
Juveniles Arrested as Adults Under SB440: Fiscal Year 2003 1st Quarter Update

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Funding Assistance Provided by the Office of the Governor Children and Youth Coordinating Council

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Project Information

-) This December 15, 2002 report is the third quarterly report for Fiscal Year 2002.
-) Dispositional information is included in this report every six months (in the 2nd Quarter Update and The Final Report).
-) This report was made possible with funding assistance from the Children and Youth Coordinating Council (CYCC) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP).
-) Purpose: collect, analyze, and disseminate accurate information concerning juveniles processed through the adult criminal justice system.
-) Senate Bill (SB440), codified in O.C.G.A. Sec. 15-11-28 (b) (2) (A), gives the superior court exclusive jurisdiction over children ages 13-17 who are alleged to have committed one of the following offenses (commonly referred to as the "Seven Deadly Sins"):
 - Murder
 - Voluntary Manslaughter
 - Rape
 - Aggravated Sodomy
 - Aggravated Child Molestation
 - Aggravated Sexual Battery
 - Armed Robbery if committed with a firearm.
-) Transfer to Juvenile Court: Prior to indictment, the district attorney may elect to send the case to juvenile court. If the case is transferred to juvenile court it is subject to the provisions of O.C.G.A. Sec. 15-11-37, the Designated Felony Act. After indictment, a case not involving an offense punishable by death or life imprisonment (voluntary manslaughter, aggravated sexual battery, and a first offense of aggravated child molestation), may be transferred to the juvenile court by the superior court after "investigation and for extraordinary cause."
-) GIDC would like to thank John Speir, Ph.D., of Applied Research Services, Inc., for consultation and development of the database used on this project.
-) GIDC would like to thank Dr. Margaret Robinson, of the University of Georgia School of Social Work, for her consultation on this project.
-) GIDC would like to thank the Georgia Department of Juvenile Justice for their continued assistance with the SB440 Project.

Questions and comments regarding the SB440 Project should be directed to GIDC at 404-232-8900..

Current Report Data

-) This report includes information from May 1, 1994 through September 30,, 2002.
-) Between May 1, 1994 and September30, 2002 approximately 4,001 juveniles have been arrested for an SB440 offense. This number reflects arrest information provided to GIDC by a variety of sources such as the Department of Juvenile Justice and public defenders. ***Please note that the total number of arrests for the years 1998 to 2001 are possibly incomplete; it is not clear whether the Department of Juvenile Justice has been able to obtain arrest information from all correctional facilities. If/when this information becomes available, it will be added to our database, and a note will be included in the following report.***

Additional Information

-) Some of the most recent reports, along with other SB440 information, are now available on GIDC's website at www.gidc.com. Click on "Juvenile Related Information."

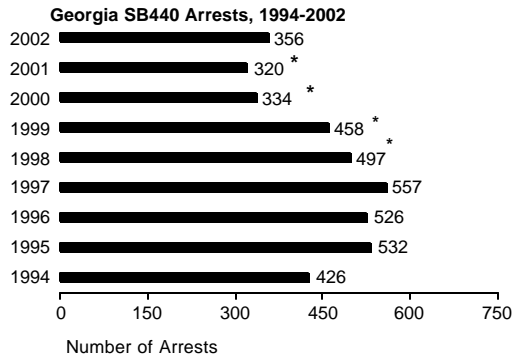
Arrest Information

Every quarter DJJ provides GIDC with a list of all juveniles admitted to a DJJ facility or corrections facilities for an SB440 offense within the preceding three months. This information has been available through DJJ's central database since 1996. Prior to 1996, information was obtained from individual detention facilities rather than from the state office. GIDC distributed tracking sheets to each facility and asked that a tracking sheet be completed each time a juvenile was brought into the facility on an SB440 charge.

Arrest information includes name, date of birth, race, sex, county of offense, the date on which the juvenile entered a DJJ or corrections facility, and the offense for which the juvenile is detained. This information is entered into the GIDC database; the data are then analyzed using the Statistical Package for the Social Sciences (SPSS) to provide demographic and statistical information on these juveniles.

Some caution is required due to problems with the arrest data. First, there is not a special designation in the DJJ system to identify juveniles charged under SB440 which means that some non-SB440 arrests are included and that some SB440 arrests are never reported. Second, the DJJ offense classification of armed robbery includes all robberies committed with a weapon, regardless of the type of weapon. The SB440 offense of armed robbery is limited to armed robbery *with a firearm*. Since there is no way to distinguish the armed robberies committed with a firearm from all other armed robberies, many juveniles reported to DJJ as having been arrested under SB440 for armed robbery are not actually SB440 juveniles. As information is obtained from other sources, the SB440 status of armed robbery arrestees is gradually verified. Third, if a juvenile turns thirteen between the date an offense was committed and the date of admission to a DJJ facility, that juvenile may be identified as an SB440 juvenile even though she or he was only twelve when the offense was alleged to have been committed. Likewise, if a juvenile turns seventeen between the date of the alleged offense and the date of arrest, that juvenile may never show up on a DJJ list because the juvenile would be held as an adult even though the juvenile falls under the SB440 category.

