentive (JJRI) grant program was created and implemented in 2013. The program was designed to reduce juvenile felony commitments to DJJ and short-term program sentences using evidence-based programs. The two types of programs used were diversion and aftercare/re-entry. These programs were used to foster a positive relationship with the youth, their family, and their community as well as reduce recidivism. Two primary goals were identified for the program:

1. To increase public safety through an effective juvenile justice system.
2. To demonstrate potential cost-savings for taxpayers through the use of evidence-based options. (Carl Vinson Institute of Government, 2014)

According to the Carl Vinson Institute of Government (CVIG) (2014), DJJ, along with the Juvenile Justice Reform Funding Committee, contracted CVIG at the University of Georgia (UGA) to assist the committee with implementing the grant evaluation plan and serve as the evaluator of the JJRI grant program. The Institute of Government's Survey Research and Evaluation Unit put together a mixed-methods approach used to evaluate the program. The unit collected quantitative and qualitative data to understand better the program outputs, grantee processes, and local and state outcome data. Collecting the qualitative and quantitative data associated with their topic choice allowed for substantial evidence to be provided in support of their research. The quantitative data that was used was the juvenile justice budget and the number of juvenile offenders in secure juvenile facilities in Georgia. This quantitative data was directly connected due to the number of juveniles in secure facilities, which affected the amount of money used in the DJJ budget. These numbers showed that the more juveniles placed in secure facilities meant more of the budget was used for detention rather than for other programs

that were available as a diversion to detention. The qualitative data came from working with community-based providers and other local agencies to learn more about the evidence-based programs that they had to offer that were deemed adequate and promising in reducing criminal behavior in juveniles.

CVIG (2014) used existing data systems like Georgia's Juvenile Justice Data Clearinghouse, and DJJ's Juvenile Tracking System (JTS) were used to gather data for research and evaluation. The data evaluation design has three key features (1) descriptive data to examine structural and programmatic variations among funded Georgia Counties, (2) broad-spectrum site-level monitoring to review adherence to an evidence-based program model, and (3) outcome comparisons among funded Georgia counties to assess the impact of the grant program on targeted outcome statistics and commitment and/or recidivism rates across the state.

Based on the findings that CVIG (2014) conducted, nearly two-thirds of the budget for DJJ was used to operate out of home facilities for juvenile offenders, and the recidivism rate was still high, the recommendation was made to reinvest the juvenile justice dollars. One of the recommendations from this study was to divert youth from those detention centers and out of placement homes to evidence-based community programs that have been proven to reduce recidivism as well as protect the community. Ten essential evidence-based programs (EBPs) with two distinct delivery mechanisms: individual or family-based therapy and group-based therapy, were put into place. These EBPs were deemed effective and promising by [crimesolutions.gov](http://crimesolutions.gov), an evidence-based registry sponsored by the National Institute of Justice, Office of Justice Programs (CVIG, 2014). Some of the programs included Connections Wraparound, Functional Family Therapy, and Botvin Lifeskills Training.

In 2013, the Georgia Criminal Justice Coordinating Council provided grants to 29 juvenile courts in 29 counties, all of which were home to seventy percent of Georgia's youth deemed at-risk. From this JJRI grant program there were six goals that were looked to be achieved

1. Reduce felony commitments to DJJ and STP sentences in each target jurisdiction.
2. Increase the use of evidence-based practices and programs in Georgia's juvenile justice system.
3. Reduce the recidivism rate of youth involved with Georgia's juvenile justice system.
4. Reduce the annual secure detention rate of each target county.
5. Reduce the annual secure confinement rate of each target county.
6. Demonstrate a cost-savings to citizens of Georgia through the provision of research-informed services to youth in the juvenile justice system. (CVIG, 2014, p. 5)

Based upon the findings of the study conducted by CVIG (2014), from October 2013 through June 2014, grantee courts exceeded the fifteen percent grant goal. The number of out of home placements was reduced by 1,614, which was a sixty-two percent reduction in STPs and felony convictions. Fifty-seven percent of juvenile offenders participated in some form of therapy as well. According to the Georgia Department of Community Supervision (2015), 1,122 juvenile offenders who were at risk of being placed out of their homes were now being served in their communities through evidence-based programs. The number of youths who were awaiting placement also reduced forty-two percent since July 2013. These changes led to a reduction in overcrowding of youth detention centers, which improved safety and ensured that the youth who were detained were receiving the education and treatment that they needed before being released.

According to the Department of Community Supervision (2016), the Council focused on the referral systems that feed the juvenile justice system. It was determined through research that juvenile offenders outgrow their delinquent and criminal behavior when they are fully involved in school and hold a job, which provides them with responsibilities to occupy their time. Although being fully involved in school helps to reduce the delinquent and criminal behavior, schools are one of the largest referrals for delinquency complaints filed in the courts. To address this issue, the Council viewed proposals that would promote non-exclusionary responses to delinquent behavior experienced in schools. Some of the recommendations included mandating the use of educational approaches to address student's problematic behavior and improving the fairness of school disciplinary proceedings. What the findings did not report was exactly what programs would be successful in those areas identified as having a high number of at-risk youths. No other pilot programs were tested to go along with the mandated use of certain approaches.

The Council also found that there was an alarming amount of youth thirteen years and younger who were being housed in secure detention facilities. According to the Department of Community Supervision (2016), since 2011, DJJ has reported 772 total detentions of juvenile offenders thirteen and younger. And 675 of those detentions have been since 2014. 54% percent of those juveniles were charged with felony offenses, but the other 46% were being held on misdemeanors, technical violations, and status changes. This trend was problematic because the earlier that a juvenile is involved in the juvenile justice system, it holds the possibility of adverse outcomes such as a high recidivism rate and future involvement with the adult correctional system (Justice Policy Institute, 2009, p. 4). To combat this issue, it was recommended by the courts that youth who were thirteen and younger would not be detained unless for the most

serious offense. The most serious crimes have been outlined in State Bill 440, which was enacted in 1994. Those offenses are murder, armed robbery with a firearm, rape, voluntary manslaughter, aggravated sexual battery, aggravated sodomy, and aggravated child molestation. The SB 440 law granted adult court jurisdictions of juveniles, aged thirteen to seventeen, who were involved in a case and facing any of these serious offenses.

Governor Deal wanted to strengthen the efforts of the reform to the juvenile justice system. In 2015, he created a committee to improve the delivery of juvenile justice services. According to the Georgia Department of Community Supervision (2017), the Juvenile Detention Alternatives Initiative (JDAI) was adopted as the operational philosophy for the justice system in Georgia. The JDAI was launched 25 years ago by the Annie R. Casey Foundation with the purpose of helping jurisdictions to reduce reliance on secure detention, all while ensuring public safety. The initiative aims to provide better outcomes for youth by:

- Eliminating the inappropriate or unnecessary use of secure detention;
- Minimizing re-arrest and failure to appear rates pending adjudication;
- Ensuring appropriate conditions of confinement in secure facilities;
- Redirecting public finances to sustain successful reforms; and
- Reducing racial, ethnic, and gender disparities (Georgia Department of Community Supervision, 2017).

There are three stages that the JDAI operates in. The first stage is the readiness assessment that helps by providing feedback on the background, purpose, achievements, and the eight core strategies of the JDAI. The second stage is a system assessment conducted by representatives that help to interview stakeholders. This allows for a full analysis, data capture,

and understanding of how the system operates, and the final step is to roll out the JDAI in that jurisdiction.

With all the efforts that HB242 put into place, there still seems to be a problem that is not being addressed. According to Judd (2019a), the juvenile justice system lacked a coordinated effort to confront the underlying issues that Georgia teens experienced and lead to their committal of crimes. Some of the problems identified were extreme poverty, untreated mental illness, the allure of street gangs, and the pervasiveness of guns. This made the juveniles more significant threats because they were continually cycling through arrests, court appearances, and detention. When comparing juvenile crime data, juveniles are committing about the same amount of crimes as they were twenty-five years ago.

### **Fulton County, Georgia**

After the Juvenile Justice Reform Act of 2013, there was a push for more community-based programs available for at-risk youth. In April of 2015, Fulton County Juvenile Court released its *Program Services Resource Guide* that provided a list of all the services that were offered. The programs that were highlighted and listed on their website were Citizen Review Panel, Community Restorative Boards, Family Dependency Treatment Court, Juvenile Drug Court, The Learning Club, The Mediation Program, and the S.M.A.R.T. Moves Chess and Mentoring Program. Although these are great programs to have in place, the issue is that many of them are only for juvenile offenders convicted of a misdemeanor and nonviolent crimes. There were no community-based programs that were geared towards juvenile offenders who had committed more serious crimes.

The Citizen Review Panel used volunteers to conduct legally mandated reviews of the status and welfare of juveniles placed in the legal custody of the Fulton County Department of Family and Children Services by the Juvenile Court. The purpose of these reviews was to ensure that the effort was being made to reunify the families with their children and was also to determine the permanency of the child. These volunteers meet periodically to review the family case plans to ensure that they fit the needs of the children and families involved.

The Community Restorative Board advocated for first-time, non-violent offenders to be diverted from the formal court process. These volunteers sit on seven boards and service five Atlanta neighborhoods, as well as North and South Fulton County. The volunteers of these boards meet with the juveniles and their families to discuss the crime and its sanctions that they are facing. These sanctions are used to hold the juvenile offender accountable for their actions and range from writing an apology letter, community service, restitution, counseling, etc. If the juvenile can complete the assigned sanctions and does not reoffend, their case will be dismissed, and their juvenile record will be sealed.

Family Dependency Court, which is also referred to as Family Drug Court, is a joint effort by the Fulton County Juvenile Court and other partners used as an alternative to dependency cases and is voluntary. The Family Drug Court utilizes an intervention model that has components that have been combined and have been proven to increase the reunification and preservation of families. This is used to determine and help combat the underlying causes of substance abuse by the parents. Participants are required to frequent the court and are subject to intensive supervision while enrolled in the program. A highly structured is used to treat the parents and their substance addiction, and lead them on a pathway to sobriety, improve the

family's quality of life, and job training. This program solely addresses the parents whose actions are adversely affecting their children, which had caused them to be involved in the juvenile courts and justice system.

Juvenile Drug Court, also known as Choices, focuses on youth who had substance abuse and alcohol usage. It is an accountability and intervention program that helps to reduce the number of youths in detention facilities for violations of their conceptions of probation or supervision. Choices focus on intensive substance abuse treatment, intensive probation services, frequent court appearances, random drug testing, mentoring, and therapy. The participants that are eligible to participate must be Fulton County residents and between the ages of fourteen and seventeen and have a substance abuse problem and on probation. According to Fulton County Juvenile Court (2015), the mission of the program is to reduce substance abuse and recidivism of participants through individual, family, and group interventions and treatment. We strive to empower participants to make better choices by encouraging family and community support.

The Learning Club is for juveniles ages eleven to seventeen that have been convicted of misdemeanor crimes. This program is used as an alternative to being placed in a juvenile detention facility. It has mandatory requirements to meet every Saturday from 12:00 p.m. to 3:00 p.m. Youth involved in this program have access to mentors, intelligent discussions, cultural activities and provide the youth with exposure to college and career opportunities. Often these youth are deemed at-risk because they have faced barriers in their learning process, and this program is geared towards providing them with more exposure and the necessary resources that they lack at home.

The Mediation Program serves as an alternative to sending juvenile offenders through the court process. It is used to divert those cases that would be more appropriately handled by collaborating with those involved. “Mediation fosters an environment where the child is directly accountable for his or her actions, addresses the victim’s needs, and models conflict resolution techniques for children and their families. Mediation allows the parties to meet in a private setting where a neutral person, the mediator, helps them to work out a solution to their problem” (Fulton County Juvenile Court, 2015).

S.M.A.R.T. Moves Chess Mentoring Program, which provides mentors, activities, and services geared toward helping young men prepare for manhood and its challenges. S.M.A.R.T. stands for Science, Math, Arts, Reading, and Technology. Those involved in the program as volunteers are sheriff’s deputies, attorneys, college students, and parents, and they all help to provide homework help and tutoring. These juveniles are taught to use their thoughts and strategies to solve their problems and challenges as if they are playing chess.

Based on the researcher’s findings, there is no literature provided to support how effective these community-based programs are or have been since being in place in Fulton County. As of July 1, 2019, Fulton County has a population of 1.06 million people, with 21.8 % being under 18 years old (United States Census Bureau, 2019). Seven programs available to service that number of people does not appear to be enough to help reduce and combat juvenile crime and recidivism.

A program that Fulton County Juvenile Court relies on heavily is CHINS, Child in Need of Services. Under Georgia law, as described in the Official Code of Georgia Annotated (O.C.G.A.) 15-11-2(11), a child in need of services means that child who is in need of care,

guidance, counseling, structure, supervision, treatment, rehabilitation, and has to meet one of the following criteria:

- Habitually truant from school
- Habitually disobedient of the reasonable commands of his or her parent/guardian/legal custodian
- Runaway
- Committed an offense applicable only to a child
- Wanders or loiters about the streets, highway, or any public place, between the hours of 12:00 A.M and 5:00 A.M., Disobeys the terms of supervision contained in a court order which has been directed to such child, who has been adjudicated a CHINS
- Patronized any bar where alcoholic beverages are being sold, unaccompanied by his or her parent, parent/guardian/legal custodian, or who possesses alcoholic beverages
- Committed a delinquent act and is in need of supervision but not in need of treatment or rehabilitation (Justia US Law, 2018).

When an officer encounters a child, who is deemed or suspected of CHINS, the child may be taken into custody but not for more than twelve hours. Within those twelve hours, the child should be released to their parents, taken to a shelter for CHINS, brought before a juvenile court, or have been brought for a detention decision review before Juvenile Intake Officer. If the child is to be detained, the child should not be held in a cell separately from other children unless they are causing a disturbance (GCJCC, 2019).

Fulton County appears to have quite a few community-based programs that are geared towards combating juvenile crime and recidivism. But the downside is that there has not been

any research conducted to see how effective these programs are at reducing juvenile crime and recidivism rates. Another essential factor that should be addressed and valued is the opinion of the stakeholder on these programs. And by stakeholder, it is referring to the citizens who reside within Fulton County. These citizens are the ones that the juvenile crime and recidivism rate affect the most because they are victims of this crime, and they are also the parents to the juvenile offenders. A thorough examination of the success rates of these programs, along with the opinion and thoughts of the citizens, can provide much-needed results on the effectiveness of these programs. And if the results are ineffective, it can help to develop strategies to bring about the necessary and correct changes so that the programs can be operating at their fullest potential and reducing juvenile crime and recidivism.

### **Reform**

Significant reform in juvenile crime regulation has begun after a distinctly punitive era. Interest in both crime reduction and research on the prediction and malleability of criminal behavior has fueled a sense of urgency to spearhead reform. High-risk juveniles are the individuals that need to receive intensive treatment to maximize crime reduction. Mitigation principles and institutional placement or criminal court proceedings can prevent these juveniles from receiving interventions that would best protect public safety (Skeem, Scott, & Mulvey, 2014).

The juvenile justice system has two main concerns when a youth is involved in a juvenile offense: public safety, in terms of an action having taken place against the state; and youth safety, in that continued delinquent behavior is not in the youth's best interest (Driessen, 2011). A juvenile becoming involved in the justice system signals that there is a problem, and

intervention is needed. The United States had progressively worked towards providing troubled juveniles with a meaningful chance at rehabilitation and reintegration through the creation of juvenile courts and limited, special program options as an alternative to incarceration (Picart, 2018). The courts have emphasized that juveniles who have committed heinous crimes at a young age are more susceptible to negative influences, have an underdeveloped sense of responsibility, and their character is not well-formed. Many states are reducing the number of juveniles that they send to secure residential facilities, which is considered a step forward in reforming the juvenile justice system. The popularity of deinstitutionalizing juveniles from state-run corrections institutions and increasing programming and control of offenders at the local level are animating the landscape of criminal justice policy across the country (Cate, 2018).

Justice systems nationwide have begun to implement evidence-based treatment practices designed to determine the safest, most cost-effective ways to prevent a variety of offenders from reoffending (Teitelman & Linhares, 2013). With so many states that had highly punitive justice systems in place, these new evidence-based treatments, along with other discoveries, spearheaded the need for reform to the justice systems, especially the juvenile justice system. Successfully implementing a long-term system-wide movement towards evidence-based programs is perhaps one of the most significant reforms that a state or local jurisdiction can take on and also one of the most challenging (Phillippi, Cocozza, & DePrato, 2013).

