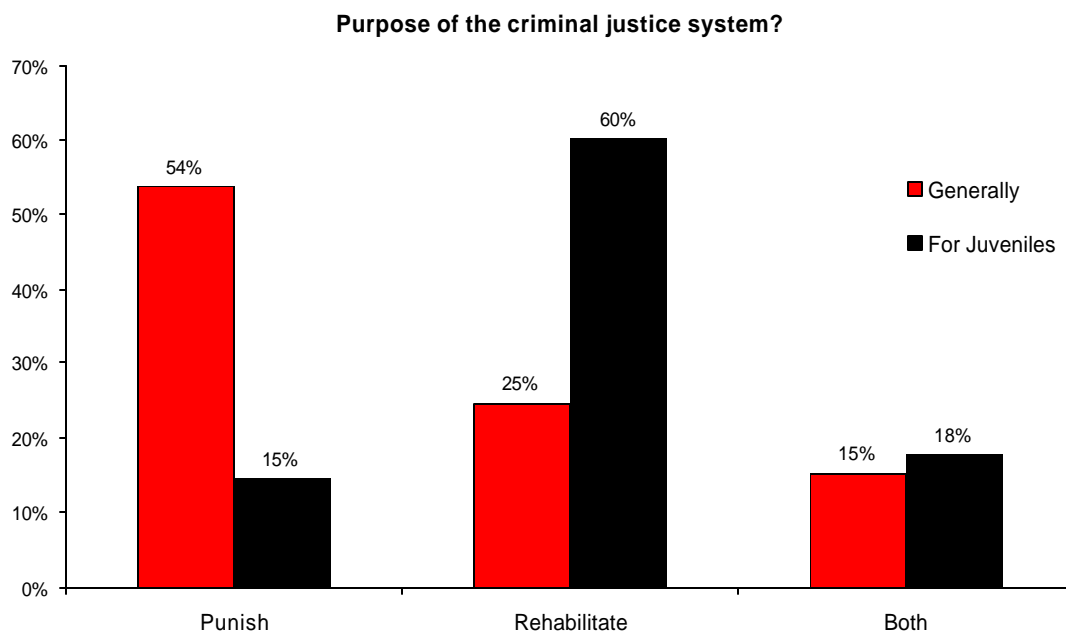


Georgian’s Views of the Juvenile Justice System

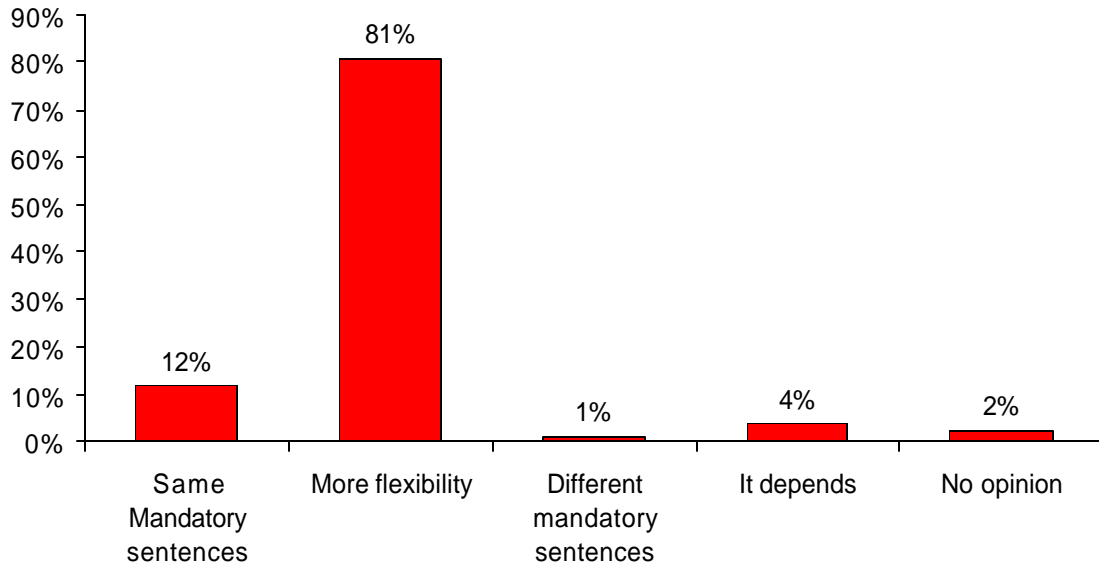
The people of Georgia clearly believe that the state’s criminal justice system should treat juvenile offenders differently than adult offenders. We asked the public at what age individuals are generally capable of making decisions which determine the rest of his or her life; 23 percent of respondents said at age 18, 21 percent said at age 21, and 18 percent said at age 25. The average of all responses is 22 years of age. Although this is not reflective of the public’s assessment of the age of culpability, it does give some insight into the public’s assessment as to when individuals can act without adult guidance.