Overview: Offense Trends, 1994-2002



The numbers above reflect the numbers of juveniles for whom complete arrest information is available.

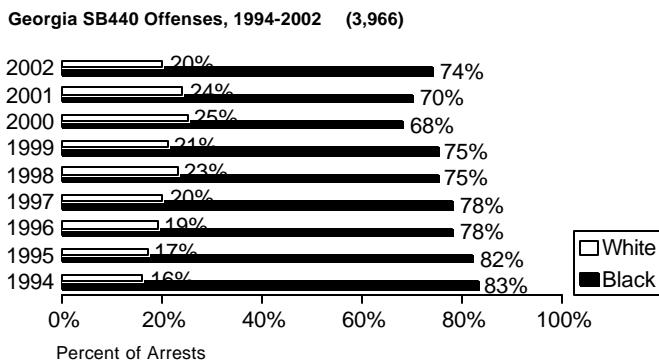
*** Please note that the apparent decrease in total arrests per year could be misleading because it is not clear that the Department of Juvenile Justice has been able to obtain arrest information from all correctional facilities during several reporting periods between 1998 and 2001. If and when this information becomes available, it will be added to our database, and a note will be included in the following report. Similarly, there have been improvements made in addressing some of the problems in the data (see page 2, Arrest Information) and this could also contribute to the apparent decline in arrests per year.**

Between May 1, 1994 and September 30, 2002 approximately 3927 juveniles have been arrested for an SB440 offense.

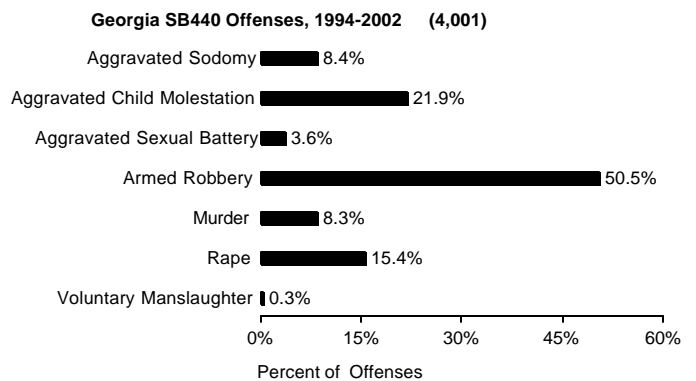
1994 data includes juveniles arrested between May 1 and December 31.

2002 data includes juveniles arrested between January 1 and September 30, 2002.

Arrest Trends by Race, 1994- 2002



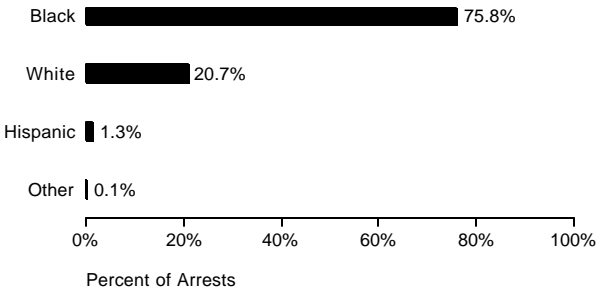
Arrest Trends by Offense, 1994- 2002



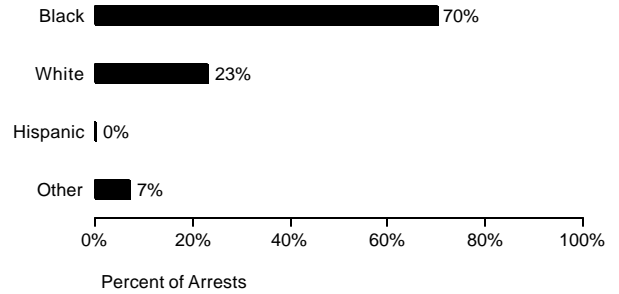
1. Approximately 3,850 juveniles have been arrested under SB440. Complete demographic and arrest information on some juveniles is unavailable. The charts showing demographic and offense information do not include juveniles for whom information is unavailable.
2. Some juveniles may be arrested with more than one offense so the percentages may exceed 100%
3. "Armed Robbery" is used for the offense of armed robbery committed with a firearm.

Demographic Trends, 1994-2002

Race Profile, 1994- 2002 (3,966)

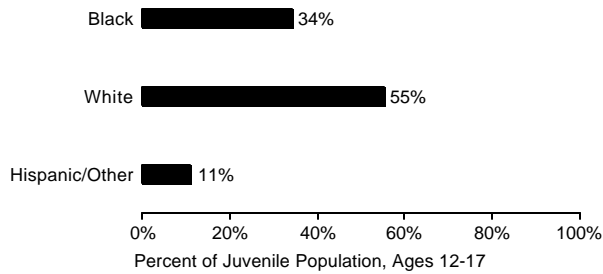


Race Profile, 3rd Quarter FY2002 (171)



