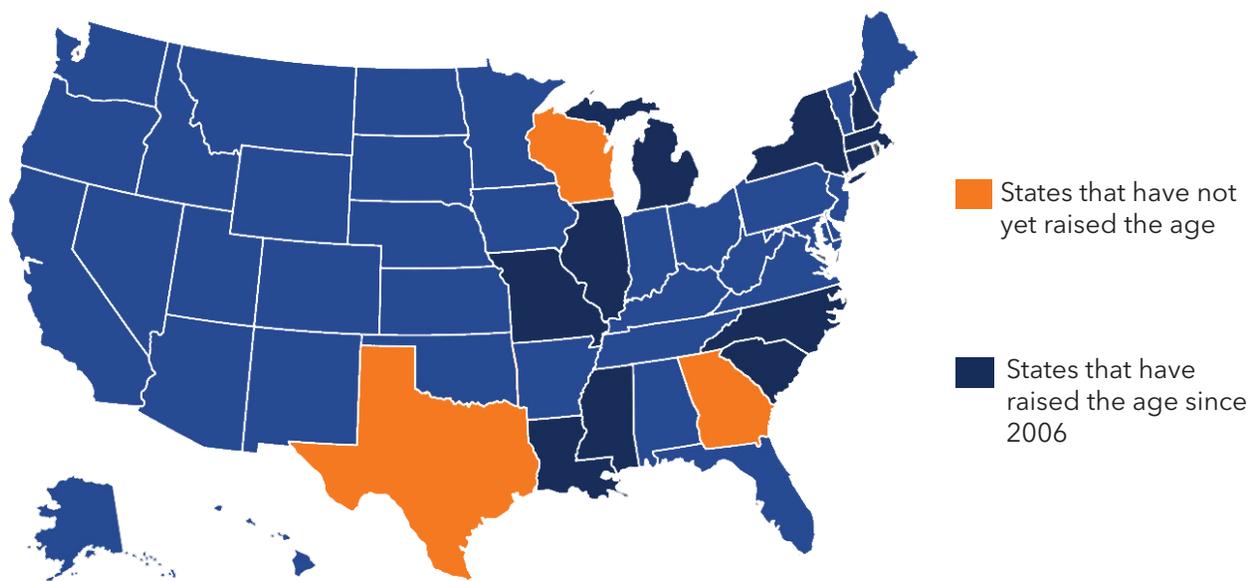


Raising the Age in Georgia

Georgia is **one of only three states** (along with Texas and Wisconsin) that processes all 17-year-olds as adults in the criminal justice system, sending them to adult court rather than through the juvenile justice system.¹

In recent years, several states have raised the maximum age of juvenile court jurisdiction from 17 up to 18 (or older) to reflect the growing body of research which shows that brain development at age 17 is at a fundamentally different stage than that of an adult.



In 2018, **6,661** 17-year-olds were arrested in Georgia.²

Only **5%** of these arrests were for violent crimes.³

123 counties in Georgia had **fewer than 50 arrests** of 17-year-olds in 2018.⁴

Even if Georgia raises the age to 18, youth as young as 13 with certain violent felonies may still be tried as adults. Such crimes include murder, rape, armed robbery committed with a firearm, aggravated child molestation, aggravated sodomy, aggravated sexual battery, and voluntary manslaughter.

IMPROVING PUBLIC SAFETY THROUGH EVIDENCE-BASED PROGRAMS

Data shows lower level offenders, when confined with higher level offenders, emerge from incarceration more inclined to conduct criminal activity.⁵ Evidence-based alternatives to detention have been proven to reduce the likelihood of criminal activity.⁶ Georgia has already taken steps to improve public safety. To date, Georgia has seen a **40% reduction** in juvenile incarceration since 2013.⁷

JUVENILE VS. ADULT SYSTEM

Compared to the adult criminal justice system, juvenile court and juvenile court-ordered plans take a more holistic approach, using a youth's naturally high capacity for change and growth to **redirect behavior** into more healthy and socially positive outcomes. In short, responding to a 17-year-old's misbehavior in **developmentally appropriate ways** can reduce the likelihood that the child will commit offenses as an adult.⁸

The juvenile justice system makes use of:

Mental health treatment/
substance abuse counselors



Evidence-based programs that aid in social skills development, cognitive restructuring, problem-solving skills, and crisis management



Career development and
job readiness training

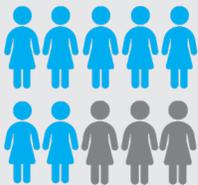


Education opportunities

Juvenile court is preparing juveniles for adulthood recognizing that they are still children.

