

# GEORGIA CRIMINAL JUSTICE DATA LANDSCAPE REPORT



Carl Vinson Institute of Government  
UNIVERSITY OF GEORGIA

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### Carl Vinson Institute of Government Staff

Holly Lynde, Fiscal Analyst  
David Tanner, Associate Director  
Emily Franklin, Fiscal Analyst  
Jan Coyne, Cartographer  
Sandy Lee, Consultant

### Communications Staff

Courtney Alford-Pomeroy, Communications Director  
Jake Brower, Senior Graphic Designer/Creative Design Specialist  
Karen DeVivo, Editor

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Bob Bray, Executive Director; Council of State Court Judges  
Clarissa Dias, Senior Research Analyst; Office of Strategic Planning and Research, Georgia Department of Community Supervision  
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Ron Henry, Systems Analyst (retired), Georgia Department of Corrections  
Kevin Holder, Executive Director; Council of Probate Court Judges  
Eric John, Executive Director; Council of Juvenile Court Judges  
Crystal Lockhart, Criminal Justice Information System Operations Manager, and team; Georgia Crime Information Center, Georgia Bureau of Investigation  
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LaShawn Murphy, Trial Court Liaison; Council of Municipal Court Judges  
Sharon Reiss, Executive Director; Council of Magistrate Court Judges



Jamil Sewell, Research Professional; Carl Vinson Institute of Government

Sarah Shannon, Associate Professor; Department of Sociology, University of Georgia

Bruce Shaw, Communications Outreach Specialist; Judicial Council, Administrative Office of the Courts

Robert Smith, General Counsel; Prosecuting Attorneys' Council

Shannon Weathers, Executive Director; Council of Superior Court Judges

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## Partners



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### CARL VINSON INSTITUTE OF GOVERNMENT

The [Carl Vinson Institute of Government](#) is a public service unit of the [University of Georgia](#) that has been providing training and technical assistance to governments in Georgia for more than 90 years. The mission of the Institute of Government is to promote excellence in government. Through training, applied research, technical assistance, and technology solutions, we work to increase the capacity of governments in Georgia to better serve their constituents. The Institute conducts nonpartisan research that helps partners make better data-informed decisions. This data landscape report provides objective data for decision makers.

The Institute of Government has compiled data to inform decision-making for years. The *Georgia County Guide* is one example of an annual data report in which county-level data are compiled in a single location. The Institute's website [georgiadata.org](#) provides interactive and static table data on a variety of topics. Criminal justice is just one of many search topics on [georgiadata.org](#), allowing the public and policy makers to access and filter data at the county level and by demographic variables.

## Public Welfare Foundation

### PUBLIC WELFARE FOUNDATION

For over 70 years, [Public Welfare Foundation](#) has supported efforts to advance justice and opportunity for people in need. Today, the Foundation's efforts focus on catalyzing a transformative approach to justice that is community-led, restorative, and racially just through investments in criminal justice and youth justice reforms. These efforts honor the Foundation's core values of racial equality, economic well-being, and fundamental fairness for all.



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## Introduction

The *Georgia Criminal Justice Data Landscape Report* is provided as a service to the public and policy makers interested in Georgia’s adult criminal and youth justice systems. This report provides data on criminal justice topics and data trends much like an almanac. The report includes information on the State of Georgia’s adult and juvenile justice reforms enacted beginning in 2012 (adults) and 2013 (youth) and how they have impacted criminal justice data trends. The data bring focus to areas where further research may be needed, such as why trends are changing for certain geographic areas or populations.

As government leaders and other stakeholders across Georgia deliberate the future of criminal justice policy, trend and comparison data can provide helpful perspectives and important context. This report is designed to provide a single go-to source for data, charts, and explanatory narrative to offer context, historical trends, and insights into criminal justice trends in Georgia. Trend data on arrests and incarceration as well as data on youth in the justice system offer insights by region, race/ethnicity, and sex. The report highlights impacts of criminal justice reform on incarceration and community supervision.

This report is intended to be used as a reference by decision makers in Georgia and elsewhere to understand historical trends. The data in this report also provide a baseline for future reform efforts and policy changes.

## CONTEXT

The data trends presented in this report are impacted by three significant events during the 10-year period of 2010 to 2020: the Great Recession that started in 2007, criminal justice reform, and the COVID-19 pandemic. Georgia governments—state and local—were impacted by the Great Recession from 2009 through 2012 in the form of drastic reductions in tax collections and an increase in demand for safety-net services. Georgia’s unemployment rate climbed from a low of 5.3% in December 2007 (the official start of the recession) to a high of 10.9% in November 2009. Georgia’s unemployment rate did not return to the December 2007 level until March 2017.<sup>i</sup>

A second event that influences trends in this report is criminal justice reform in Georgia. Under the direction of Governor Nathan Deal, the Special Council on Criminal Justice Reform for Georgians pursued changes to state policy and law, including increases in funding for alternative programs. Four significant pieces of criminal justice legislation were passed during Governor Deal’s eight years in office: House Bill (HB) 1176 in 2012, HB 349 in 2012, Senate Bill (SB) 365 in 2014, and HB 210 in 2015. For 20 years, SB 440, known as the Juvenile Justice Reform Act of 1994, defined how Georgia treated youth in the criminal justice system. It was not until 2013 and the passage of HB 242, also known as the Juvenile Justice Reform Act, that judges were given more discretion to provide treatment rather than incarceration for youth.

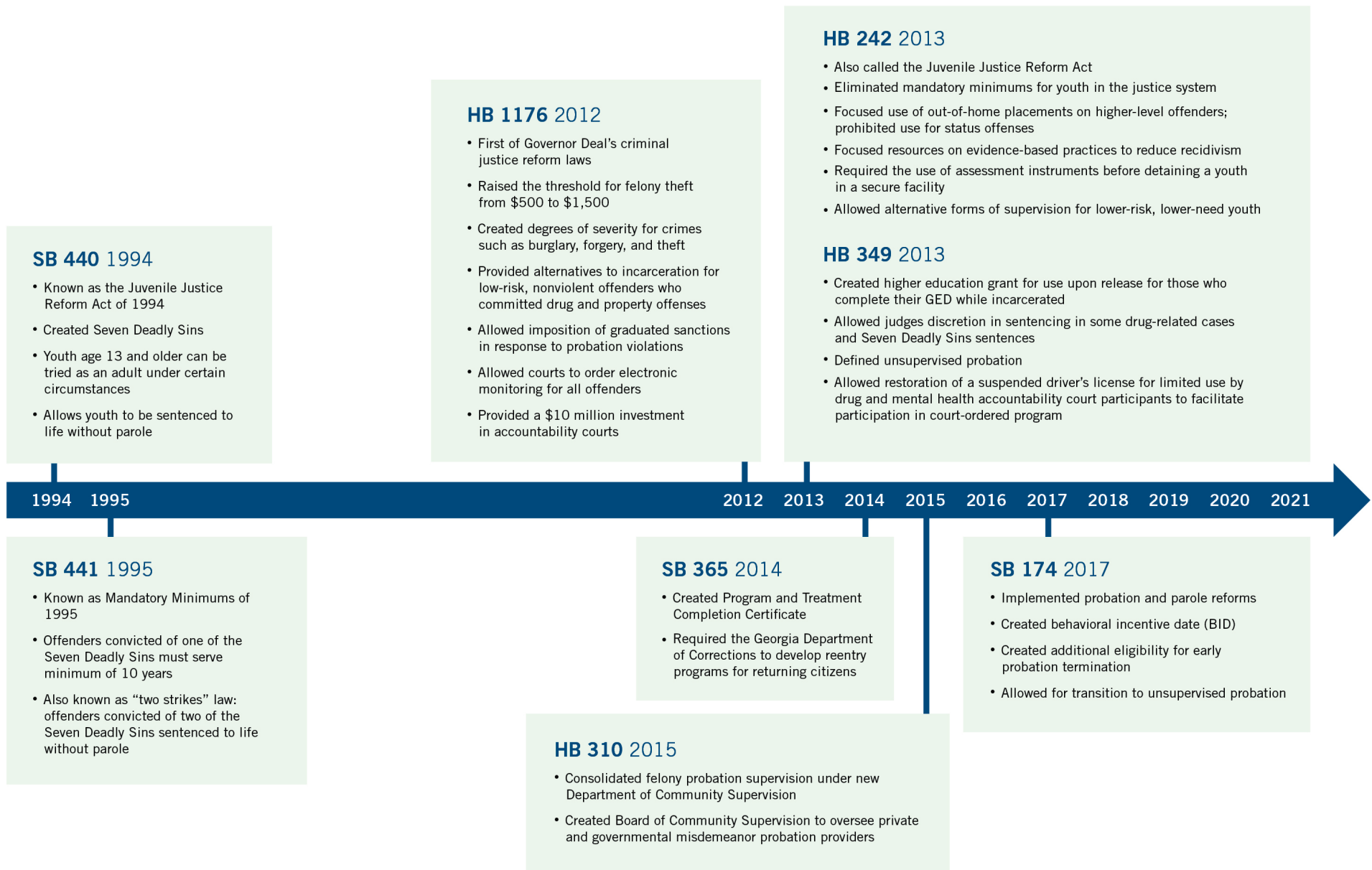
The third event that impacts the most recent data in the report is the COVID-19 pandemic. At the time of this publication, minimal data are available on 2020; however, the data on incarceration reflect the impact of courts being closed and then having minimal operations for a significant part of 2020 due to the pandemic. With fewer trials, more people arrested were allowed to await their court date at home rather than in local jails, and fewer people were convicted and incarcerated.

## **APPROACH**

Data were collected from a variety of federal and state sources, including the US Census Bureau, the Federal Bureau of Investigation, the Georgia Department of Corrections, the Georgia Department of Community Supervision, and the Georgia Department of Juvenile Justice. Some unpublished data were obtained via request. Appendix A of the report provides more details on limitations of certain data sets.

Many subject matter experts reviewed sections of the report, including those at the Georgia Bureau of Investigation, Georgia Department of Corrections, Georgia Department of Community Supervision, and Georgia Criminal Justice Coordinating Council.

# Timeline of Major Criminal Justice Legislation in Georgia



## Section 1. Overview of Georgia

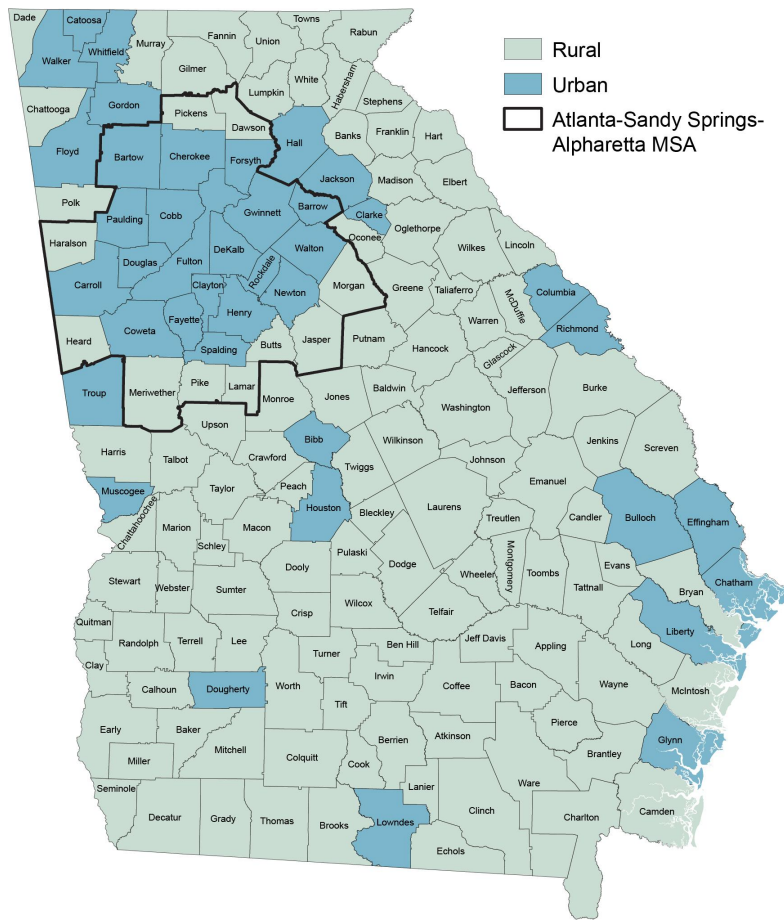
Georgia is located in the southeastern United States and is bordered by Alabama, Florida, North Carolina, South Carolina, and Tennessee. Georgia has 159 counties, the second highest number of any state in the United States (Texas has the most). The largest county by area is Ware County (897.2 square miles) in the far southeastern corner. Clarke County, where the University of Georgia is located, is the smallest county by area (119.2 square miles). The largest county by population is Fulton County, which has a population of 1,036,200 according to the most recent estimate by the US Census Bureau.

Of Georgia's 159 counties, 120 are considered rural. Georgia defines rural as having a population of less than 50,000 according to the most recent decennial census<sup>a</sup> or based upon the military exclusion.<sup>2</sup> The capitol, Atlanta, is located within the Atlanta–Sandy Springs–Alpharetta, Georgia, metropolitan statistical area (Atlanta MSA), the largest of the 15 MSAs in Georgia. The Atlanta MSA, as defined by the US Census Bureau, encompasses 29 counties, 10 of which are rural.

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<sup>a</sup> Because the results of the 2020 decennial census had not been released as of the analysis conducted for this report, the 2010 decennial census was used. The military exclusion provides that "for the counties that contain a military base or installation, the military personnel and their dependents living in such county shall be excluded from the total population of such county for purposes of this definition." (O.C.G.A. §31-7-94.1)

Figure 1.1 Map of Georgia's Rural and Urban Counties and Atlanta MSA, 2021

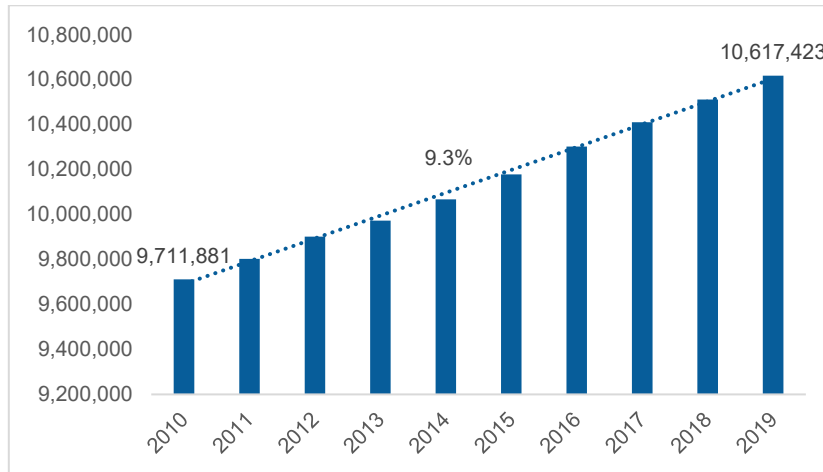


Source: Carl Vinson Institute of Government

Georgia is a growing and increasingly diverse state. This growth is driven primarily by the immigration of people moving to Georgia from other states. In 2019, Georgia's estimated population was just over 10.6 million and is projected to climb to 13 million by 2040. Like most states, Georgia has been experiencing a lower birth rate since 2007, and its population is aging. In the next decade, Georgia's population growth is projected to be centered in the metro Atlanta area, the mountain areas of North Georgia, and coastal counties anchored around Savannah. Urban and regional hubs in the state are projected to continue to see population growth.

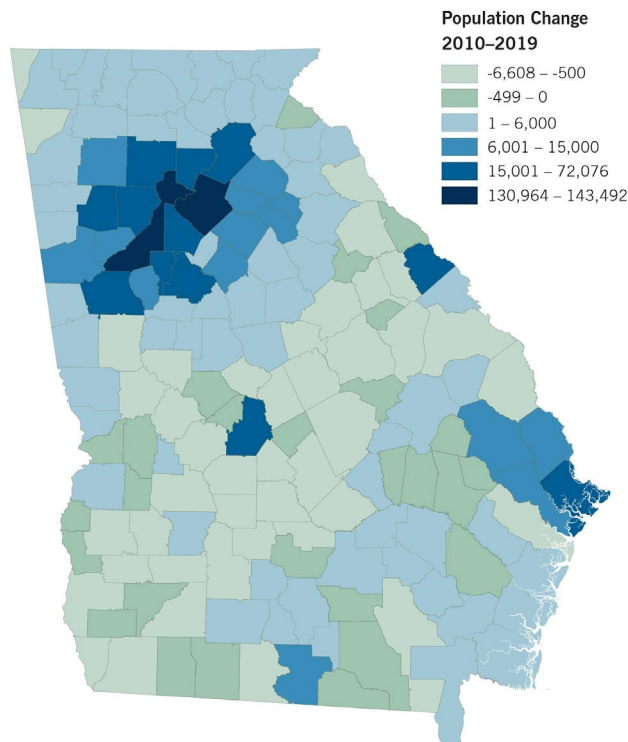
Between 2010 and 2019, Georgia’s population grew nearly 9.3%, from 9.7 million to 10.6 million. That increase was fueled by high growth among the Black (15.0%) and Latinx (22.4%) populations as well as growth in the number of adults (12.8%), in particular within the 29-county Atlanta MSA (13.5%).

**Figure 1.2 Georgia’s Total Population, 2010–2019**



Source: US Census Bureau

**Figure 1.3 Population Change in Georgia, 2010–2019**



Source: US Census Bureau; Carl Vinson Institute of Government



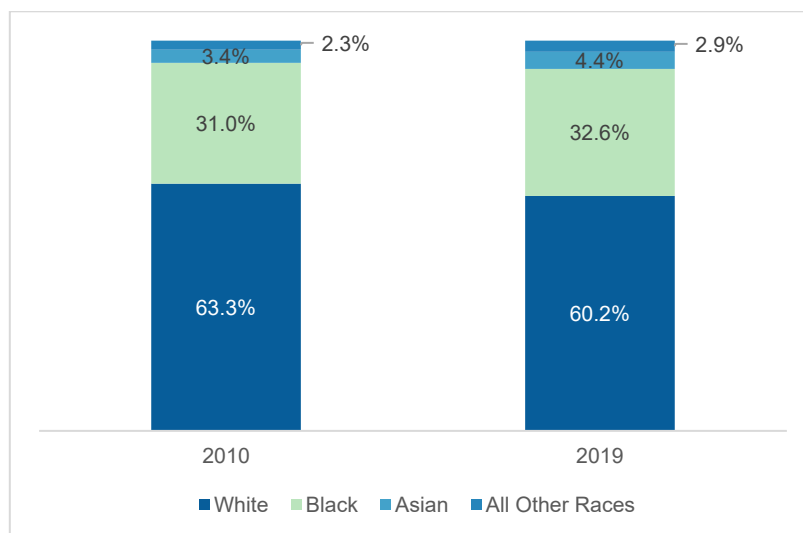
## POPULATION BY SEX

The number of males in Georgia grew 8.8% from 2010 to 2019, while the number of females grew 9.8%. In rural counties, the number of males grew 1.7% compared to 11.1% in urban counties. Similarly, the number of females grew 1.5% in rural counties but faster in urban counties (12.2%). Within the Atlanta MSA, the number of males grew 12.7%, while the number of females grew faster — 14.3%. In the rest of the state, the number of females grew 4.3%, while the number of males grew at about the same rate (4.2%). While the number of women grew faster than the number of men, the proportions of each remained almost identical.

## POPULATION BY RACE

The percentage of Georgia’s population that is White decreased from 63.3% in 2010 to 60.2% in 2019, while the number of Black people in Georgia grew by 15.0%, from just over 3.0 million, or 31.0% of Georgia’s population in 2010, to nearly 3.5 million, or 32.6% in 2019. While still a small proportion of Georgia’s overall population, the number of Asian people grew fastest—by 42.0%—from nearly 327,000, or 3.4% of the population, to just under 464,000, or 4.4% of Georgia’s population. All Other Races—American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander people, as well as people who identify as two or more races—grew 33.8%, from just under 227,000, or 2.3% of the population in 2010, to just under 304,000, or 2.9% of the population in 2019.

Figure 1.4 Racial Composition of Georgia’s Total Population, 2010 and 2019



Note: “All Other Races” includes American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, and Two or More Races.

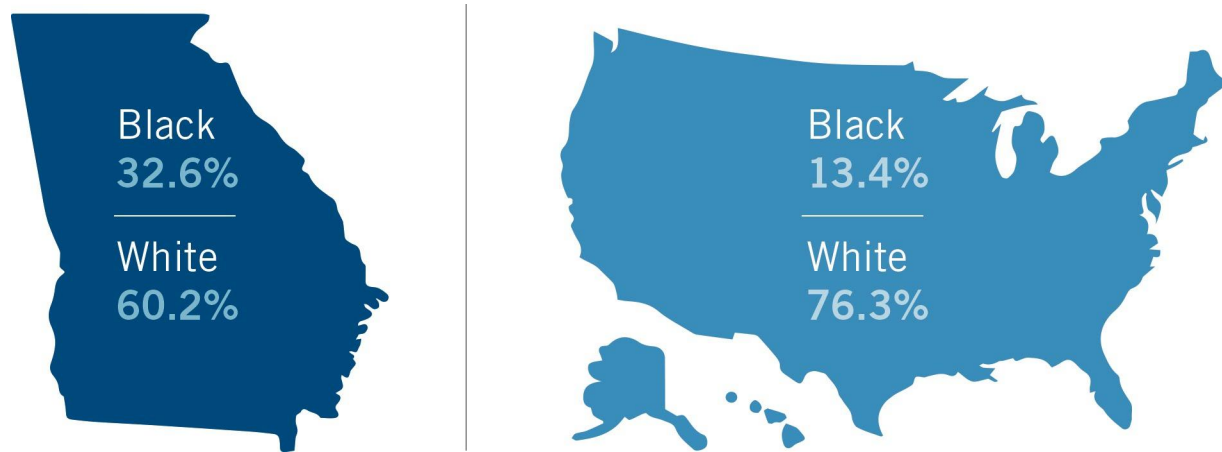
Source: US Census Bureau

The proportion of Georgia’s population that is Black is more than twice that of the US as a whole. In 2010, Black people made up 31.0% of Georgia’s population, increasing to 32.6% in

2019. In the US as a whole, Black people comprised 13.0% of the population in 2010, increasing to 13.4% in 2019. The Black population also grew faster in Georgia than in the US as a whole: 15.0% versus 9.2%.