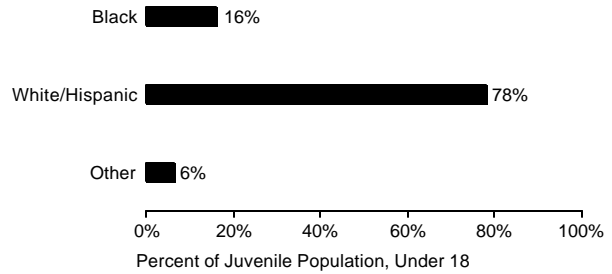
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Racial Composition, Georgia Juveniles (Ages 12-17)



Source: U.S. Census Bureau, 2000

Racial Composition, U.S. Juveniles (Under 18)



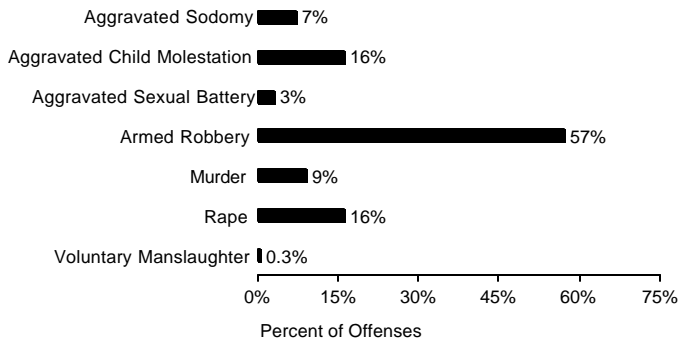
Source: U.S. Census Bureau, 2000

Note that this graph shows the racial composition of all juveniles under the age of 18, while the percentages in the Georgia graph refer to juveniles between the ages of 12 to 17.

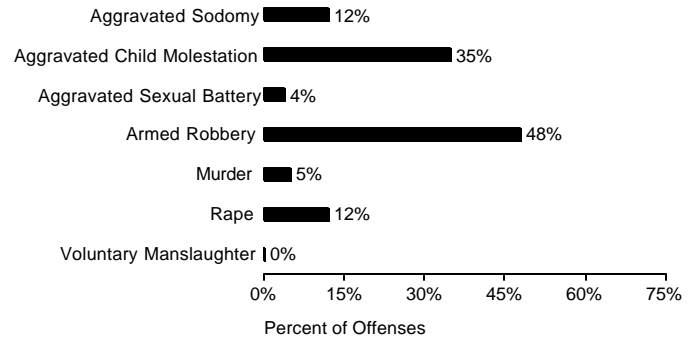
Demographic Trends - Race Profile, 1994-2002

Race by Offense

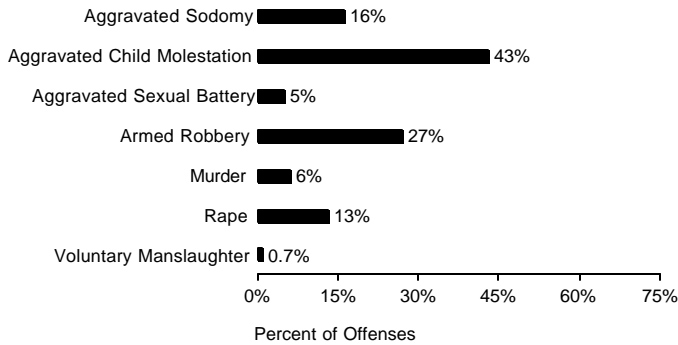
Black, 1994-2002 (2,990)



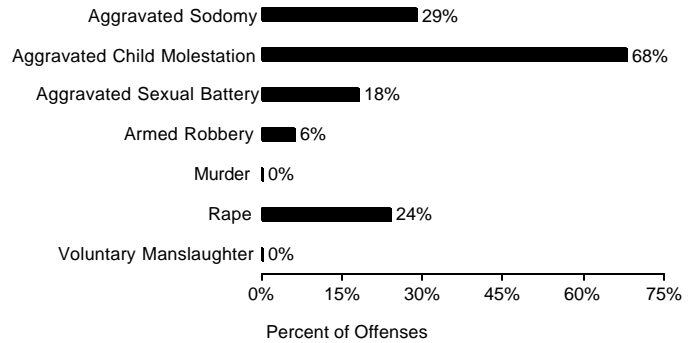
Black, 1st Quarter FY2002 (751)



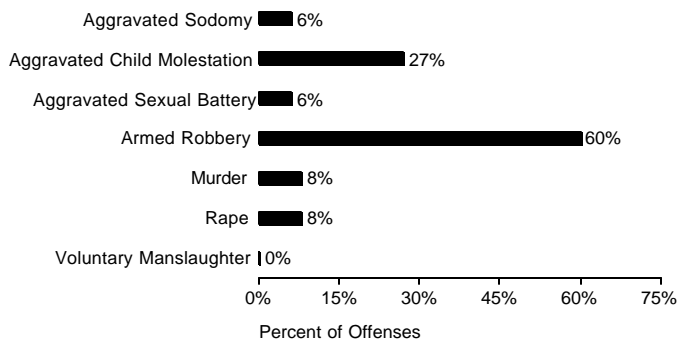
White, 1994-2002 (819)