Juvenile justice practitioners and policymakers in jurisdictions across the United States have increasingly reviewed how low-risk juvenile offenders in the justice system led to further system involvement (Ehrhard-Dietzel, Barton, & Hickey, 2017). Reform initiatives represent a return to the principles on which the American juvenile justice system was founded. The goal of

the juvenile court remained consistent, and the rise of juvenile arrest rates was associated with punitive attitudes, and the enactment of harsher penalties.

The decline of juvenile involvement in violent crimes was associated with a shift back to rehabilitative practices (Ehrhard-Dietzel et al., 2017). To ensure that the juveniles were being adequately rehabilitated, the incorporation of screening and assessment processes upon the initial arrest of juveniles and expanded the availability and coordination of resources available. When efficient and effective screening and assessments are used during the earliest contact with the juvenile justice system is key to identifying the level of risk of youth offenders present and responding with an appropriate intervention that matches the risk.

Ehrhard-Dietzel et al. (2017) conducted a study to describe the successes and challenges that were experienced while implementing the JJMRT initiative in Albany, New York. This was a collaborative effort between local law enforcement, probation, and three local non-profit community agencies that had the goal of identifying the needs and risks of youth at the time of their arrests. This was done to ensure that their needs were being met. Qualitative and Quantitative data collection methods were both used in this study. Interviews were conducted with members of each organization involved in the JJMRT initiative for qualitative data. And the quantitative data was collected from the JJMRT intake forms and went through a descriptive analysis process. The findings of the study suggested that this initiative had a limited impact on how the juvenile justice system responded to youth at the time of their arrests. But it did show that it was successful in bringing increased awareness to the perspectives and duties of each of the agencies involved in the local juvenile justice system.

## Competency

Over the past decade, there has been an increase in the number of juveniles who have been moved to the adult criminal justice system. According to Mayzer, Bradley, Rusinko, and Ertlet (2009), the best available estimate suggests around 200,000 cases annually. Approximately 60,000 competency evaluations to stand trial are requested by the courts each year, making it the most frequently requested type of mental health evaluation (Ryba, Cooper, & Zapf, 2008). With this amount of juvenile cases being transferred each year, it raises the question about juvenile competency to participate in the trial process in an adult setting. According to Merriam-Webster (n.d.), competency is defined as the possession of sufficient knowledge or skill, legal authority ability, admissibility. In 1960 *Dusky v. United States*, declared that to be considered competent to stand trial in a criminal court, a defendant must be capable of understanding the charges against them, be able to consult with their attorney, and understand and participate in legal proceedings (Mayzer et al., 2009). This same criterion applies to juveniles, but their developmental immaturity becomes a complicating factor.

For a juvenile to be deemed incompetent, there must be some form of evaluation performed. The American Academy of Psychiatry and Law (AAPL) has provided recommendations for practice guidelines concerning evaluations for adjudicative competence. Even with these guidelines, competency assessments vary widely across different mental health professionals. With the varying methods used, the evaluators look for similar characteristics such as current mental status, understanding of charges, understanding of trial procedures, ability to utilize attorney services, emotional immaturity, and self-control (Mayzer et al., 2009).

There is very little research on the competency-related abilities of juveniles in comparison to adult competency research. The researcher critically analyzed the research that was most relevant and discovered that there was only one that had established a guideline for adequate court evaluations. The literature used was Mayzer et al. (2009), Christy et al. (2004), and Ryba et al. (2003).

Three guidelines have been established for determining if an evaluation prepared for the court is adequate:

- “First, the statute under which an evaluation is performed may require the examiner to address specific issues in their report. Failure to address these issues mandated by statute means a report is deficient.
- Second, although no professional psychological organizations have developed practice standards or guidelines for competent evaluations, commentators of forensic practice agree that certain elements presumptively should be available in any forensic report.
- Third, general principles for clinical assessments are relevant. Particularly when mental disorder or impairment is relevant (as in competency evaluations), clinical practice guidelines suggest that mental status examinations covering areas of appearance, mood, affect, insight, memory, orientation, thought content, speech, concentration, and related issues be carried out”. (Christy et al., 2004, p.382)

With the conception of juvenile court focusing on rehabilitative methods for juvenile offenders, consultations have been welcomed from mental health professionals to aid in developing and implementing the treatment needs of children appearing before the court. Many

youths who enter the juvenile justice system today have a significant mental disorder, which makes the importance of the psychologist role even greater (Christy et al., 2004). Ryba, Cooper, and Zapf (2008) conducted research to survey Psychologists who specialized in juvenile forensic evaluations to explore the methods currently used to assess maturity in juvenile competency evaluations. Many practitioners agree that several factors make juvenile competence evaluations differ from those of adults. Those factors are:

1. Whether the juvenile offender will be tried in adult criminal court or in juvenile court is a fundamental issue that bears upon the level of functioning required for competent participation in the trial.
  2. There is a great deal of variation in the way *Dusky* standard is applied within the different juvenile court jurisdictions, and there is concern regarding the overall applicability of this standard to juvenile competency to stand trial.
  3. Questions have arisen regarding the role that the attorney, the parents of the child, or a court-appointed advocate might play in assisting the youthful offender during the trial process.
  4. A number of issues, such as amenability to treatment, home environment, and dispositional options, may also be factored in juvenile competency evaluations.
  5. When evaluating a youthful offender, it is clear that maturity level plays a role in whether or not the youth possesses the abilities required to stand trial competently.
- (Ryba et al., 2008)

The research conducted by Ryba et al. (2008) found that there is no standard in place to evaluate the competency levels of juvenile offenders. The general responses to their completed

surveys were that practitioners used interviews, testing, behavioral observation, and record review as a means of the general assessment. The strength of this study was that the researchers were able to gather a total of 68 qualitative responses to their survey from mental health practitioners who work with competency and juvenile offenders. The weakness of this study is that their open-ended question concerning assessment techniques left it possible that other evaluation and assessment techniques may have been used but overlooked. Another drawback is that this study revealed that there is no real standard used across the board to evaluate a juvenile offender's competency. With no standard in place and a lack of research done on competency and juvenile offenders, there is no sure way to determine the actual competency of a juvenile offender. This opens the door for incorrect competency assessments and determinations for juvenile offenders.

There is little guidance offered by case law or major court decisions regarding the weight that the maturity level of the offender has in considering competency. There has only been one case that has recognized juvenile incompetence due to developmental immaturity. In 1978, *In re Causey* the decision was made regarding a juvenile having the right to pleading not guilty by reason of insanity and the right to a hearing to determine his mental capacity to assist in defense (Justia US Law, 1978).

According to the Department of Community Supervision (2017), when a child is deemed incompetent to stand trial in Georgia, they are released from DJJ custody within five days and are typically issued a treatment plan. However, these plans are voluntary and would be completed by the youth and their families on an outpatient status. An issue associated with incompetency in Georgia is that many youths are found delinquent and released repeatedly due

to a lack of treatment resources. A prime example is the McDaniel brothers of Atlanta, Georgia. The McDaniel brothers, Charlie and Isaac, had over one hundred interactions with law enforcement and were repeatedly released due to being deemed incompetent to stand trial. The McDaniel brothers were finally involved in a homicide of a man outside of an Atlanta gas station who had confronted the pair about terrorizing the neighborhood. Because of the incompetent ruling and the unaddressed criminal behavior that the pair were continuously involved in, this has sparked dialogue and criticism from other professionals and the community.

Christy et al. (2004) believed that there is a small number of youths who have been deemed incompetent to stand trial and still pose a significant safety risk. The council has recommended ensuring that Juvenile Court judges can temporarily detain the youth and involve the Department of Behavioral Health and Developmental Disabilities to help prepare a long-term treatment model to be followed for those youth. And since there is a lack of research concerning juvenile competence, this warrants further attention from researchers and clinicians who are involved in evaluating a juvenile's competence.

Kivisto (2011) conducted research concerning juvenile competence to stand trial. He believed that age, intellectual ability, psychiatric symptomology, and maturity is directly related to an adolescent's competence. Kivisto used a secondary sample from the MacArthur Adjudicative Competence Study that took a selection of 927 male and female adolescents ages 11-17 years old who were housed in eleven juvenile detention facilities and their surrounding communities. According to Kivisto (2011), the finding of his research suggests that intellectual ability plays an essential role in juveniles' adjudicative competence and can serve as a protective factor against some aspects of immaturity. The study also indicates that those juveniles who have

been found to have deficient intellectual abilities should be automatically referred to evaluations of adjudicative competence.

Although Kivisto (2011) research findings were relevant to the gap in the literature identified in the current research study, their research was a secondary sample collected that the MacArthur Juvenile Adjudicative Competence Study that recruited male and female housed in detention centers in various cities across the United States. The research conducted was not new and followed the methods and works of another researcher. Kivisto took the works of another researcher and performed additional testing on the previously collected data and results. A secondary testing method was created and to test the data against Kivisto's multiple hypotheses. The strength of this research was that there was already a completed study in place that provided a solid foundation to expand upon. The weakness of this research is that the data collected was not recent; it was over seven years old at the time. The literature reviewed and studies conducted should use the most current and relevant data available.

There is a struggle to balance the court's rehabilitative goal and maintain legitimacy as a formal legal organization. This is exemplified when the adoption of competency to stand trial laws and policies from criminal courts are added for youth in juvenile courts (Harvey, 2011). It could be argued that competency does not belong in juvenile court because the offender is adjudicated rather than convicted. Adjudicated is a formal legal process where a judge or arbitrator reviews the evidence and decides in a legal manner, and typically focus on non-violent infractions. It should also be noted that juveniles do not have the same constitutional rights as adults, and the ideology of *parens patriae*, or the rehabilitative philosophy for the juvenile court is presumed that juveniles are incompetent.

## Recidivism

Recidivism is defined as a tendency to relapse into a previous condition or mode of behavior *especially* relapse into criminal behavior (Recidivism, n.d.). Many factors can affect the recidivism rate, such as influences of the neighborhood context, parenting behavior, length of probation, and parole. Recidivism among juveniles and young adults who are released from a correctional facility and re-enter society is high. The United States has a recidivism rate of approximately fifty-five percent within a one-year follow-up period (James, Stams, Asscher, De Roo, & van der Laan, 2013). The recidivism and reincarceration rates are primarily attributed to individual and family factors, or to program impact (Grunwald, Lockwood, Harris, & Mennis, 2010). The few studies that have tracked longer-term recidivism outcomes have reported between seventy-five and ninety percent of incarcerated juveniles are subsequently arrested as adults (Abrams, Terry, & Franke, 2011).

There have been several explanations about recidivism that have been discovered:

- It is difficult for most people to change their lives of crime and become productive citizens.
- The challenge of changing life is even more significant for juveniles and young adults, as they are facing both the transition from their detention facility to the broader community, and simultaneously, the transition from adolescence to adulthood (James et al., 2013, p. 264).

Detention and incarceration for juvenile and young adults can be rather shocking. After all, they are facing disruption in their life because they are removed from their families, schools, and communities. And that familiar support system that they are accustomed to is no longer readily

available while in detention as it was when they were in the free world. This can cause a hindrance to the necessary rehabilitation that the juvenile offender would need to turn their life around. And when a juvenile or young adult is placed in detention or incarcerated at a young age, they are still going through the developmental stages of their identity, morality, and social development.

In response to the rising violent juvenile offenses in the 1980s and 1990s, seventeen states created laws that provided stiffer penalties for juvenile offenders.

State legal reforms in juvenile justice, particularly those that deal with serious offenses, have stressed punitiveness, accountability, and a concern for public safety, rejecting traditional concerns for diversion and rehabilitation in favor of a get-tough approach to juvenile crime and punishment. (National Research Council and Institute of Medicine, 2001, p.155)

This led to the incarcerating of juvenile offenders as a control mechanism. While incarceration was used to remove those juveniles from the community and make it safer, nothing was being done to address the issues that led to the delinquency. Once those juvenile offenders were released back into society, they returned to the same environment that influenced their delinquent behavior and returned to crime (Carney & Buttell, 2003). Prior studies have uncovered individual-level factors that would affect the likelihood that a juvenile will re-offend. The juveniles that have the highest risk to re-offend are those who have done so in the past. Other influences of recidivism are gender, race, substance abuse, early childhood misbehavior, current age, criminal history, prior out of home placement, peer relations, mental health problems, and family problems (Grunwald et al., 2010). The literature has suggested that the more risk factors a

juvenile experience and an earlier age of delinquent behavior leads to a poor prognosis for the juvenile's future (Dembo, Walters, Wareham, Burgos, Schmeidler, Hoge, & Underwood, 2008). Youth with disabilities are significantly overrepresented in the juvenile justice system. Yet, they are generally less successful post-release in the domains of recidivism, school completion, and employment as compared to their non-disabled peers (Miller, Therrein, & Romig, 2019). The disabilities identified are emotional/behavioral disorders, learning disabilities, intellectual disabilities, and mental health disorders (Miller et al., 2019). While psychiatric disorders are common among juvenile delinquents, many mental health problems go undetected, increasing the likelihood of persistent difficulties (Zeola, Guina, & Nahhas, 2017).

Suggesting that “nothing works” to rehabilitate individuals incarcerated in prisons and jails, policymakers across the political spectrum saw high rates of recidivism as inevitable, and keeping people who committed crimes behind bars was seen as the best way to ensure public safety (Council of State Governments, 2014). With this revelation and research that has shown states have the ability to reduce incarceration rates, recidivism rates, and crime rates as a whole. The What Works Principle teaches that effective interventions should aim at the needs of the juvenile offenders, and treatment intensity should depend on the level of risk (Mulder, Brand, Bullens, & van Marle, 2019). If there is the ability to identify the risk factors to predict recidivism and its severity, then there would be the ability to target those factors during treatment. But because there is no definitive method to identify specific genetic risk factors that would apply as a whole to juvenile offenders, thus comes the need to understand that there are different pathways exist that lead towards serious juvenile crime. Each of those pathways has its characteristics, different types of offending, and a different prognosis for how the juvenile will

progress into adulthood. According to Mulder et al. (2019), the recidivism rate rates differ between subgroups of offenders, and research has provided evidence that there are lower rates for sexual recidivism than for nonsexual recidivism. Mulder et al. (2019) hypothesized that there were subgroups of juvenile offenders, and within those subgroups, each had a pathway with its own characteristics.

Mulder et al. (2019) conducted research to identify subgroups of serious juvenile offenders based on their risk profiles from a data-driven approach. The sample was comprised of the top five percent of the most serious juvenile offenders in the Netherlands. Of that sample, a portion that had been released for at least two years was included to conduct an analysis on recidivism and the prediction of recidivism. The study only included male juveniles between the ages of 12 to 23 who were sentenced to placement in a secured detention facility between 1995 and 2004. Mulder et al. (2019) were able to group the offenders into subgroups that helped to identify what type of treatment that would be necessary for them to overcome their issues and hopefully avoid further interaction with the justice system. Within the subgroups, the prediction for recidivism was created and vetted. It was determined that juvenile offenders who had been convicted of sexual offenses had the lowest recidivism rate. A weakness of this research is that the focus was only placed on male offenders rather than including female offenders. No explanation was given as to why female juvenile offenders were excluded from the study, which helps to nominate this as a weakness. Another weakness was that there was no mention of which of the subgroups had the highest recidivism rate. A strength of this research is that it was approved by the Medical Ethical Commission of Erasmus University Medical Center in

Rotterdam, the Netherlands. This allowed for any ethical issues to be potentially avoided and a solution provided if a problem were to arise.

Grunwald et al. (2010) stated that relatively little attention had been given to the environmental factors that increase or decrease the likelihood of recidivism. It is believed that neighborhood context is fundamental to our understanding of why individuals offend and re-offend. This study is relatively new and has limited information and even less information as it pertains to juvenile offenders. Some of the same environmental factors have been identified and used, such as living below the poverty line, unemployed, on welfare, and yearly income as environmental factors that can affect recidivism. From research conducted, it appears that neighborhood crime rates, when considering the environmental factors, were highly correlated (Grunwald et al., 2010).