White people account for a smaller proportion of Georgia's overall population than in the US as a whole. In 2010, White people made up 63.3% of the Georgia population, decreasing to 60.2% in 2019. In the United States as a whole, White people comprised 78.3% of the population in 2010, decreasing to 76.3% in 2019. The growth of the White population in Georgia (3.6%) mirrored growth of the White population in the US overall (3.4%).

**Figure 1.5 Percentage of Georgia's Population That Is Black and White Compared to the US, 2019**

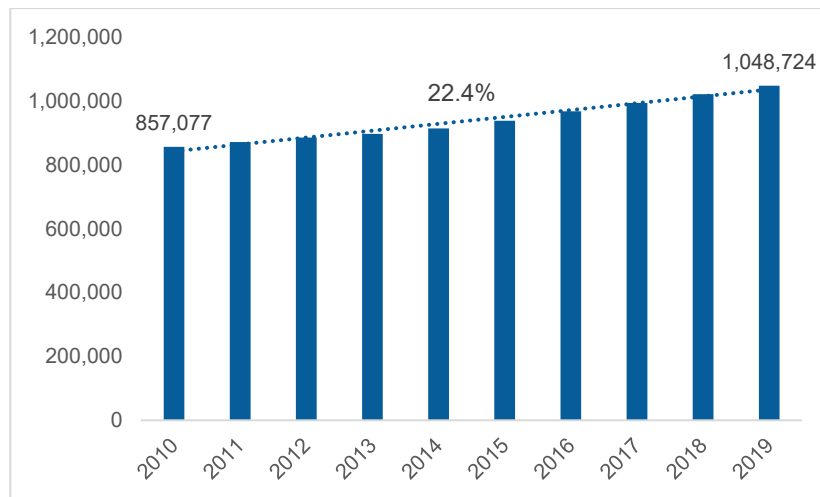


Source: US Census Bureau

### **POPULATION BY ETHNICITY**

The proportion of Georgia's population that is Latinx grew 22.4% during the period, from just over 857,000, or 8.8% of the state's population in 2010, to just over 1 million, or 9.9% of the population in 2019.

**Figure 1.6 Georgia's Total Latinx Population, 2010–2019**



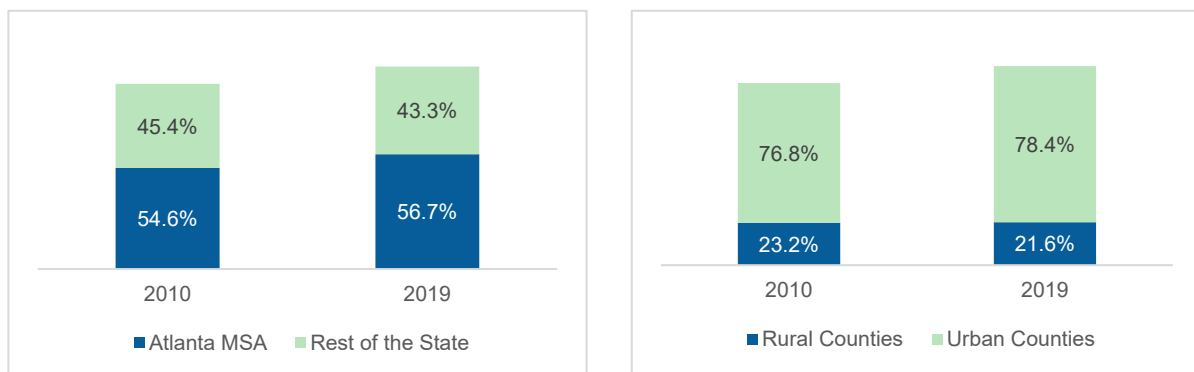
Source: US Census Bureau

### POPULATION BY REGION OF THE STATE

The population in the 29 counties of the Atlanta MSA grew at a far faster rate—13.5% from 5.3 million to 6.0 million—than the population in the rest of the state. The population outside of the Atlanta MSA grew just 4.3%, from 4.4 million to 4.6 million. Due to this differential growth, the rest of the state’s population fell as a proportion of the state’s overall population: down from 45.4% in 2010 to 43.3% in 2019.

The population in Georgia’s rural counties grew just 1.6% between 2010 and 2019—from 2.25 million to 2.29 million—while urban counties grew 11.6%, from 7.5 million to 8.3 million. Because the population in urban counties grew so much faster, the share of the state’s population living in these counties grew from 76.8% to 78.4%. As a result, the share of the state’s population living in rural counties dropped from 23.2% to 21.6%.

**Figure 1.7 Proportion of Georgia’s Population Living in Regions of the State, 2010 and 2019**



Source: US Census Bureau

## Section 2. Adult Criminal Justice System Overview

### CRIMINAL JUSTICE REFORM

Beginning in 2011, Governor Nathan Deal undertook reforms to the criminal justice system in Georgia. The need and desire to tackle criminal justice system reform came about as a result of several factors.

- Georgia’s prison population was more than 52,000 at the end of 2010, more than twice the number it was in 1990.<sup>3</sup>
- In 2007, one in every 70 adults in Georgia was incarcerated, the fourth-highest rate in the country. (The national average was one in 100 adults.)<sup>4</sup>
- The Department of Corrections budget was more than \$1 billion each year, more than double the budget in 1990.<sup>5</sup>
- The recidivism<sup>b</sup> rate in Georgia had not changed in a decade, remaining at nearly 30%.
- The average probation sentence in Georgia was nearly seven years, while the national average was just over three years.<sup>6</sup>

An analysis had shown that if current policies remained in place, the prison population would increase an additional 8% by 2016, with the need for two additional prisons at a cost of \$264 million.<sup>7</sup> All of these factors were compounded by the Great Recession, which hit Georgia particularly hard and whose recovery was one of the slowest in the nation.

Beginning in 2011, [House Bill \(HB\) 265](#) established the Special Council on Criminal Justice Reform for Georgians to study Georgia’s criminal justice and corrections systems. Many of the Special Council’s initial recommendations and policy options were implemented in [HB 1176](#), passed in 2012, the first of Governor Deal’s major criminal justice reform legislation. Among the many provisions of HB 1176, it raised the threshold for felony theft from \$500 to \$1,500; created degrees of severity for crimes such as burglary, forgery, and theft; provided for alternatives to incarceration for certain crimes; and invested \$10 million in accountability courts.

One year later, in 2013, the General Assembly passed the second of Governor Deal’s criminal justice legislative reforms, [HB 349](#). Among a variety of provisions, it created the Georgia Council on Criminal Justice Reform to conduct reviews of the adult and juvenile criminal justice systems every two years. The third major piece of criminal justice reform legislation, [Senate Bill \(SB\) 365](#) passed in 2014, focused on reentry reforms for returning citizens. The fourth piece of

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<sup>b</sup> O.C.G.A. §42-2-11: “‘Recidivism’ means returning to prison or jail within three years of being placed on probation or being discharged or released from a department [of Corrections] or jail facility.”

criminal justice reform legislation was [HB 310](#), passed in 2015. It created the Department of Community Supervision, the agency responsible for supervising all people on felony probation, removing supervision responsibility from the State Board of Pardons and Parole, the Department of Corrections, and the Department of Juvenile Justice. Finally, [SB 174](#) in 2017 continued reforms to accountability courts from previous bills and implemented probation and parole reforms. For more information on the provisions in each bill, see the [Timeline of Major Criminal Justice Legislation in Georgia](#) on page 3.

For more information on Georgia’s criminal justice reform efforts, [click here](#).

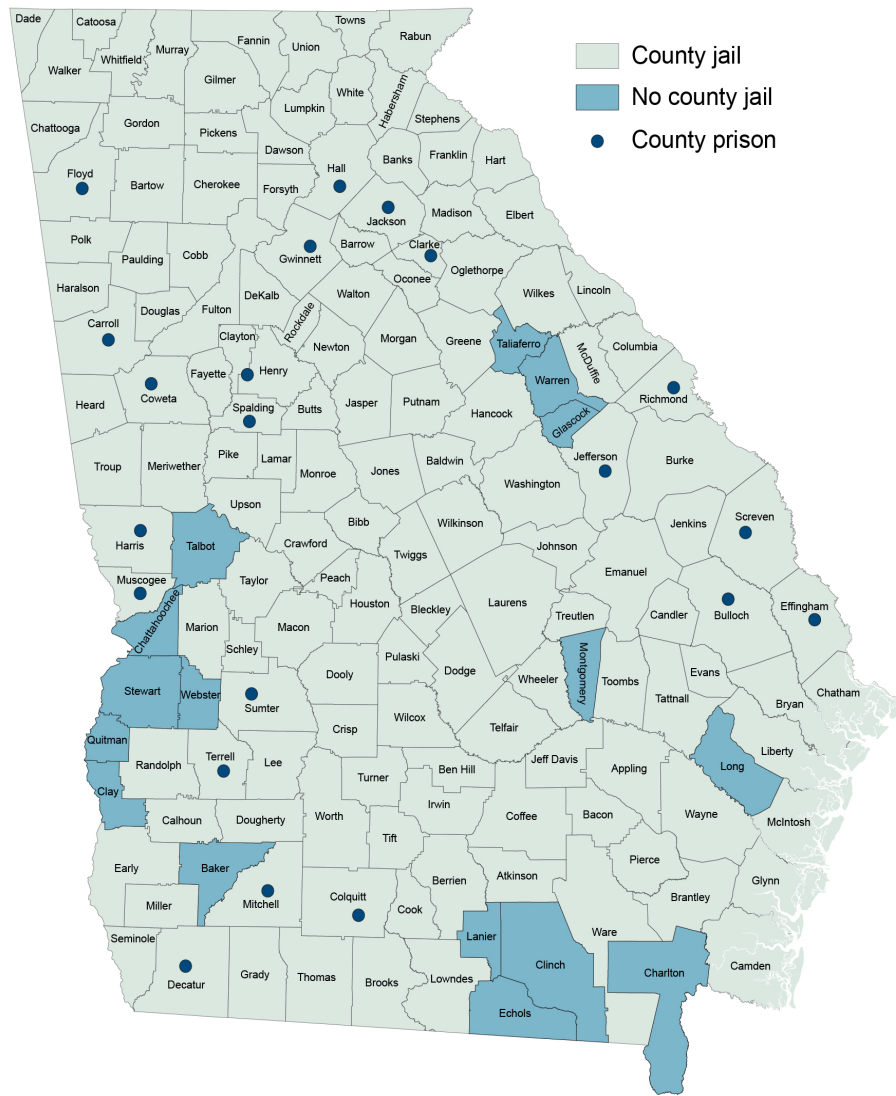
## **LAW ENFORCEMENT AGENCIES**

Georgia has more than 1,000 law enforcement agencies. These law enforcement agencies include those with arresting authority such as state agencies, transit authority police, county marshals, county sheriffs, county police, city police, college and university police, and Board of Education agencies. They also include those without arresting authority such as county jails and 911 centers. Between 2012 and 2020, these law enforcement agencies have employed between 58,000 and 61,000 individuals, including civilians.

## **COUNTY JAILS**

There are 143 county jails in Georgia (16 counties do not operate their own jails), with capacities ranging from a low of 12 (Schley County) to a high of 3,636 (DeKalb County). Total capacity is currently 49,145. In addition, the Department of Corrections contracts with 21 county jails to house low-security, long-term incarcerated persons.

Figure 2.1 Map of Georgia's County Jails, 2021



Note: A county prison is a county jail where the Georgia Department of Corrections leases beds to house low-security, long-term incarcerated people.

Source: Carl Vinson Institute of Government

## GEORGIA DEPARTMENT OF CORRECTIONS

The [Georgia Department of Corrections](#) (GDC) is responsible for the incarceration and rehabilitation of people found guilty of state crimes and sentenced by the courts. GDC operates 35 state prisons;<sup>8</sup> 12 transitional centers, where selected formerly incarcerated persons live while holding a job as they return to society; seven substance abuse disorder treatment centers; and eight probation detention centers, which are minimum-security facilities that house people on probation for up to six months.<sup>9</sup> In addition, GDC contracts with four private prisons, three of

which are operated by CoreCivic (formerly Corrections Corporation of America [CCA]), and one is operated by The GEO Group.<sup>10</sup>

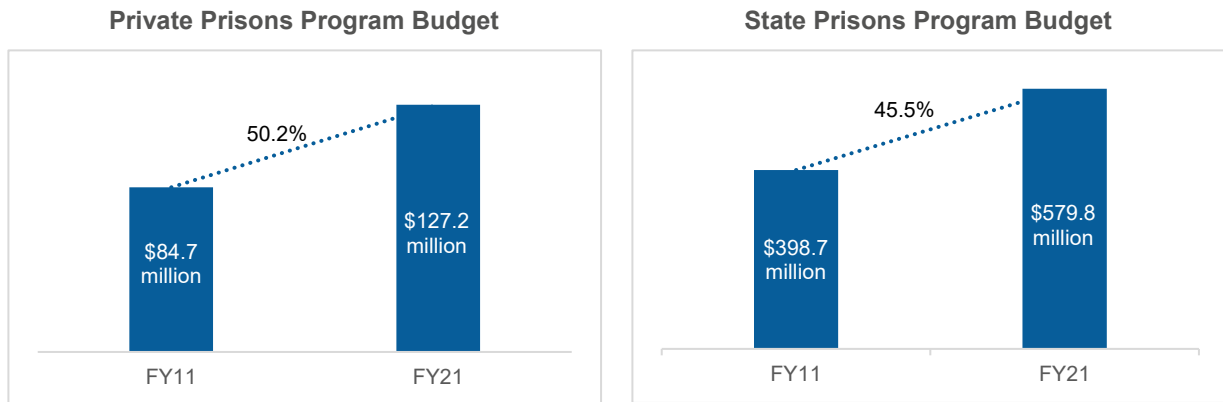


### Department of Corrections Budget and Staffing

The state general funds appropriated to GDC increased 16.8%, from \$975.4 million in fiscal year (FY) 2011 to \$1.14 billion in FY 2021. The FY 2021 budget is a 4.4% reduction from the high of \$1.19 billion in FY 2019. Two of the biggest drivers of the increase between FY 2011 and FY 2021 are the amounts appropriated to the private and state prisons program budgets.

As a portion of the overall state general funds appropriated to GDC, the state prisons program budget grew from 40.9% in FY 2011 to 50.9% in FY 2021, which is down slightly from 53.2% of the budget in FY 2018. Appropriations for the private prisons program budget grew from 8.7% to 11.2% over the same period. That is also down from a high of 12.0% of GDC state general fund appropriations in FY 2013. Funding for private and state prisons now accounts for more than 62% of GDC's overall state general fund appropriations.

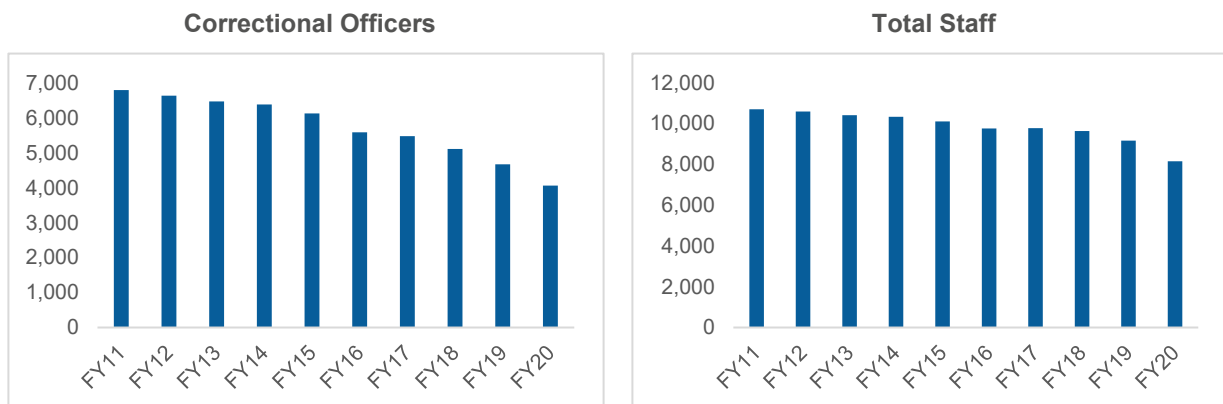
**Figure 2.2 State General Fund Appropriations for Private Prisons and State Prisons Program Budgets, FY 2011 and FY 2021**



Source: Governor's Office of Planning and Budget

The total number of staff employed by GDC decreased 23.8% between FY 2011 and FY 2020. This decrease was largely driven by a 40.2% decrease—from 6,794 to 4,060—in the number of correctional officers. The number of correctional officers also decreased as a proportion of all GDC staff: down from 63.5% in FY 2011 to 49.8% in FY 2020.

**Figure 2.3 Number of Correctional Officers and Total Staff Employed by the Georgia Department of Corrections, FY 2011–FY 2020**



Note: Total staff includes correctional officers, other sworn staff, and nonsecurity staff. Probation officers are excluded as they were transferred to the newly created Department of Community Supervision in 2015.

Source: Georgia Department of Corrections



# COVID-19 IN GEORGIA'S PRISONS

Georgia's prisons have been hit hard by the COVID-19 pandemic. As of June 15, 2021, more than 1,700 staff—approximately 21% of all staff—had tested positive for COVID-19, while four staff members had died. While the number of incarcerated people who tested positive for COVID-19 was higher than the number of GDC staff, the rate of infection was less than half (8.4%). However, the death rate of incarcerated people was far higher than that of the staff: 2.4% compared to 0.2%, respectively. Comparatively, among Georgia's overall population, there were **just under 900,000 confirmed cases and more than 18,000 deaths**: a death rate of 2.0%.

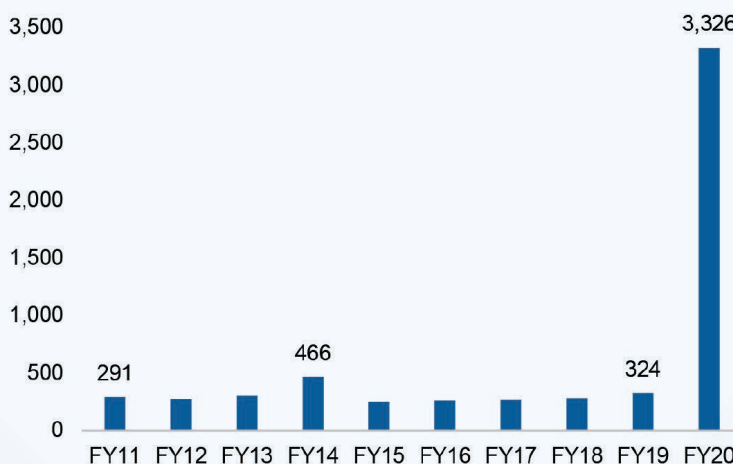
Figure A. COVID-19 Cases and Deaths in Georgia Prisons, as of June 15, 2021



Source: Georgia Department of Corrections

Due to the restrictions put in place during the COVID-19 pandemic, the number of telemedicine treatment/consultation hours per year increased more than 10-fold: from 324 in FY 2019 to 3,326 in FY 2020. Note that the vast majority of these hours occurred within the last three months of the fiscal year: Governor Brian Kemp issued a public health emergency on March 14, 2020, and the fiscal year ended on June 30.

Figure B. Number of Telemedicine Treatment/Consultation Hours Per Year in Georgia, FY 2011–FY 2020



Source: Governor's Office of Planning and Budget

The impacts of the COVID-19 pandemic are seen not only in the numbers of cases and deaths, and the hours of telemedicine treatment, but also in the mental health of people incarcerated. The daily cost per incarcerated person for mental health care increased from \$7.35 in FY 2019 to \$9.50 in FY 2020. In addition, the percentage of people incarcerated on a mental health caseload increased from 20% in FY 2019 to 23% in FY 2020.\*

\* Governor's Office of Planning and Budget, FY 2022 Agency Performance Measures. Retrieved from [opb.georgia.gov/planning-and-evaluation/agency-performance-measures](http://opb.georgia.gov/planning-and-evaluation/agency-performance-measures)

## GEORGIA DEPARTMENT OF COMMUNITY SUPERVISION

In 2014, one in 17 adults in Georgia was under either felony or misdemeanor probation supervision, the highest rate in the United States.<sup>11</sup> As part of Governor Deal’s criminal justice reform efforts, the [Department of Community Supervision](#) (DCS) was created in 2015, merging the supervision of people on parole from the State Board of Pardons and Paroles, people on probation from GDC, and certain youth from the Department of Juvenile Justice.

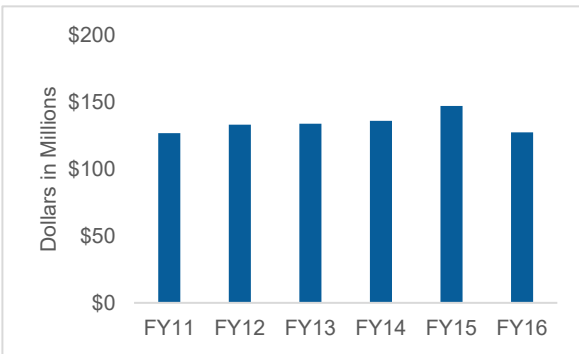
A judge can sentence a person to straight probation or a split sentence, meaning a term of incarceration followed by a term of probation.<sup>12</sup> Of the 112,696 probation cases in 2020, 64% (72,125) were straight probation. The remaining 36% (40,571) were split probation. Of people on probation, 27% (22,099) were serving probation for multiple cases.<sup>13</sup> Each community supervision officer had an average caseload of 93 people.<sup>14</sup> As of July 1, 2020, DCS had a total of 1,671 staff: 1,426 sworn and 245 nonsworn staff.<sup>15</sup>

### Department of Community Supervision Budget

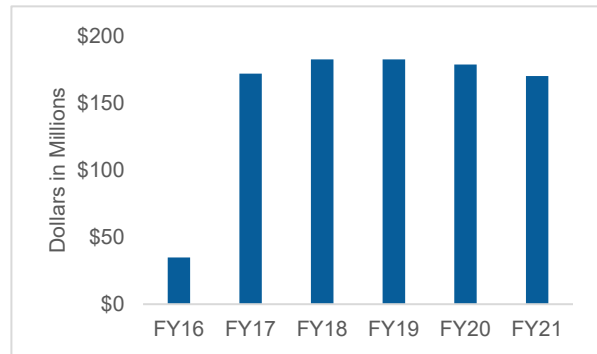
When DCS became its own agency in 2017, its state general fund appropriations were more than \$171.7 million. That rose 6.2% to \$182.4 million in FY 2019, but then fell 6.8% to \$169.9 million in FY 2021. Overall, between FY 2017 and FY 2021, the DCS budget fell 1.1%. Each year, more than 90% of DCS’s state general fund appropriations are to the Field Services program budget, which is responsible for managing people under supervision in the community.