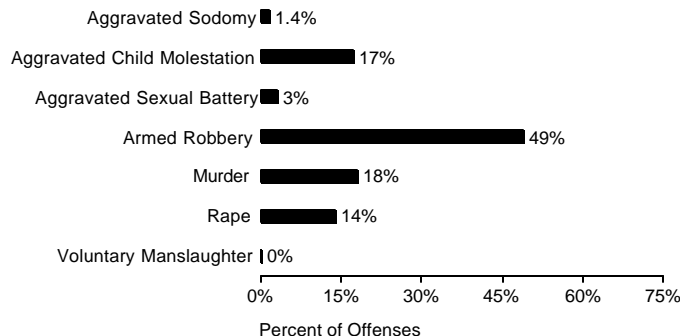
White, 1st Quarter FY2002 (34)



Hispanic, 1994-2002 (52)



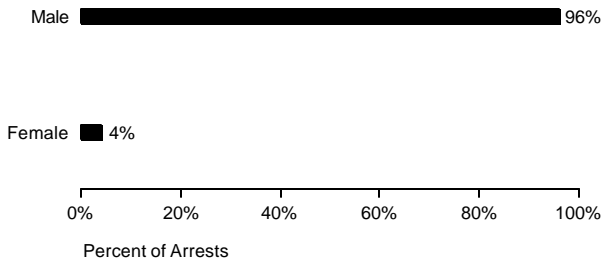
Other, 1994-2002 (72)



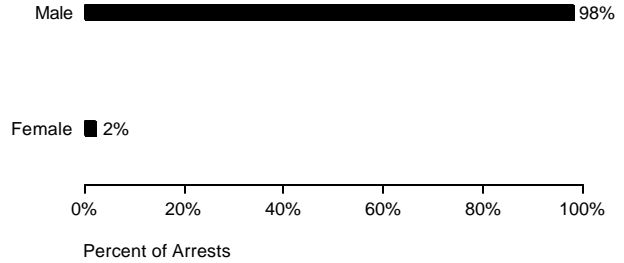
1. Some juveniles may be arrested with more than one offense so the percentages may exceed 100%.
2. "Armed Robbery" is used for the offense of armed robbery committed with a firearm.
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4. The chart for Other, 3rd Quarter FY2002 is not included because there were no arrests for this category.

Demographic Trends - Gender Profile, 1994- 2002

Gender Profile, 1994- 2002 (4,001)

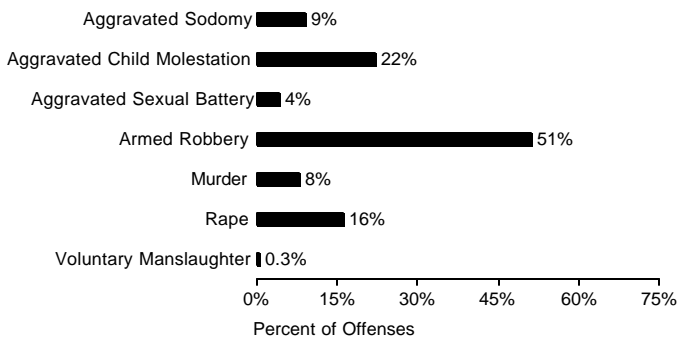


Gender Profile, 3rd Quarter FY2002 (171)

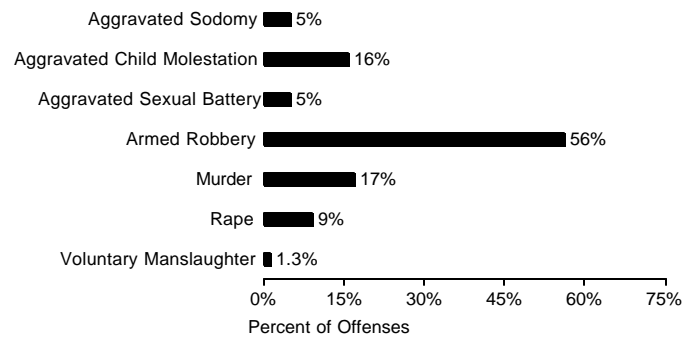


Gender by Offense, 1994- 2002

Males, 1994- 2002 (3,853)



Females, 1994-2002 (149)



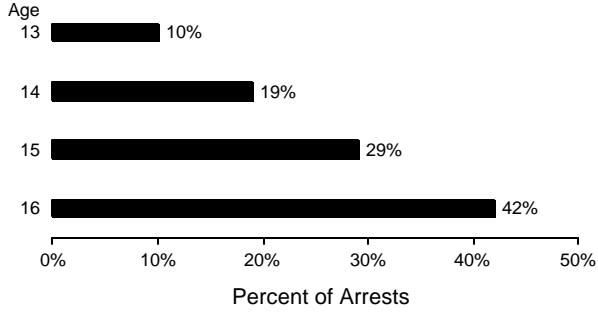
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2. Some juveniles may be arrested with more than one offense so the percentages may exceed 100%

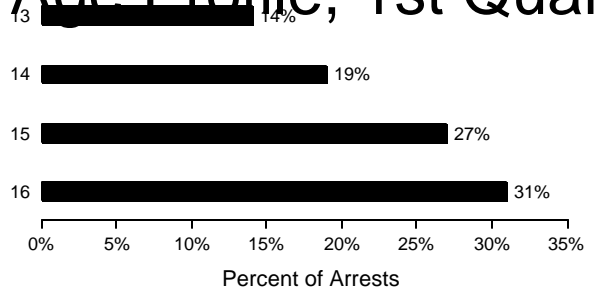
3. While the definition of O.C.G.A. Section 16-6-1 does not provide for a female to be charged with the offense of rape, SB440 arrests reported to GIDC include 13 females charged with rape.

