Focus: Georgian criminal justice reforms in 2004 after the Rose Revolution—following a decade of civil war and ethnic conflict since Georgian independence from the Soviet Union in 1991—and in 2012 after the election of Georgian Dream

Goal: Identify the reforms’ successes and failures, as well as key lessons from the reforms and international parallels

KEY TAKEAWAYS

In Georgia, the reforms focused on the public problems of corruption and organized crime. They started with police reform and criminal legislation, before addressing alternatives to incarceration after prison populations spiked.

Key successes:
- Patrol police reforms professionalized the force and reduced incentives for corruption.
  - 50% of police force was fired. Fewer hired but paid considerably more, with training and necessary equipment
  - Increased public trust & safety; decreased perceived corruption
- Juvenile justice code was revised and a juvenile diversion scheme introduced.
  - Resulted from international and domestic pressure after initial harsh sentences
  - Today juvenile process is better than adult system and there are almost no juveniles in the carceral system

Key failures:
- Resource increases for police and prosecution unmatched for strained courts.
  - Plea bargaining introduced and used heavily
  - Reduced public trust in judiciary; prison population rose rapidly
- Prison reform was only moderately successful and has eroded since then.
  - Prison infrastructure replaced and initial control by organized crime broken
  - Overcrowding, lack of proper health care, lack of skilling/rehabilitation programs continued
- “Zero Tolerance” drug laws were draconian.
  - Overly harsh sentences crowded prisons and ruined lives without meaningfully increasing safety

Reforms are costly, requiring sustained support in government and from the public.
- There is no reform without funding
- Lasting reforms are supported by evidence, not just the theories of a person currently in power
- Reform requires education of the public; explaining “why” builds support
  - Failing here can mean electoral defeat

The age of criminal liability has externalities.
- Underage children may be used as instrumentalities to commit crimes, if they cannot be held liable and go free if caught
  - May relate to intergenerational poverty and the need to address the family and community rather than the child alone

Education is critical and access is fragile.
- Places with more resources and education tend to have less crime
  - Educate and resource underserved communities to reduce crime
- Interactions with criminal justice institutions and processes like the “school to prison” pipeline may rob children of their access to education
- Constitutional right to education can be powerful in litigation, but paper rights must be enforced
  - Quality control is difficult within rights framework

We must interrogate the “why” of a crime.
- Understanding “why” improves crime prevention

KEY EXAMPLES

- Albania (cross-functional child protective units)
- Czech Republic/Poland (special schools for underage children who commit crimes)

RECOMMENDED RESOURCES

- “Georgia’s War on Crime: Creating Security in the Post-Revolutionary Context” by Gavin Slade
- “Police Reform in Georgia / LAD Case Study” by Daniel Kharitonov
- “Hobbling: The Effects of Proactive Policing and Mass Imprisonment on Children’s Education” by Benjamin Justice*
- Race and Schooling in the South, 1880-1950: An Economic History by Robert A. Margo
- Preparing for Power by Peter W. Cookson