Figure 2.4 State General Fund Appropriations for Parole and Probation in Georgia, FY 2011–FY 2021

GDC and State Board of Pardons and Paroles Divisions Responsible for Probation and Parole



GDC Supervision



Note: The state general fund appropriations from FY 2011 to FY 2016 do not include the portion of administrative funds associated with these functions. A portion of funds from other state agencies whose duties were transferred to DCS were also transferred, but it is unknown how much those funds totaled in prior years, so they are estimated.

Source: Governor’s Office of Planning and Budget

## GEORGIA'S COURT SYSTEM

Georgia's court system is made up of nine classes, or types, of courts: [business](#),<sup>c</sup> municipal, magistrate, probate, juvenile, state, [superior](#), [Court of Appeals](#), and [Supreme Court](#). Municipal, magistrate, probate, juvenile, state, and superior are the trial courts, or courts where cases initiate and trials may be held. The Court of Appeals and Supreme Court are the two appellate courts that hear appeals from other courts. Each class of trial court has its own organizing council that is responsible for handling administrative functions, developing and writing rules (with approval from the justices of the Supreme Court), coordinating continuing judicial education, and other responsibilities. In Georgia, some of the trial courts have overlapping powers and jurisdiction.

### Prosecuting Attorneys

Every judicial circuit has one district attorney elected by the people of that circuit for a term of four years. The district attorney represents the state in all criminal cases in the superior and juvenile courts of that circuit as well as in all cases appealed from superior and juvenile courts of that circuit to the Court of Appeals or Georgia Supreme Court. The district attorney also represents the state in federal court in certain circumstances<sup>16</sup> and brings petitions to validate debt instruments issued by local governments.<sup>17</sup>

### Indigent Defense

Georgia's statewide [indigent defense system](#) was created during the 2003 legislative session.<sup>18</sup> Prior to the creation of this system, each of Georgia's 159 counties managed its own individual indigent defense system, with minimal state oversight, and the burden of funding indigent defense fell largely on each county.<sup>19</sup>

Currently, each of the 50 judicial circuits has one circuit defender appointed by a local panel of attorneys.<sup>20</sup> The circuit defender hires the assistant public defenders,<sup>21</sup> who represent defendants in superior, state, and juvenile courts.<sup>22</sup> Currently, 600 public defenders work in the statewide system. The average annual caseload is 255 per attorney.<sup>23</sup>

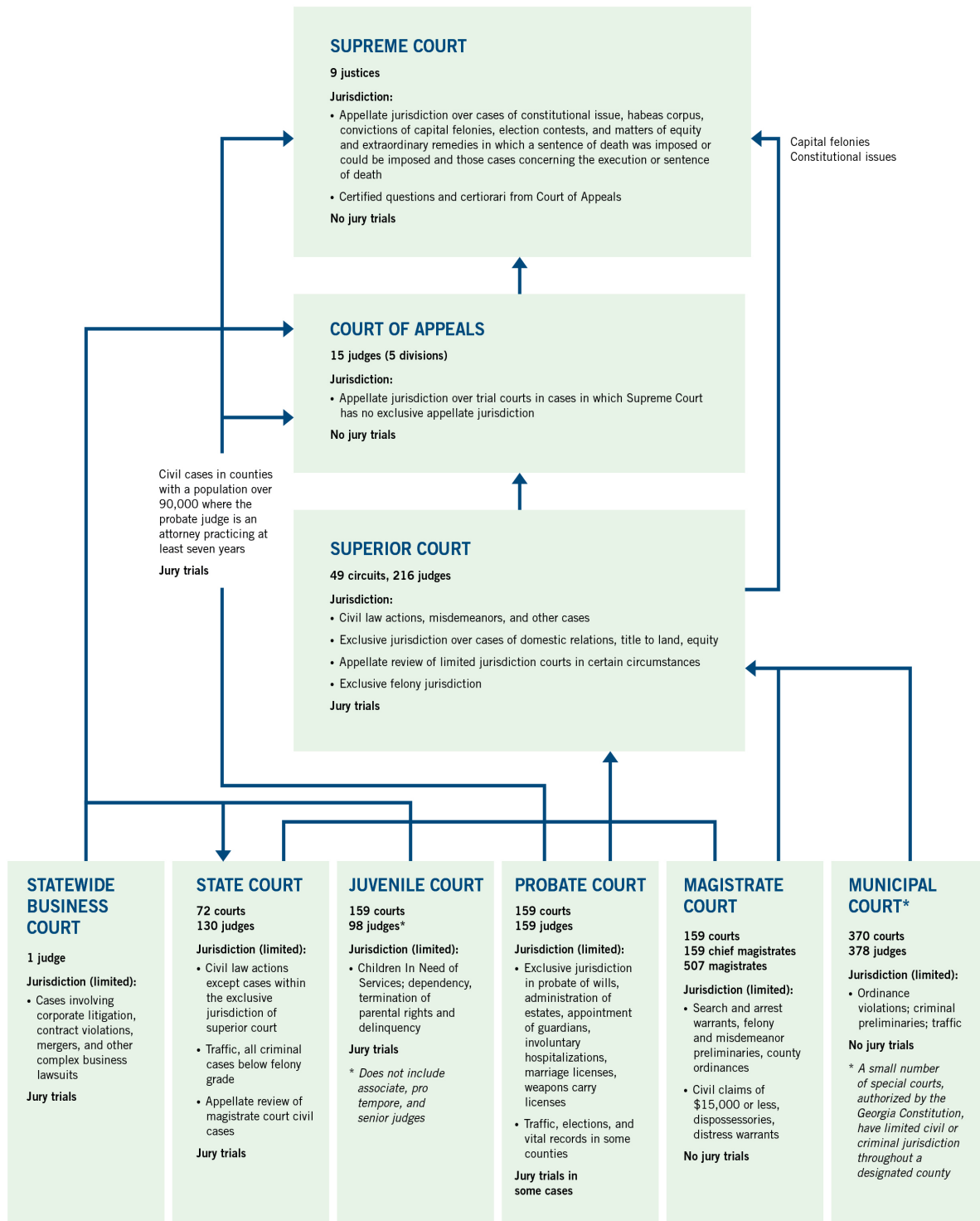
For more information on Georgia's court system, [click here](#).

On March 14, 2020, Georgia Supreme Court Chief Justice Harold Melton issued the first of 15 [statewide judicial emergency orders](#) halting all but the most essential court functions amidst the outbreak of the COVID-19 pandemic. Trials already in motion were allowed to continue, but no new juries or grand juries could be empaneled. The order also suspended all court and litigant deadlines, including statutes of limitation and speedy trial demands. An emergency judicial order on April 8, 2021 allowed jury trial to resume as local conditions allowed. The most recent emergency judicial order on June 7, 2021 continued some of the directives in the prior orders but stated that "courts and litigants should prepare for the expiration of the statewide judicial emergency."

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<sup>c</sup> The statewide business court is the state's newest class of court (created in 2019). Because it only handles civil cases, it is not included in this report.

Figure 2.5 Flow Chart of the Georgia Court System, 2021



Updated February 2021

Note: As of February 2021. In March 2021, SB 9 was signed into law creating one additional Superior Court circuit.

Source: Judicial Council of Georgia, Administrative Office of the Courts

Table 2.1 Court Summary

	<b>Superior</b>	<b>State</b>	<b>Juvenile</b>	<b>Probate</b>	<b>Magistrate</b>	<b>Municipal</b>
<b>Number of courts</b>	159	72	159	159	159	380
<b>Number of judges</b>	216	130	98	159	666	378
<b>Judge salary</b>	State funds	County funds	State and county funds	County funds	County funds	Municipal funds
<b>Elected</b>	Every 4 years by residents of circuit	Every 4 years by residents of county	Appointed by majority of circuit superior court judges	Every 4 years by residents of county	Varies by county	Usually appointed by the municipality
<b>Jury trial</b>	Yes	Yes	No	Certain courts, only for civil cases	No	No
<b>Limit on civil monetary claims</b>	No	No	N/A	N/A	\$15,000	N/A
<b>Jurisdiction</b>	Felonies, misdemeanors, appeals from probate, municipal, and magistrate courts, divorce, adoptions, titles to land	All criminal cases below felony grade, traffic, appeals from magistrate courts	Offenses committed by youth under age 17, child dependency, children in need of services	Wills, trusts, estates, guardianship, conservatorship, involuntary commitment, certain misdemeanors, concealed weapons permits, marriage licenses	Search and arrest warrants, felony and misdemeanor preliminary hearings, county ordinances	City ordinances, traffic violations, certain misdemeanor offenses
<b>Can have state accountability court</b>	Yes	Yes	Yes	No	No	No
<b>Governing council</b>	Council of Superior Court Judges	Council of State Court Judges	Council of Juvenile Court Judges	Council of Probate Court Judges	Council of Magistrate Court Judges	Council of Municipal Court Judges
<b>Prosecute on behalf of the state</b>	District attorney	Solicitor general or assistant district attorney	District attorney	Solicitor general	County attorney or any other attorney designated by county	City attorney or solicitor
<b>Prosecutor funding</b>	State funds	County funds	State and county funds	County funds	County funds	Municipal funds
<b>Indigent defense funding</b>	State funds	County funds	State and county funds	County funds	County funds	Municipal funds

Note: As of February 2021.

## Section 3. Georgia Criminal Justice Data

The arrest data described in this section are based on the [FBI's Uniform Crime Report](#) (UCR) program data files. They include arrests for all crimes, except traffic violations. (The data have several limitations. See Appendix A: Methodology for more details.) Arrest data were available up to 2018 at the time of the publication of this report.

### INDEX CRIMES

Georgia has mostly mirrored the US in regard to the rise and fall of the number of index crimes<sup>d</sup> reported since 1960. Both Georgia and the US overall experienced significant increases in crime in the late 1970s into 1981. Crime then dropped for a few years in both the US and Georgia before increasing again to their peaks: the US in 1991 and Georgia in 1996. Georgia experienced a 1.6% increase from 2002 to 2008 that was not mirrored in the US (crimes reported decreased 6.0%).<sup>24</sup>

From 1960 to the peak in 1996, the number of crimes reported in Georgia rose 736%, but then dropped 37.8% through 2019. In the US, from 1960 to its peak in 1991, crimes reported rose 339%, but then fell faster than in Georgia—by 45.1%—through 2019.

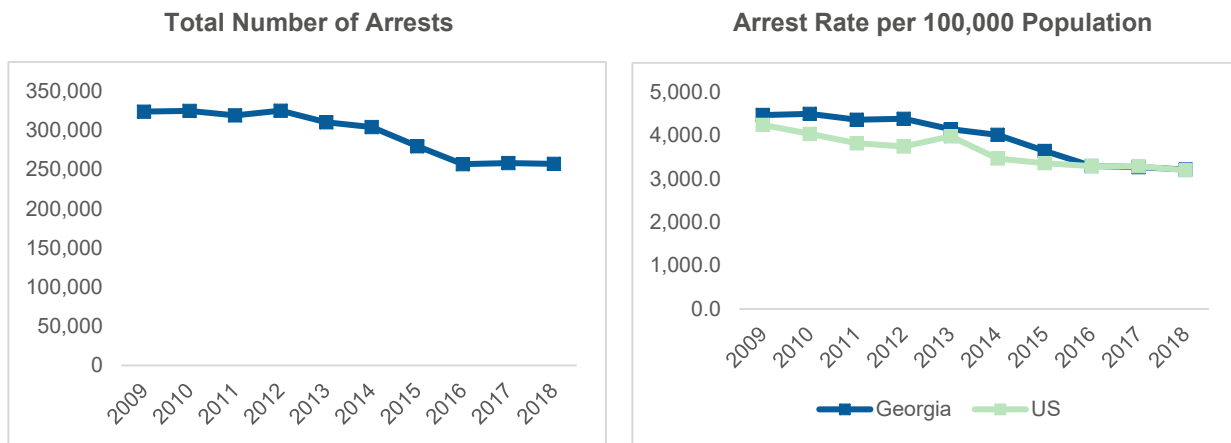
### ADULT ARRESTS

A total of 257,423 adult arrests were made in Georgia in 2018, down from 324,162 in 2009, a 20.6% decrease. In 2018, the arrest rate was 3,216 arrests per 100,000 adults, down from 4,474 in 2009, a 28.1% decrease. The most significant decrease (–24.8%) occurred between 2012 and 2016. Between 2016 and 2018, however, the arrest rate decreased just 2.5%. In 2016, Georgia's rate dropped to a similar level as the United States overall and remained consistent with the national rate through 2018.

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<sup>d</sup> The data consist of index crimes, also known as Part 1 offenses, committed by offenders of all ages. Index crimes include criminal homicide (murder and non-negligent manslaughter), rape, robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson. The data represent actual offenses, or crimes reported or known to law enforcement to have occurred (as opposed to reported offenses subsequently determined to be unfounded in which no crime occurred nor was attempted).

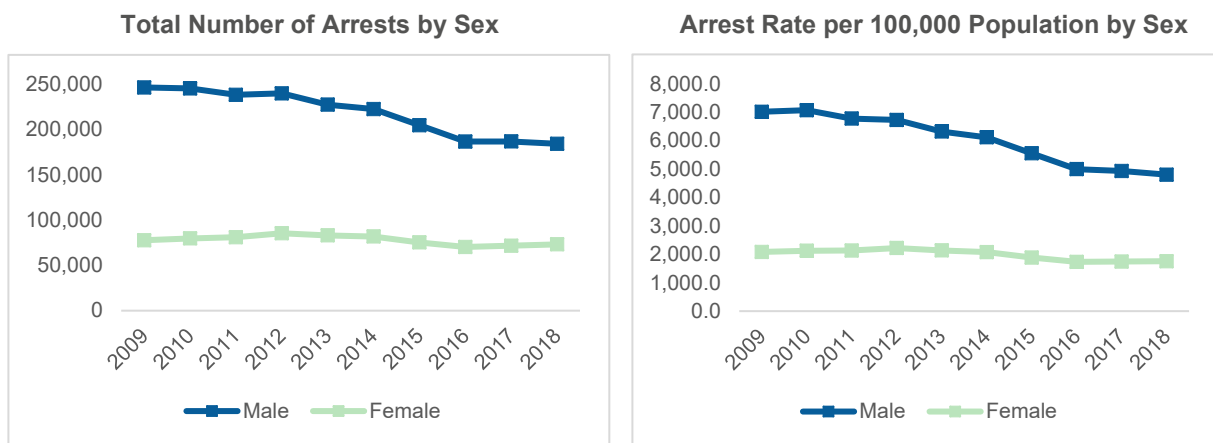
**Figure 3.1 Arrests in Georgia, 2009–2018**



Source: Kaplan, Jacob. Jacob Kaplan's Concatenated Files: Uniform Crime Reporting (UCR) Program Data: Arrests by Age, Sex, and Race, 1974–2018. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2021-01-16.

In 2018, 184,240 adult males were arrested compared to just 73,183 females, a ratio of more than two to one. The arrest rate per 100,000 males was more than double the rate of females in 2018. The arrest rate for males fell almost a third (–31.5%) between 2009 and 2018, compared to just 15.7% for females.

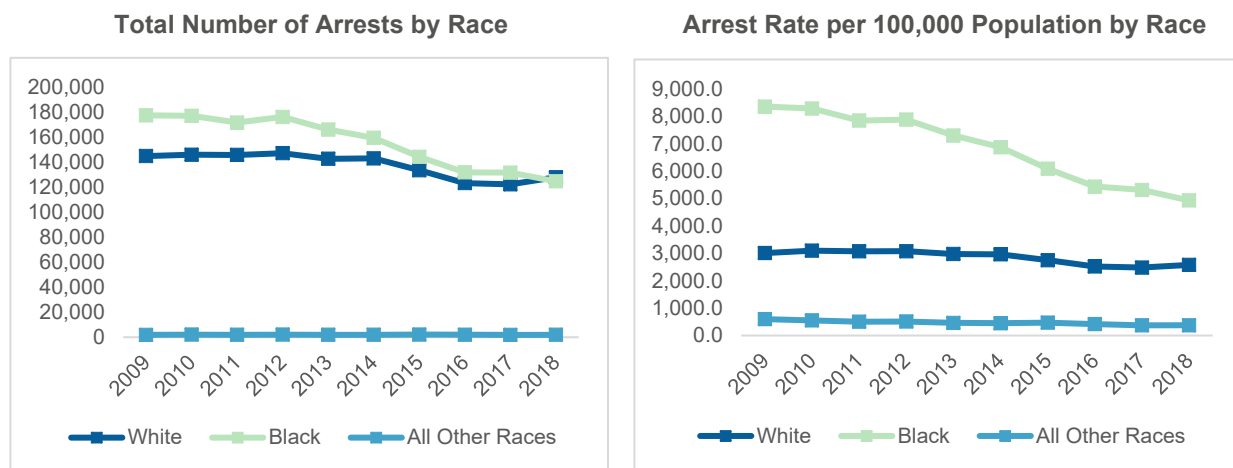
**Figure 3.2 Arrests in Georgia, by Sex, 2009–2018**



Sources: US Census Bureau; Kaplan

Although the overall number of arrests of Black adults was nearly equal to the number of arrests of White adults in 2018, the arrest rate per 100,000 Black adults was nearly twice that of White adults. The arrest rate for Black adults fell 40.9% between 2009 and 2018, compared to a 14.3% drop for White adults, and a 37.6% decrease for adults of All Other Races (people of Asian or Native American race).

**Figure 3.3 Arrests in Georgia, by Race, 2009–2018**



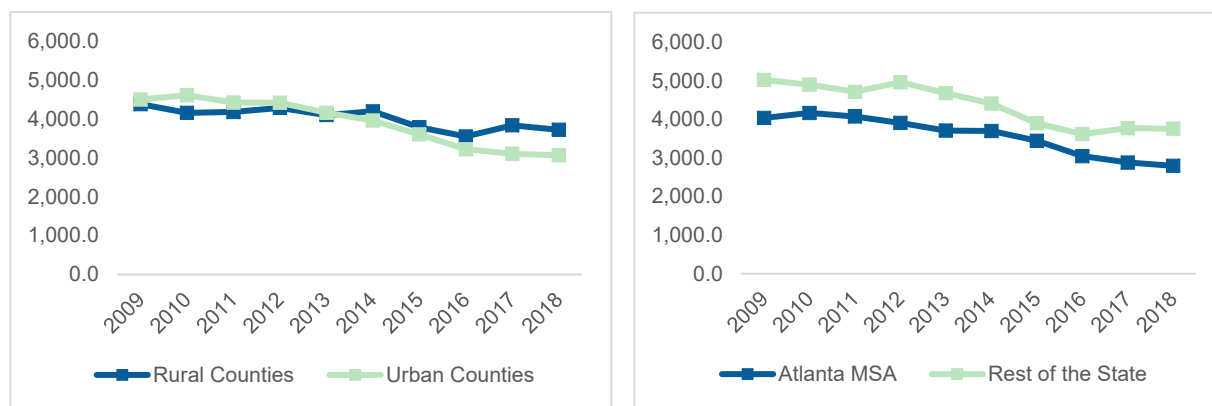
Note: "All Other Races" includes Asian and Native American.

Sources: US Census Bureau; Kaplan

### County-Level Arrests

In 2018, the arrest rate in rural counties in Georgia was 3,723 arrests per 100,000 population, compared to 3,068 arrests in urban counties. Between 2009 and 2018, the arrest rate decreased in both rural and urban counties but fell faster in urban counties: -31.9%, compared to -15.1% in rural counties. In 2014, the arrest rate in rural counties surpassed the arrest rate in urban counties. The arrest rate per 100,000 population was higher in the rest of Georgia than in the Atlanta MSA in each year. Between 2009 and 2018, the arrest rate decreased in both the Atlanta MSA and the rest of the state but fell faster in the Atlanta MSA: -30.1% in the Atlanta MSA compared to -25.2% in the rest of the state.

**Figure 3.4 Arrest Rates Per 100,000 Population in Regions of Georgia, 2009–2018**



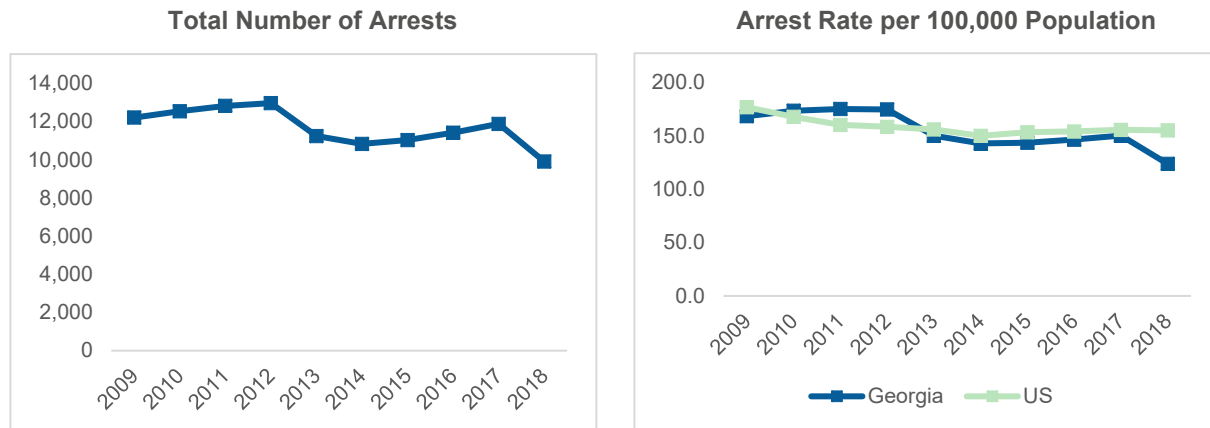
Sources: US Census Bureau; Kaplan



## Arrests for Violent Offenses

There were 9,907 arrests for violent offenses in 2018 in Georgia, a significant decrease (−16.6%) from the prior year (11,876 arrests). The arrest rate per 100,000 population for violent offenses fell in Georgia, dropping significantly between 2017 and 2018 (−17.3%). The arrest rate per 100,000 population for violent offenses in Georgia decreased 26.6% compared to a decrease of 12.4% in the US overall from 2009 to 2018.