When asked what the general purpose of Georgia’s criminal justice system is, 54 percent said that it was to punish offenders while only 25 percent said it was to rehabilitate offenders; however, when asked what its purpose *should be* in relation to juvenile offenders, only 15 percent said that punishment was the objective, and 60 percent said the purpose should be to rehabilitate offenders.



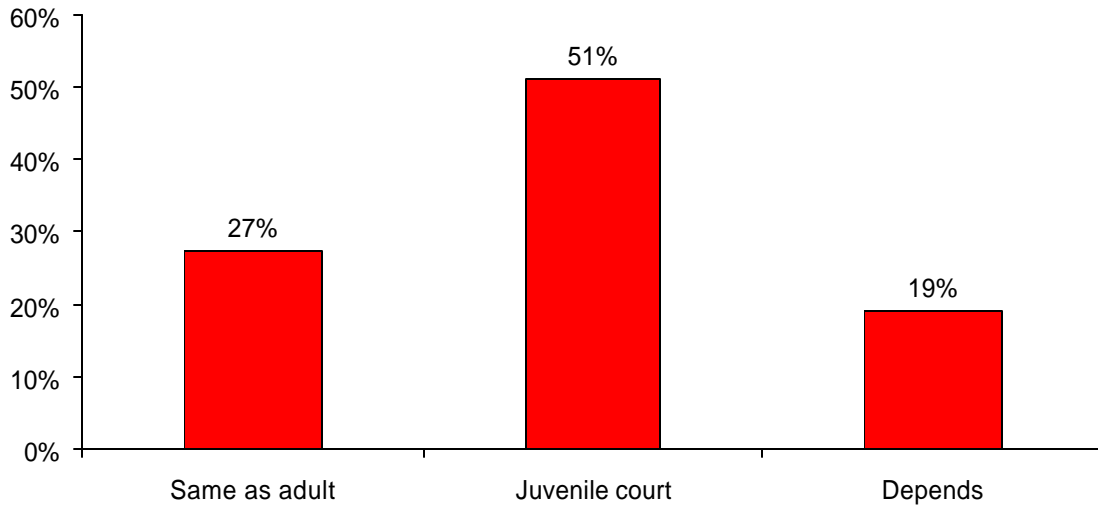
Moreover, the public does not favor applying mandatory sentencing rules to cases involving juvenile defendants. When it comes to dealing with juveniles, the public prefers that the court has greater flexibility; 81 percent of the respondents – an overwhelming majority – think that judges should have greater flexibility when dealing with minors than mandatory sentencing rules allow. Only 12 percent believe that minors should receive the same mandatory sentences as adults.

Do you think the mandatory sentencing rules for adults should also be applied to juveniles, or should judges have greater flexibility when dealing with children?