Grunwald et al. (2010) study examined the effects of neighborhood context on juvenile recidivism to determine if the neighborhoods influence the likelihood of recidivism. The data for this study was collected from the Program Development and Evaluation System (ProDES) database, which houses population information for all juveniles committed by the Philadelphia Family Court to a community or residential program. The use of ProDES to gather data is considered a strength because this data is created and maintained by a government entity and was able to provide more in-depth information concerning the juvenile offenders than an independent method of data collection created by the researchers. The period was between 1994 and 2004 for the data collected. This aspect would be considered a weakness due to the ideology of having references and studies that were done within the past five years. The data in ProDES was organized by each experience the juvenile had with a program and the outcome. The residential

programs were excluded from this research to test the impact of neighborhood-level attributes.

But periods of when neighborhoods could directly affect recidivism were included. Based on the results of this study, it was determined that the neighborhood factors influenced drug offense recidivism, but not violent offenses and property offenses.

Since high recidivism rates threaten public safety, critical criminal justice reforms concerning how juveniles fare post-release have been put into place. This has led to an interest in reentry and aftercare programs for juvenile offenders. These programs have been developed to improve the chances of successful reintegration. Research has shown that lower recidivism rates and positive adjustment to the community are achieved when the transition from correctional facilities to the community is directed and supervised. Research suggests that if youth can stay out of trouble the first few months following release, their chances of maintaining work, reaching their academic goals, and developing independent lifestyles increases. The reentry intervention should start when the youth is first incarcerated, and not as they are leaving, to promote a successful community reintegration and reduce recidivism (James et al., 2013).

James et al. (2013) conducted research that examined the effects of aftercare programs on recidivism in juvenile and young adult offenders who were released from correctional institutions. The control group received care as usual or no treatment. And recidivism was measured by rearrests and reconvictions that were based on official reports. There has been a substantial number of studies that have focused on the effectiveness of aftercare and re-entry programs for juvenile offenders. This would be considered a strength because it provides a foundation for researchers to expand. The current study aimed to provide insight into the effectiveness of the re-entry and aftercare that focuses on reducing recidivism and what

components were related to a positive outcome. The sample size was relatively small, 22 independent studies, and yielded a result of a small and positive effect on recidivism. This would be considered a weakness because the sample size is minimal and potentially did not provide an accurate depiction of the actual results of the study had a larger population been used. The overall outcome was that aftercare programs are most successful when they are well implemented and consists of individual treatment rather than group treatment and aimed at older and high-risk youth.

### **Rehabilitation versus Incarceration: What Works?**

There has been a debate on what works for juvenile offenders, rehabilitation, or incarceration. In the late 1980s and early 1990s, there was a push to become more punitive in response to juvenile crime. According to Piquero and Steinburg (2008), punitive responses to juvenile are far more expensive and often less effective than less harsh alternatives. In any given year in the United States, approximately 1.7 million juvenile court cases will be heard, with almost 600,000 being adjudicated as delinquent (Evans-Chase & Zhou, 2014).

Piquero and Steinburg (2008) researched to determine the public preferences for rehabilitation versus incarceration of juvenile offenders and their willingness to pay. The data was collected through telephone interviews of a random sample population of 500 households from Illinois, Pennsylvania, Washington, and Louisiana. A weakness of this study is that it is unclear how the sample population was generated. A strength with this study is that the researchers followed a script of what was said as an introduction, each question asked, and a closing. Another weakness identified is that there were 500 households contacted, and each response had to be appropriately documented for every person that was willing to participate. By

having to handwrite the answers of each participant, there is the potential for information to be lost or misunderstood. The respondents were asked questions from either the rehabilitation scenario or the incarceration scenario but never question about both. The results were that the public supported paying for the cost of rehabilitation.

Evans-Chase and Zhou (2014) conducted research on juvenile justice intervention studies that were conducted in the United States between 1996 and 2009. The research focused on what the literature could and could not tell the audience about what works with delinquent youth. The method used was the creation of a comprehensive list of articles to be used in the review. Thirty-two databases were searched using three basic search terms. A weakness of this study was that the search terms were not provided; the reader was only supplied with a broad sense of explanation such as population, law enforcement, and program intervention terms rather than specific words. The articles identified in the search were screened through a predetermined protocol, which provided five inclusion criteria to ensure that they fit the purpose of the review. This was a strength because there were specific guidelines in place to evaluate each article. 141 articles were identified through the selection process and were deemed as content-relevant studies. Each researcher was given seventy articles to analyze for their portion of the study thoroughly. The results showed that only twenty-one of the 141 studies were deemed high quality and were used in the review. This is a strength because the researchers ensured that the highest quality research was used as their basis and literature for their study. Five of the high-quality studies provided evidence to support the effectiveness of therapeutic approaches that include youth empowerment and/or strengths-based perspective, the provision of multiple services, and/or a focus on increasing skills or knowledge in various contexts of the youths' lives

(Evans-Chase & Zhou, 2014). Although there were an extensive selection and vetting process in place, the results that were gained were well worth it.

According to Evans-Chase and Zhou (2014), after adjudication, 56% of youth are sentenced to community supervision via probation, 25% are sentenced to either residential placement (treatment centers, training centers, drug treatment, group homes, or boot camps), and 19% are sentenced to community-based sanctions (victim restitution or community service). Despite the different interventions in place, nearly 56% of adjudicated youth who were sanctioned in the community will appear back in juvenile court before their eighteenth birthday, and 85% who were placed in residential treatment will have multiple contacts with the juvenile court as well. These interventions are in place to reduce juvenile crime and recidivism. However, there is nothing in place to determine why the youth are still having a high rate of contact with the juvenile justice system after sentencing. It is believed that recidivism can be reduced by introducing evidence-based practices, which are practices that are shown to minimize measurable indicators of recidivism such as arrest, court referral, re-adjudication, reincarceration, or self-reported delinquency (Evans-Chase & Zhou, 2014). To create and implement evidence-based programs, those programs must be identified, evaluated, and the evidence summarized that supports existing juvenile justice programs and interventions to show that they have the highest likelihood of reducing juvenile recidivism rates. The study conducted by Evans-Chase and Zhou did just that; it provided sound evidence to support what programs have been deemed as effective at reducing recidivism.

Nagin, Piquero, Scott, and Steinburg (2006) researched to find out the public's preference for rehabilitation versus incarceration of juvenile offenders. The researchers stated that

accurately gauging the public's support for alternative responses to juvenile offending is essential because policymakers often justify expenditures for punitive juvenile justice reforms based on popular demand for stricter policies (Nagin et al., 2006). The research conducted focused on the public's support for both punitively and nonpunitive oriented juvenile justice policies by assessing the respondents' willingness to pay for various policy proposals. The method for data collection was telephone interviews for a random sample of Pennsylvania households. The sample was generated from a random digit dial conducted with an original sample of 7,570 telephone numbers. This is considered a strength because there is an explanation of how the random sample is created; other studies have not provided this information. There was a predetermined script for the introduction to the caller. A survey was developed that would examine the respondent's willingness to for rehabilitation and incarceration of juvenile offenders. There is no mention of the number of questions and scenarios that the respondents were asked, which is a weakness. There is also no mention of how long each call took to complete the survey. The findings of the research suggested that the willingness to pay for policy proposals to be put in place showed the lawmakers how receptive the citizens would be to the policy proposals in place.

Comparing the cost-effectiveness of alternative crime prevention strategies requires decisions about the benefits or savings to be considered (Zagar, Grove, & Busch, 2013). Community-based interventions and programs should be geared towards those individuals who are in the small population group that commits crimes. By helping these individuals become taxpaying workers, you can not only improve their quality of life but also help to safeguard the community. If the number of offenses can be reduced and the cost associated with rehabilitating

those offenders, then they are best achieved by using treatments that have been shown work empirically over time.

In recent years there has been a shift from incarceration to the electronic monitoring of juvenile offenders. This method was deemed a cost-effective alternative to incarceration that allowed the youth to be home while furthering rehabilitative and deterrent goals (Weisburd, 2015). Given the responsibility of adolescent development, electronic monitoring may lead to more harm than good. This belief is because there is virtually no judicial oversight or scrutiny. There is simply no empirical evidence that electronic monitoring lowers incarceration rates, is cost saving in the long run, or furthers the goal of rehabilitating youth, which is the well-established purpose of the juvenile court system (Weisburd, 2015). There are several reasons that electronic monitoring is not sufficient, but the most important is that if the juvenile offender violates the rules once, they can be detained in a secure detention facility. In addition to detainment, the juvenile could be placed on a longer probation sentence requiring more time for electronic monitoring.

Courts and lawmakers have increasingly come to acknowledge that incarcerating young people is mostly ineffective as a deterrent and is harmful to the child (Weisburd, 2015). Coupled with the need to trim budgets, the interest has increased in finding cost-effective and proven effective alternatives to placing a juvenile offender in a secure detention facility. Alternative programs include community probation supervision, bail reform, electronic monitoring, and non-secure group homes. It should be understood that these types of programs are only exchanging one burden for another because they allow juvenile offenders to still reside in a less-restrictive

environment with virtually no consequences for their actions. The question of what works for juvenile offenders continues to be a debate in society today.

### **Community-Based Programs and Interventions**

Community-based intervention programs are created as an alternative to residential commitments for delinquent youth and determine why some youth escalate from community-sanctions to residential placements (Ryon, Early, Hand, & Chapman, 2013). From a policy perspective, the legislators and administrators are held to the expectation of spending public funds responsibly on things that are proven to work, especially when concerning juvenile offenders. There has been evidence presented that supports the programmatic shifts towards community-based options for juvenile offenders. These options were less expensive but equally effective as the programs that were previously in place. Evidence has shown that community-based had a more significant impact on recidivism than residential programs because they keep the youth in prosocial environments and achieve similar or better outcomes.

Abrams, Terry, and Franke (2011) stated that longitudinal studies have discovered that participation in community-based reentry services may reduce recidivism. However, few studies have examined the impact of juvenile reentry service provision under HB242 on recidivism outcomes. According to Parker and Upin (2016), research shows that evidence-based programs must be implemented as they were designed if they are to be effective. In some cases, if a program deviates from the original design, it can lead to an increase in recidivism. Georgia recognized the importance of community-based programs and selected five evidence-based programs to be used through its fiscal incentive grant program.

Intervention services, such as juvenile diversion programs, are needed to address existing problem behavior and prevent future problem behavior (Dembo et al., 2008). The purpose of diversion programs is to help prevent penetration into the juvenile justice system. When considering a diversion program, there must be some form of structured risk and needs assessment instrument being utilized. This assessment instrument will help to make an informed decision concerning the intensity of treatment and supervision and also provide insight into the possibility of future offending.

The Florida DJJ has embarked on a data-driven system reform which uses empirically validated and structured decision-making tools to ensure only the highest-risk offenders are recommended for placement in the juvenile residential facilities, but that is only after a community-based alternative has been exhausted (Baglivio, Wolff, Howell, Jackowski, & Greenwald, 2018). Connecticut was another state that shifted towards community-based interventions as well. This was based on the assumption that many juvenile offenders could be served effectively and efficiently in the community rather than in a residential treatment facility. This led to Connecticut Support Services and Division and Department of Children and Families to develop a joint Strategic Plan, which promoted an increased reliance on community-based supervision instead of residential commitment. It also highlighted the need for research on probation and residential placements, how juvenile progress through the system, and what factors impact client success after program completion (Ryon et al., 2013).

Although there have been recent downward trends in violent crime arrest rates, which is encouraging, violence remains a significant cause of morbidity and mortality for youth in the United States, and the consequences carry a substantial financial and societal (Limbos, Chan,

Warf, Schneir, Iverson, Shekelle, & Kipke, 2007). There have been multiple violence prevention programs that have been developed and implemented with various degrees of success.

Prevention programs have evolved over the past two decades and have shifted from a primary focus on drug and alcohol education to multimodal programs that utilize a variety of strategies. Some of the most successful intervention programs to this date have had focuses on social skills training, social support, and fun social alternatives to problem behaviors (Moody, Childs, & Seeples, 2003).

The Youth Empowerment and Support Program (YES-P) was developed to create effective community-based prevention programs for young people who are deemed at-risk. Using theoretical concepts that have been empirically tested and shown to be effective, a 20-week community-based intervention was developed and implemented to decrease drug use and increase school attachment for at-risk youth living in high-risk environments (Moody et al., 2003). The YES-P was developed by using concepts from the Resiliency Model and the Developmental Asset Framework. The Resiliency Model has two significant concepts; *resiliency*, which is defined as the ability to bounce back, recover, or form a successful adaptation in the face of adversity, and *protective factors*, which are the building blocks to such resiliency (Moody et al., 2003).

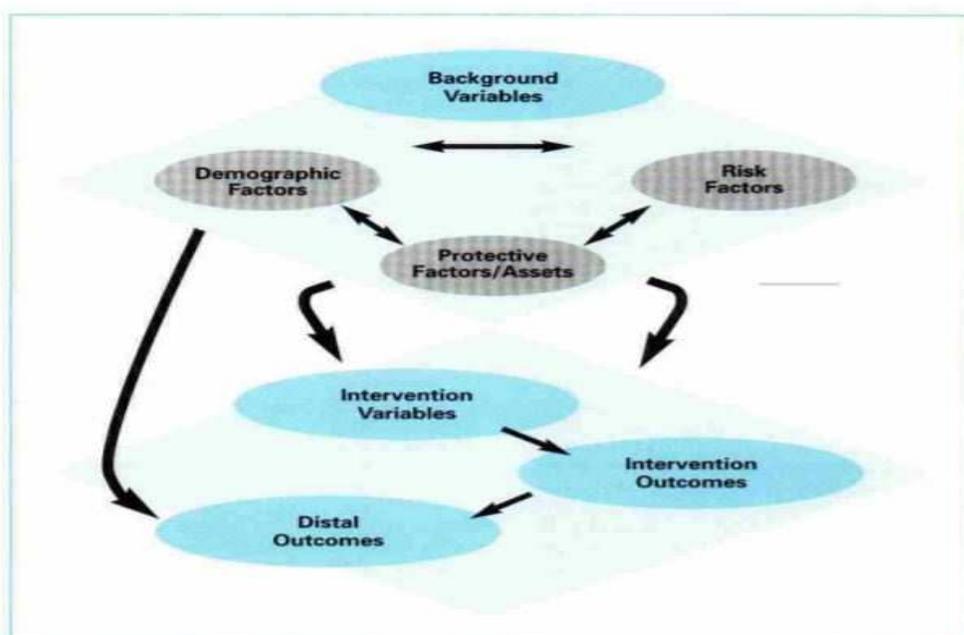


Figure 3. Theoretical illustration of the YES-P model.

The key background variables associated with YES-P are demographic characteristics, risk and protective factors, and developmental assets. These variables are present when the youth enters the YES-P, and they are a continual influence for the prevention interventions and the distal outcomes. The interventions include providing social support, building a positive peer culture through empowerment, and modeling of prosocial values, social skills, training, and supporting safe, fun activities for social opportunities and community service (Moody et al. 2003). YES-P has the understanding that the youth and their personal lives affect their ability to grow in a healthy way and creates interventions that can mediate the effects of high-risk environments on individual development.

YES-P was an afterschool program that met weekly for two-hour sessions for twenty weeks. In addition to these sessions, there were also four half-day community service events for the participants. Each participant was allowed to work through the therapeutic program with a

student nurse mentor who helped to implement the interventions in both the group and individual level. Most activities took place in the neighborhood of the participants, but field trips outside the community were also included. The field trips social activities such as skating, visiting a nursing clinical resource center to learn about health, visits to orchards and farms, and volunteering to feed the homeless (Moody et al., 2003).

The YES-P theoretical interventions focused on those critical areas that were determined to be successful at helping the youth to turn their lives around. Social support and caring are essential because it is providing consistent messages about caring and interests in the child's daily life. Growing a positive peer culture provides an intentional group process that has generated and followed ground rules for treating each other with respect, helping and supporting each other, and having fun together. Any deviant and unsupportive behaviors would be identified, addressed, and redirected. Delivering social skills training provided a three-stage teaching process that includes cognitive preparation, skills acquisition, and skills application or transfer. Each skill was supplied with an age-appropriate explanation and then taught the skill using creative approaches. Finally, the participants apply these skills in real life during a test period. And developing community service included supporting, teaching, guiding, assisting, and encouraging participants to identify ways that they could help the community and plan community service events. The one-year pilot program for YES-P was proven to be successful and saw an increase and/or positive decrease in every concept that was identified.