Figure 3.5 Arrests for Violent Offenses in Georgia, 2009–2018

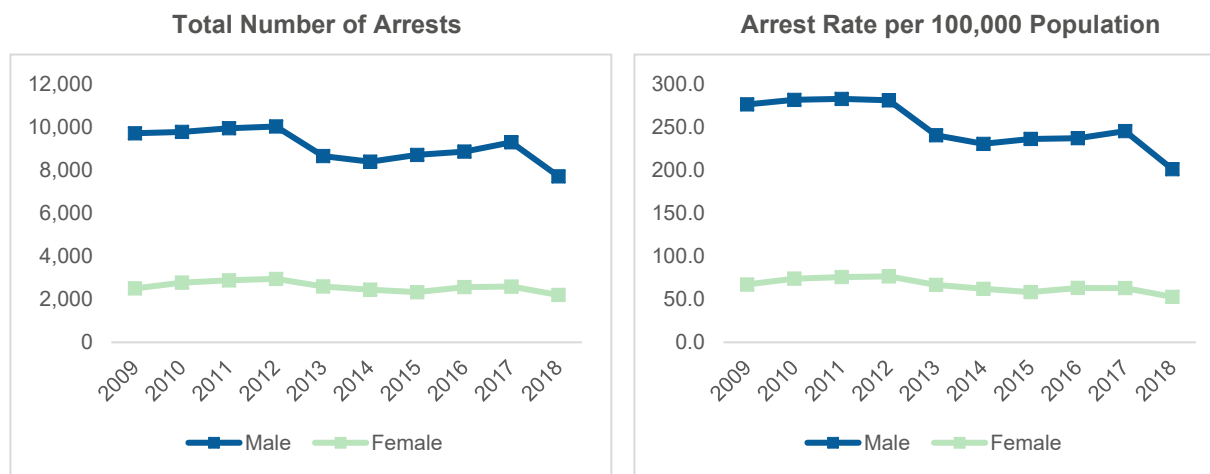


Sources: US Census Bureau; Kaplan

In 2018, males were arrested 3.5 times more often than females for violent offenses. The gap was smaller than in 2009, however, when the number of male arrests was almost four times the number of female arrests. The number of males arrested fell 20.5% between 2009 and 2018, compared to just 12.3% for females. Between 2017 and 2018, when there was a significant decrease in the number of arrests overall (decrease of 1,969), more than 80% (1,577 of 1,969) of the difference was accounted for by the decrease in male arrests.

In 2018, the male arrest rate per 100,000 population was also more than 3.5 times the female rate. Between 2009 and 2018, however, it decreased 27.1%, compared to just a 20.1% drop for females. The male arrest rate decreased 18.0% between 2017 and 2018, compared to a 15.9% drop for females.

**Figure 3.6 Arrests for Violent Offenses in Georgia, by Sex, 2009–2018**



Sources: US Census Bureau; Kaplan

In 2018 Black adults comprised 31.6% of the adult population in Georgia but accounted for 59.0% of arrests in the state for violent offenses. The number of arrests of Black adults for violent offenses fell 28.9% between 2009 and 2018. In comparison, the number of White adults arrested rose 1.8% and the number of adults of All Other Races arrested rose 4.8%.

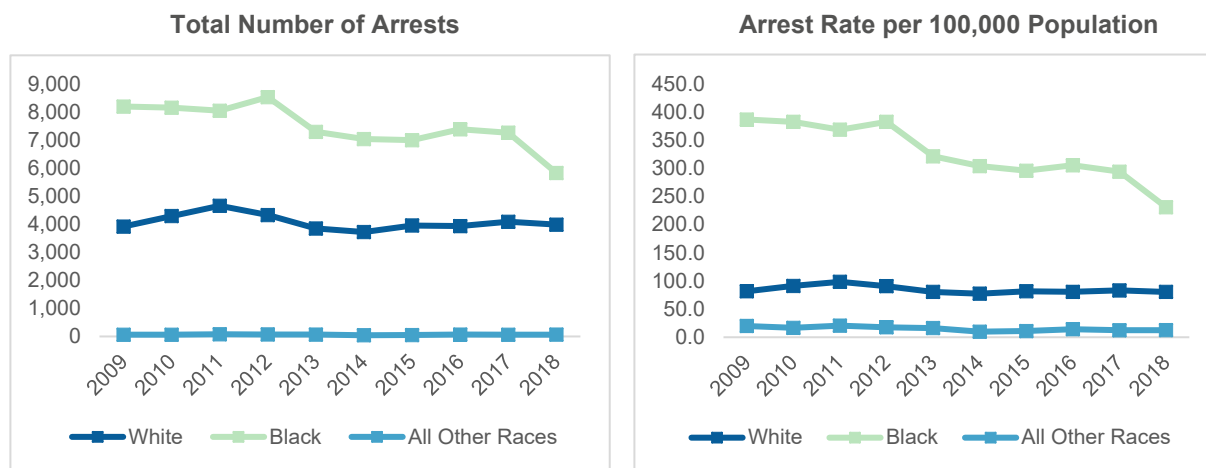
The decrease in arrests of Black adults mirrors the trend of decreasing arrests for violent offenses overall. Between 2017 and 2018, when there was a significant decrease in the number of arrests overall (decrease of 1,539), 93.5% of the difference (1,439 of 1,539) is accounted for by the decrease in Black arrests.<sup>e</sup>

In 2018, the arrest rate per 100,000 Black adults for violent offenses was almost three times the rate for White adults and almost 18 times the rate for adults of All Other Races. The Black adult arrest rate for violent offenses fell 40.3% between 2009 and 2018, including a decrease of 21.4% between 2017 and 2018.

Although the overall number of White adults arrested rose 2.5% between 2009 and 2018, the rate remained almost constant, suggesting the increase was driven by an increase in population. Similarly, the overall number of adults of All Other Races arrested rose 4.8% between 2009 and 2018, but the rate fell 35.0%, suggesting the increase in the overall number of arrests was driven by an increase in population.

<sup>e</sup> The total number of arrests differs depending on whether race or sex values are used in calculations because not all law enforcement agencies reported the race of the person arrested. Between 2009 and 2018, an average of 82% of agencies in Georgia reported some race data. To be consistent, the race total is used when comparing race values to total values; however, where arrest totals are seen elsewhere in this report, they are based on sex values because these data are more complete. See Appendix A: Methodology for more information on UCR arrests data.

**Figure 3.7 Arrests for Violent Offenses in Georgia, by Race, 2009–2018**

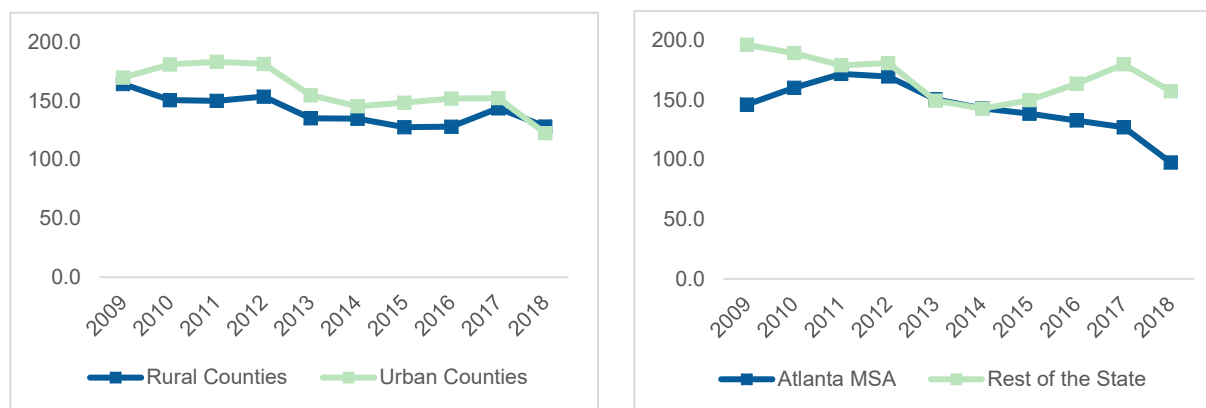


Note: "All Other Races" includes Asian and Native American.

Sources: US Census Bureau; Kaplan

The arrest rate for violent offenses per 100,000 population in urban counties was higher than in rural counties from 2009 to 2017. In 2018, however, the rate in urban counties fell below that of rural counties: 122.5 arrests in urban counties compared to 128.1 in rural counties. The rate fell sharply between 2017 and 2018 in both rural and urban counties: -19.7% in urban counties and -11.1% in rural counties.

**Figure 3.8 Arrest Rates for Violent Offenses per 100,000 Population in Regions of Georgia, 2009–2018**

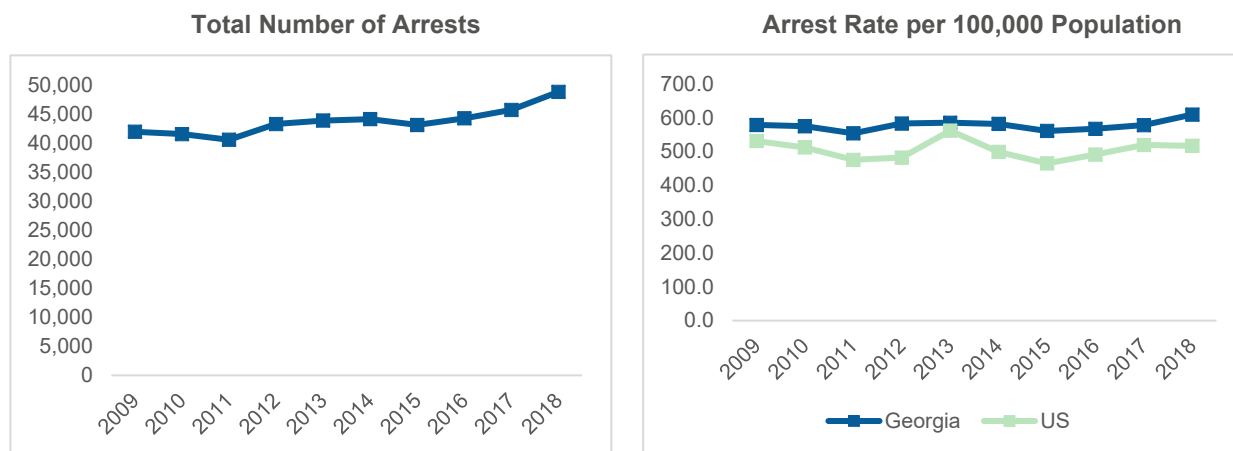


Sources: US Census Bureau; Kaplan

### Arrests for Drug Offenses

The number of arrests for drug offenses increased 16.3% in Georgia, from 41,905 to 48,761, between 2009 and 2018. In contrast, the arrest rate per 100,000 population increased only 5.4%.

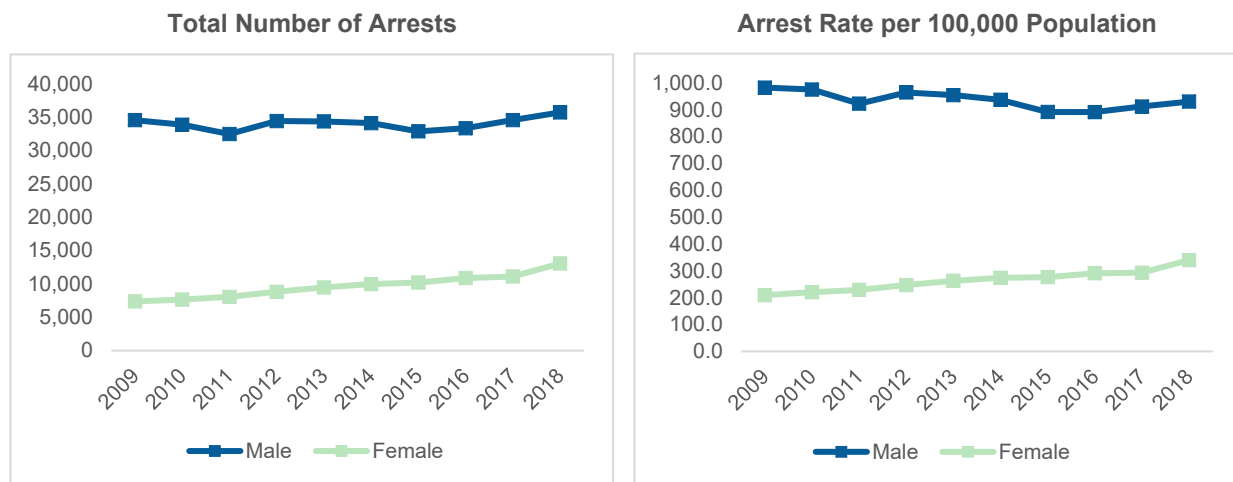
**Figure 3.9 Arrests for Drug Offenses in Georgia, 2009–2018**



Sources: US Census Bureau; Kaplan

The male arrest rate per 100,000 population for drug offenses was 2.7 times higher than the female arrest rate in 2018. That is a significant decrease from 2009, when the male arrest rate was 4.7 times the female arrest rate. In contrast, the male arrest rate in 2018 for violent offenses was 3.5 times higher (from almost four times in 2009) than the female arrest rate. The rising number and rate of arrests of females for drug offenses is noteworthy as it is one of the only arrest trends that rose over the 10-year period. The arrest rate per 100,000 females grew from 209.6 in 2009 to 340.4 in 2018.

**Figure 3.10 Arrests for Drug Offenses in Georgia, by Sex, 2009–2018**

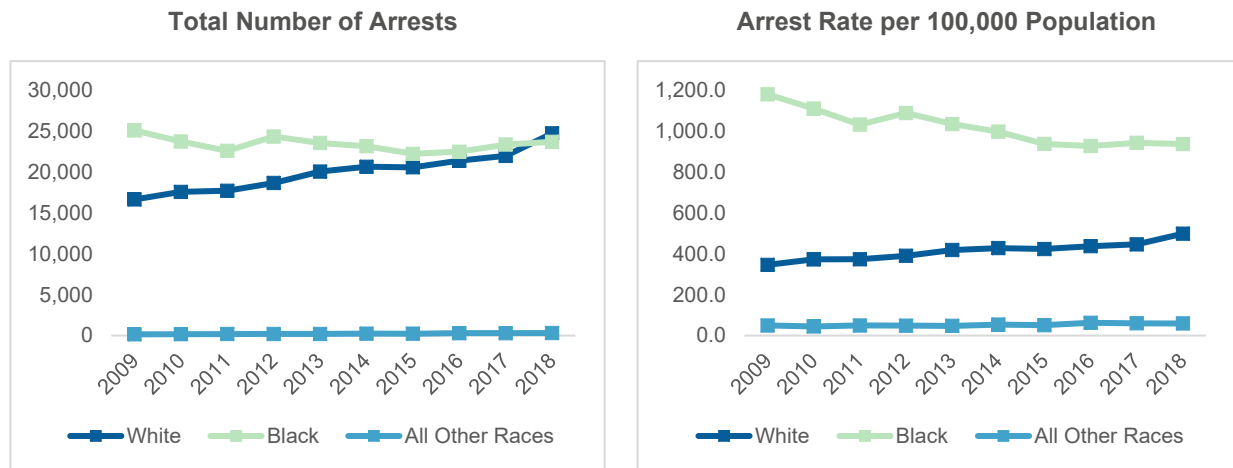


Sources: US Census Bureau; Kaplan

In 2018, the Black adult arrest rate per 100,000 population for drug offenses was 1.9 times the arrest rate for White adults and 15.9 times the arrest rate for adults of All Other Races. The gap shrunk, however, from 2009, when the rate for Black adults was 3.4 times the rate for White

adults. In 2018, the overall number of arrests of White adults for drug crimes exceeded the number of arrests of Black adults for the first time in the data set starting in 2009. The arrest rate for Black adults decreased 20.7% between 2009 and 2018. In contrast, the arrest rate for White adults increased 44.2%, and the rate for adults of All Other Races increased 20.4%. The arrest rate for drug offenses of adults of All Other Races increased slightly between 2009 and 2018, from 49.5 arrests to 50.0 arrests per 100,000 population, an increase of about 1%.

**Figure 3.11 Arrests for Drug Offenses in Georgia, by Race, 2009–2018**

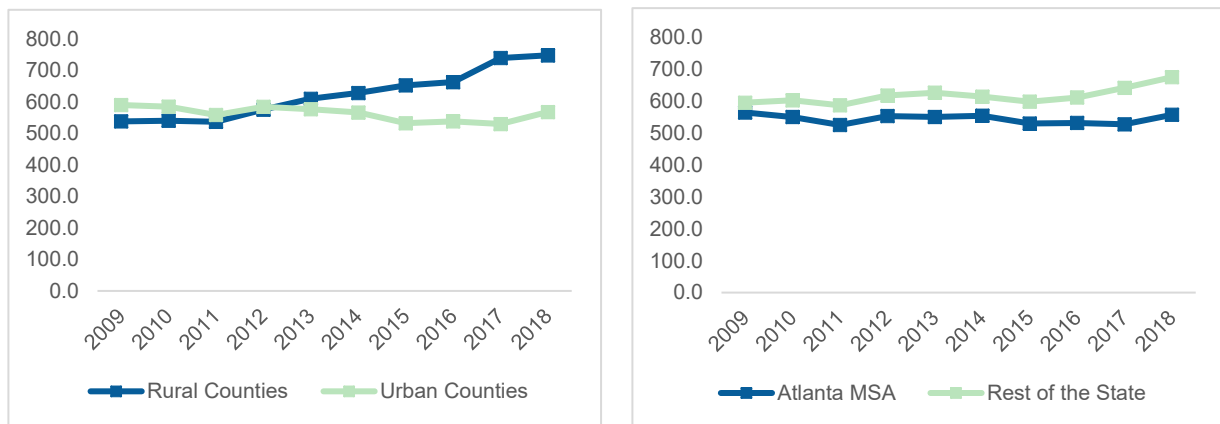


Note: "All Other Races" includes Asian and Native American.

Sources: US Census Bureau; Kaplan

In 2018, the arrest rate per 100,000 population for drug offenses in rural counties was 748.5, or 1.3 times the arrest rate in urban counties (568.5). In 2018, the arrest rate in the rest of the state was 675.3, or 1.2 times higher than the rate in the Atlanta MSA (557.5). The gap grew from 2009, when the rates were similar: 595.3 arrests per 100,000 population in the rest of the state compared to 564.7 in the Atlanta MSA.

**Figure 3.12 Arrest Rates per 100,000 Population for Drug Offenses in Regions of Georgia, 2009–2018**



Sources: US Census Bureau; Kaplan

## YOUTH ARRESTS

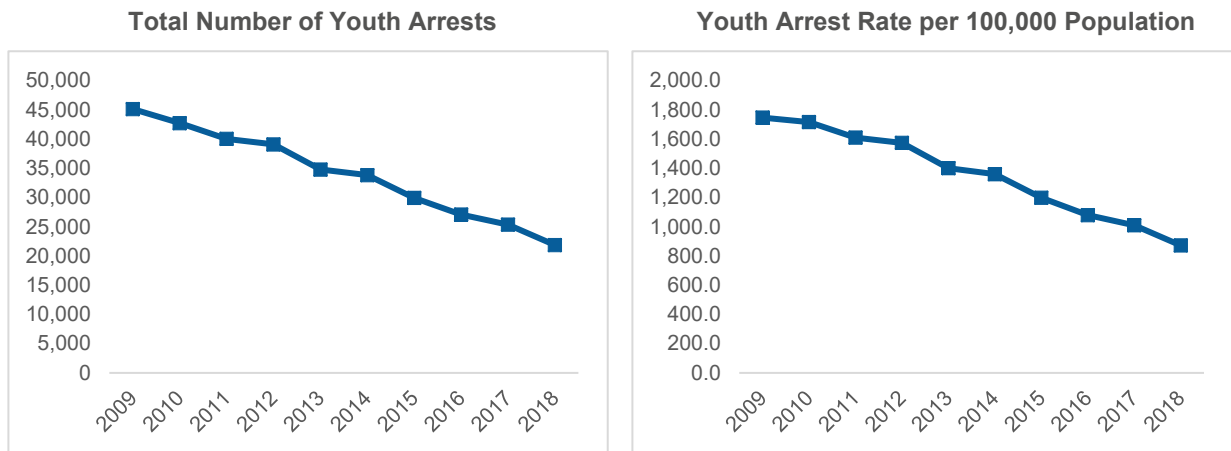
For the purposes of the juvenile justice system, Georgia uses two different definitions of a child:

- “Under the age of 17 years when alleged to have committed a delinquent [felony] act; ...
- Under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court for the purpose of enforcing orders of the court.”<sup>25</sup>

The total number of youth arrests<sup>f</sup> in Georgia decreased by more than half (–51.5%), from 45,129 in 2009 to 21,866 in 2018. Similarly, the arrest rate fell significantly, from 1,746.6 per 100,000 population to 872.2, a decrease of 54.2%. The youth arrest rate was much lower than the adult arrest rate in June 2018: 872.2 per 100,000 population compared to 3,216.1.

<sup>f</sup> Because the data come from a different source, these data may differ from the decision point data in Section 4. Georgia’s Juvenile Justice System.