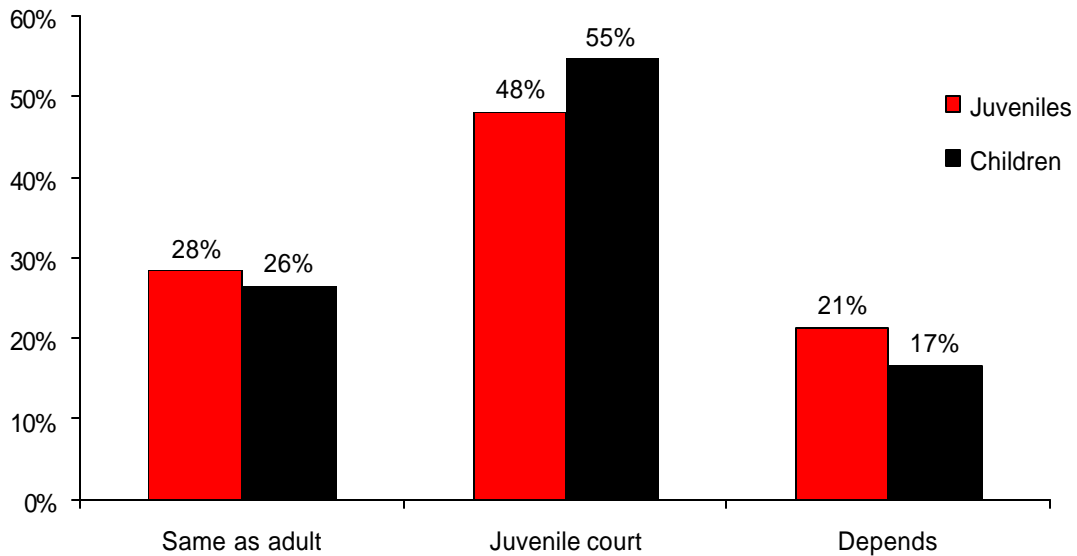


When turning to the subject of violent crime, the public still believes that minors should be treated differently than adults. A slim majority say that 13 year olds being tried for violent crimes should not be tried in the same court system as adults. Respondents react differently depending on whether the question used the term “juveniles” or “children”. When the question used the term “children”, 55 percent of respondents favored juvenile court over adult court for 13year olds charged with a violent crime; when the term “juvenile” was used, only 48 percent favored juvenile court.

Do you think that {juveniles/children} who are 13 years old and who are accused of committing a violent crime should be tried in the same court as adult offenders or in juvenile court?



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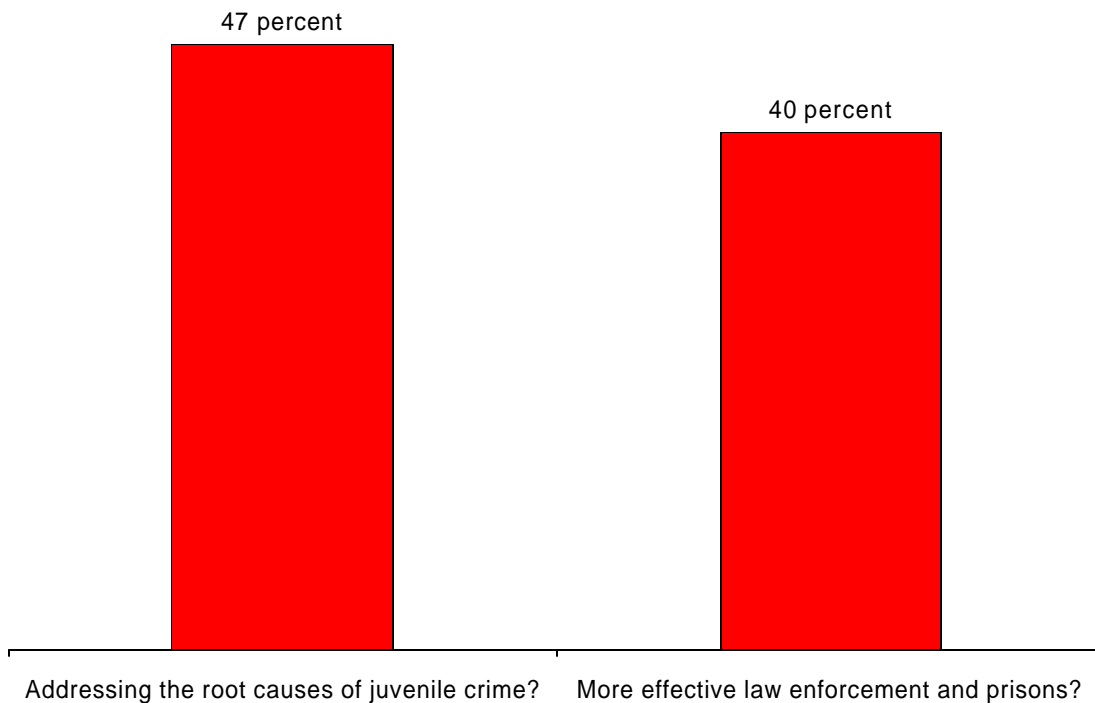


The public would rather spend more money on addressing the root causes of juvenile crime than on law enforcement and prisons. We asked the respondents:

Like all states, we have limited resources and money for spending on juvenile crime prevention. Ultimately, we can choose to focus public spending on addressing the root causes of juvenile crime or focus our spending on effective law enforcement and prisons. If you had to choose how the budget was spent, what percent of the budget would you allocate {to addressing the root causes of juvenile crime / to more effective law enforcement and prisons}?

On average, respondents would allocate 47 percent of the budget on addressing the root causes and only 40 percent on more effective law enforcement and prisons.

If you had to choose how the budget was spent, what percent of the budget would you allocate to ...