Demographic Trends - Age Profile, 1994-2002

Age Profile, 1994 -2002 (3,991)



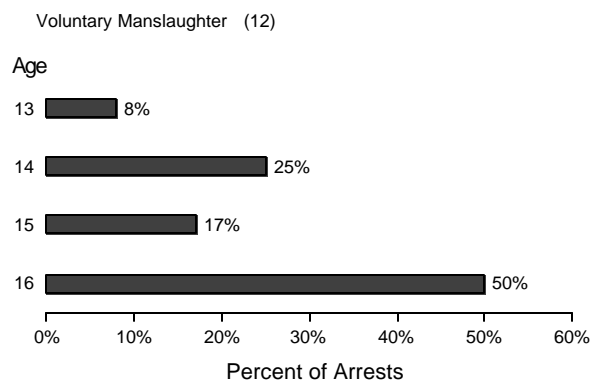
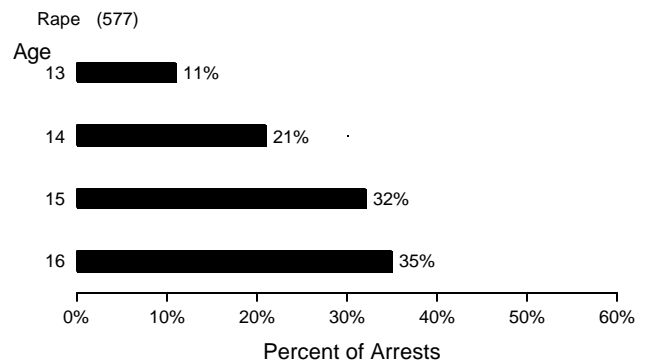
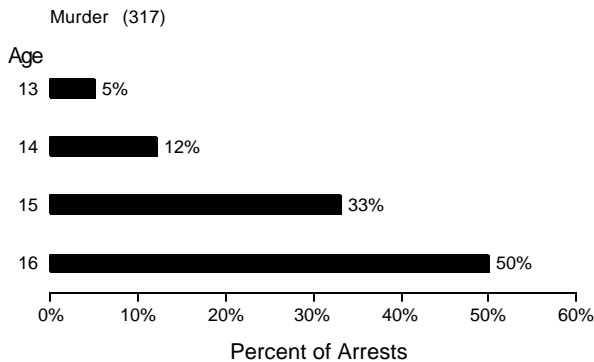
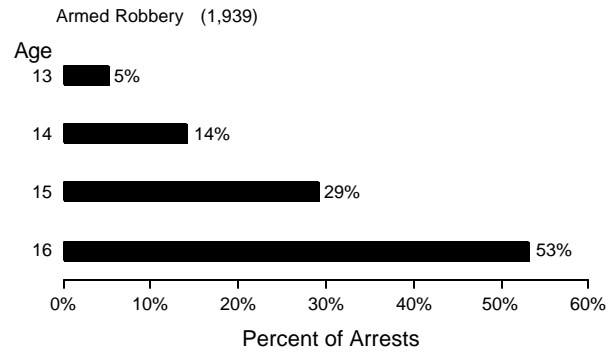
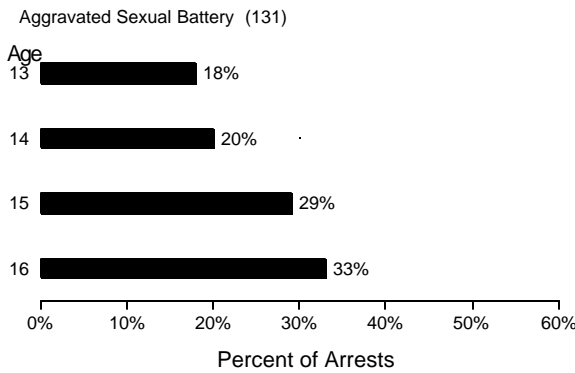
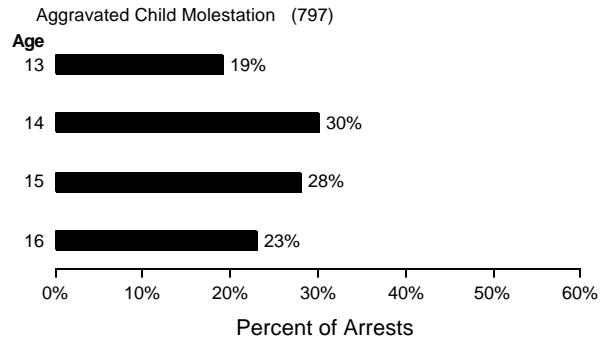
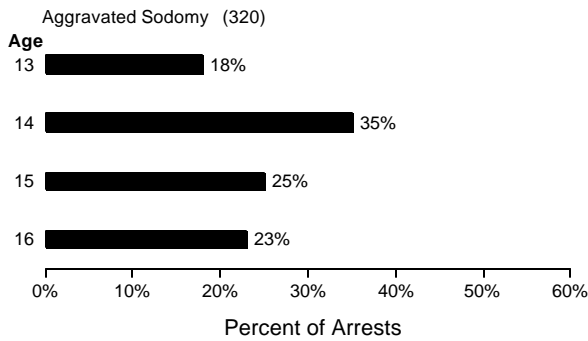
Age Profile, 1st Quarter