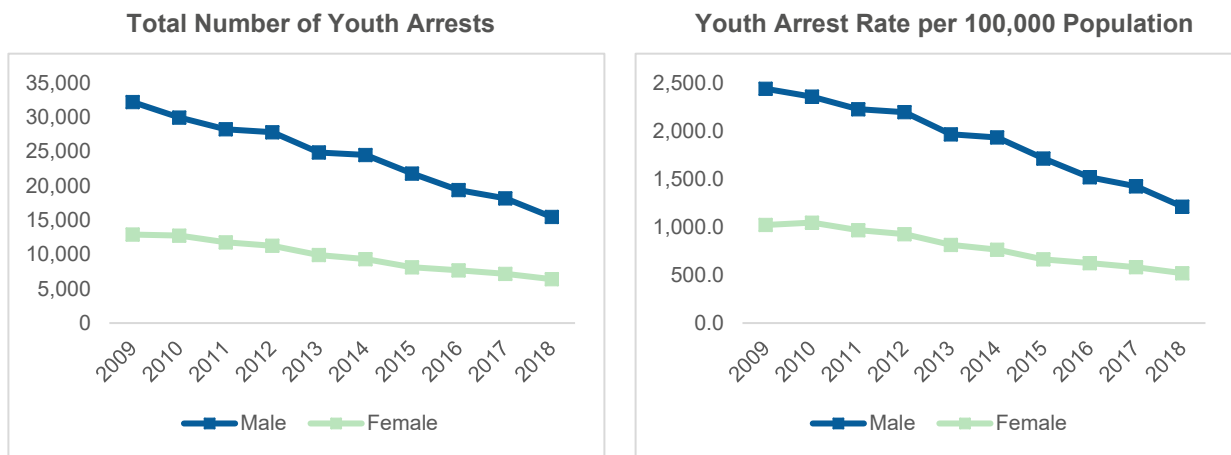
**Figure 3.13 Youth Arrests in Georgia, 2009–2018**



Sources: US Census Bureau; Kaplan

In 2018, male youth were arrested 2.4 times more often than female youth (15,465 arrests for males compared to 6,401 for females). The gap narrowed slightly from 2009, when the difference was 2.5 times. The arrest rate per 100,000 population for male youth fell slightly faster than the arrest rate for female youth: 50.3% between 2009 and 2018 for males, compared to 49.1% for females.

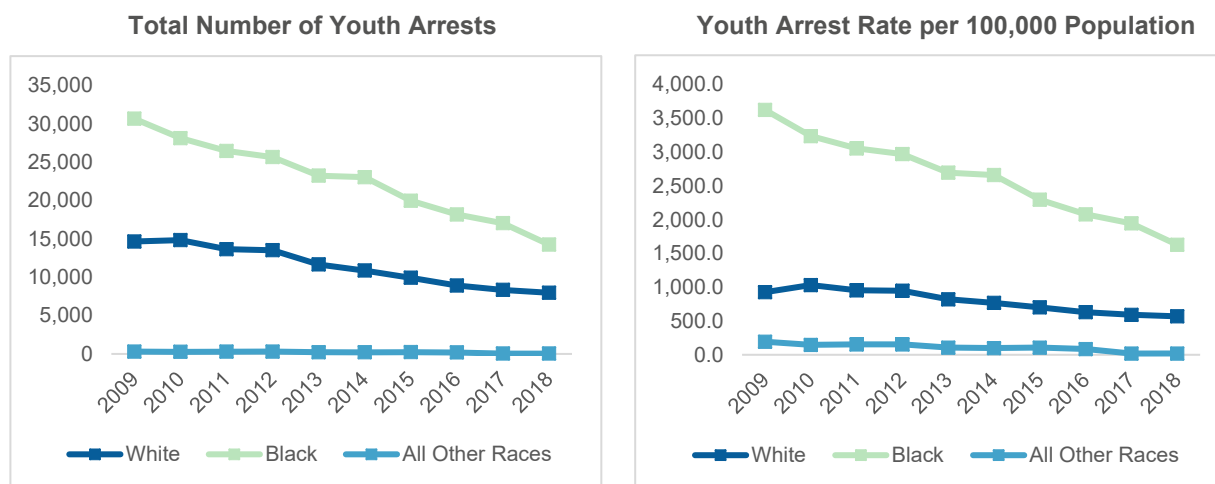
**Figure 3.14 Youth Arrests in Georgia, by Sex, 2009–2018**



Sources: US Census Bureau; Kaplan

In 2018, the arrest rate per 100,000 population for Black youth was nearly three times the arrest rate for White youth and 85.7 times the arrest rate for youth of All Other Races. The gap between Black and White youth fell from 2009, when the arrest rate for Black youth was nearly four times the rate for White youth.

**Figure 3.15 Youth Arrests in Georgia, by Race, 2009–2018**



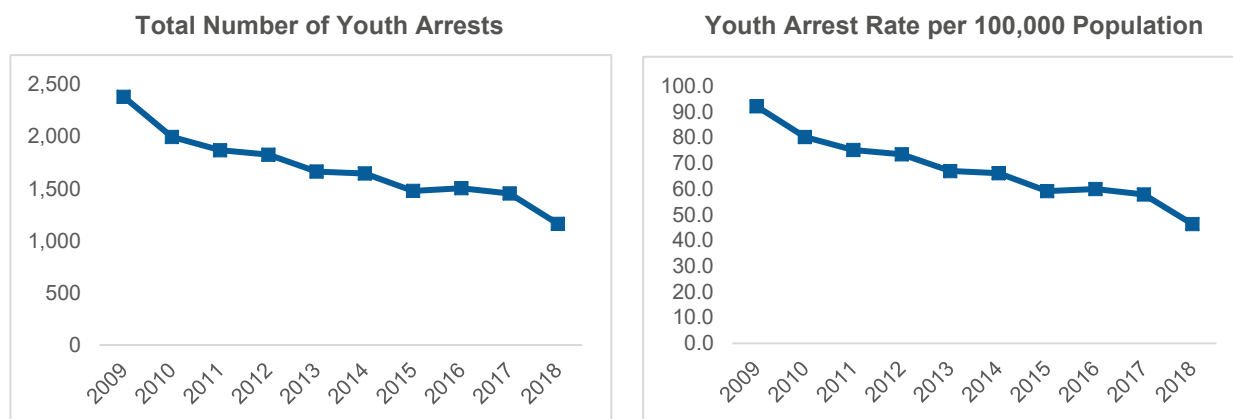
Note: “All Other Races” includes Asian and Native American.

Sources: US Census Bureau; Kaplan

### Youth Arrests for Violent Offenses

There were just 1,163 youth arrests for violent offenses in 2018, a decrease of 20.0% in just one year. The decrease in youth arrests for violent offenses mirrors the decrease in adult arrests during the same period. (For more information, see [Figure 3.5 Arrests for Violent Offenses in Georgia, 2009–2018](#) on page 23.) The youth arrest rate for violent offenses decreased by nearly half (–49.6%) between 2009 and 2018.

**Figure 3.16 Youth Arrests for Violent Offenses in Georgia, 2009–2018**



Sources: US Census Bureau; Kaplan

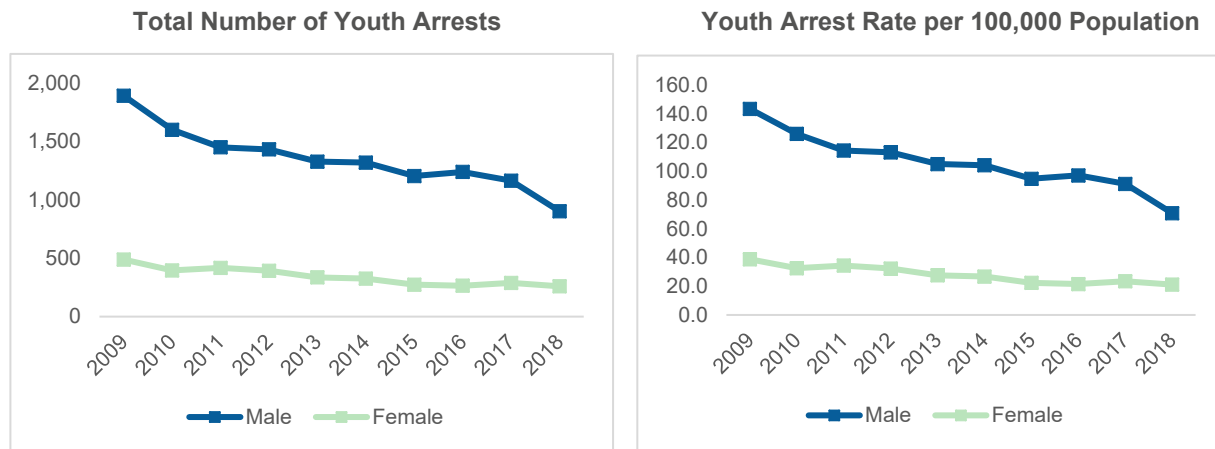
Among youth, there were more than 3.5 times the number of male arrests for violent offenses than female arrests in 2018, which is similar to the sex difference among adults. (See [Figure 3.6 Arrests for Violent Offenses in Georgia, by Sex, 2009–2018](#) on page 24.) The gap between male



and female youth in 2018 was smaller than in 2009, when the number of male arrests was almost four times the number of female arrests. The number of male arrests fell faster (–52.3%) than the number of female arrests (–46.8%) between 2009 and 2018.

In 2018, the male youth arrest rate per 100,000 population was 3.4 times higher than the female rate. Between 2009 and 2018, however, it decreased 50.6%, compared to a 45.5% drop for females. The male youth arrest rate decreased 22.4% between 2017 and 2018, compared to just a 9.8% drop for females.

**Figure 3.17 Youth Arrests for Violent Offenses in Georgia, by Sex, 2009–2018**



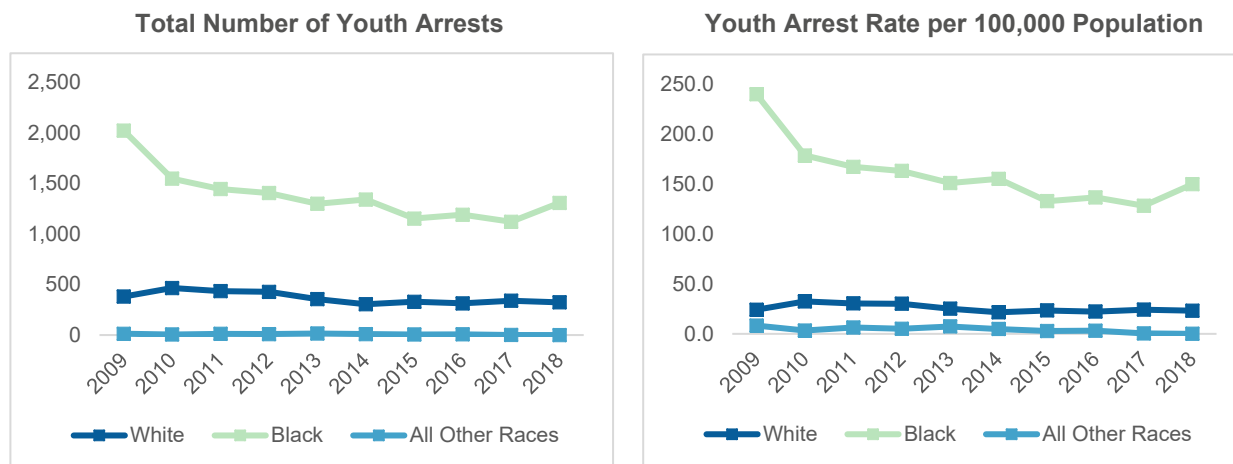
Sources: US Census Bureau; Kaplan

In 2018, Black youth made up 34.5% of the youth population in Georgia but 80.2% of arrests for violent offenses. Even though Black youth represented a disproportionate share of arrests for violent offenses, the number of arrests of Black youth for violent offenses fell 35.4% between 2009 and 2018. The number of arrests declined 15.0% for White youth and 100% for youth of All Other Races.<sup>§</sup> The decrease in arrests of Black youth mirrors the trend of decreasing arrests for violent offenses overall.

In 2018, the arrest rate per 100,000 Black youth for violent offenses was 6.5 times the rate for White youth. The Black youth arrest rate fell 37.5% between 2009 and 2018 but increased 16.8% between 2017 and 2018. In contrast, the arrest rate for White youth fell only slightly (–4.1%) between those same years.

<sup>§</sup> There were zero arrests of youth of All Other Races for violent offenses in 2018.

Figure 3.18 Youth Arrests for Violent Offenses in Georgia, by Race, 2009–2018



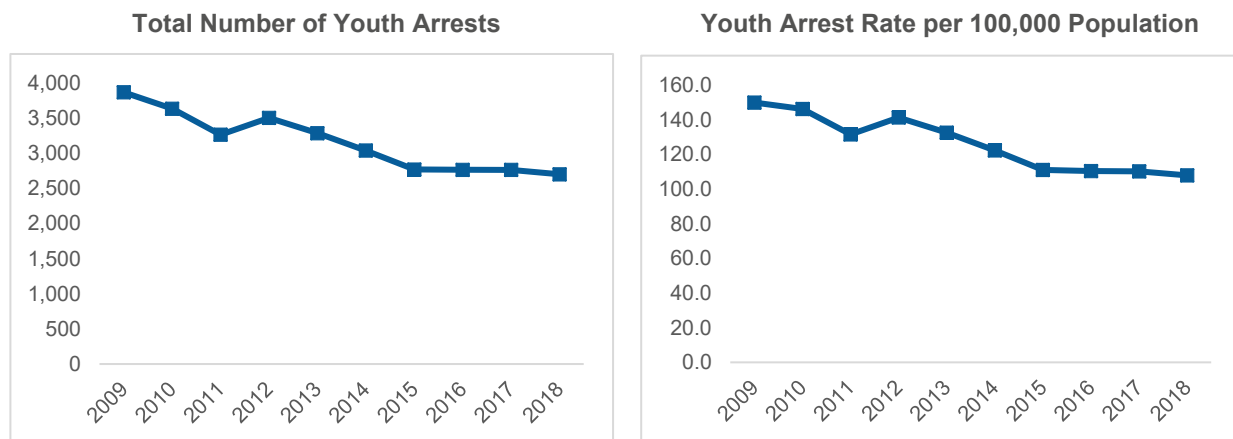
Note: “All Other Races” includes Asian and Native American.

Sources: US Census Bureau; Kaplan

### Youth Arrests for Drug Offenses

Youth arrests for drug offenses were down from 2009, but the trends are different by sex and by race. The number of youth arrests for drug offenses declined from 3,872 in 2009 to 2,704 in 2018, a 30.2% drop.

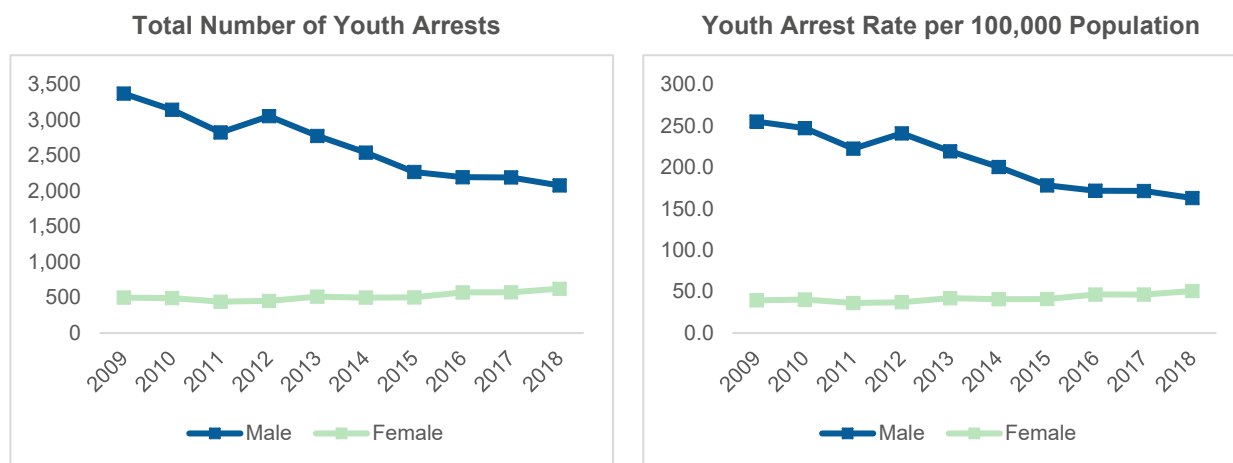
Figure 3.19 Youth Arrests for Drug Offenses in Georgia, 2009–2018



Sources: US Census Bureau; Kaplan

Youth arrests for drug offenses declined among males, but not among females. The male youth arrest rate for drug offenses fell from 255.3 arrests per 100,000 population to just 92.3 arrests, a 36.2% decline. The female youth arrest rate, however, grew from 39.5 arrests per 100,000 population to 50.7 arrests, a 28.4% increase.

Figure 3.20 Youth Arrests for Drug Offenses in Georgia, by Sex, 2009–2018

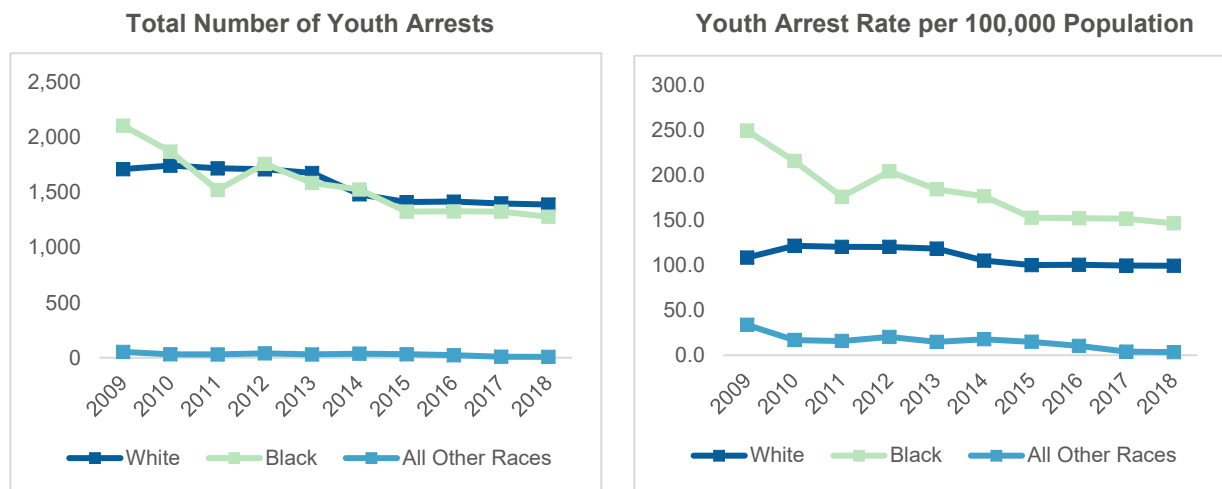


Sources: US Census Bureau; Kaplan

In 2018, the White youth arrest rate for drug offenses (99.4 arrests per 100,000 population) was much higher than the White arrest rate for violent offenses (23.1 arrests). For Black youth, the reverse was true: The Black youth arrest rate for drug offenses (146.1 arrests per 100,000 population) was similar to the Black youth arrest rate for violent offenses (149.6 arrests). The Black youth arrest rate for drug offenses was just 1.4 times higher than for White youth and about 50 times the rate for youth of All Other Races in 2018. In contrast, the gap between the arrest rates of Black youth and White youth for violent offenses was 6.5 to 1.

From 2009 to 2018, the arrest rate for drug offenses among Black youth declined 41.3%, from 249.4 arrests per 100,000 population to 146.4 arrests. The arrest rate for White youth decreased just 8.3%, and the arrest rate for youth of All Other Races declined from 33.7 arrests to 3.5 arrests (-89.6%).

Figure 3.21 Youth Arrests for Drug Offenses in Georgia, by Race, 2009–2018



Note: "All Other Races" includes Asian and Native American.

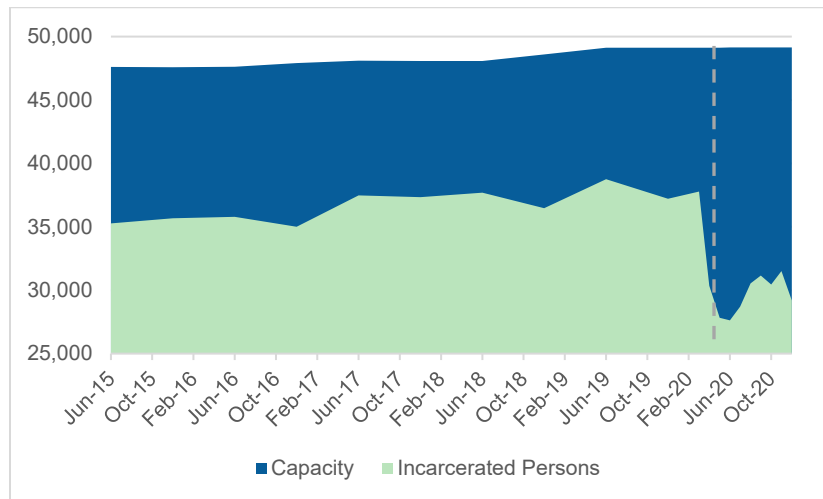
Sources: US Census Bureau; Kaplan

### INCARCERATION DATA: COUNTY JAILS

Georgia has 143 jails in its 159 counties.<sup>h</sup> County jail capacity in the state has increased by 1,537 beds, or 3.2% since 2015. As of December 2020, the state had 49,145 county jail beds. Prior to the COVID-19 pandemic, county jails were at an average capacity of 76.1% between June 2015 and December 2019. However, as the pandemic continued and cases of COVID-19 began to climb in the close confines of prisons and jails, many counties released incarcerated persons early, particularly among vulnerable populations.

<sup>h</sup> There are no jails in Baker, Charlton, Chattahoochee, Clay, Clinch (closed in October 2017), Echols, Glascock, Lanier, Long, Montgomery, Quitman, Stewart, Talbot, Taliafero, Warren, and Webster counties. All of these are rural counties according to Georgia's definition.