The approach that is currently being used by most stated is a method of matching offender characteristics to the types of commitment or community-based programs that are

proven to be effective at reducing those risks and the recidivism rate. It has been stated that community-based interventions are more successful at reducing juvenile recidivism.

### **Balanced and Restorative Justice System**

There has been a constant debate about how the juvenile court and its future should be run and whether retributive, punitive methods, or individual treatment models would work better. On September 30, 1992, a grant was awarded to Florida Atlantic University by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) along with a consortium of national juvenile justice experts to help expand the focus of the OJJDP's juvenile restitution training and technical assistance program (RESTTA). The grantee would implement the new project, the Balanced and Restorative Justice (BARJ) Project. This project developed model systems for community supervision of offenders based on the balanced approach mission and the restorative justice philosophy (Office of Juvenile Justice and Delinquency Prevention, n.d. (1). The principle of balance in connection with restorative justice derives from the balanced approach concept, which suggests that the juvenile justice system should give equal weight to (1) ensuring community safety, (2) holding offenders accountable to victims, and (3) providing competency development for offenders in the system so they can pursue legitimate endeavors after release (Freivalds, 1996).

There are advantages to BARJ over the traditional system justice system. Those advantages are medical treatment and the retributive models, which have always remained in constant conflict. The BARJ model highlights the importance of the victim in the justice process and requires the offender to actively pursue some form of restoration of the victim by paying restitution, participating in community service, or a combination of both. One of the visions for

BARJ by one of its creators, Dennis Maloney, the balanced approach can improve the quality of life in communities by engaging offenders to work on community improvement projects as part of the accountability and competency development components (Freivalds, 1996).

The balanced approach is based on the understanding of crime as an act against the victim as well as the community. The BARJ model provides an overarching vision and guidance for daily decisions concerning juvenile offenders. The BARJ model offers a vision for the future of juvenile justice that builds and expands upon current innovative practices and is based on the core values that have been a part of most communities since their inception. It provides a systematic reform framework and offers the hope of preserving and revitalizing the juvenile justice system. The most critical step to building this model is to have a consensus amount of key stakeholders and to test the model with small pilot projects that will develop an efficiently ran model.

The BARJ approach does not provide a set of directions; it is a way of including the community and understanding how they think and would respond to crime. Once there is an understanding of the goals and objectives of BARJ, an assessment can be done to find the most significant opportunities where the first steps can be taken. The Office of Juvenile Justice and Delinquency Prevention (1998) stated the following

To effectively evaluate any new or existing practice, practitioners must understand the guiding values of the approach and be familiar with the characteristics of interventions that adhere to restorative justice values. It is not sufficient to know just technique.

Practitioners must also understand the underlying values and principles. (p.2)

Restorative justice is a philosophy that is based on a set of principles that serve to guide the response to conflict or harm. The principles can guide responses to conflicts in many settings, as well as those caused by a violation of the law. The principles of restorative justice are:

- Crime is injury.
- Crime harms individual victims, communities, and offenders, and created an obligation to address that harm.
- All parties should have an opportunity to respond to the crime, including victims, the community, and the offender.
- The victim's perspective is central in deciding how the harm should be repaired.
- Accountability for the offender means accepting responsibility and acting to repair the harm done.
- The community is responsible for the well-being of its members, including both victim and offender.
- All human beings have dignity and worth.
- Restoration, repairing the harm, and rebuilding community relationships is the primary goal of restorative justice.
- Results are measured by how much repair was done rather than how much punishment was handed out.
- A high degree of crime control cannot be achieved without active community involvement.
- The justice process is respectful of age, abilities, sexual orientation, family status, and diverse cultures and backgrounds, whether racial, ethnic, geographic, religious,

economic, or other. All are given equal protection and due process. (Ashley & Stevenson, 2006, p.6)

BARJ identifies and recognizes that three parties are involved and have important roles and stakes in the justice process. The three parties are victims, offenders, and communities. Crime produces an apparent victim(s), an individual(s) who is directly harmed, and individuals who were harmed indirectly (Ashley & Stevenson, 2006). Instead of viewing crime as a violation of just the laws of the state, it is viewed as harm to individuals and communities. With this belief, the response to crime is guided by the interests of the victims and community members as well as the interests of the state.

### **Conclusion and Summary of Findings**

When reform is done to the juvenile justice system, there are new programs always implemented to help combat the issues that have been identified. The problem comes from the realization that there are no uniformly applied standards to determine program effectiveness. The literature on the efficacy of interventions is fragmented, with no clear consensus about which programs are effective at preventing youth violence and crime (Limbos et al., 2007). In focusing solely on the ideal of treatment in the best interests of offenders, juvenile justice has often neglected to sanction effectively, or denounce and provide meaningful consequences for offense behavior, and has failed to effectively address public safety goals (Office of Juvenile Justice and Delinquency Prevention, 1997). And there has been no attention given to the victim and making them feel as though they are whole again, especially in the state of Georgia. Due to limitations in individual treatment, there has been an unsuccessful attempt at achieving rehabilitation.

Due to the conflict and no foreseen resolution, policymakers continue with the mindset that a separate and distinctive juvenile justice system is more effective than having a balanced approach that operates on a case by case basis. This has led to an increasingly dissatisfied community that is deserving more done with juvenile offenders. The post-2013 juvenile justice system in Georgia had goals for reducing juvenile crime, reducing recidivism, and reducing the number of juvenile offenders placed in secure detention facilities, all while saving taxpayers money. Initially, those goals were met, but that quickly subsided after the first two years of the program. The policies and procedures that were put into place were a temporary fix and should be reevaluated to find out what went wrong.

Based on the literature, there is a lack of research and emphasis being placed on how competency impacts juvenile offenders and the juvenile justice system. There is a constant conflict that the system should operate in one specific fashion rather than operate on a balanced approach. And the recidivism has shown to be linked directly to community factors, such as a lack of community-based interventions in the at-risk areas where at-risk juvenile offenders are hailing.

Many criminal justice professionals have accepted the BARJ model due to the limitations evident in the absence of taking responsibility and the exclusion of victims and community members from the justice process. Many of the principles associated with BARJ have been proven to enhance the juvenile justice system. When the conditions and principles are aligned, better outcomes can be reached and seen for victims, offenders, communities, and the juvenile justice system.

### Chapter 3: Research Method

The purpose of this qualitative comparative study was to assess the impact of HB242 on juvenile crime, juvenile recidivism, and community-oriented programs. I analyzed the 5 years before HB242 and the 5 years post-HB242 to determine the impact of HB242 on the identified concepts. By exploring these concepts, it may be possible to develop a conceptual model of the possible relations between HB242 and variations in juvenile crime and recidivism pre- and post-HB242. After identifying those problems, I make a recommendation based on the findings of the research. Understandably, an entire policy cannot be removed entirely, but there is the option of finding the areas that need repair and providing suggestions. The participants in this research completed an online survey designed to gather their opinion on the impact of HB242 on the juvenile justice system in Georgia and determine what type of system they support.

This chapter focuses on the research design and rationale, the role of the researcher, methodology, issues of trustworthiness, and a summary. The research design and rationale provide the research questions and reasoning for this study and the research method used. The role of the researcher is focused on the explanation of what role I had as the researcher in this study. The methodology is focused on the methods used, participant selection logic, instrumentation, procedures for recruitment, participation, and data collection and data analysis plans. The issues of trustworthiness entail an explanation of credibility, transferability, dependability, confirmability, and ethical procedures. The summary provides a conclusion to this chapter and reviews its contents.

#### **Research Design and Rationale**

The research questions for this study were:

RQ1: How has HB242 impacted the juvenile justice system in Fulton County, Georgia?

RQ2: How has HB242 impacted juvenile crime reduction programs in Fulton County, Georgia?

The choice of design for this research was a qualitative comparative analysis. Policy analysis is used to examine and analyze the options available in a policy to implement the goals of the law that has been created by elected officials. The focus of this research was on HB242. HB242 focused on 11 key elements: general provisions, juvenile court administration, dependency, termination of parental rights, Child in Need of Services, delinquency, competency in delinquency cases, parental notification, access to hearings and records, emancipation, and child advocate for the protection of children. HB242 also focused on several other provisions outside of the juvenile code. In the research I identified problematic areas of HB242. After identifying problems, I made a recommendation based on the findings of the research. It is quite understandable that a policy cannot be removed entirely, but there is the option of finding the areas that need repair and providing suggestions. The juvenile justice system is derived from many different policies and procedures that are put in place to ensure that the system runs efficiently and smoothly, all while reaching the goals that have been set forth. HB242 was passed as an overhaul for the entire juvenile justice system with changes and recommendations for policies that were already in place and created new policies as well. This analysis helps to identify the problems found and helps to provide a solution to them. The entire system is not defective and problematic, but specific policies and procedures in place based on HB242 are the root of the increase in juvenile crime in Georgia. The survey that I administered to the residents in the target area was focused on their understanding of HB242 and how they perceived it, their

opinion on the need for community-based programs, and if they believed that community-based programs were effective at reducing juvenile crime. This survey helps to bring a voice to one of the most essential and overlooked stakeholders that the juvenile justice system has, the citizens that it is designed to protect.

### **Role of the Researcher**

My role as the researcher's in this study was to be the primary data collection and analysis tool. I protected the anonymity of research participants. I may have had a professional relationship with some people who participated in the survey due to being a law enforcement officer in South Fulton County for the last 9 years. However, I managed personal biases in this study by using epoché. According to Coupé and Ollagnier-Beldame (2019), epoché unfolds in three main phases: (1) suspension of attention, (2) redirection, (3) and letting go. I suspended any judgments based on having dealt with juvenile offenders and the juvenile justice system in Georgia, more specifically Fulton County, redirected my attention from my potential biases to the study, and let go of any prejudgments that I may have held. I created the questionnaire, inputted it into Survey Monkey, and analyzed the results of the survey.

Having identified my place of employment and position, I note that this research is separate from my employment role. With me actively working in law enforcement in the target area, it was crucial that the participants did not feel obligated to participate in the research. A strong emphasis was placed on the separation of my roles as the researcher in the invitation to participate in the survey.

I provided a consent form to those who participated in the survey that gave an in-depth outline of the background, procedures, voluntary nature of the study, risks and benefits of being

in the survey, privacy, and my contact information. making made sure that the participant was completely informed and gave them the opportunity to contact me if they had questions before and after they participated.

Aside from creating and administering the survey, I thoroughly searched archived data surrounding policies and procedures in place for the Georgia juvenile justice system. During this search, the I found the areas of concern, and I have provided in this study evidence to support that those areas are the cause of the rise in juvenile crime and recidivism in Georgia. I used this data to compare the quantitative data to the proposed goals of the juvenile justice system to provide evidence to support the hypothesis that the juvenile justice system is not effective at reducing juvenile crime.

### **Methodology**

Qualitative research focuses on obtaining data through open-ended questions and conversational communication (Bhat, 2019). I conducted this research by administering a voluntary, anonymous questionnaire through SurveyMonkey. This method not only focuses on what people think, but it also focuses on why they think a certain way (Bhat, 2019). A survey that is qualitative does not aim at establishing frequencies, means, or other parameters but at determining the diversity of views on some topic of interest within a given population (Jansen, 2010). Qualitative research allows for in-depth questioning of the respondents, and this provides the researcher the opportunity to understand how the respondent feels and why they feel the way that they do. It is recommended by Fink (2003) that qualitative survey analysis should be used for the exploration of meanings and experiences. The questionnaire had questions with a text box so that the participants could answer open-ended questions. The use of open-ended questions

provides the participant the ability to describe with nuance and detail how they perceive the topic under study (Tran, Porcher, Tran, & Ravaud, 2017, p. 71). Gaining an understanding of how the respondents make decisions can help provide a more precise conclusion to the research.

Qualitative research methods help to reveal the perception of the target audience about a specified topic. Qualitative research is more descriptive, and themes can easily be identified in the study from the data that is obtained.

I placed a link to the questionnaire on social media so that it could reach the intended target. The questionnaire had eleven questions for the participant to answer and the option to provide further explanation of their feelings and beliefs regarding the juvenile justice system. The purpose of the questionnaire was to get the citizen's opinions and feelings towards the juvenile justice system in Georgia. The goal of involving the citizens was because they are the ones who are directly affected by juvenile crime and how the juvenile justice system performs.

The archival data that I used in this research was accessed and retrieved by visiting the Federal Bureau of Investigation's (FBI) website and retrieving the archived juvenile crime and arrest data from the National Incident-Based Reporting System (NIBRS). I also visited the GBI website and used the Crime Statistics Summary to gather archived juvenile arrest data and dispositions for Georgia. This information is free and accessible to the public. I compared the data collected for the last eight years to determine the trends and patterns associated with juvenile crime, arrests, and recidivism since HB242 was passed into law.

### **Participant Selection Logic**

The target area for this research was South Fulton County, Georgia. This area has seen a drastic rise in juvenile crime and has been the most vocal about juvenile justice and the lack of

prosecution of juvenile offenders. I invited participants to join in an anonymous online survey through social media. There are many Facebook groups geared toward this area of interest, and an invitation was placed into each.

According to Patton (2015), there are no rules for sample size in qualitative data. However, the researcher needs to ensure that there is a sufficient sample size to collect enough data to answer the research questions for the study. The sample size depends on what the researcher wants to know, the purpose of the inquiry, what's at stake, what will be useful, what will have credibility, and what can be done within the available time and resources. According to Saunders et al. (2018), saturation is used in qualitative research as a criterion for discontinuing data collection and/or analysis. Samples for qualitative studies are generally much smaller than those used in quantitative studies, with fifteen being the smallest acceptable sample size (Mason, 2010). Some researchers believe that certain methodological approaches should require more participants compared to others; this has not been explored in detail (Mason, 2010). According to Guest, Bunce, and Johnson (2006), although the idea of saturation is helpful at the conceptual level, it provides little practical guidance for estimating sample sizes for robust research before data collection. Data collection and analyses should continue to the point when additional input from new respondents no longer changes the researcher's understanding of the concept; this is the point of data saturation (Tran et al., 2017, p. 72).

SurveyMonkey also has an option to place a quota on the number of responses that the researcher is seeking; once that quota has been met, the questionnaire will no longer be available. The researcher's goal is for a minimum of 75 participants in the questionnaire. The reason that the researcher's goal is for at least 75 participants is that the questionnaire will have a mixture of

open-ended and multiple-choice questions with 11 questions. The number of questions in a questionnaire usually determines the completion rate of surveys. According to SurveyMonkey (2020), when you send someone a questionnaire, you are asking for their time, and longer questionnaires have lower completion rates. SurveyMonkey (2020) also suggests that the open-ended questions not be answered first because they could potentially deter the respondent from completing the questionnaire because it is viewed as being hard. The Facebook groups that will be the target for the invitation to be disseminated have an average of 1,000 members or more, and the target is to get at least 10% of the members of the groups to respond.

The requirements for participation in the survey would be

- Citizens would have to reside in one of the following cities: Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, Union City, and City of South Fulton. Each of these cities is categorized as being a part of South Fulton County (Fulton County Government, 2020).
- A victim of a Theft of a Motor Vehicle, Theft from a Vehicle, Robbery (Armed or Snatch), Burglary, or Aggravated Assault by a juvenile offender. These are the top crimes committed by juvenile offenders, but it would not disqualify the participant from participating in the survey if they have not been the victim of one of these crimes.
- An age restriction of 18 years and older to participate in the survey.

SurveyMonkey has an option of skip logic that will route the participants through a particular path in the questionnaire. These requirements will be asked in two separate questions, both being multiple-choice, and their response will guide their route through the survey. If they are not a

resident of South Fulton County, they will be routed to an exit from the questionnaire because they do not meet the criteria for participation. If they are a resident of the target area but have not been the victim of a crime committed by a juvenile offender, they will still be allowed to participate in the survey.