Georgia's Juvenile Justice Incentive Grants (JJIG) and Community Services Grants fund the delivery of six evidence-based programs proven effective for juveniles: Functional Family Therapy, Thinking for a Change, Aggression Replacement Training, Multisystemic Therapy, Seven Challenges, and Brief Strategic Family Therapy² Together the two grants make these therapies available to juvenile court jurisdictions encompassing 98% of Georgia's youth.¹⁰

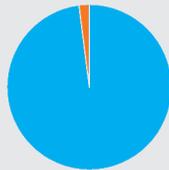
JJIG served **1,350**
youth at moderate or high risk
to reoffend in 2019.¹²



70%

successfully completed their
evidence-based programs.¹³

and



94%

served by JJIG were actively
enrolled or had
completed high school.¹⁴

resulting
in a



56%

reduction in out-of-home
placements in
JJIG-participating counties.¹¹

The Georgia Department of Juvenile Justice (DJJ) is the 181st school district in the state. **Georgia Preparatory Academy** is the middle and high school within the DJJ school system with 30 campuses across the state in detention and transitional centers. Additionally, **Pathways to Success** is an adult education program that offers GED instruction and testing. The **Connections Graduate Program** focuses on re-entry, work skills development, and post secondary options.¹⁵

FAST FACTS

- Nationally, youth are **36 times** more likely to commit suicide in an adult facility than a juvenile facility.¹⁶
- In 2019, the average daily caseload of youth in Georgia receiving mental health services was **1,252**.¹⁷
- From 2014-2018, more than **8,000 youth** have received individual or group therapy through evidence-based models delivered by the Georgia juvenile justice system.¹⁸

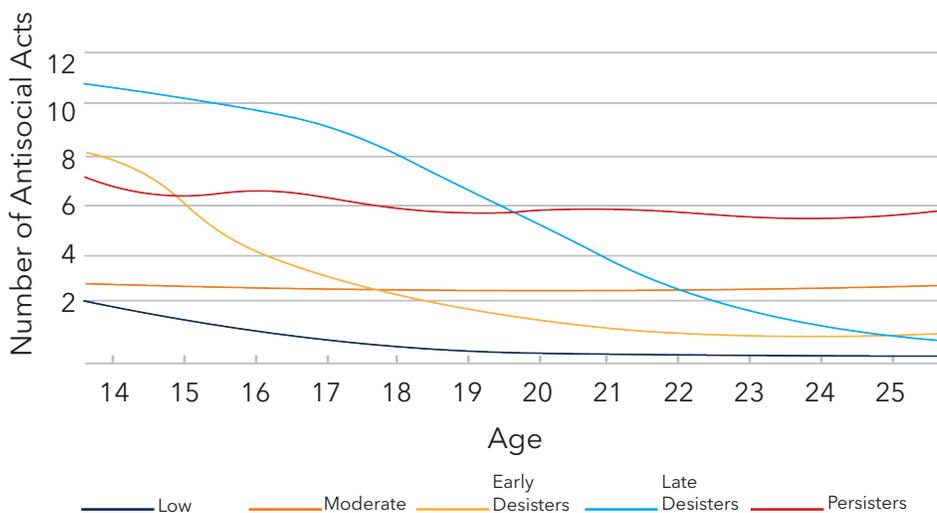
BRAIN DEVELOPMENT OF A 17-YEAR-OLD



17-year-olds are still in the adolescent phase of brain development, where their executive functioning skills are not yet fully developed. Executive function allows for self-control, regulating emotions, and understanding different points of view.¹⁹

Studies show that, when compared to adults, 17-year-olds are:²⁰

- less capable of impulse control
- less able to regulate their emotions
- less able to consider the consequences of their actions
- more easily influenced by their environment
- more likely to change course if given the right support



Offending rates typically peak during teenage years and decline in the early 20s.²¹

The U.S. Supreme Court* finds adolescents are **more capable of change** than adults and should be given the **opportunity to rehabilitate**.²²

**Graham v. Florida* (2010)

ECONOMIC IMPACT OF RAISING THE AGE

States that have recently raised the age have experienced **no or minimal cost increases** while lowering arrest and detention rates.