**Figure 3.22 Total Capacity of Georgia County Jails Compared to Total Number of People Incarcerated, June 2015–December 2020**



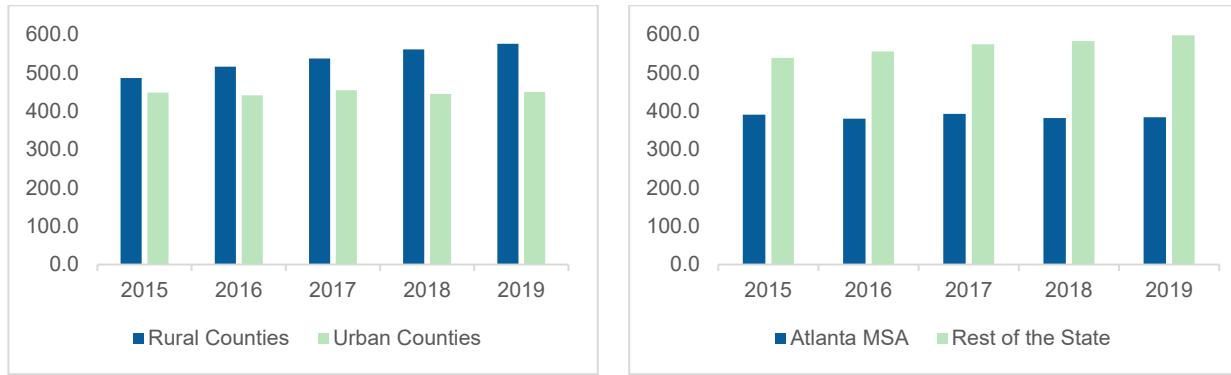
Source: Georgia Department of Community Affairs

The incarceration rate as a whole in Georgia’s county jails increased 4.5% from June 2015 to June 2019, from 457.2 per 100,000 population to 477.8 per 100,000.<sup>i</sup> This reflects a 9.9% increase in the number of people incarcerated, compared to a 5.1% increase in the population 18 years and older. Between 2015 and 2019, the number of people incarcerated in rural counties increased 21.3% while the population 18 and older increased just 2.5%. As a result, the incarceration rate in rural counties increased 18.4%, from 486.6 per 100,000 in 2015 to 576.6 per 100,000 in 2019. The urban incarceration rate increased just 0.4%, from 448.6 to 450.2 per 100,000.

In contrast, the incarceration rate in the Atlanta MSA dropped 1.7%, from 391.1 per 100,000 population in 2015 to 384.5 per 100,000 population in 2019. Population growth in the Atlanta MSA of 6.9% contributed to this lower incarceration rate. The number incarcerated increased 5.1% from 16,701 in June 2015 to 17,555 in June 2019. In the rest of the state, the incarceration rate increased nearly 11%, from 539.1 per 100,000 in June 2015 to 598.1 per 100,000 in June 2019, driven by a 14.1% increase in the number incarcerated (18,573 in June 2015 to 21,199 in June 2019) but just a 2.9% population increase.

<sup>i</sup> Based upon data on the number of people incarcerated in Georgia’s county jails, incarceration rates decreased in 2020 but population data were not yet available to calculate a rate.

**Figure 3.23 Incarceration Rates in County Jails per 100,000 Population in Regions of Georgia, June 2015–June 2019**

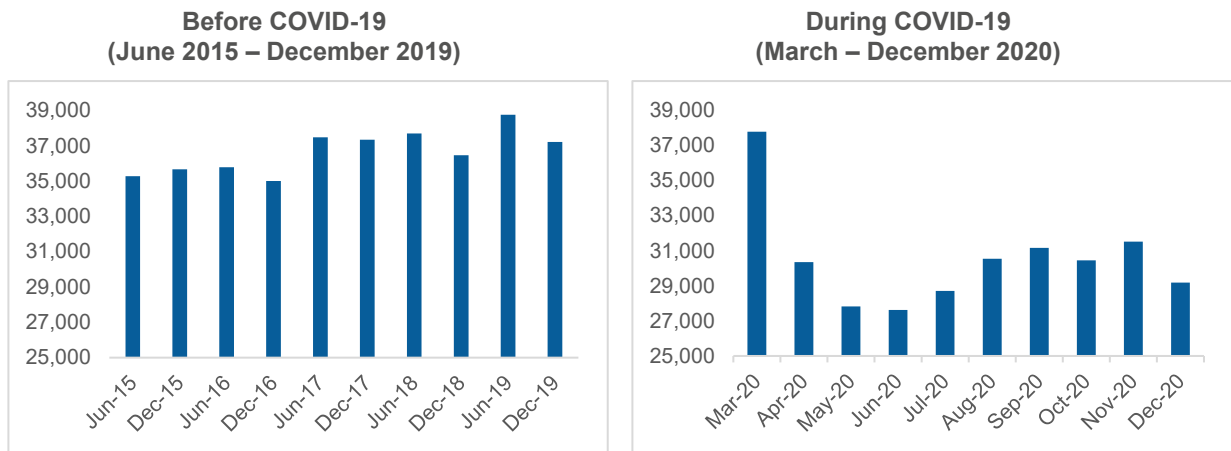


Note: Incarceration rates could not be calculated for 2020 because census data had not been released.

Sources: Georgia Department of Public Health; Georgia Department of Community Affairs

Prior to COVID-19, county jails continuously housed more than 35,000 people. In response to the COVID-19 pandemic, between March and April 2020,<sup>j</sup> the state saw a 19.7% reduction in the number of people incarcerated in county jails, a further 8.3% reduction from April to May, and an additional 0.7% reduction from May to June, for a total reduction of 26.9% between March and June. From June through November, the number of incarcerated people increased 14.1%.

**Figure 3.24 Total Number of People Incarcerated in Georgia County Jails, June 2015–December 2020**



Source: Georgia Department of Community Affairs

<sup>j</sup> All of the data presented here are from the Georgia Department of Community Affairs, which collects and publishes monthly data on the capacity of each jail and the number of people incarcerated in these facilities. November and December 2020 data throughout this section are artificially low because several counties did not report data. In November 2020, the following counties did not report data: Atkinson, Elbert, Haralson, Irwin, Johnson, Macon, Paulding, Taylor, and Treutlen. In December 2020, Atkinson, Baldwin, Bryan, Calhoun, Colquitt, Fulton, Jasper, Macon, Thomas, and Wheeler counties did not report. Fulton County has the third-largest jail capacity in the state.

Even though the overall number of people incarcerated in county jails declined, the proportion of people awaiting trial increased. Of people incarcerated between 2015 and 2019, an average of 64.4% were awaiting trial. However, the average from March through December 2020 increased to 67.5%. This rise stemmed from the COVID-19 pandemic.

**Table 3.1 Average Percentage of People Incarcerated in Georgia County Jails Awaiting Trial Before and During COVID-19, 2015–2020**

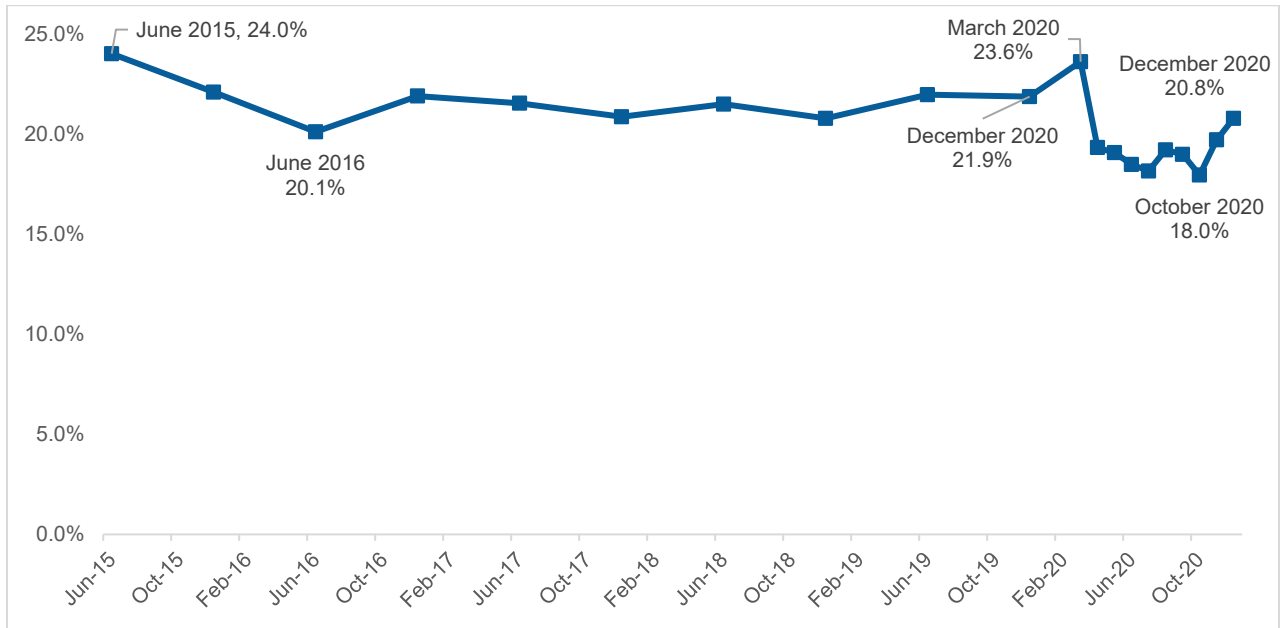
	<b>Before COVID-19</b>		<b>During COVID-19</b>			
	<u>(June 2015 – Dec 2019)</u>		<u>(March – Dec 2020)</u>		<u>(April – Dec 2020)</u>	
	<b>Average Number</b>	<b>Percent of Total</b>	<b>Average Number</b>	<b>Percent of Total</b>	<b>Average Number</b>	<b>Percent of Total</b>
Georgia	23,592	64.3%	20,540	67.3%	20,222	68.1%
Rural Counties	4,964	53.3%	4,493	55.1%	4,431	55.4%
Urban Counties	18,627	68.1%	16,046	72.0%	15,791	72.8%
Atlanta MSA	11,157	65.8%	9,468	69.9%	9,300	70.5%
Rest of the State	12,435	63.1%	11,072	65.3%	10,922	66.0%

Source: Georgia Department of Community Affairs

The number of incarcerated people serving a county or state sentence<sup>k</sup> increased 9.6% from December 2019 to March 2020, before declining 42.8% from March to June 2020 and then increasing 18.8% from June through December 2020. The increase in the number serving a state or county sentence between December 2019 and March 2020 seems to have been driven by a 16.0% increase in the counties outside of the Atlanta MSA. The number of people serving a state or county sentence increased slightly (3.3%) in the Atlanta MSA but declined in both urban and rural counties.

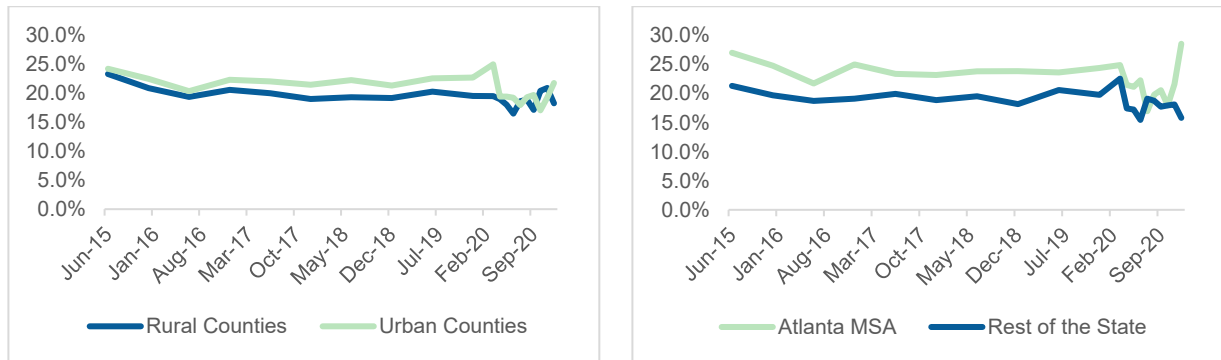
<sup>k</sup> The Georgia Department of Corrections leases beds at 21 county jails to house low security, long-term incarcerated persons.

**Figure 3.25 Percentage of People Incarcerated in Georgia County Jails Serving a Sentence, June 2015–December 2020**



Source: Georgia Department of Community Affairs

**Figure 3.26 Percentage of People Incarcerated in Georgia County Jails Serving a Sentence, June 2015–December 2020**



Source: Georgia Department of Community Affairs



**Table 3.2 Changes to the Percentage of People Incarcerated in Georgia County Jails Awaiting Trial or Serving a Sentence, June 2015–December 2020**

	Before COVID-19 (June 2015 – Dec 2019)			During COVID-19 (March – Dec 2020)		
	Average Number	Awaiting Trial	Serving Sentence	Average Number	Awaiting Trial	Serving Sentence
Georgia	23,591	64.3%	21.7%	20,539	67.3%	19.7%
Rural Counties	4,964	53.3%	20.1%	4,493	55.1%	19.3%
Urban Counties	18,627	68.1%	22.1%	16,046	71.8%	20.7%
Atlanta MSA	11,157	65.8%	24.1%	9,468	69.9%	21.5%
Rest of the State	12,435	63.1%	19.6%	11,072	65.3%	18.2%

Note: Not all people in jail are awaiting trial or serving a sentence. Some are being held for other jurisdictions/law enforcement agencies, for probation violations, or for other reasons.

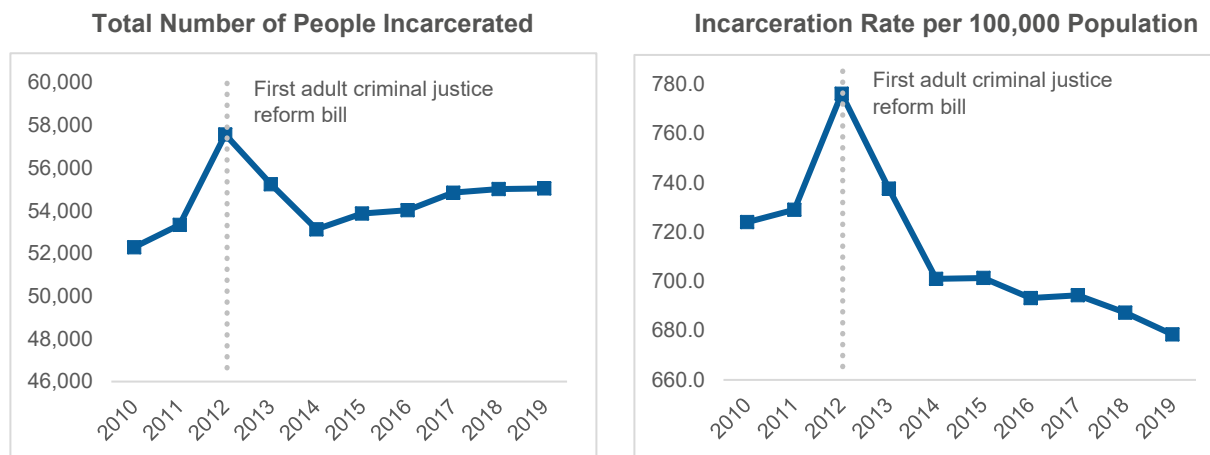
Source: Georgia Department of Community Affairs

### **INCARCERATION DATA: STATE PRISONS**

In 2012, the first of Governor Nathan Deal’s criminal justice reform measures passed the General Assembly, resulting in significant changes to the incarcerated population. (For more information on the criminal justice reforms, see the [timeline](#) on page 3.) For the two years prior to the first of these measures (HB 1176), the number of people incarcerated in Georgia’s prisons had risen more than 10% from nearly 53,000 to more than 57,500. In the immediate aftermath of HB 1176, the number of people incarcerated dropped 7.7% to just over 53,000 in 2014, but then rose 3.6% to 55,000 through 2019. However, the state’s incarcerated population fell in 2020 due to court closures and the suspension of jury trials caused by the COVID-19 pandemic.

Between 2010 and 2019, the adult incarceration rate fell 6.4%, from 724 per 100,000 population to 678. After increasing 6.4% between 2011 and 2012, it decreased 9.7% between 2012 and 2014. Between 2016 and 2019, the incarceration rate fell just 2.2%.

Figure 3.27 People Incarcerated in Georgia Prisons, 2010–2019



Sources: US Census Bureau; Georgia Department of Corrections

The incarcerated population dropped significantly between 2011 and 2012, 2012 and 2013, and 2013 and 2014, while Georgia’s adult population increased around 1% between each of those same years. After 2014, the incarcerated population growth trend generally mirrored that of the overall adult population in the state.

Table 3.3 Annual Change in the Total Number of People Incarcerated in Georgia Prisons Compared to the Overall Adult Population, 2010–2011 to 2018–2019

	2010–2011	2011–2012	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019
People Incarcerated	1,050	4,229	-2,325	-2,114	739	156	822	166	33
Adult Population	94,079	101,102	71,969	89,775	101,641	112,615	105,523	105,334	109,288

Sources: US Census Bureau; Georgia Department of Corrections

Table 3.4 Annual Percentage Change in the Total Number of People Incarcerated in Georgia Prisons Compared to the Overall Georgia Adult Population, 2010–2011 to 2018–2019

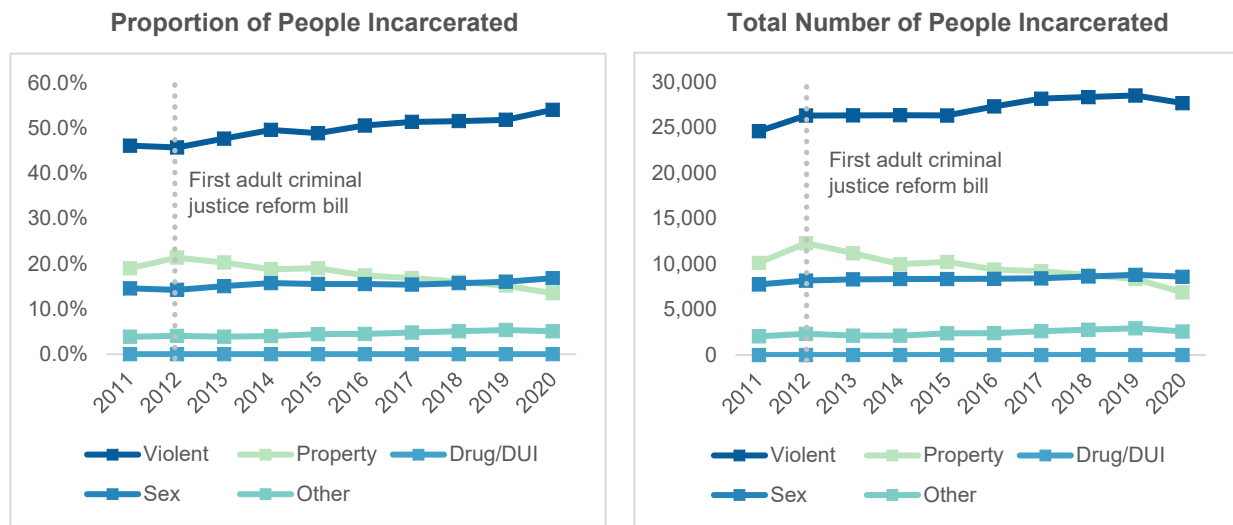
	2010–2011	2011–2012	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019
People Incarcerated	2.0%	7.9%	-4.0%	-3.8%	1.4%	<1%	1.5%	<1%	<1%
Adult Population	1.3%	1.4%	1.0%	1.2%	1.3%	1.5%	1.4%	1.3%	1.4%

Sources: US Census Bureau; Georgia Department of Corrections

In June 2020, more than half (54.1%) of incarcerated people were there for violent offenses, an increase of 8.0 percentage points from June 2011. People incarcerated for property offenses

decreased 5.5 percentage points between June 2011 and 2020. Although the number of arrests for sex offenses decreased between 2009 and 2018, the number of people incarcerated for sex crimes increased, suggesting an increase in convictions for sex offenses.

**Figure 3.28 People Incarcerated in Georgia Prisons, by Primary Offense Category, 2011–2020**



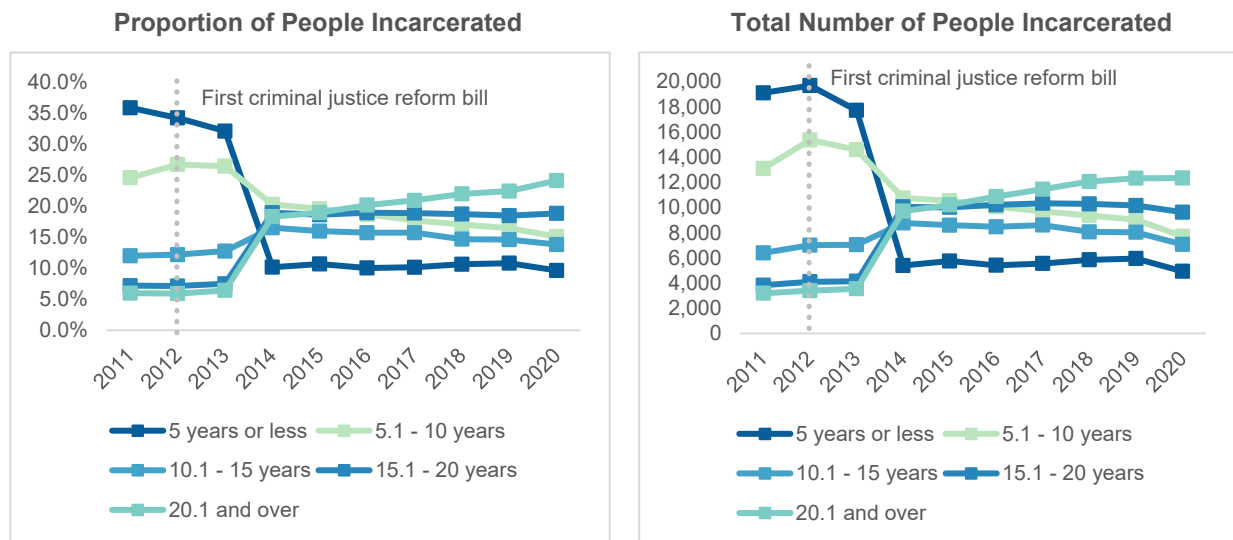
Note: "Other" crimes are not specified in the data.