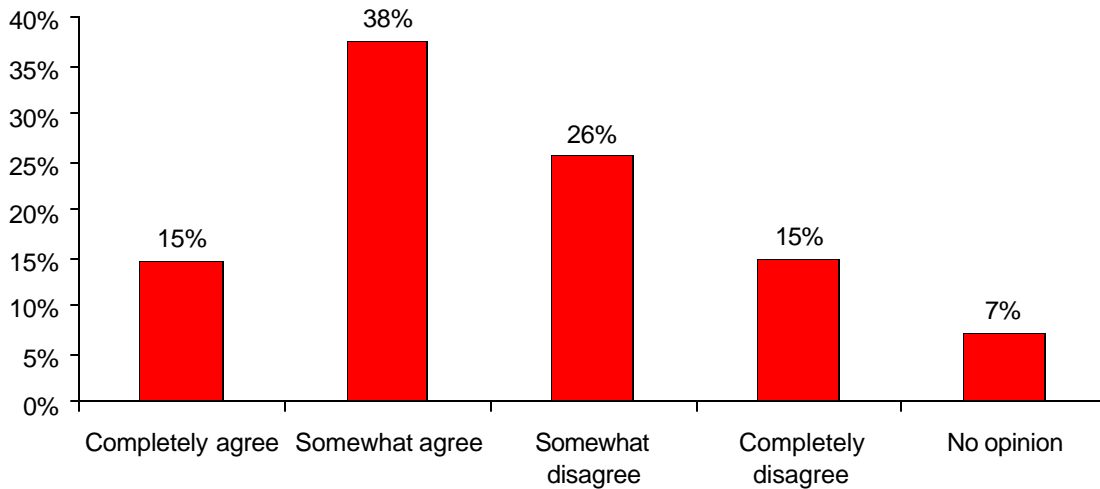


As far as identifying the root cause of juvenile criminal behavior, the public cites problems in the family and poor parenting as the primary cause. Forty-six percent of the public gave an answer to this open-ended question that referenced problems in the home, dysfunctional family units, or simply neglectful parenting. Seven percent of respondents cited economic conditions, 7 percent cited restrictions in discipline, and another seven percent cited popular culture (television, movies, music, etc.) as the primary cause of serious juvenile crime.

There is a tendency for the public to assume that individuals arrested for crime are generally guilty. Fifty-three percent of the public agrees that most people arrested for a crime are guilty. Only 41 percent of the public disagree that most people arrested are

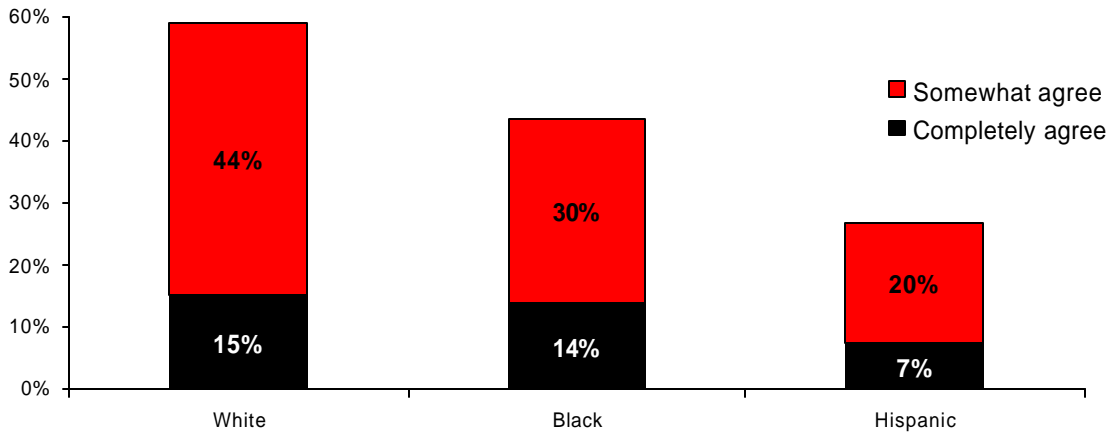
guilty. Given this, we should not expect a good deal of leniency from the public when assessing the court system.

Our system of justice maintains that an individual is innocent of a crime until proven guilty; nevertheless, would you agree or disagree that most people arrested for crimes are guilty?