Participants will be identified, contacted, and recruited for participation through Facebook. The invitation to participate in the survey will be placed in various Facebook groups for residents of South Fulton County such as; Safer Communities in South Fulton, South Fulton County Georgia: Problems and Solutions, East Point Neighbors, East Point Vent, East Point Neighborhood Watch, and Union City Neighborhood Watch, etc. If Facebook does not produce enough respondents for the survey, other social media and networking outlets will be used, such as Instagram, Twitter, and LinkedIn. The same method will be used for inviting respondents to participate in the survey. The respondents can click the link for the consent form as well as the questionnaire that is on the invitation. The first question of the survey will ask if the respondent consents to participation in the survey. If they answer no, they will be routed out of the questionnaire.

### **Instrumentation**

The instrumentation that will be used in this research will be a questionnaire with open-ended and multiple-choice questions created from archived published data concerning HB242 and the juvenile justice system in Georgia. The questionnaire will be made by the researcher and will be vetted by administering a test run on the instrument and gaining feedback from those few participants on how they viewed the instrument and if they believe the instrument is sufficient in answering the research questions. According to Kelley, Clark, Brown, and Sitzia (2003, p. 263),

it is often useful to involve experts in the field, colleagues, and members of the target population in question design to ensure the validity of the coverage of questions included in the tool (content validity). Those used to vet my instrument will be fellow law enforcement officers from other agencies in South Fulton County. Those requested to participate in the pilot study will be contacted through an established and secured group chat that contains local law enforcement officers in the target area. Their suggestions will be used to make any necessary adjustments before administering the actual questionnaire to the participants. The pilot study will be used to ensure the validity of the questionnaire that will be conducted and to eliminate any unforeseen errors that could potentially occur by fixing any errors before the actual study has begun.

Once the questionnaire is vetted, and changes are made, then it will be deemed sufficient to serve as a data collection instrument to answer the research questions for this study. Other information will be gathered through thorough research on the topic and will be quantitative data referencing juvenile arrests and dispositions from GBI UCR and the FBI NIBRS, publications from government websites, and peer-reviewed articles. The GBI UCR and FBI NIBRS are the best sources of data concerning juvenile arrests and dispositions because every law enforcement agency is required to report this information for statistical data purposes to the state and the federal government. The publications from government websites provide accurate information concerning HB242 and the juvenile justice system in Georgia. This secondary data collection will also be used to answer the research questions and support the findings of this study.

### **Procedures for Recruitment, Participation, and Data Collection**

The qualitative data will be gathered through the anonymous online survey through SurveyMonkey. This data will be used to determine how the citizens view the impact and

effectiveness of HB242. The survey will be open for thirty days or until the desired number of participants has been reached. The identity of the participants in the survey will be protected because their personal information will not be needed to complete the survey. It is an entirely anonymous process, and even the researcher would not know their identity. The only identifying information that will be gathered is the city in which they live, which will be used to determine if they reside in the target area. These questions will be based on HB242 and trends in the data collected during the review of the literature and previously collected data. As explained in the Instrumentation section, the survey will undergo a pilot study to vet the instrument and identify and fix any issues that could potentially arise. The time frame is potentially two weeks to a month for the link to be available for use by the respondents. If the desired number of participants is not reached in the specified time period, a reminder will be placed on social media to recruit more participants to help finalize the research. Participants can exit the survey on their own once it has been completed or when they close the browser. SurveyMonkey does provide the researcher with the number of incomplete responses, and those incomplete responses will be eliminated from the analysis of the results. There will be a comments/questions box placed on the survey for the participants to further elaborate on their opinions and ask for time to speak with the researcher. If the participant(s) would like to inquire further or provide a more in-depth explanation of their beliefs, they can email the researcher to set up a follow-up time and date. The follow up would be a telephone interview with the participant. In the follow-up, the researcher and participant will go back through the questions to determine which one(s) the participant wanted to elaborate further. This will be documented by the researcher while keeping

the participant anonymous, and just providing an assigned number to each subsequent follow up if any.

### **Data Analysis Plan**

The survey questions will be created by the researcher and contain open-ended and multiple-choice questions created from archived published data concerning HB242 and the juvenile justice system in Georgia. The questions will be used to gather the opinion of the citizens in the target area and their thoughts on HB242 with its proposed goals and if it is effective at reducing juvenile crime. The questionnaire will be created on SurveyMonkey, and the link provided will be shared on Facebook. If Facebook does not produce enough participants, then the invitation will be placed on Instagram, Twitter, and LinkedIn. SurveyMonkey allows the creator of the survey an option to analyze the results of the questionnaire. There are three categories that are used for analysis, and they are question summaries, insights and data trends, and individual responses. Each category's analysis focuses on its factors.

The question summaries analysis provides the creator with the number of people who answered and skipped each question, the percentage of responses for each answer choice, and the basic statistics associated with each question (minimum, maximum, median, mean, and standard deviation). The insights and data trends section allow you to pick what trends you are looking for and provides a color-coded graph to analyze the results. The insights show how many people responded to the survey, the completion rate, and the typical time spent on the questionnaire. And the individual responses allow you to see how each person answered each question. This information will not be used as part of the data analysis but will be used as a gauge to determine the need for more participants.

SurveyMonkey offers three different personal plans to be used to create your survey. The researcher will use the Advantage Annual plan, which allows data export, skip logic, question and answer piping, text analysis and statistical significance, A/B testing, randomization, quota, and custom variables. The most important feature for the researcher is the text analysis and statistical significance because it provides the ability to uncover trends based on keywords that are tagged. The statistical significance also allows the ability to analyze how different groups responded to each question. The analysis tool will only be used to identify themes in the respondent's answers. It will enable the researcher to group the responses to determine how the citizens perceive the juvenile justice system and if they are in support of it or not.

The text analysis feature of SurveyMonkey will not be the only coding feature that will be used to code the data. According to the National Business Research Institute (2020), at least one experienced coder should read all the responses to a specific survey question and then begin to develop primary themes or groupings of data. The data will be revisited by reading through each answer and categorizing them into one or more themes. As the coder works through the data, they will refine those identified categories.

### **Issues of Trustworthiness**

#### **Credibility**

Credibility in qualitative research involves establishing that the results are credible or believable (Trochim, 2020). Member Checking is a technique used by qualitative researchers to establish credibility. Member checking is where the data, interpretations, and conclusions are shared with the participants, and it allows the participants to clarify what their intentions were, correct errors, and provide additional information if necessary (Statistics Solutions, 2017). Data

triangulation will also be used to increase credibility. The data gathered will be from the respondent's survey responses as well as from the researcher's experience from working in law enforcement. Once the survey has closed, and analysis has been done on the results, the results will be shared on Facebook in the same groups that invites were placed. Respondents will have the opportunity to contact the researcher via email if there are any questions or further clarification is warranted.

### **Transferability**

Transferability refers to the degree to which the results of qualitative research can be generalized or transferred to other contexts and settings (Trochim, 2020). Transferability is primarily the responsibility of the person responsible for conducting the generalizing. It is enhanced when the researcher does a thorough job of describing the research context and the assumptions that were central to the research (Trochim, 2020). A method of ensuring transferability is to compare the characteristics of the participants to the demographic information available on the group being studied (Daniel, 2019). In other words, this study can have meaning to those who did not participate in the study, or the readers of the research can associate the findings with their own experiences (Daniel, 2019). The target population is residents of South Fulton County and respondents who have and have not been victims of crimes committed by juveniles.

### **Dependability**

Establishing dependability is essential because it shows that the research is consistent and repeatable. Several methods can help to achieve dependability, but the one that is most consistent with this research would most likely be an inquiry audit. An inquiry audit is when an outside

researcher conducts an audit on the data collected to determine if they will arrive at the same conclusion, findings, and interpretations of the data as the researcher (Statistics Solutions (2), 2017). This confirms the accuracy of the results and ensures that the data collected supports the findings. This method can provide the researcher with valuable insight and help with building a better way to articulate a stronger case for the results. Triangulation could also be a method used to achieve dependability. Triangulation involves the use of multiple methods, observers, theories, and data sources to gain a complete understanding of the phenomenon being studied.

### **Confirmability**

The research that will be conducted will focus on the effectiveness of HB242, and the opinions of the citizen's in South Fulton County, GA. The research will come from archived data, quantitative data that outlines juvenile arrest and crime data, and an analysis of survey results. The conclusion will be drawn upon and be based solely on the data gathered rather than the opinion and bias of the researcher. This will be done by making sure that reflexivity is being used. Reflexivity concerns the analytic attention to the researcher's role in qualitative research (Palaganas, Sanchez, Molintas, & Caricativo, 2017). Since the researcher has a background in law enforcement and has had to deal with juvenile offenders directly, this has provided an inside view of how the juvenile justice system works without passing judgment from the outside looking in and making assumptions. To reach reflexivity, a journal will be kept during the research process by the researcher. This journal is used to reflect on the research process as it relates to the values and interests of the researcher.

## **Ethical Procedures**

Recruitment of participants will come from a participation request letter that will be drafted and placed on Facebook. Once the participants have clicked the link to participate in the questionnaire, there will be access to the consent form. The consent form will be available to be printed off for their records. The first question on the questionnaire will ask the respondent do they consent to participate in this study; the question will require an answer to move forward with the survey. If the respondent does not consent to participate in the survey, they will be directed to the disqualification page. The participation request letter and consent form were not be sent out until there was approval gained from Walden University and the Institutional Review Board (IRB). Copies of the participation request letter, consent form, and copy of the questions were submitted to the IRB for approval. Once approval was gained (IRB Approval 08-13-20-0748145) the participation recruitment began.

The researcher intends that no ethical concerns or issues arise; this is where the IRB process is the most helpful. The IRB approval should eliminate any ethical problems that may occur by ensuring that the researcher is aware of the issues and corrects them before approval. The participants will be provided with contact information for the Research Participant Advocate at Walden University. This will be an entity not directly related to the research or the researcher that can address the concerns of the participant if they wish not to speak to the researcher.

The biggest ethical concern that the researcher foresees is that participants feel obligated to participate in the questionnaire because of the researcher's role in law enforcement. They could potentially feel compelled to participate out of fear of some form of retaliation for declining the invitation. The researcher has been in the public eye in law enforcement by

conducting multiple new interviews about crimes being committed in the researcher's jurisdiction. This will be addressed by reassuring the participants in the request letter and consent form that this questionnaire is separate from the researcher's role in law enforcement and will have no negative impact or retaliation towards them. The researcher will not even know the identity of the participants unless they request to speak further and more in-depth with the researcher.

Since the researcher is not going to ask participants to take the survey individually, there are not any ethical concerns with that aspect of the recruitment process that is foreseen. Those who do volunteer to participate are not forced to complete the questionnaire. If they close their internet browser window, it will close the survey out, and only the answers that they have provided up until that point will be recorded. SurveyMonkey does provide a breakdown of how many and which questions that a participant answered, which will help to eliminate incomplete responses.

A password created by the researcher will protect the data collected from the questionnaire. There is no way to identify the participants due to no requirement to provide any identifying information. The only information that is requested is to determine which city the participant resides in, and this is because the target area has been narrowed down to specific cities. This is to ensure that the participants are residents in the target area; if they say that they do not reside in South Fulton County, then they will be redirected and exited out of the survey. The data that will be collected will be held for a specified period that will be decided once the research is approved to go forward.

## Summary

The research hopes to identify problems within the current Georgia Juvenile Justice System and provide a solution. Based on the quantitative data gathered from the Georgia Bureau of Investigations, the post-2013 juvenile justice system has not been effective at reducing juvenile crime and recidivism. The first two years after the reform, there was an initial decline in juvenile crime and arrests. Since 2016 there has been a drastic increase in juvenile crime with a steady decline in juvenile arrest disposition.

The researcher hopes to provide the necessary evidence to support that the current juvenile justice system is ineffective and that a new reform should be introduced. With the evidence gathered through research it will provide the empirical evidence needed to show a problem and provide a solution. The survey that will be administered will be used to engage the stakeholders who are directly affected by juvenile crime and how effective the policies and procedures of the juvenile justice, and to gather insight on their beliefs and their suggestions for the juvenile justice system.

## Chapter 4: Results

The purpose of this qualitative comparative study was to assess the impact of HB242 on juvenile crime, juvenile recidivism, and community-oriented programs. The 5-year period before HB242 and the 5 years post-HB242 was analyzed to determine the impact of HB242 on the identified concepts. By exploring these concepts, it may be possible to develop a conceptual model of the possible relations between HB242 and variations in juvenile crime and recidivism pre- and post-HB242. Three problems were identified during this research, and I make recommendations to correct those issues. Understandably, an entire policy cannot be removed entirely, but it is essential to address those errors and provide genuine solutions.

This chapter focuses on the pilot study, research setting, demographics, data collection, data analysis, issues of trustworthiness, study results, summary, interpretations of findings, limitations of the study, recommendations, and implications. I present an in-depth explanation of each section that assembles the final results of this study. The research questions that were addressed for this study were:

RQ1: How has HB242 impacted the juvenile justice system in Fulton County, Georgia?

RQ2: How has HB242 impacted juvenile crime reduction programs in Fulton County, Georgia?

Each research question had its own individual data collection method that was used to answer it. The first research question was addressed and answered by conducting a comparative analysis of the juvenile justice system in Georgia. The study focused on 10 years (2008-2018), 5 years pre-HB242, and 5 years post-HB242, of juvenile arrest data and dispositions. The second research question was addressed and answered by administering an anonymous and voluntary qualitative

questionnaire to the citizens in the target area. The questionnaire responses were rigorously reviewed and coded to identify any common themes in the citizens' sentiments about the juvenile justice system, HB242, and crime reduction programs in their area.

### **Pilot Study**

I conducted a pilot study to test the reliability of the questionnaire instrument. The purpose was to ensure that all algorithms and skip logic functions worked correctly. This was done to secure the validity and credibility of the study. It was also done to work out any issues that could have arisen when the study went live for respondents to participate. A separate link for the study was generated specifically for the pilot study and was titled “test link.” This link tracked the responses for the pilot study, and the answers were kept separate and were not included in the findings of this study. Once the technical errors were identified and corrected, the data from the pilot study was deleted to prevent any confusion and accidental inclusion into the final study.

An e-mail request was sent to six family members requesting their participation in the pilot study. There were instructions provided that asked the participants to click the link to be redirected to the questionnaire. There was an instruction asking for a specified participant to select that they do not reside in the target area. This was done to ensure that the skip logic worked correctly and routed the disqualified participant to the disqualification page. The other participants were supposed to select one of the cities in the target area to advance through the questionnaire.

### **Research Setting**

The research setting for the participants was unknown to me. This was due to the participant having the ability to complete the questionnaire at their leisure in the location of their choice. The link to the questionnaire was accessible from a computer, tablet, and mobile device. I believed that the participant responded to the questionnaire in one of three places, from their home, their vehicle, or work. Considering that 40% of the respondents did not complete the questionnaire in its entirety, it could only be presumed that they did not have the time at the moment to dedicate to completing the entire questionnaire.

### **Demographics**

The only demographic associated with the respondents to the questionnaire was that they were residents of South Fulton County, Georgia. The reason for the selection of this target area was based on this being an area with a high number of at-risk juveniles and a significant increase in juvenile crime. The only other characteristic that was associated with this study was for the respondent to be a victim of juvenile crime. Still, it was not a requirement for participation in the questionnaire. It was essential to understand how a person who had been a victim of juvenile crime viewed the juvenile justice that serviced them when they were a victim. It was equally important to include those who had not been a victim of juvenile crime so that an understanding could be gained on their thoughts concerning juvenile crime and the juvenile justice system in their area.

### **Data Collection**

To address the first research question, secondary data was collected from the GBI's website (<https://gbi.georgia.gov/services/crime-statistics>). I initially thought to use the FBI's

website (<https://www.fbi.gov/services/cjis/ucr/publications#NIBRS>), but it was not necessary as the 5 years pre- and post-HB242 data were available on the GBI's website. The focus period for the comparative analysis was 2008 until 2017. The GBI's UCR program provided crime statistics for the state until 2017; that is when Georgia began to participate in the FBI's NIBRS program and report their crime statistics there in 2018.