CONNECTICUT

Raised the age in **2007**

In the first year, Connecticut:²³



Saved **\$2 million**



Decreased reliance on confinement

After 10 years:²⁴



The number of new juvenile cases **decreased by 40%**

The two-year rearrest rate of children on probation declined by nearly **8%**.



NORTH CAROLINA^{25 26}

Raise the age law effective in **December 2019**

16 and 17-year-olds will now go into the juvenile court system



Reduced reliance on detention facilities, generating cost savings to put toward increased youth population²⁷



In the first eight months of implementation:

There were **15% fewer** youth admitted to the juvenile justice system than were projected.²⁸



There were **9% fewer** youth detained than were projected.²⁹

RAISING THE AGE EFFECT ON JUVENILE ARRESTS

Connecticut, Illinois, and Massachusetts have seen significant drops in juvenile arrests after raising the age up to 18.³⁰

State Juvenile Arrests Drop After Raising the Age



Sources for Raising the Age in Georgia

- 1 "Raise the Age," Justice Policy Institute, 2016, accessed on October 31, 2019, http://www.justicepolicy.org/uploads/justicepolicy/documents/raisetheagesummary_final_3_6_16.pdf; <http://www.raisetheagect.org/results-cost.html>
- 2 Georgia Bureau of Investigation, 2019.
- 3 Ibid.
- 4 Ibid.
- 5 "Re-Examining Juvenile Incarceration," The Pew Charitable Trusts, accessed November 19, 2019, https://www.pewtrusts.org/~media/assets/2015/04/reexamining_juvenile_incarceration.pdf
- 6 "2017-2018 Criminal Justice Reform Council Report," Georgia Council on Criminal Justice Reform, accessed on November 19, 2019, <https://dcs.georgia.gov/important-links/georgia-council-criminal-justice-reform>.
- 7 "Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Decision Points Time Series," Georgia Criminal Justice Coordinating Council, 2018, accessed on November 6, 2020, <https://juveniledata.georgia.gov/node/22>.
- 8 "Raise the Age," Justice Policy Institute, 2016, accessed on October 31, 2019, http://www.justicepolicy.org/uploads/justicepolicy/documents/raisetheagesummary_final_3_6_16.pdf.
- 9 "Innovating Criminal Justice, Empowering Victims," Criminal Justice Coordinating Council, accessed on November 20, 2019, https://cjcc.georgia.gov/sites/cjcc.georgia.gov/files/CJCC_AR_2018-19_DigitalPagesExport.pdf.
- 10 "2017-2018 Criminal Justice Reform Council Report," Georgia Council on Criminal Justice Reform, accessed November 19, 2019, <https://dcs.georgia.gov/important-links/georgia-council-criminal-justice-reform>.
- 11 "Georgia Juvenile Justice Incentive Grant: 2018-2019 Year Six Evaluation Report," University of Georgia, Carl Vinson Institute of Government, Georgia Criminal Justice Coordinating Council, Georgia Department of Juvenile Justice, accessed on November 6, 2020 from <https://cjcc.georgia.gov/document/document/gajuvjusticeincentivegrant-year6annualreportfinalpdf/download>.
- 12 "Georgia Juvenile Justice Incentive Grant: 2018-2019 Year Six Evaluation Report," University of Georgia, Carl Vinson Institute of Government, Georgia Criminal Justice Coordinating Council, Georgia Department of Juvenile Justice, accessed on November 6, 2020 from <https://cjcc.georgia.gov/document/document/gajuvjusticeincentivegrant-year6annualreportfinalpdf/download>
- 13 "Georgia Juvenile Justice Incentive Grant: 2018-2019 Year Six Evaluation Report," University of Georgia, Carl Vinson Institute of Government, Georgia Criminal Justice Coordinating Council, Georgia Department of Juvenile Justice, accessed on November 6, 2020 from <https://cjcc.georgia.gov/document/document/gajuvjusticeincentivegrant-year6annualreportfinalpdf/download>.
- 14 "Georgia Juvenile Justice Incentive Grant 2018-2019," Georgia Department of Juvenile Justice, Georgia Criminal Justice Coordinating Council, and the University of Georgia Carl Vinson Institute of Government, 2020.
- 15 "Our School System," Department of Juvenile Justice, accessed December 4, 2019, <https://djj.georgia.gov/our-school-system>.
- 16 Arya, Neelum, "Getting to Zero: A 50-State Study of Strategies to Remove Youth from Adult Jails," UCLA School of Law, 2018.
- 17 "2019 Annual Report," Georgia Department of Juvenile Justice, 2019, <https://online.pubhtml5.com/howr/lx-ly/#p=1>.
- 18 "2017-2018 Criminal Justice Reform Council Report," Georgia Council on Criminal Justice Reform, accessed November 19, 2019, <https://dcs.georgia.gov/important-links/georgia-council-criminal-justice-reform>.
- 19 Diamond, A, "Executive Functions," Annual Review of Psychology, 2014, accessed December 3, 2019, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4084861/>.
- 20 Phillippi, S., Siegel, G., Scharf, P., Atkinson, R., McCann, E., Arteaga, P, "A Legislated Study of Raising the Age of Juvenile Jurisdiction in Louisiana," Louisiana State University Institute for Public Health and Justice, 2016, accessed October 31, 2019, http://sph.lsuhs.edu/wp-content/uploads/2016/07/RAISE_THE_AGE_DRAFT_20160128Final.pdf.
- 21 "OJJDP Juvenile Justice Bulletin, March 2015," U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, accessed January 21, 2020, <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/248391.pdf>.
- 22 Graham v. Florida, 130 S. Ct. 2011, 2025-26 (2010) (citing "developments in psychology and brain science" showing "fundamental differences between juvenile and adult minds" and concluding that offenses committed by youth younger than 18 are "not as morally reprehensible as that of an adult"); Graham, 130 S. Ct. at 2030 ("[T]he State must...give defendants...some meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation")
- 23 "Raise the Age," Justice Policy Institute, 2016, accessed October 31, 2019, http://www.justicepolicy.org/uploads/justicepolicy/documents/raisetheagesummary_final_3_6_16.pdf; <http://www.raisetheagect.org/results-cost.html>.
- 24 Lyons, Kelan. "Juvenile justice advocates: Let's 'Raise the Age' again," CT Mirror. February 10, 2020. <https://ct-mirror.org/2020/02/10/juvenile-justice-advocates-lets-raise-the-age-again/>
- 25 "Raise the Age," Justice Policy Institute, 2016, accessed October 31, 2019, <http://www.justicepoli>