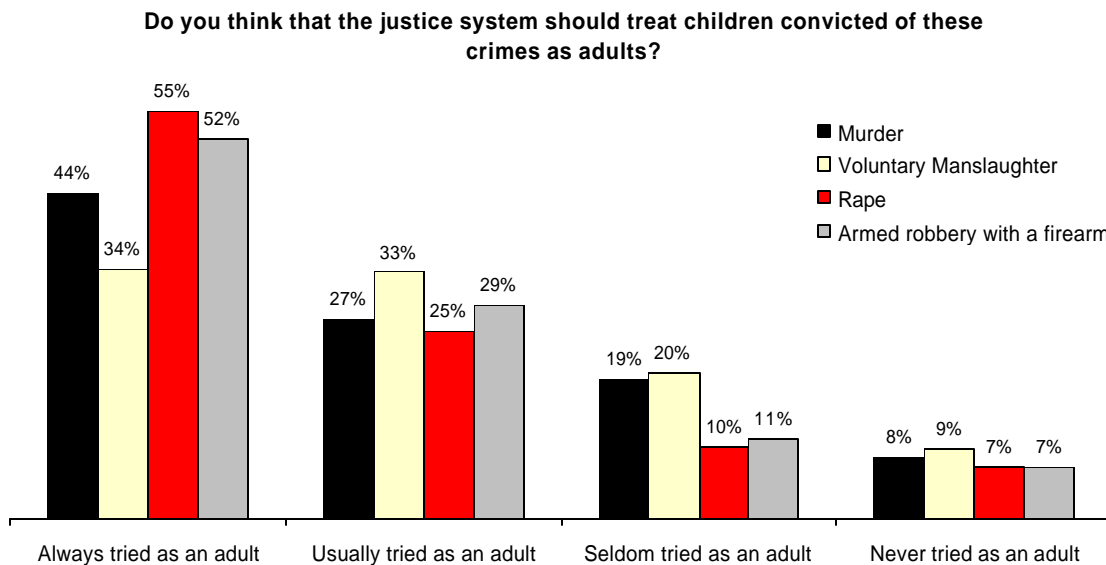
Whites are much more likely to assume guilt than are blacks. Nearly six in ten whites (59 percent) believe that most people arrested are guilty, whereas only 44 percent of blacks share this conviction.

Our system of justice maintains that an individual is innocent of a crime until proven guilty; nevertheless, would you agree or disagree that most people arrested for crimes are guilty?*



* The numbers presented for Hispanic respondents do not share the same level of statistical confidence as those for other groups due to the low number of Hispanic respondents (N=16).

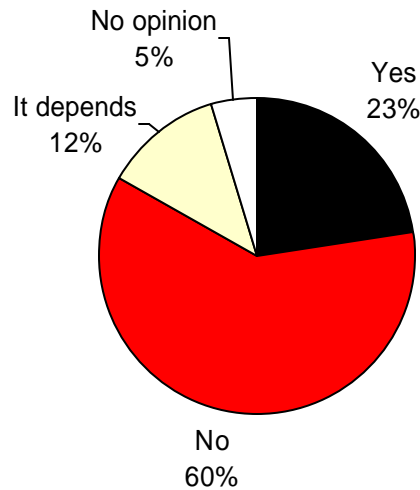
It is not surprising that a majority favors treating juveniles convicted of serious crimes as adults; what is surprising, however, is for which crimes the public is most likely to favor treating a convicted juvenile as an adult. In the case of rape, a majority of the public (55 percent) favor *always* treating convicted juveniles as adults, and another 25 percent favor *usually* treating juveniles as adults. Similar numbers are associated with cases involving armed robbery with a firearm. In the case of murder, far fewer favor (44 percent – 11 percent fewer than in cases of rape) always treating convicted juveniles as adults.



Nevertheless, the public opposes capital punishment for juveniles by a margin greater than two to one. Sixty percent of the public does not favor permitting the courts the option of capital punishment for minors convicted of murder, while only 23 percent say the courts should be permitted to sentence minors to death. This may reflect a tendency in the public to prefer greater leniency for minors, or it could be indicative of the public’s increasing ambivalence about capital punishment generally.¹

¹ The Autumn 2002 Peach State Poll (conducted in September 2002) asked respondents to choose between two options as the more appropriate penalty for convicted murders; the public was nearly split between the death penalty (44 percent) and life in prison without parole (42 percent). The same question asked in a Peach State Poll conducted in December 2001 found 53 percent preferring the death penalty to life in prison without parole (39 percent).

If a child/juvenile is found guilty of murder, should the courts be permitted to sentence the child to death?



The data presented in this report are taken from a Peach State Poll conducted by the Carl Vinson Institute of Government between December 13 and December 21, 2002. The poll included 800 telephone interviews of randomly selected adults in Georgia. For a sample of this size, the margin of error at the 95 percent confidence level is +/- 3.5 percent. Although sampling error is only one source of potential survey error, all precautions have been taken to minimize other sources of error for this survey.

The Carl Vinson Institute of Government, a public service and outreach unit of the University of Georgia, has as part of its mission to provide policymakers with systematic, objective research to inform policy decisions. In accordance with that mission, the Peach State Poll aims to give voice to the public on important policy matters and issues pertaining to political, social, and economic life in Georgia.

For more information, contact Rich Clark at clark@cviog.uga.edu, or 706-542-2736.