Source: Georgia Department of Corrections

The most common prison sentence in June 2020 was 20 years or greater (24.1% of people incarcerated), followed by 15 to 20 years (18.8%). Criminal justice reforms allowed for alternatives to incarceration for nonviolent crimes and higher thresholds for felony theft, leading to a sharp decline in the percentage of people with a prison sentence of five years or less, from 32.1% to 10.2% between June 2013 and June 2014. Sentences between five and 10 years also declined during this period.

Sentences of 10 years and more, however, rose. Between 2013 and 2014, sentences of 20 years and over (excluding life and death sentences) increased 11.9 percentage points, and sentences between 15 and 20 years increased 11.4 percentage points. The increase in longer sentences as a proportion of all sentences was not just due to a decline in the number of people with shorter sentences; after June 2013, the number of people with sentences of 10 years or greater also rose. Between 2013 and 2014, the number of people who received a prison sentence of 10 years or more (excluding life and death sentences) nearly doubled, from 14,731 to 28,548.

**Figure 3.29 People Incarcerated in Georgia Prisons, by Length of Sentence (Excluding Life and Death Sentences), 2011–2020**



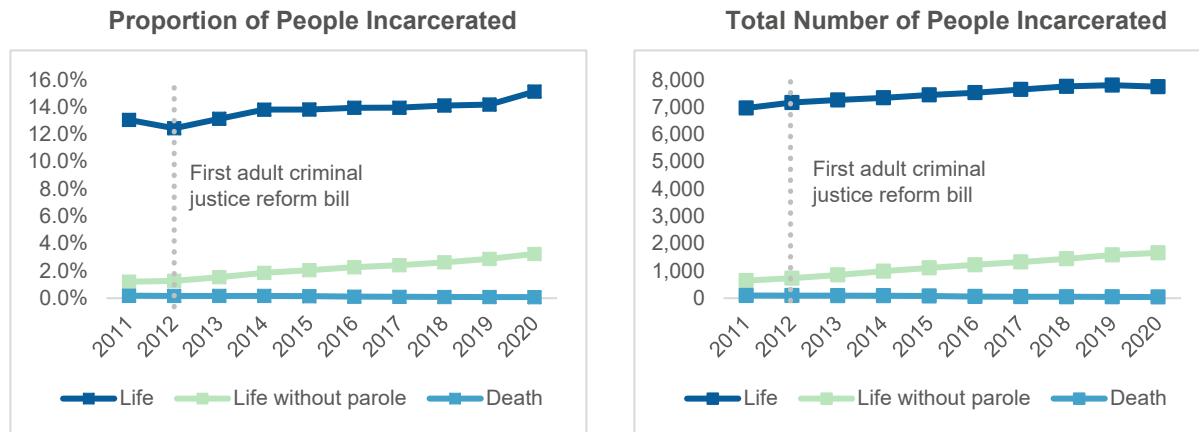
Note: Percentages may not sum to 100% due to the exclusion of certain categories.

Source: Georgia Department of Corrections

Nearly five times more people were serving a life sentence in June 2020 than were serving life without parole (7,743 compared to 1,659), and more than 100 times more people were serving a life sentence than the death sentence (7,743 compared to just 41). The death sentence was the least common: In June 2020, less than 1% of people incarcerated in Georgia were serving a death sentence, the same as in June 2011.

The number of people serving a life sentence in Georgia increased 11.2% between June 2011 and 2020, from 6,963 to 7,743. Similarly, the number of people serving life without parole increased 61.2%, from 644 to 1,659. The number of people serving a death sentence was the only category to decrease, falling 58.2%, from 98 to 41.

**Figure 3.30 People Incarcerated in Georgia Prisons, by Length of Sentence (Life and Death Sentences), 2011–2020**



Note: Percentages may not sum to 100% due to the exclusion of most categories.

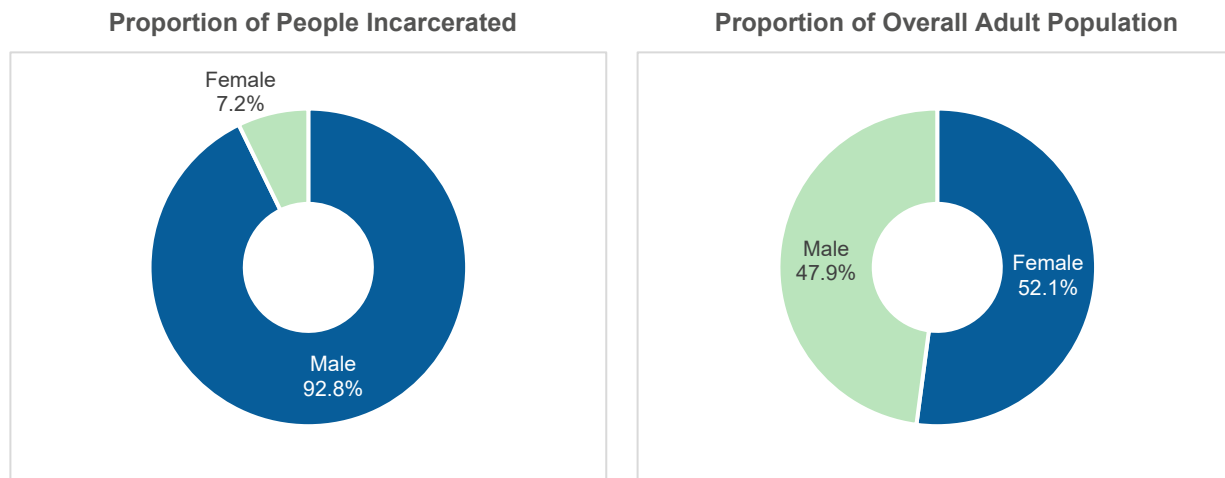
Source: Georgia Department of Corrections

In 2020, people released from prison tended to have shorter sentences than the general incarcerated population. Of people released, 28.0% had been serving sentences of five years or less, compared to 9.6% of the general incarcerated population. Similarly, 30.6% of people released were serving sentences between five and 10 years, despite accounting for only 15.1% of the general incarcerated population. Of people released, 18.7% had been serving sentences between 10 and 15 years, despite accounting for 13.8% of the general incarcerated population.

Despite the global pandemic and its effect on the incarcerated population, there was little difference between the numbers of people released in 2019 and 2020: 18,303 (35.7% of all people incarcerated) in 2020, compared to 18,008 (32.7%) in 2019. Between the two years, the number of people released increased just 1.6%. Between June 2010 and 2020, the percentage of people released decreased from 41.7% to 35.7%. Because of the pandemic and the restrictions placed on court operations, fewer people were processed into Georgia’s prisons; therefore, the total population of incarcerated people declined.

Males dominated the incarcerated population in June 2019. While they made up 47.9% of the adult population in Georgia, they represented more than 92% of the incarcerated population.

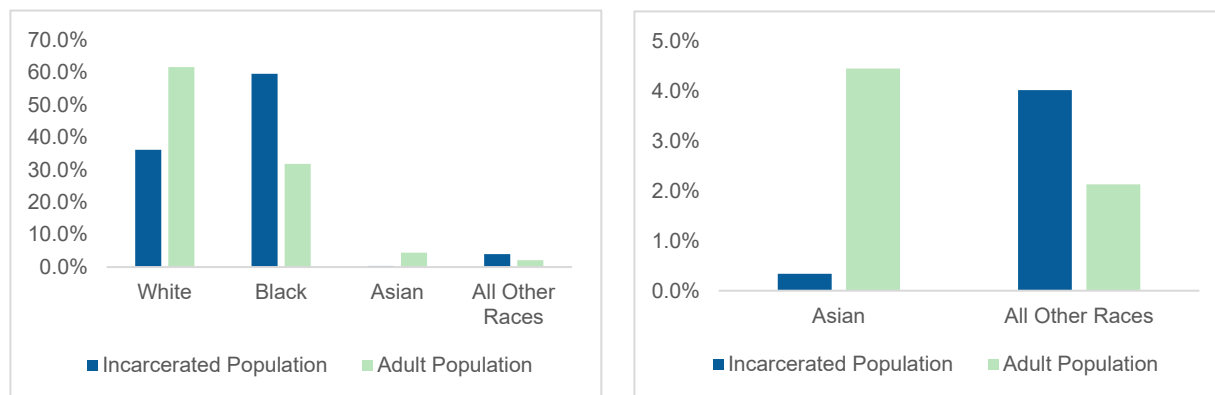
**Figure 3.31 Proportion of People Incarcerated in Georgia Prisons Compared to the Overall Adult Population, by Sex, June 2019**



Sources: US Census Bureau; Georgia Department of Corrections

In June 2019, Black adults and adults of All Other Races were disproportionately represented in the incarcerated population, while White and Asian adults were proportionally lower. White adults accounted for 61.6% of Georgia’s overall adult population, but only 36.1% of the incarcerated population. In contrast, Black adults accounted for only 31.8% of the overall adult population but almost 60% (59.5%) of the incarcerated population.

**Figure 3.32 Proportion of People Incarcerated in Georgia Prisons Compared to the Overall Adult Population, by Race, June 2019**

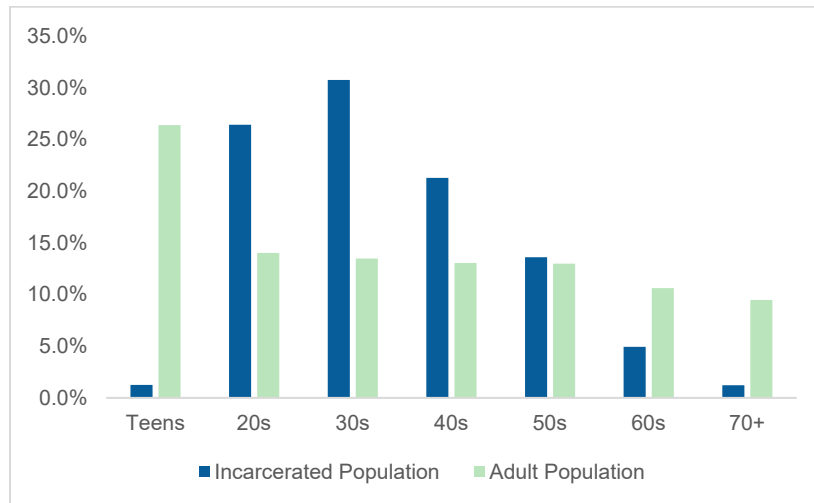


Notes: “All Other Races” includes Indian, Latinx, Native American, Native Hawaiian, Unknown, and Other. Races within the Other category are not specified in the data. Latinx is included in All Other Races because it is considered a race in the incarceration data; however, in the population data, people of Latinx origin can be of any race. The percentages of All Other Races may be overstated due to the inclusion of Latinx in the number of people incarcerated. In June 2019, 2,040 people were included in the Latinx race group.

Sources: US Census Bureau; Georgia Department of Corrections

About 31% of people incarcerated in June 2019 were in their thirties, while 26.4% were in their twenties. Teens, or individuals aged 19 years or under, were the least common group (1.1%), followed by people 70 years of age and above (1.4%).

**Figure 3.33 Proportion of People Incarcerated in Georgia Prisons Compared to the Overall Adult Population, by Age, June 2019**



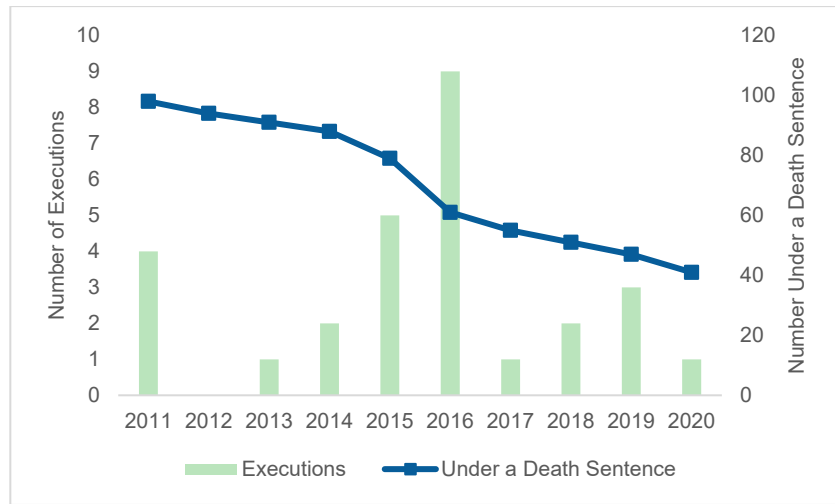
Note: Categories may not sum to 100% because the Not Reported category is excluded.

Sources: US Census Bureau; Georgia Department of Corrections

### People Under a Death Sentence

In Georgia, 41 people were under a death sentence in June 2020, a significant decrease (-58.2%) from June 2011, when 98 people were under a death sentence. There was a large decline between 2014 and 2016: -30.7% or 27 fewer people. Of those 27 individuals, 16 were executed: 2 in 2014, 5 in 2015, and 9 in 2016. In June 2020, all of the people under a death sentence were incarcerated for a violent crime.

Figure 3.34 Number of People Under a Death Sentence in Georgia Prisons and Executions, 2011–2020



Source: Georgia Department of Corrections



# LIFE SENTENCES AND THE DEATH PENALTY

The amount of time an incarcerated person serving a parole-eligible life sentence for committing certain crimes must serve in prison prior to being considered for parole has doubled in the past 15 years. If the crime was committed prior to July 1, 2006, the person must serve at least 14 years. If the crime was committed on or after July 1, 2006, the person is not eligible for parole until after having served 30 years. People convicted of serious violent felonies before 1995 were eligible for parole after serving seven years.\*

A total of 492 people have been executed in Georgia since 1924.\*\* That year the General Assembly abolished death by hanging in favor of electrocution, or the electric chair. Electrocution was the means of execution until 1964, when the US Supreme Court suspended executions. In 1972, in *Furman v. Georgia*,† the US Supreme Court found that the death penalty violated the Eighth Amendment prohibition on cruel and unusual punishment in certain cases. (*Furman v. Georgia* concerned the case of an accidental death while committing a burglary.) In 1976, the US Supreme Court once again decided a death penalty case brought against Georgia. In *Gregg v. Georgia* the court held that “in extreme criminal cases ... the careful and judicious use of the death penalty may be appropriate if carefully employed.” †† Murder is the only crime for which someone has been executed in Georgia since 1962.

**Table A. Number of Executions in Georgia, by Decade**

Decade	Number of Executions	Notes
1920s	49	Recordkeeping did not begin until 1924
1930s	137	
1940s	131	
1950s	85	
1960s	14	Executions halted by the US Supreme Court in 1964
1970s	0	
1980s	14	Executions resumed in Georgia in 1983
1990s	9	
2000s	23	
2010s	30	Includes one execution in 2020

Source: Georgia Department of Corrections

**Table B. People Executed in Georgia, 1924–2020**

Race and Sex of People Executed			Crimes for Which People Were Executed		
	Number	% of Total		Number	% of Total
Black Male	366	74.4%	Murder	419	85.2%
Black Female	1	0.2%	Rape	66	13.4%
White Male	124	25.2%	Murder and Rape	1	0.2%
White Female	1	0.2%	Robbery by Force	6	1.2%

Source: Georgia Department of Corrections

As of March 2021, 40 people were sentenced to death in Georgia: 39 for murder and one for kidnapping. Nineteen are Black males, 18 are White males, one is a Black female, and two are males of unknown race.

\* Georgia State Board of Pardons and Paroles. n.d. “Life Sentences.” Retrieved from [pap.georgia.gov/life-sentences](http://pap.georgia.gov/life-sentences)

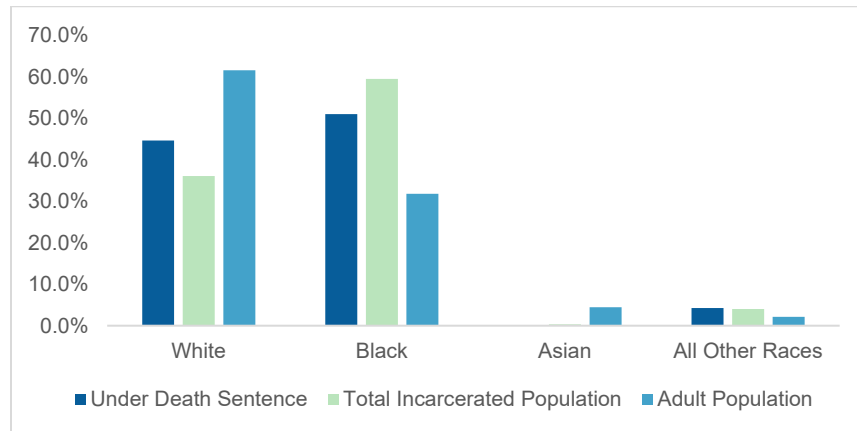
\*\* Philippus, Stacy. 2020, December 31. *History of the death penalty in Georgia: Executions by year, 1924 – 2020*. Georgia Department of Corrections. Retrieved from [dcor.state.ga.us/sites/all/themes/gdc/pdf/Death\\_penalty\\_in\\_Georgia.pdf](http://dcor.state.ga.us/sites/all/themes/gdc/pdf/Death_penalty_in_Georgia.pdf)

† *Furman v. Georgia*. n.d. Oyez. Retrieved from [oyez.org/cases/1971/69-5030](http://oyez.org/cases/1971/69-5030)

†† *Gregg v. Georgia*. n.d. Oyez. Retrieved from [oyez.org/cases/1975/74-6257](http://oyez.org/cases/1975/74-6257)

In June 2019, Black adults made up 31.8% of Georgia’s adult population and 59.5% of the general incarcerated population, but represented more than half (51.1%) of people serving a death sentence. In contrast, in the same year, White adults represented 61.6% of Georgia’s adult population and 36.1% of the general incarcerated population, but just 44.7% of people serving a death sentence. Similarly, Asian adults made up 4.4% of the overall adult population, but none were serving a death sentence in June 2020. Similar to Black adults, adults of All Other Races made up 4.3% of people under a death sentence and 4.0% of the general incarcerated population, but just 2.1% of Georgia’s overall adult population.

**Figure 3.35 Proportion of People Under a Death Sentence and Total Incarcerated Population in Georgia Prisons Compared to the Overall Adult Population in Georgia, by Race, June 2019**



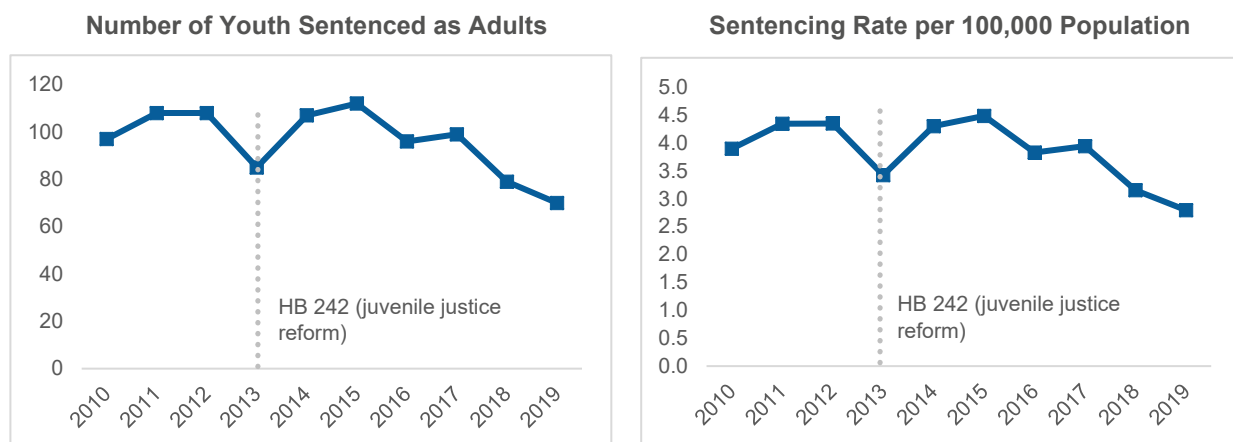
Note: “All Other Races” includes Indian.

Source: Georgia Department of Corrections

### Youth Sentenced as Adults

In 2019, 70 youth who had been sentenced as adults were incarcerated in a GDC facility, down from 97 in 2010, a 27.8% decrease. Between 2010 and 2019, the incarceration rate per 100,000 population for youth sentenced as adults decreased 28.2%.

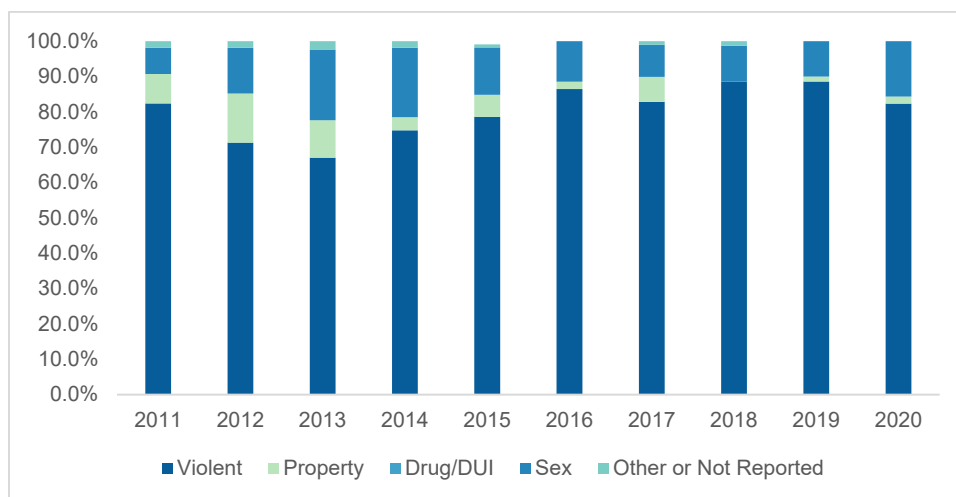
**Figure 3.36 Youth Sentenced as Adults in Georgia, 2010–2019**



Sources: US Census Bureau; Georgia Department of Corrections

The majority (42 out of 51, or 82.4%) of primary offenses committed by youth sentenced as adults in June 2020 were violent. Sex offenses were the next most common category (15.7%). As of June 2020, one youth was serving a sentence for committing a property offense.