The secondary data collected was organized into tables by the GBI. The charts from the GBI were the Juvenile Arrest Data and the Juvenile Arrest Dispositions. The Juvenile Arrest Data focused on the individual types of crimes juvenile offenders committed in Georgia. I focused on the first eight crimes listed under Part I crimes, which were murder/nonnegligent homicide, rape, robbery, aggravated assault, burglary, larceny, motor vehicle thefts, and other assaults. These first eight crimes are prevalent crimes that law enforcement had encountered recently, and for which they had noticed an increase in juvenile offender participation. The Juvenile Arrest Dispositions focused on the types of dispositions that were used. The dispositions used were (a) handled within department, (b) referred to juvenile court, (c) referred to the welfare department, (d) referred to other police department, and (e) referred to adult/criminal court. These categories were further broken down by the year. The charts also provided the total number of each crime committed and the total number of each referral.

I also located juvenile court case data for Fulton County, Georgia, on the OJJDP's Easy Access to State and County Juvenile Court Case Counts (EZACO) website (<https://www.ojjdp.gov/ojstatbb/ezaco/>). I organized the data gathered from EZACO was organized into a table. According to OJJDP (2015,2), the data collected was from court-level aggregate statistics and detailed case-level data. Court-level statistics are gathered either from the

annual reports of the State or submitted directly to OJJDP. The case-level statistics are counts of cases handled by courts in a defined period. The data focused on Delinquency (Petition and Non-Petition), Status (Petition and Non-Petition), and Dependency (Petition and Non-Petition).

According to the OJJDP (2015), a status offense is a noncriminal act that is considered a law violation because of a youth's status as a minor. And juvenile delinquency is a crime committed by a juvenile, but the crime is always a crime no matter the age of the offender.

The qualitative questionnaire was opened, and invitations were sent out on August 13, 2020; the questionnaire was preset to close on September 1, 2020. The period of two and a half weeks was to ensure that there were enough respondents to gather a sufficient sample size and completion rate. The survey received 113 responses in the first week, but no other responses were received. The survey was closed after a week of no activity was experienced, and the analysis process began.

The only unusual circumstance that was noticed during data collection was that a large number of respondents would answer the first four questions of the questionnaire and then skip the remaining seven questions. It is speculated that the reason for this is because the first four questions were multiple-choice, and the last seven questions required a text response. When the survey opened, there were approximately 70 responses on the first day. But out of those responses, nearly half of the respondents skipped the last seven questions.

### **Data Analysis**

The secondary data that was collected was previously analyzed and presented in yearly reports made available by the GBI and OJJDP. No further analysis was necessary for the data other than determining the percentage rate of increase or decrease pre- and post-HB242. The

quantitative secondary data was used only to support my hypothesis that the post-HB242 juvenile justice system in Georgia had been ineffective at reducing juvenile crime and recidivism. It was also used to support the three problems that I had previously identified. The secondary data were analyzed to determine the percentage of decrease and/or increase that each of the following categories experienced: total arrest dispositions, murder/nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, larceny, motor vehicle thefts, and other assaults.

The questionnaire was coded with two different methods. The first was self-coding that I conducted. I read every response that was provided and wrote down the identified themes in the answers. The data were further coded by using the Word Cloud and Search features on SurveyMonkey. The Word Cloud feature highlights the commonly used words and counts the number of times they were used. This allowed me to find the strongest themes in the responses. I used the search feature to calculate the total number of yes, no, unsure, and I do not know answers for each question. This was done as a confirmation that I was accurate in their count when going through each response for each question. It was also used to future substantiate the number of times the identified themes were observed in the answers.

There were two separate categories used when coding the data. The first was determining the number of yes, no, unsure, and I do not know responses to each question. The second category was narrowing down and identifying the actual themes in the answers for each question. The themes were narrowed down by the frequency in which they were seen in the responses. The following themes concerning juvenile justice were identified in the respondents' answers to the questionnaire:

1. There needed to be more focus on why juveniles were committing crimes.
2. Juvenile offenders are being sent home with no action or consequences for their actions.
3. Jail is counterproductive and encourages the juveniles to commit crimes.
4. There will always be juvenile crime.
5. Juvenile crime is a result of home life/environment.
6. Juveniles commit crimes when they think they have no other choice.
7. Lack of moral discipline and consideration for others.
8. Systemic racism.
9. Not enough support to vulnerable/underserved communities.
10. Juveniles who commit crimes are under stimulated and bored.
11. Against juveniles being placed in jail.
12. Remove the point system.
13. Incorporate more mental health interventions

There were ten identified themes concerning community-based programs that the respondents would like to see in their community, and they were

1. Community Gardening
2. Trade Schools
3. STEM/STEAM Programs
4. Job Training
5. Affordable Sports Leagues
6. Afterschool Programs

7. Mentors
8. Parenting Resources
9. Life Skills Training
10. Counseling.

### **Evidence of Trustworthiness**

#### **Credibility**

The purpose of credibility is to establish that the results are credible or believable. The methods of ensuring credibility that was used were member checking and triangulation. The results of the final study were made available to the respondents and the citizens in the target area by placing the results on social media in the same groups and sites as the invitation. This allowed the respondents to see their answers, and if they felt as though they wanted to clarify further on their feelings, they were given the opportunity to contact the research to elaborate further. Data triangulation was used by collecting two sources of data for this study. The data gathered from the comparative analysis of the secondary data and the data gathered from the questionnaire was used to determine the findings of the study.

#### **Transferability**

Transferability refers to the ability to be transferred to other contexts and settings. The researcher specifically chose a target area that has a high population of at-risk youth, which was also a component of implementing HB242's pilot study in Georgia. The strategies used to ensure transferability were not changed during this study. They continued to focus on a target area that is experiencing high juvenile crime with a high population of at-risk youth and a lack of

community-based programs. This study can be generalized and applied to other areas in Georgia, as well as other states as well.

### **Dependability**

The focus of dependability is to show that the research is consistent and repeatable. The researcher chose to use triangulation as a method to achieve dependability. The methods used in triangulation was the comparative analysis of juvenile arrest data, dispositions, and court case counts along with coding for centralized ideas found in the respondents' answers to the questionnaire. The researcher used the Word Cloud function on SurveyMonkey that identified the most commonly used words in the answers to the questions. The researcher could also search for the themes that were previously identified. By triangulating the results of the qualitative comparative analysis and coding the answers to the questionnaire, the researcher was able to show consistency and repeatability in the research.

### **Confirmability**

The procedures for confirmability stayed relatively consistent with the strategies stated previously. A short journal was kept during this study to reflect on the process and compare it to the values and interests of the researcher. The journal was used to keep the researcher's bias out of the study and ensuring that the conclusions that were drawn were directly from the data and not the opinions of the researcher. The journaling was beneficial in allowing the researcher to effectively communicate their thoughts in a manner that allowed space to voice frustrations with the process and the lack of response in certain instances. By channeling frustration, bias, and opinions in another forum, it allowed the researcher to focus and interpret the data as it was intended clearly.

## Study Results

There were two formulas used during the qualitative comparative analysis, one focused on determining a percentage increase, and the other a percentage decrease. To determine the percentage decrease, the difference between the two numbers was determined. Once the difference was chosen, it was then divided by the original number and then multiplied by 100. The percentage increase was determined by subtracting the new number from the original number. The difference was then divided by the original number and multiplied by 100.

Table 1 presents pre-HB242 juvenile crime statistics. For the pre-HB242 juvenile crime statistics, there was a decrease in the following crimes; murder/non-negligent manslaughter (32.39%), rape (61.18%), robbery (34.15%), aggravated assault (22.35%), burglary (38.60%), larceny (23.93%), motor vehicle thefts (50.44%), and other Assaults (25.86%). Table 2 presents the pre-HB242 juvenile arrest dispositions. Table 2 presents the pre-HB242 juvenile arrest dispositions. There was a 32.39% decrease in total dispositions for juvenile offenders. These statistics supported the need for juvenile justice reform in Georgia because there was a highly punitive system in place. Still, juvenile crime statistics showed a downward trend that no longer supported the need for harsh punishment.

Table 3 presents post-HB242 juvenile crime statistics. There was a 26% decrease in total juvenile arrest dispositions. The following crimes showed an initial decline and then an increase after HB242 was enacted; murder/non-negligent homicide, rape, robbery, and aggravated assault. Murder/non-negligent manslaughter saw an initial 61.96% decrease between 2013 and 2015 but experienced a 41.67% increase between 2015 and 2017. Rape saw an initial 33.96% decrease between 2013 and 2015 but experienced a 51.43% increase between 2015 and 2017. Robbery

saw an initial 7.94% decrease but experienced an 88.95% increase between 2015 and 2017.

Aggravated assault saw an initial 90.7% decrease between 2013 and 2015 but experienced a 90.5% increase between 2015 and 2017. Larceny experienced a 30.54% overall decrease in crimes committed, motor vehicle thefts experienced a 16.36% overall decrease, and other assaults experienced a 15.47% overall decrease in crimes committed. Table 4 presents the juvenile arrest dispositions data. Total dispositions experienced a 26% overall decrease.

Table 1

*Pre-HB242 Juvenile Crime Statistics*

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**JUVENILE ARRESTS FOR PART I (INDEX) and PART II (NON-INDEX) ARRESTS - 2008-2012**

CHARGE:	2008	2009	2010	2011	2012
01A Murder/Non Negligent Manslaughter	63	59	50	40	40
2 Forcible Rape	85	60	47	52	33
3 Robbery	893	778	647	549	588
4 Aggravated Assault	1,472	1,596	1,309	1,275	1,143
5 Burglary	3,373	2,726	2,460	2,392	2,071
6 Larceny	9,582	9,207	8,686	7,954	7,289
7 Motor Vehicle Theft	910	718	545	479	451
8 Other Assaults	7,507	6,435	6,423	5,818	5,566

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*Note.* From *2012 Crime Statistics Summary Report* by Georgia Bureau of Investigations, 2012, p. 8.

Table 2

*Pre-HB242 Juvenile Arrest Dispositions*


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**JUVENILE ARREST DISPOSITIONS - 2008-2012**

Year	Handled Within Dept.	Referred to Juvenile Court	Referred to Welfare Dept.	Referred to Other Police Dept.	Referred to Adult/Criminal Court	Total Dispositions
2008	7,000	33,084	621	457	12,971	54,133
2009	7,493	28,586	855	306	10,203	47,443
2010	6,480	26,997	484	278	8,699	42,938
2011	5,606	25,698	371	147	8,576	40,398
2012	5,004	23,355	373	278	7,592	36,602

Source: Juvenile Arrest Disposition for Part I (*Index*) and Part II Offenses (*Non-Index*) are compiled from monthly Uniform Crime Reporting forms submitted to GCIC. Please keep in mind that these statistics only represent data that was submitted from Georgia's law enforcement agencies statewide.

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*Note.* From 2012 *Crime Statistics Summary Report* by Georgia Bureau of Investigations, 2012, p. 9.

Table 3

*Post-HB242 Juvenile Crime Statistics*


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**JUVENILE ARRESTS FOR PART I (*INDEX*) and PART II (*NON-INDEX*) ARRESTS - 2013-2017**

CHARGE:	2013	2014	2015	2016	2017
<b>01A Murder/Non Negligent Manslaughter</b>	92	47	35	64	60
<b>2 Rape</b>	53	43	35	50	53
<b>3 Robbery</b>	63	62	58	626	525
<b>4 Aggravated Assault</b>	892	99	83	780	874
<b>5 Burglary</b>	1,908	1,908	1,573	1,315	1,243
<b>6 Larceny</b>	6,713	6,689	5,560	5,063	4,663
<b>7 Motor Vehicle Theft</b>	450	492	532	490	538
<b>8 Other Assaults</b>	5,166	5,076	4,861	4,450	4,367

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*Note.* From 2017 *Crime Statistics Summary Report* by Georgia Bureau of Investigations, 2017, p. 8.

Table 4

*Post-HB242 Juvenile Arrest Dispositions*


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<b>JUVENILE ARREST DISPOSITIONS - 2013-2017</b>						
<b>Year</b>	<b>Handled Within Dept.</b>	<b>Referred to Juvenile Court</b>	<b>Referred to Welfare Dept.</b>	<b>Referred to Other Police Dept.</b>	<b>Referred to Adult/Criminal Court Dispositions</b>	<b>Total</b>
<b>2013</b>	<b>4,230</b>	<b>20,297</b>	<b>246</b>	<b>325</b>	<b>7,381</b>	<b>32,479</b>
<b>2014</b>	<b>4,013</b>	<b>18,108</b>	<b>345</b>	<b>162</b>	<b>6,471</b>	<b>29,099</b>
<b>2015</b>	<b>3,383</b>	<b>17,161</b>	<b>220</b>	<b>187</b>	<b>5,758</b>	<b>26,709</b>
<b>2016</b>	<b>3,495</b>	<b>14,977</b>	<b>913</b>	<b>95</b>	<b>5,439</b>	<b>24,919</b>
<b>2017</b>	<b>4,676</b>	<b>13,676</b>	<b>276</b>	<b>178</b>	<b>5,231</b>	<b>24,037</b>

**Source: Juvenile Arrest Disposition for Part I (*Index*) and Part II Offenses (*Non-Index*) are compiled from monthly Uniform Crime Reporting forms submitted to GCIC. Please keep in mind that these statistics only represent data that was submitted from Georgia's law enforcement agencies statewide.**

*Note.* From *2017 Crime Statistics Summary Report* by Georgia Bureau of Investigations, 2017, p. 9.

Table 5 presents the Fulton County, Georgia Juvenile Courts Case Counts. The data was not very consistent, as there was an entire year not collected, and specific categories experienced gaps in the collection. There was no explanation provided for the gaps in data collection. Based on the information that was gathered, Petitioned Delinquency experienced a 45.69% increase Pre-HB242 and experienced a 57.43% decrease Post-HB242. Petitioned Status experienced a 76.5% increase Pre-HB242 and experienced an initial 77.06% decrease Post-HB242 between 2013 and 2015, but then experience a 56.71% increase in 2016, followed by a 31.17% decrease in 2017. And Petitioned Dependency experienced a 55.57% increase Pre-HB242, followed by a 77.6% decrease Post-HB242.

Table 5

*Fulton County, Georgia Juvenile Court Case Counts*

Year	Delinquency (Petitioned)	Delinquency (NonPetitioned)	Status (Petitioned)	Status (NonPetitioned)	Dependency (Petitioned)	Dependency (NonPetitioned)
2008	2,197	3,381	254	623	747	1,309
2009	2,318	1,943	378	459	653	369
2010	3,417	--	714	--	1,569	--
2011	3,621	--	969	--	1,420	--
2012	4,045	--	1,081	--	1,720	--
2013	3,850	--	872	--	1,500	--
2014	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	unavailable
2015	2,669	759	200	567	--	--
2016	2,446	310	462	438	514	166
2017	1,639	152	318	455	336	148

*Note.* From *Easy Access to State and County Juvenile Court Case Counts* by Office of Juvenile Justice and Delinquency Prevention, 2020.

The qualitative questionnaire experienced a 60% completion rate from the respondents, meaning that 60% of the 113 respondents answered every question on the questionnaire. The average time spent to complete the questionnaire was 4 minutes and 53 seconds; figure 4 presents these insights gathered from the questionnaire.

