



## Support House Bill 272 – Keep 17-Year-Olds in Juvenile Court

Georgia is **one of only three states** that prosecutes and sentences 17-year-olds charged with crimes as adults, even when they do not pose a risk to public safety.<sup>1</sup> Georgia can **promote public safety and improve youth outcomes by raising the age of criminal responsibility to 18.**

### Raising the age will promote public safety

*According to the Georgia Crime Information Center, juvenile arrests in Georgia have been declining since 2008, and the vast majority of offenses committed by 17-year-olds are misdemeanors.<sup>2</sup> Keeping these teenagers in juvenile court will improve public safety outcomes.*

- ❖ 17-year-olds who are tried as juveniles are 34% less likely to reoffend than those adjudicated in the adult system.<sup>3</sup> In fact, raising the age has allowed states to down-size their juvenile justice systems as a result of reduced recidivism.<sup>4</sup>
- ❖ The juvenile justice system can hold 17-year-olds accountable for their actions through restitution to victims, mandatory school attendance, evidence-based interventions, and restrictive custody when necessary.
- ❖ Serious cases will still be prosecuted in the adult system. Georgia law allows for the criminal prosecution of children age 13 and older for serious violent crimes (commonly referred to as “SB 440 offenses”),<sup>5</sup> and juvenile courts and prosecutors have authority to transfer other cases to superior court.<sup>6</sup>

### Raising the age will improve youth outcomes

*17-year-olds are developmentally similar to other teenagers, which is why Georgia law generally treats adolescents differently than adults. Teenagers are prone to immature decision-making, poor judgment, and impulsive behavior. They should not be arrested, handcuffed, taken to jail, required to post a bond and appear in adult court, and have education and job opportunities limited by a criminal record.*

- ❖ In the adult system: 17-year-olds are more likely to be the victims of violence and sexual assault, more likely to commit suicide, and more likely to reoffend.<sup>7</sup>
- ❖ In the juvenile justice system: 17-year-olds can receive evidence-based interventions that are proven effective for preventing recidivism, or the tendency to re-offend.<sup>8</sup>

<sup>1</sup> The other two states are Texas and Wisconsin. Eleven other states have raised the age to 17 in the last decade and a half, including Missouri and Michigan this year.

<sup>2</sup> Uniform Crime Reporting, Georgia Bureau of Investigation, Crime Statistics Summary Reports, <https://gbi.georgia.gov/services/crime-statistics>. The highest numbers of arrests for persons under the age of 18 in Georgia are for assault (often between family members), larceny (theft of personal property), possession of marijuana, and disorderly conduct. In three-quarters of Georgia’s 159 counties, fewer than 50 17-year-olds are arrested each year.

<sup>3</sup> Centers for Disease Control and Prevention, “Effects on Violence of Laws & Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System,” 7 (2007).

<sup>4</sup> Both Connecticut and Illinois have seen decreased juvenile arrests and have closed juvenile facilities since raising the age. Louisiana Youth Justice Coalition, “Raise the Age: Support SB 324,” 1 (2016); Illinois Juvenile Justice Commission, “Raising the Age of Juvenile Court Jurisdiction” 6 (2013).

<sup>5</sup> See O.C.G.A. § 15-11-560.

<sup>6</sup> See O.C.G.A. § 15-11-561.

<sup>7</sup> Campaign for Youth Justice, “Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America” (2007).

<sup>8</sup> The Juvenile Justice Incentive Grant (JJIG) program supports effective community programs to serve youth committed to the Department of Juvenile Justice or sent to Short-Term Programs as a sanction. See <https://cjcc.georgia.gov/grants/grant-subject-areas/juvenile-justice/juvenile-justice-incentive-grant-program>.