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Demographic Trends - Age Profile, 1994-2002

Offense by Age

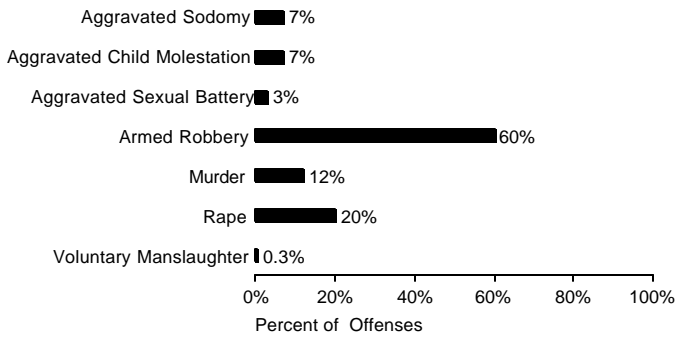


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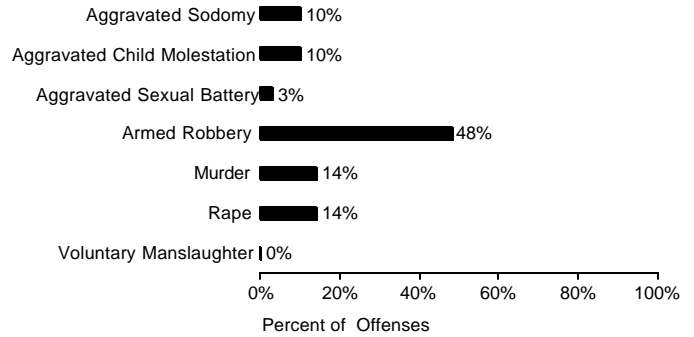
County Summary: Arrests, 1994-2002

Fulton County

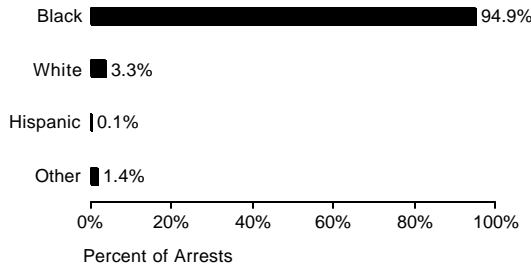
Georgia SB440 Offenses, 1994- 2002 (836)



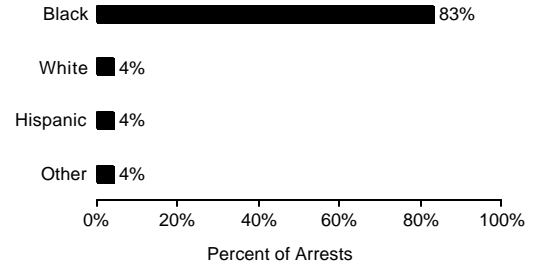
Georgia SB440 Offenses, 1st Quarter FY2002 (23)



Race Profile, 1994-2002 (763)

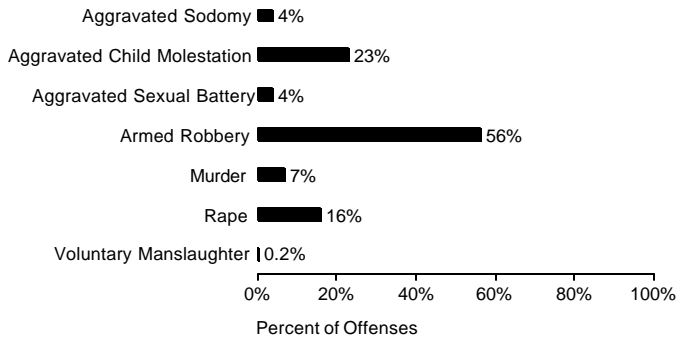


Race Profile, 1st Quarter FY2002 (23)

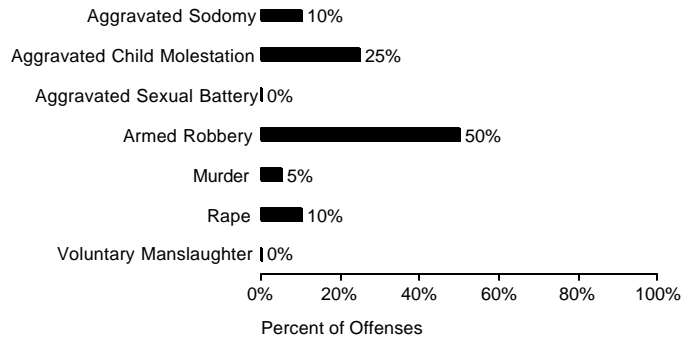


DeKalb County

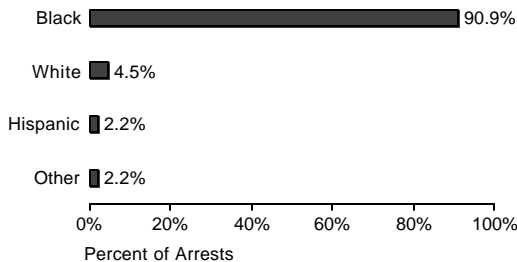
Georgia SB440 Offenses, 1994-2002 (615)