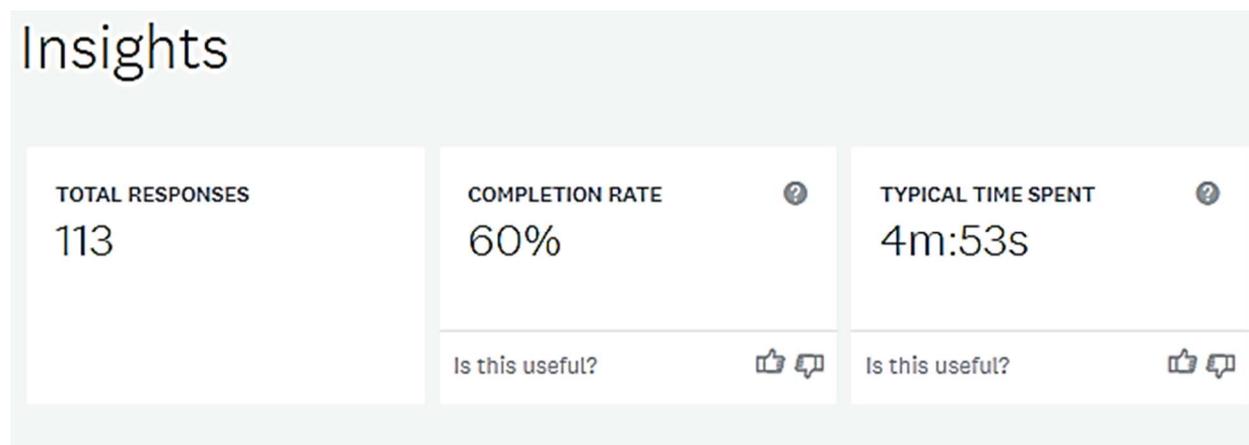
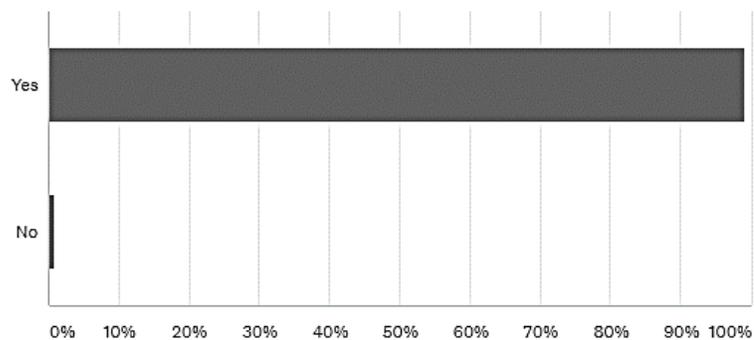


Figure 4. SurveyMonkey questionnaire insights.

Figures 5-8 are bar graphs that depict the analysis of the four multiple-choice questions in the questionnaire. Each table provides the number of respondents who answered and skipped the question, and the number and percentage of respondents who selected each answer in the question. The information in these questions obtained consent to participate, determined their city of residence within the target area, the respondent's age group, and whether they had been a victim of specific juvenile crime. The results and analysis of these four questions are self-explanatory as they provide an exact breakdown of the data collected.

## Do you consent to participate in this survey?

Answered: 113 Skipped: 0

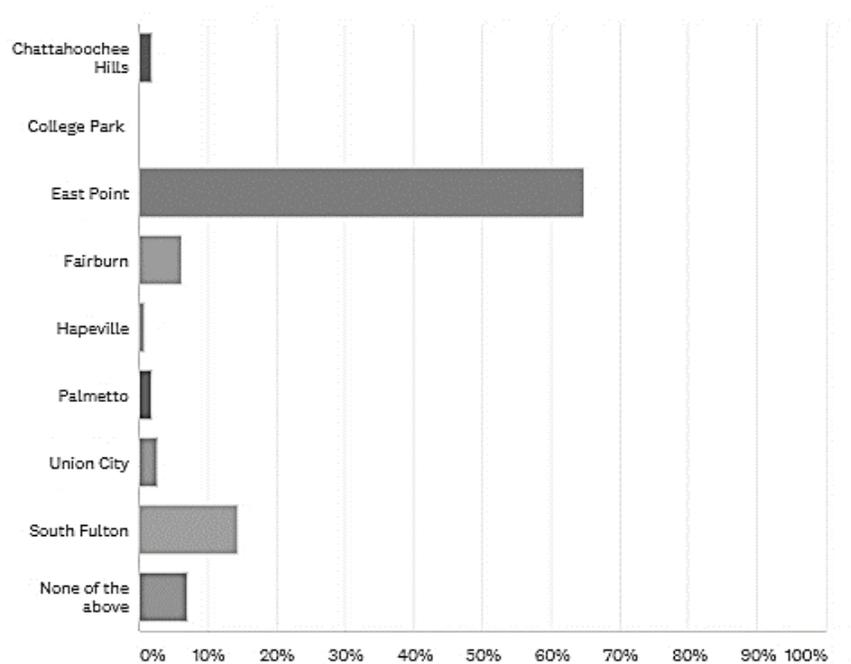


ANSWER CHOICES	RESPONSES	
▼ Yes	99.12%	112
▼ No	0.88%	1
<b>TOTAL</b>		<b>113</b>

Figure 5. SurveyMonkey Question 1 analysis.

## Which city do you reside in?

Answered: 111 Skipped: 2

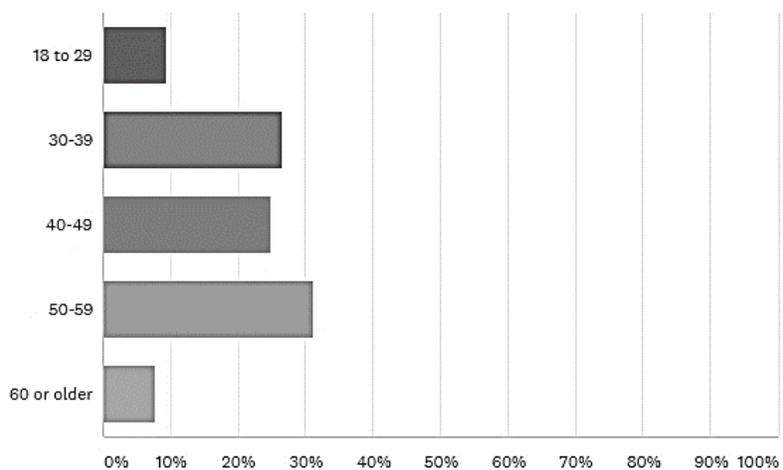


ANSWER CHOICES	RESPONSES
▼ Chattahoochee Hills	1.80% 2
▼ College Park	0.00% 0
▼ East Point	64.86% 72
▼ Fairburn	6.31% 7
▼ Hapeville	0.90% 1
▼ Palmetto	1.80% 2
▼ Union City	2.70% 3
▼ South Fulton	14.41% 16
▼ None of the above	7.21% 8
<b>TOTAL</b>	<b>111</b>

Figure 6. SurveyMonkey Question 2 analysis.

## What is your age?

Answered: 64 Skipped: 49

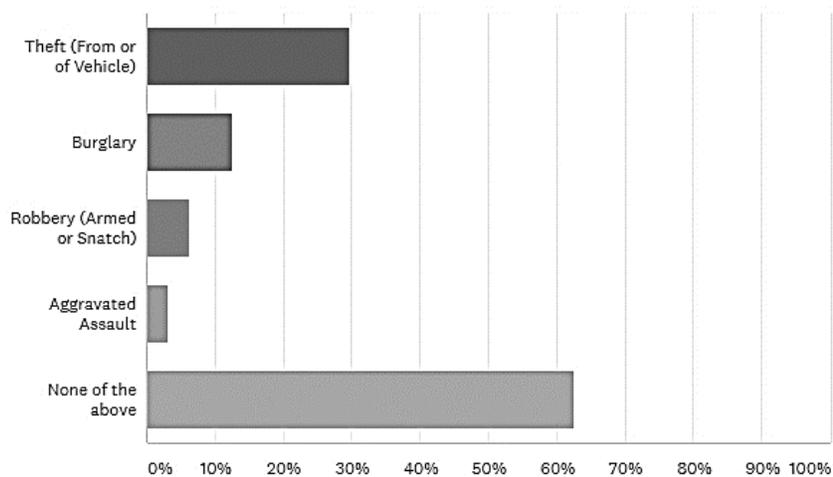


ANSWER CHOICES	RESPONSES
▼ 18 to 29	9.38% 6
▼ 30-39	26.56% 17
▼ 40-49	25.00% 16
▼ 50-59	31.25% 20
▼ 60 or older	7.81% 5
<b>TOTAL</b>	<b>64</b>

Figure 7. SurveyMonkey Question 3 analysis.

Have you been the victim of one of the following crimes committed by a juvenile offender? If, so which one? Select all that apply.

Answered: 64 Skipped: 49



ANSWER CHOICES	RESPONSES
▼ Theft (From or of Vehicle)	29.69% 19
▼ Burglary	12.50% 8
▼ Robbery (Armed or Snatch)	6.25% 4
▼ Aggravated Assault	3.13% 2
▼ None of the above	62.50% 40
Total Respondents: 64	

Figure 8. SurveyMonkey Question 4 analysis.

Figures 5 through 11 focus on the last seven questions in the questionnaire. These questions required written responses to answer them. The researcher used the Word Cloud function in SurveyMonkey, which identifies the most commonly used words in the answers from the respondents. This was an excellent tool to code the responses to identify preliminary themes in the respondent's answers. The research then further coded the responses one by one to determine the final identified themes for each question.

Are you familiar with the 2013 Georgia House Bill 242? If yes, please provide a brief explanation of your knowledge. If no, then state no.

Answered: 61 Skipped: 52

*Figure 9.* SurveyMonkey Question 5 analysis.

Question 5 received 61 respondent answers, and 52 respondents chose to skip the question. This equated a 53.98% completion rate for this question. Of those 61 respondents, 0.10% (6 respondents) were familiar with HB242 and what it did for juvenile justice in Georgia. In contrast, the other 99.9% (55 respondents) were not familiar with HB242.

The Juvenile Justice Reform Act of 2013 (HB 242) had the goals of reducing the number of youth housed in secure facilities who are at lower risk to reoffend, decrease the number of out-of-home juvenile population committed to DJJ, and reduce the juvenile recidivism rate. Do you believe it has been successful at reaching and maintaining these goals? Please provide an explanation for your response.

Answered: 63 Skipped: 50

*Figure 10.* SurveyMonkey Question 6 analysis.

Question 6 received 63 respondents answers, and 50 respondents chose to skip the question. This equated a 55.75% completion rate for this question. Of those 63 respondents, 3% (2 respondents) believed that the juvenile justice system was successful at achieving and maintain their goals. 42.8% (27 respondents) did not think that the system was successful at maintaining and attaining their goals. 39.68% (25 respondents) were unsure if the system was successful at their goals. And 14.28% (9 respondents) answered the question but did not provide an answer that could be categorized as yes, no, or unsure answer for this question.

Do you believe that the current juvenile justice system is effective at reducing juvenile crime? Please provide an explanation for your response.

Answered: 64 Skipped: 49

*Figure 11.* SurveyMonkey Question 7 analysis.

Question 7 received 64 respondent answers, and 49 respondents chose to skip the question. This equated to a 57% completion rate for this question. Approximately 79.7% of respondents did not believe that the current juvenile justice system was effective at reducing juvenile crime. There were three common themes identified in the respondent's explanation of their answers; (1) There needed to be more focus on why juveniles were committing crimes, (2) Juvenile offenders are being sent home with no action or consequences for their actions, and (3) Jail is counterproductive and encourages the juveniles to commit crimes.

Another component of HB 242 was to increase funding for community-based programs. Are you aware of any community-based programs in your area that are state funded? If so, what are the state funded community-based programs that you are aware of? If not, what are the state funded community-based programs would you like to see created in your area?

Answered: 62 Skipped: 51

*Figure 12.* SurveyMonkey Question 8 analysis.

Question 8 received 62 respondent answers, and 49 respondents chose to skip the question. This equated to a 55% completion rate for this question. 56.45% of respondents stated that they were not aware of any community-based programs in their area. 32.26% of respondents did not provide an answer consistent with yes, no, or unsure. There were ten common themes identified in the suggestions for community-based programs; (1) Community Gardening, (2) Trade Schools, (3) STEM/STEAM Programs, (4) Job Training, (5) Affordable Sports Leagues, (6) Afterschool Programs, (7) Mentors, (8) Parenting Resources, (9) Life Skills Training, and (10) Counseling.

## What are your thoughts on juvenile crime?

Answered: 62 Skipped: 51

*Figure 13.* SurveyMonkey Question 9 analysis.

Question 9 received 62 respondent answers, and 49 respondents chose to skip the question. This equated to a 55% completion rate for this question. There were eight common themes identified in the responses from the respondents; (1) There will always be juvenile crime, (2) Juvenile crime is a result of home life/environment, (3) Juveniles commit crimes when they think they have no other choice, (4) Lack of moral discipline and consideration for others, (5)

Systemic Racism, (6) Not enough support to vulnerable/underserved communities, (7) Juveniles who commit crimes are under stimulated and bored, and (8) Against juveniles being placed in jail.

The Balanced and Restorative Justice (BARJ) Model highlights the important of the victim in the justice process and requires the offender to actively pursue some form of restoration of the victim by paying restitutions, participating in community service, or a combination of both. The principle of balance in connection with restorative justice derives from the balanced approach concept, which suggests that the juvenile justice system should give equal weight to (1) ensuring community safety, (2) holding offenders accountable to victims, and (3) providing competency development for offenders in the system so they can pursue legitimate endeavors after release. Do you think that the BARJ model is something that Georgia should model their juvenile justice system after? Please provide an explanation for your response.

Answered: 63 Skipped: 50

*Figure 14.* SurveyMonkey Question 10 analysis.

Question 10 received 63 respondent answers, and 50 chose to skip the question. This equated to a 56% completion rate for this question. 50.79% of the respondents agreed that the BARJ model is something that Georgia should model the juvenile justice system after. 11.11% of the respondents did not believe that the BARJ model would be useful in Georgia. And the remaining 38% of respondents either stated they were unsure or provided their opinion of what would work best. There was one common theme identified; the BARJ model appeared like a good idea on paper.

What suggestions, if any, do you have for Georgia and the juvenile justice system?

Answered: 57 Skipped: 56

*Figure 15.* SurveyMonkey Question 11 analysis.

Question 10 received 57 respondent answers, and 56 chose to skip the question. This equated to a 50% completion rate for this question. There were two common themes identified; (1) Remove the point system, (2) Incorporate more mental health interventions

### **Summary**

The first research question focused on determining the impact HB242 had on the juvenile justice system in Fulton County, Georgia. Secondary data analysis was conducted to gather juvenile arrest data, disposition data, and court data. The data analysis focused on a specific period of pre-HB242 (2008-2012) and post-HB242 (2013-2017). In order to address the first research question, a qualitative comparative analysis was conducted to show the difference in how effective the juvenile justice system was prior and post HB242.

The results of the qualitative comparative analysis showed that there was a decline in juvenile crime being committed pre-HB242. The analysis focused on the crimes of murder/non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny, motor vehicle thefts, and other assaults. Each crime experienced between 22% and 61% decrease in the respective categories. And the total number of arrest dispositions experienced a 32.39% total decrease. This would be consistent with the need for HB242 to be created and implemented because the juvenile justice system in Georgia pre-HB242 was harsh and highly punitive.

Post-HB242, the data fluctuated in specific categories. murder/non-negligent manslaughter saw an initial decline from 2013 to 2015, and then an increase from 2015 to 2017;

the same happened for rape, robbery, aggravated assault, and burglary. Larceny and other assaults both experienced a consistent decline post-HB242. And motor vehicle thefts experienced a steady increase, with a slight decline in 2016 with another increase in 2017.

The second research question focused on how HB242 impacted juvenile crime reduction programs in Fulton County, Georgia. A questionnaire was created and administered through SurveyMonkey to address this question. The purpose of this questionnaire was to engage the citizens in the target area of South Fulton County, Georgia, and to gather their thoughts on HB242 with its proposed goals and if it is effective at reducing juvenile crime in their area.

There were several consistent themes identified during the analysis of the respondent answers. Over 90% of the respondents were not familiar with HB242. As far as community-based programs, many citizens suggested that there be more community gardens, free sports programs, job training, mentors, life skills training, and counseling available to the youth in the area. When it came to the juvenile justice system in their community, a majority of the respondents felt that it was ineffective at reducing juvenile crime. Some of the common themes identified in their answers were bringing a focus to why juveniles were committing crimes; jail is counterproductive, jail encourages crime, and to remove the point system that is in place.

The findings of this research have allowed the researcher to develop suggestions to address and present solutions for the identified issues with HB242. These suggestions would not only be beneficial to the citizens in the target area, or any area that has a large population of at-risk youth but the policymakers. Every stakeholder should be included when it comes to policymaking, as this would ensure that policies created are beneficial to all and reduce the need for ongoing reform of the same policies due to the inability to be successful.

## Chapter 5: Discussion, Conclusions, and Recommendations

The purpose of this qualitative comparative study was to assess the impact that HB242 had on juvenile crime, juvenile recidivism, and community-oriented programs in Georgia. A qualitative comparative analysis was done to analyze HB242 and the policies that it put into place to determine how effective they were at reaching and maintaining the goals that were set forth. The focus of the analysis was juvenile arrest dispositions and juvenile crime that had been committed. The study was done to determine if HB242 had reduced juvenile crime and recidivism in Georgia. The qualitative questionnaire was administered to assess the availability of community-based interventions and programs in the target area and to understand the opinions of the citizens in the target area concerning the juvenile justice system in Georgia.