- [loads/justicepolicy/documents/raisetheagesummary_final_3_6_16.pdf](#); <http://www.raisetheagect.org/results-cost.html>;
- 26 Boughton, M., "NC's new 'Raise the Age' law appears to be off to a promising start," NC Policy Watch, accessed January 21, 2020, <http://www.ncpolicywatch.com/2020/01/16/ncs-new-raise-the-age-law-appears-to-be-off-to-a-promising-start/>.
- 27 "2017-2018 Criminal Justice Reform Council Report," Georgia Council on Criminal Justice Reform, accessed November 19, 2019, <https://dcs.georgia.gov/important-links/georgia-council-criminal-justice-reform>.
- 28 "Raise the Age," North Carolina Department of Public Safety, 2020, accessed November 20, 2020 from <https://files.nc.gov/ncdps/documents/files/Divisions/jj/RTA/JJ-Update.pdf>.
- 29 "Raise the Age," North Carolina Department of Public Safety, 2020, accessed November 20, 2020 from <https://files.nc.gov/ncdps/documents/files/Divisions/jj/RTA/JJ-Update.pdf>.
- 30 "Raise the Age," Justice Policy Institute, 2016, accessed October 31, 2019, http://www.justicepolicy.org/uploads/justicepolicy/documents/raisetheagesummary_final_3_6_16.pdf; <http://www.raisetheagect.org/results-cost.html>.