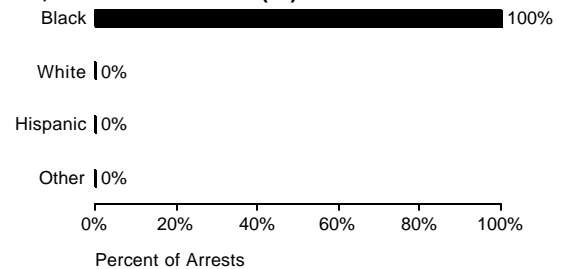
Georgia SB440 Offenses, 1st Quarter FY2002 (17)



Race Profile, 1994-2002 (557)



Race Profile, 1st Quarter FY2002 (17)



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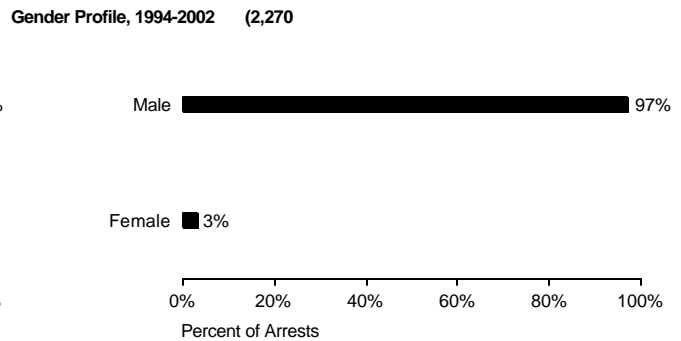
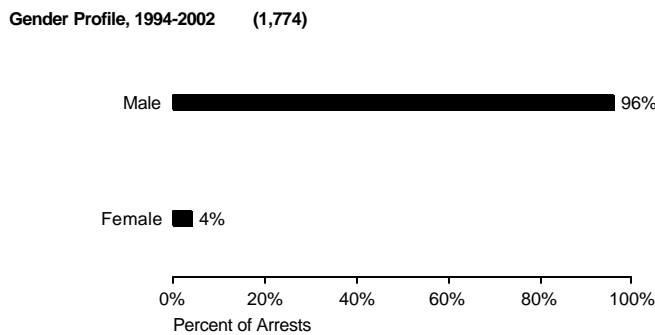
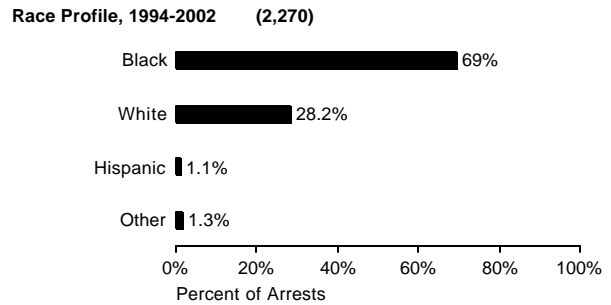
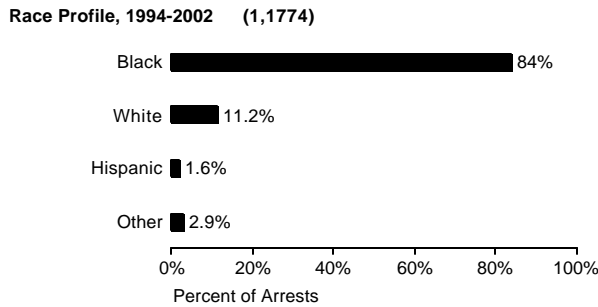
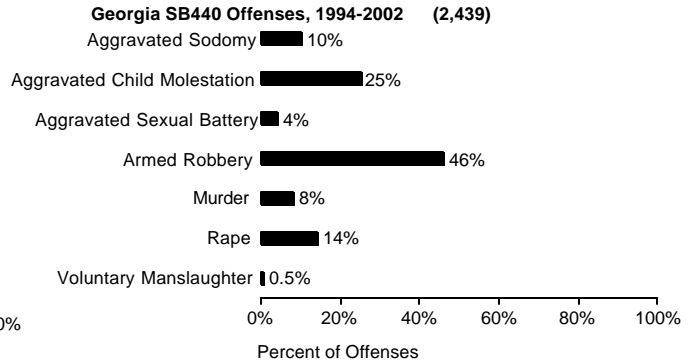
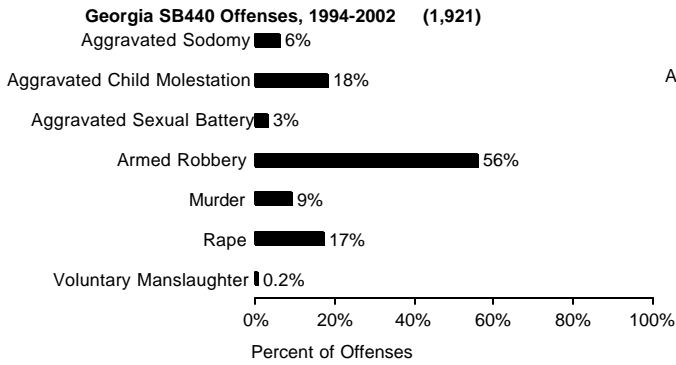
3. Some juveniles may be arrested with more than one offense so the percentages may exceed 100%