The reason that this study was conducted was due to an influx in juvenile crime being committed in the target area of South Fulton County, Georgia. Juvenile crime does not only affect the juvenile offender, but it also affects the citizens and the communities in which it occurs. HB242 had goals of reducing juvenile crime and recidivism, reducing the number of juvenile offenders detained in secure detention facilities, and creating more community-based interventions and programs. If HB242 were successful at completing these goals, then there would be no rise in juvenile crime being committed. This study has identified three problems that have arisen since HB242 was put into place; in this chapter I provide recommendations that could be used by policymakers to remedy those issues.

The key findings from this study were

- A majority of serious crimes saw an increase post-HB242.

- 79.7% of respondents did not believe that the current juvenile justice system was effective at reducing juvenile crime
- 42.8% of respondents did not believe that the juvenile justice system was successful at maintaining and achieving their goals.
- 56.45% of respondents stated that they were not aware of any community-based programs in their area.
- 99.9% of respondents were not familiar with HB242.
- 50.79% of the respondents agreed that the BARJ model is something that Georgia should employ in the juvenile justice system.

### **Interpretation of the Findings**

The qualitative comparative analysis of HB242 provided insight into the juvenile justice system in Georgia. Pre-HB242 (2008-2012), there was a noticeable decline in juvenile crime being committed and juvenile arrest dispositions. This data supported the need for HB242 and the reform of the juvenile justice system because the system was a highly punitive system that did not necessarily provide rehabilitative approaches for juvenile offenders. HB242 aimed at overhauling the entire juvenile justice system to reduce juvenile crime and to reduce the number of youth housed in Georgia DJJ secure facilities who were at lower risk to reoffend, decrease the number of the out-of-home juvenile population committed to DJJ, and a reduce the juvenile recidivism rate as the youth were being assessed using new tools designed to measure risk and needs (Russell & Manske, 2017).

Based on Post-HB242 (2013-2017) data gathered during the qualitative comparative analysis, the total number of juvenile arrest dispositions saw an overall reduction by 25.99%. Of

the eight Part I crimes that were analyzed, only larceny (30.54%), burglary (34.85%), and other assaults (15.47%) saw an overall reduction with no increase. Motor vehicle thefts saw no reduction at all; instead, it experienced a steady 16.36% increase. Murder/nonnegligent manslaughter, rape, robbery, and aggravated assault all experienced a decrease in the number of crimes committed between 2013 and 2015. But those same categories experienced a significant increase after 2015 and going forward; these categories saw between 30%-90% increases in the crimes committed. This data confirmed my belief that HB242 has not been successful at reaching and maintaining its goal of reducing juvenile crime.

The findings from the qualitative comparative analysis supported my belief that there are issues with HB242 that need to be addressed. The first issue is that despite the initial decline in juvenile crime from 2013 to 2015, there was a drastic increase by 2016, according to the GBI's (2018) UCR Program. A critical analysis of the programs and policies in place needs to be done to determine where the shortfall is coming from. If HB242 were successful at reaching its goals, there would not be an increase in juvenile crime that is being seen. The second issue was that although there was an increase in juvenile crime, there was a decrease in total juvenile arrest dispositions from 32,479 in 2013 to 24,037 in 2017 (GBI, 2018). This issue highlights the ideology that although juvenile crime is consistently rising in major categories, there are far fewer juvenile offenders being held accountable for their actions. The third issue is that, despite HB242 identifying the issue of a lack of community-based options, there are still a small number of community-based options available. The lack of community-based interventions and programs could potentially be the cause of the increased juvenile crime and the decline in juvenile arrest

dispositions. There are not enough community-based interventions and programs available to provide juvenile offenders alternatives to detention.

The qualitative questionnaire sought to find out what view the citizens in the target area had of the juvenile justice system in Georgia and the community-based interventions and programs that were available in their community. HB242 had a focal point of increasing the number of community-interventions and programs available in that housed a high population of at-risk youth. Of the respondents, 79.7% did not believe that the current juvenile justice system was effective at reducing juvenile crime and felt that there needed to be changes made. In addition, 56.45% of respondents stated that they were not aware of any community-based programs in their area. These findings of the questionnaire, coupled with secondary information gathered from the Fulton County Juvenile Court's website, confirmed my belief that there is a lack of community-based interventions and programs available in South Fulton County. The findings also confirmed my view that the citizens did not believe that the current juvenile justice system was effective at reducing juvenile crime.

The findings from the qualitative comparative analysis and the questionnaire have both provided a great deal of insight. This insight, along with information gathered during the literature review process, has brought forth several suggestions that could be beneficial to the juvenile justice system and help to combat juvenile crime and recidivism. These suggestions could also be helpful to the youth as well by creating programs and interventions that are needed in their areas to provide them with something constructive do with their free time and as a safe space to be.

### **Limitations of the Study**

One of the limitations to trustworthiness that was previously identified dealt with was the secondary data not being as up to date as needed to address the current context of the problem. The qualitative comparative analysis focused on 10 years surrounding HB242, 5 years prior and 5 years post. This made the focal period end nearly three years before the time of this writing, but the same issue of increased juvenile crime is still current in Fulton County, Georgia. Due to this issue still being relevant, this allowed for the period for the analysis to be considered appropriate.

Another limitation that I identified focused on the questionnaire and ensuring that there was a sufficient number of participants. I had a goal of a minimum of 75 participants completing the questionnaire; this was to ensure that there was an appropriate representation presented for the population of the target area. Another reason for having a larger sample size was also to increase the completion rate, as it has been proven that the more questions on a questionnaire, the less likely it is for people to participate. Ultimately, there were 113 respondents to the questions with a 60% completion rate.

A potential limitation I also identified focused on coding and analyzing the data and the possible cost that would be associated with it. SurveyMonkey included coding options with their paid plans that I deemed affordable and used to aid in this research. I also self-coded the questionnaire and used the coding options on SurveyMonkey as a tool to narrow down and identify the most common themes in the responses from the questionnaire.

The final limitation addressed my possible biases that could potentially interfere with the study. This was addressed by epoche' and the use of a journal during the research. I used the

journal to record thoughts and feelings associated with the process as a way to ensure that those thoughts and feelings were not included in and did not sway the findings of this research.

### **Recommendations**

Juvenile recidivism is high because merely holding the juvenile accountable is not enough to address and correct their behavior. More emphasis needs to be placed on finding and addressing the root of the behavior and providing some form of treatment that will aid in reducing and eliminating the underlying cause of their delinquent action. Understandably, having a strictly punitive system was not the answer to address juvenile crime, and it is now understood that a strictly rehabilitative system is not the answer either.

Training is an essential part of any career, and the juvenile justice system is no different. I recommend that more standardized training for juvenile justice employees be implemented. There should be training for every avenue of the juvenile justice system tailored to the specific role in the system. Updated training should be created and administered to the juvenile probation/parole officers that focuses on a standard in addressing the actions of their assigned juveniles, especially those who are repeat offenders. There should be a standardized practice of how to handle offenders that replaces the discretion of the probation/parole officer when it comes to repeat offenders of true crime and not status offenses.

The findings of this study highlighted that there is a lack of appropriate mental health interventions available to juvenile offenders. Many suggestions from the respondents of the questionnaire focused on finding alternatives to traditional therapy for mental health issues in juvenile offenders. Some suggestions would be alternatives that involve more stimulating responses such as music, art, and some form of activity.

Competency evaluations are an essential process in the juvenile justice system. They play a large roll in how a juvenile offender will be handled in the juvenile justice system and by law enforcement. Competency evaluations determine if a child can aid in their defense and knows that their actions were wrong. This study found that there is limited research conducted on competency as it pertains to the juvenile justice system and how it affects juveniles. I recommend that the literature on juvenile offenders and competency be expanded due to the substantial gap in the literature.

It is also the recommendation of the researcher that there be some form of uniformity when it comes to competency evaluations for juveniles. A statewide assessment should be done to determine how competency evaluations are being performed and by who. There should be a consensus by those who are trained and experts in the field of competency and juvenile offenders on how the evaluations should be administered. A standardized practice should be developed that addresses competency evaluations, how they should be administered, how to interpret, address, and relay their findings correctly, and how to effectively implement these changes. There should also be a board created that oversees all of the competency evaluations that are administered and to make the final decision on competency. There should also be guidelines implemented that mandate re-evaluating juveniles deemed incompetent in a specified period, for example, quarterly. And there should include standardized practices and training implemented for those who work in juvenile justice and handle juvenile offenders.

Community-based interventions and programs for juveniles and juvenile offenders lack in Georgia. HB242 sought to implement and fund more of these programs in the areas that were deemed to have a high population of at-risk youth. Based on the findings of this study, many

citizens are not aware of any community-based interventions and programs in their area. It can also be assumed that this could be true for citizens across the state. The researcher recommends that the citizens are allowed to be more involved when considering what type of community-based interventions and programs to be put in their community. Create some kind of board that involves lawmakers, citizens, and law enforcement officers to develop and implement programs that would be most beneficial to their community. It is essential to involve the people who know the needs of the area and would be affected most by the types of programs that are created and implemented. The programs that are presented as recommendations should thoroughly be researched and determine if they have been implemented in other areas and how successful they have been. This is crucial because it alleviates the unnecessary spending of funds on a program that is implemented without being properly researched.

Based on the findings of this study, it is believed that the BARJ model would potentially be the best fit for the Georgia juvenile justice system. As stated previously, the BARJ model does not provide strict guidelines that should be followed. Instead, it provides an overarching vision and guidance for a state to find what components work best for their system. It allows the government to build and expand upon current innovative practices and the common core values that are a part of the communities that it will serve. Many respondents focused on the restitution suggestion in the BARJ model in the questionnaire, and they believed that it would be a moot point because of the inability to fulfill financial restitution requirements. This is where the BARJ model allows the flexibility for the state to mold the model into their own while still focusing on the core values that the model was built on. The BARJ model includes the community by gaining an understanding of how they view crime and their opinion on how it should be responded to

appropriately. The most critical step in creating and implementing the BARJ model is to have strong backing from the stakeholders and to test the proposed model in pilot areas to determine how effective it would be at addressing juvenile crime.

### **Implications**

By implementing the suggested recommendations, there would be a positive social change that reached the citizens, law enforcement officers, lawmakers, and even more critical, the juveniles in Georgia. These are all essential stakeholders when it comes to the juvenile justice system, and their opinions and how they will be affected should always be addressed and included. Each stakeholder will be affected differently, as they have different roles when it comes to juvenile justice

The positive social change could affect the citizens by making their voices heard. Often, laws and policies are created and put into place without considering the people that they may influence and impact the most. Many lawmakers do not reside in the same communities as the people that their laws are impacting and are out of touch with what goes on outside of their neighborhoods. It is essential to include the opinions and views of those who are most impacted by something, and it builds a positive and trusting relationship between the two parties.

The positive social change could affect law enforcement by helping to create a solution that works when it comes to juvenile crime. Juvenile crime is one of the largest problems that law enforcement officers are dealing with in Fulton County, Georgia. Officers are continuously dealing with the same repeat offenders after numerous interactions and building cases to support the need for certain juvenile offenders to be detained. Law enforcement officers have voiced their concerns when it concerns the juvenile justice system, and they have continuously gone

unheard. By including law enforcement in the policy drafting process, it shows that their concerns are heard, and their voices are just as important. And could also provide insight and a point of view that is not usually included.

The positive social change could affect lawmakers by potentially building positive relationships with citizens and law enforcement. By bridging the gap between these three groups, it shows that everyone is working collectively towards a common goal of helping juveniles in the communities that they live in and service. Bringing together these groups allows lawmakers to create policies and laws that would be beneficial to all and potentially restore faith in the justice system and lawmakers.

The positive social change could affect juveniles by including their voices as they are impacted the most by laws affecting the juvenile justice system. By having the youth in the creating and implementing of community-based interventions and programs, it allows the lawmakers to see what they view as being beneficial to their communities. Including the youth that would be impacted by these programs and laws could potentially help to build their confidence and faith in the justice system.

### **Conclusions**

This study was conducted to address a rising problem not only in Georgia but in the entire United States. Juvenile crime is increasing, and there seems to be a slow response to address this issue. Many juvenile justice systems are outdated, and when the reform does take place, it is usually still behind the current trends in crimes. It is essential to create a system that will be beneficial to the community it serves by providing the necessary community-based interventions and programs that would identify the root of the issue of juvenile crime and offer

alternatives to juveniles before entering the juvenile justice system. Understandably, juvenile crime is something that will not ever cease, but with the right tools and programs, the rate of juvenile crime can be drastically reduced.

There seems to be a disconnect with the best practices for at-risk juveniles and the juvenile justice system. Identifying that there is a problem and taking the necessary steps to address them is the first step in bridging the gap. By identifying the best evidence-based practices that have been proven to work in other areas to reduce juvenile crime, it eliminates the “school to prison” pipeline. It focuses on identifying and addressing the problem prior a juvenile having their first encounter with the juvenile justice system. Providing community-based programs and interventions that provide the youth with the opportunity to experience something other the typical sports avenue, it shows them that there are far more options available to them then what they are only aware of. Tailoring these programs to the areas that they will serve will bring the most positive and successful results to at-risk juveniles and deter them from a life crime. It is time to provide the youth, especially those who are deemed at-risk, with the same options that others are afforded and show them that there is an entire world outside of their community that it is waiting for them to explore all of its possibilities.

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## Appendix: Dissertation Survey Questions

1. Do you consent to participate in this survey?
  - a. Yes
  - b. No
    - i. If no, then the participant will be moved to the closing page and not allowed to participate in the survey.
    - ii. The consent form will be the title page to the survey, and the final sentence will be to answer Question 1 if they consent to participate in the survey.
2. Which city do you reside in?
  - a. Chattahoochee Hills
  - b. College Park
  - c. East Point
  - d. Fairburn
  - e. Hapeville
  - f. Palmetto
  - g. Union City
  - h. South Fulton
  - i. None of the Above
    - i. If None of the above, then the participant will be moved to the closing page and not allowed to participate in the survey.
3. What is your age range?

- a. 18-29
  - b. 30-39
  - c. 40-49
  - d. 50-59
  - e. 60 or older
4. Have you been the victim of one of the following crimes committed by a juvenile offender? Select all that apply.
- a. Theft (From or Of Vehicle)
  - b. Burglary
  - c. Robbery (Snatch or Armed)
  - d. Aggravated Assault
  - e. None of the above
5. Are you familiar with the 2013 Georgia House Bill 242? If yes, please provide a brief explanation of your knowledge. If no, then state no.
- a. Text box for response.
6. The Juvenile Justice Reform Act of 2013 (HB242) had the goals of reducing the number of youths housed in secure facilities who are at lower risk to reoffend, decrease the number of out-of-home juvenile population committed to DJJ, and reduce the juvenile recidivism rate. Do you believe they have been successful at reaching and maintaining these goals? Please provide an explanation for your response.
- a. Text box for response.

7. Do you believe that the current juvenile justice system is effective at reducing juvenile crime? Please provide an explanation for your response.

a. Text box for response.

8. Another component of HB242 was to increase funding for community-based programs.

Are you aware of any community-based programs in your area that are state funded?

If so, what are the state funded community-based programs that you are aware of?

If not, what are the state funded community-based programs would you like to see created in your area?

a. Text box for response

9. What are your thoughts on juvenile crime?

a. Text box for response

10. The Balanced and Restorative Justice (BARJ) Model highlights the important of the victim in the justice process and requires the offender to actively pursue some form of restoration of the victim by paying restitutions, participating in community service, or a combination of both. The principle of balance in connection with restorative justice derives from the balanced approach concept, which suggests that the juvenile justice system should give equal weight to (1) ensuring community safety, (2) holding offenders accountable to victims, and (3) providing competency development for offenders in the system so they can pursue legitimate endeavors after release.

Do you think that the BARJ model is something that Georgia should model their juvenile justice system after? Please provide an explanation for your response.

- a. Text box for response
11. What suggestions, if any, do you have for Georgia and the juvenile justice system?
- a. Text box for response