Metropolitan Atlanta - Statewide Summary: Arrests, 1994-2002

Metro-Atlanta-Statewide Breakdown

Metro-Atlanta Counties

All Other Counties



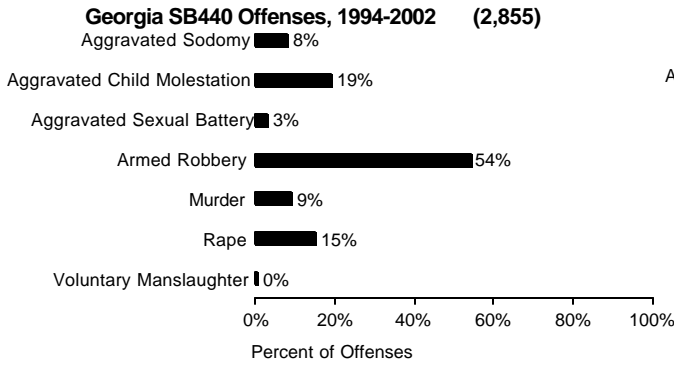
For this analysis, Metropolitan Atlanta refers to Clayton, Cobb, Fulton, DeKalb, and Gwinnett Counties

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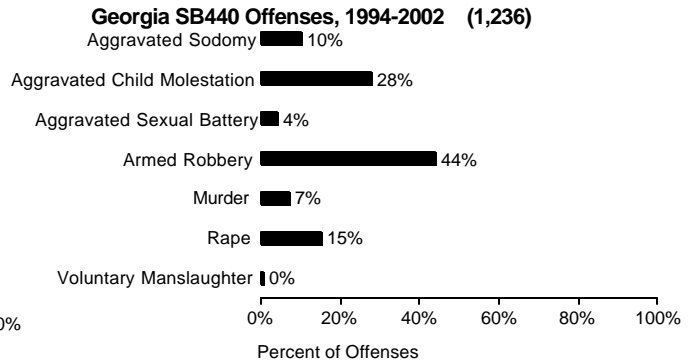
Urban-Rural Summary, 1994-2002

Urban-Rural Breakdown

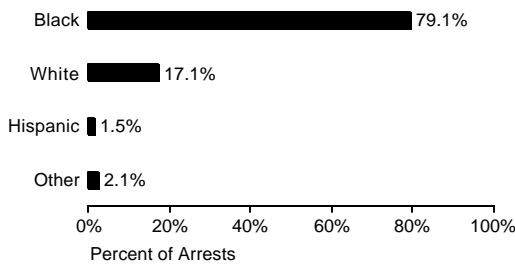
Urban Counties



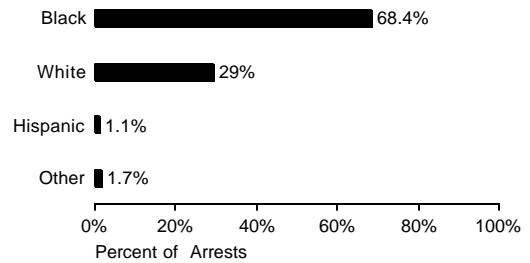
Rural Counties



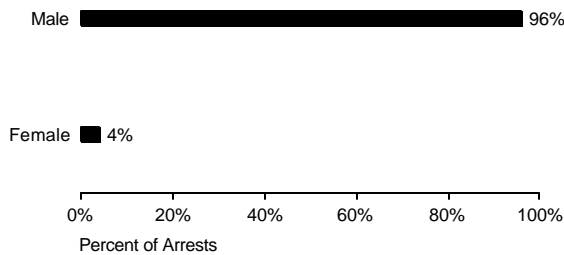
Race Profile, 1994-2002 (2,870)



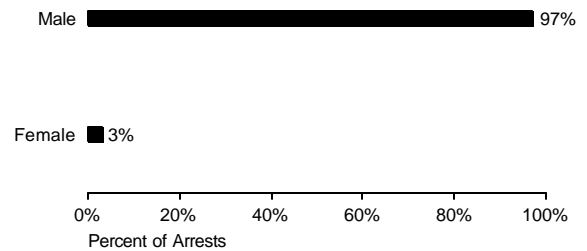
Race Profile, 1994-2002 (1,148)



Gender Profile, 1994-2002 (2,870)



Gender Profile, 1994-2002 (1,148)



Urban is defined as any Georgia County within a U.S. Census Bureau Standard Metropolitan Statistical Area (SMSA)

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