**Figure 3.37 Proportion of Youth Sentenced as Adults, by Primary Offense Category, 2011–2020**



Source: Georgia Department of Corrections

Starting in 2015, GDC began reporting the prison sentences of youth sentenced as adults as “youthful offenders” without providing information on their sentence length. In 2014, 52.4% of youth had a prison sentence of 15 years or more. Prior to 2014, it was more common for youth to have shorter sentences: 72.9% of youth were serving sentences of 10 years or less. The total number of youth sentenced as adults decreased significantly during the same period.

Similar to the adult incarcerated population, the overwhelming majority of youth sentenced as adults as of June 2019 were male. The divide between males and females in Georgia's youth population was nearly even; however, males made up 94.3% of youth sentenced as adults.

## LIFE SENTENCE WITHOUT PAROLE FOR YOUTH

In 2012, the US Supreme Court limited the use of a life without parole sentence for youth by holding that a mandatory sentence violated the Eighth Amendment ban on cruel and unusual punishment.\* At the time, 31 people were incarcerated in GDC prisons for crimes, specifically murders, they had committed as youth.\*\* After the US Supreme Court ruling, 31 states and Washington, DC banned sentences of life without parole for crimes committed by youth.† Georgia was not one of those states.

Within the past five years, the Georgia Supreme Court has twice upheld the use of life without parole when sentencing youth convicted of murder. First, in 2016, the Georgia Supreme Court ruled that, consistent with the US Supreme Court's ruling in 2012, life without parole for youth "is permitted only in 'exceptional circumstances' ... for those 'rarest of juvenile offenders' ... and not ... for 'the vast majority of juvenile offenders.'" †† In 2020, the Georgia Supreme Court ruled that a youth does not have a constitutional right to have a jury decide whether they are "irreparably corrupt or permanently incorrigible" before being sentenced to life without parole.

In 2021, the US Supreme Court ruled that so long as judges have the option to sentence a youth to life without parole then they did not need to formally determine that a youth was not capable of rehabilitation.‡

\* *Miller v. Alabama*, 567 U. S. 460 (2012).

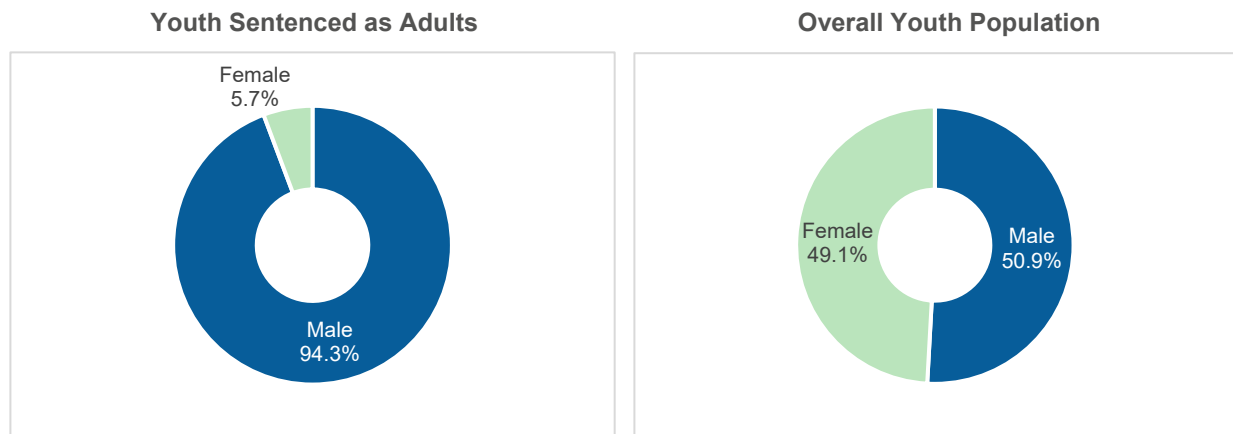
\*\* Cook, Rhonda. 2012, August 10. "How court's ruling on juveniles sentence to life affects Georgia is unclear." *Atlanta Journal-Constitution*. Retrieved from [ajc.com/news/local/how-court-ruling-juveniles-sentence-life-affects-georgia-unclear/u48isZ94zKZq1RAOU421N/](http://ajc.com/news/local/how-court-ruling-juveniles-sentence-life-affects-georgia-unclear/u48isZ94zKZq1RAOU421N/)

† Schwartzapel, Beth. 2021, April 30. "Supreme Court Conservatives Just Made It Easier to Sentence Kids to Life in Prison." The Marshall Project. Retrieved from [themarshallproject.org/2021/04/30/supreme-court-conservatives-just-made-it-easier-to-sentence-kids-to-life-in-prison](https://themarshallproject.org/2021/04/30/supreme-court-conservatives-just-made-it-easier-to-sentence-kids-to-life-in-prison)

†† *Veal v. State*, 298 Ga. 691 (2016).

‡ *Raines v. State*, 309 Ga. 258 (2020).

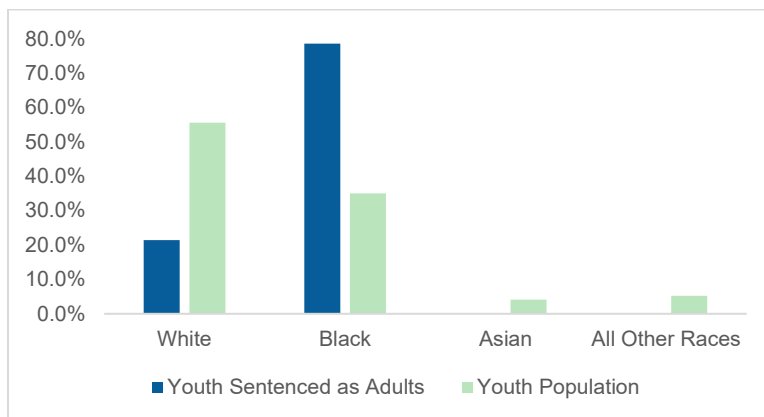
**Figure 3.38 Proportion of Youth Sentenced as Adults Compared to the Overall Youth Population in Georgia, by Sex, June 2019**



Sources: US Census Bureau; Georgia Department of Corrections

Similar to the adult incarcerated population, Black youth were disproportionately represented among youth sentenced as adults: Black youth made up 35.0% of the youth population in Georgia but 78.6% of youth sentenced as adults in June 2019. The ratio of Black youth to White youth sentenced as adults was 3.7 to 1.

**Figure 3.39 Proportion of Youth Sentenced as Adults Compared to the Overall Youth Population in Georgia, by Race, June 2019**



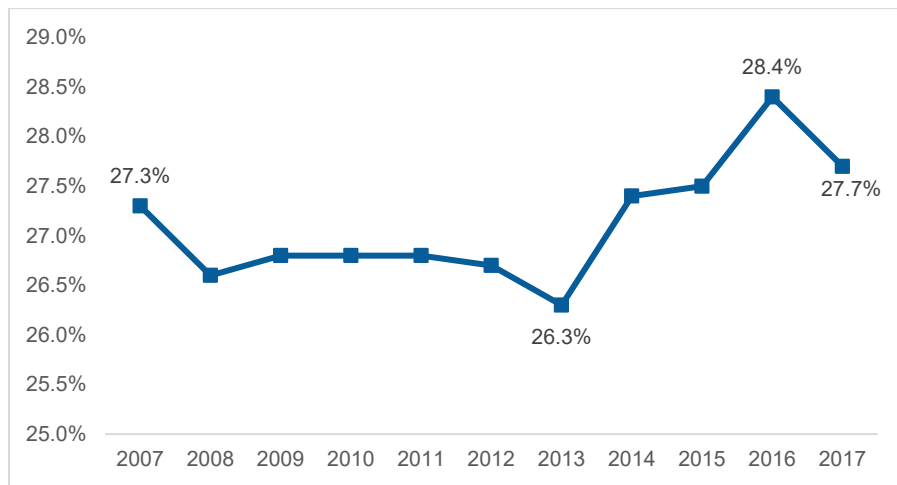
Note: "All Other Races" includes Other and Unknown.

Sources: US Census Bureau; Georgia Department of Corrections

## Recidivism

Georgia defines recidivism as "returning to prison or jail within three years of being placed on probation or being discharged or released from a department [of Corrections] or jail facility."<sup>26</sup> The average three-year recidivism rate from 2007 to 2017 was 27.1%, with a low of 26.3% in 2013 and a high of 28.4% in 2016.

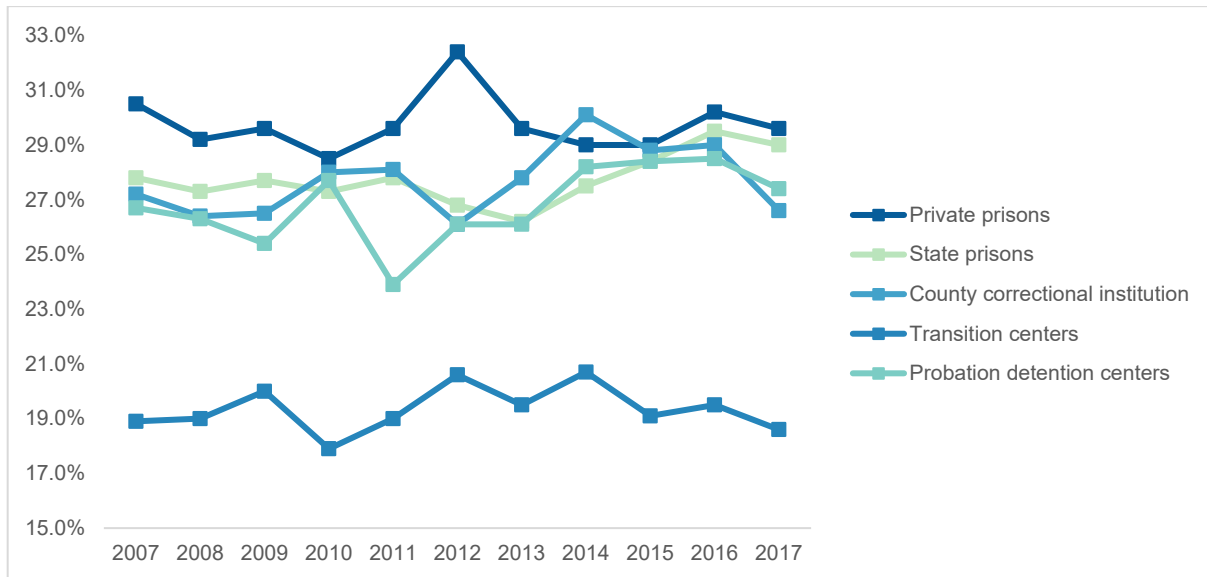
**Figure 3.40 Three-Year Recidivism Rate in Georgia, All GDC Facilities, 2007–2017**



Source: Georgia Department of Corrections

In 2017, private prisons had the highest rate of recidivism (29.8%), followed by state prisons (29.0%), probation detention centers (27.4%), and county correctional institutions (26.6%). Transition centers had the lowest recidivism rate; in 2017, their recidivism rate was 11 percentage points below the highest rate (private prisons).

**Figure 3.41 Three-Year Recidivism Rate in Georgia, by Type of GDC Facility, 2007–2017**



Source: Georgia Department of Corrections

## PROBATION AND PAROLE DATA

Of the people under community supervision, an average of 90.8% from 2017 to 2020 were on probation and 9.2% were on parole. Of the females under community supervision, an average of 95.1% were on probation and 4.9% were on parole. A higher proportion of males under community supervision were on parole (10.3%) than probation (89.7%). Of White people under community supervision from 2017 to 2020, an average of 92.1% were on probation, while 90.0% of Black people under community supervision were on probation, and 80.4% of Latinx people under community supervision were on probation.

### Parole

Early, conditional release from a prison sentence. In Georgia, a person on parole is supervised by the Department of Community Supervision.

### Probation

Granted by the court either as part of a sentence or as an alternative to jail or prison. In Georgia, a person convicted of a felony and sentenced to straight (probation only) or split probation (incarceration followed by probation) is supervised by the Department of Community Supervision. A person convicted of a misdemeanor is supervised by either a county government or a private, contracted probation provider.

## Probation

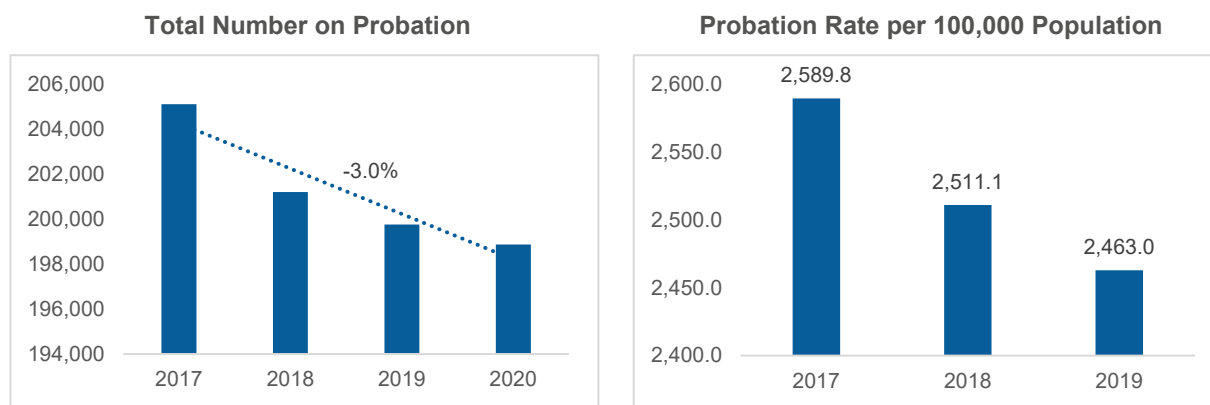
A total of 205,129 people were on probation<sup>1</sup> in Georgia in 2017. That figure declined 3.0% to just under 199,000 by 2020. The rate of people on probation decreased just under 5%, from nearly 2,600 per 100,000 population in 2017 to less than 2,500 per 100,000 in 2020.<sup>m</sup>

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<sup>1</sup> Data on probation for misdemeanor offenses are not included in this report because each county either supervises those people itself or contracts with a private probation provider for supervision. Probation data in this report are for felony probation only.

<sup>m</sup> The probation rate per 100,000 population is the ratio of the number of people on probation in an area to the adult population of that area. The adult population is defined as people age 18 and older, except where otherwise specified.

**Figure 3.42 People on Probation in Georgia, 2017–2020**



Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. Population data were not available for 2020; therefore, no rate could be calculated.

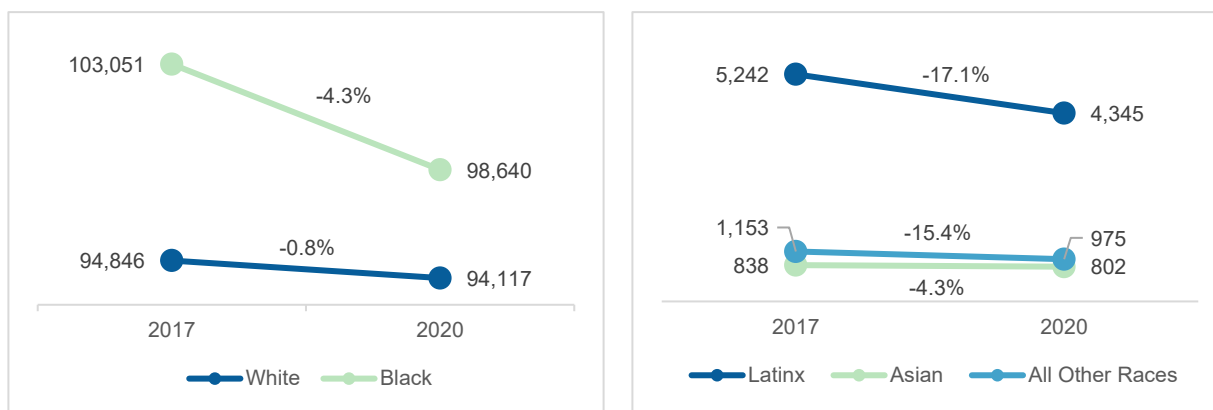
Source: Georgia Department of Community Supervision; Georgia Department of Public Health

The number of people on probation in each race group declined over the period studied. The number of Latinx people on probation decreased the most (–17.1%), from 5,242 in 2017 to 4,345 in 2020. The number of people of All Other Races on probation declined from 1,153 in 2017 to 975 in 2020 (–15.4%), the number of Black people declined from 103,051 to 98,640 (–4.3%), and the number of Asian people declined from 838 to 802 (–4.3%). The number of White people on probation decreased the least: –0.8%, from 94,846 in 2017 to 94,117 in 2020. While the number of Latinx people on probation decreased the most, they accounted for only 2.2% of the population on probation in 2020.

The proportion of Asian people on probation stayed the same between 2017 and 2020 (0.4%), and the proportion of people of All Other Races stayed virtually the same (0.6% in 2017 and 0.5% in 2020). Because the number of Black people on probation decreased more than the number of White people, the proportion of Black people on probation decreased from 50.2% in 2017 to 49.6%; the proportion of White people increased from 46.2% to 47.3%. Interestingly, in 2017, the number of Black people on probation was 8.7% higher than the number of White people, but by 2020 that difference had dropped almost by half to 4.8% more.



**Figure 3.43 People on Probation in Georgia, by Race, 2017 and 2020**

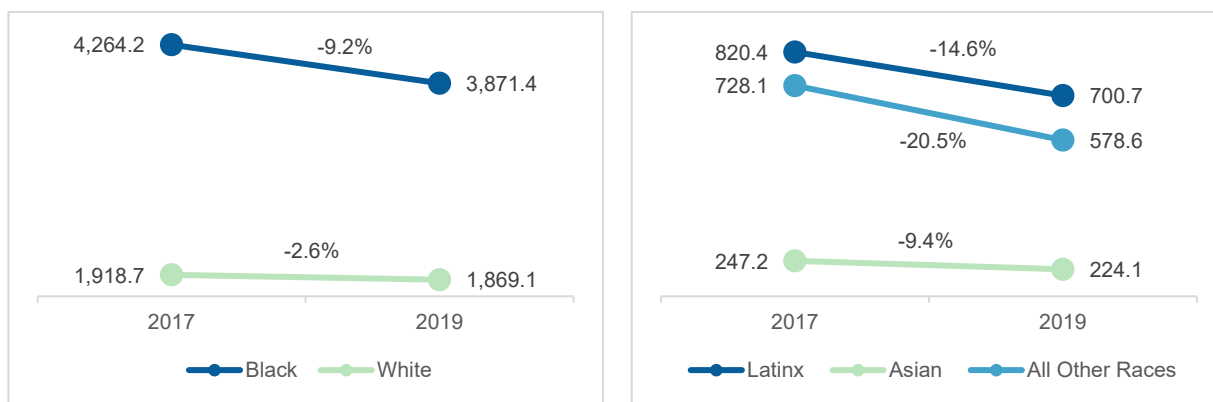


Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. “All Other Races” includes Other (DCS does not define this category) and Not Reported. Latinx is counted as a race, not an ethnicity.

Source: Georgia Department of Community Supervision

While the rate of Black adults on probation was consistently highest among all of the racial groups, the rate of people of All Other Races decreased the most (-20.5%) between 2017 and 2019, from 728.1 per 100,000 to 578.6. The rate of Latinx people on probation fell 14.6% over this same period from 820.4 per 100,000 to 700.7; the rate of Asian people on probation fell 9.4%, from 247.2 to 224.1; and the rate for Black people fell 9.2%, from 4,264.2 to 3,871.4. The rate of White people on probation fell the least (-2.6%) from 1,918.7 to 1,869.1.

**Figure 3.44 Probation Rates per 100,000 Population in Georgia, by Race, 2017 and 2019**

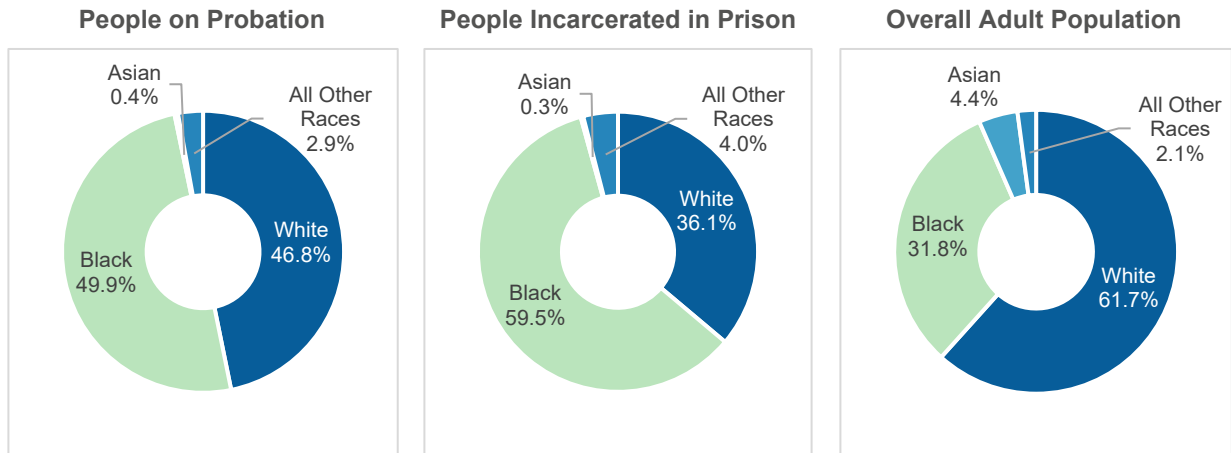


Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. Population data were not available for 2020; therefore, no rate could be calculated. DCS counts Latinx as a race, not an ethnicity, while the DPH data counts Latinx as an ethnicity.

Source: Georgia Department of Community Supervision; Georgia Department of Public Health

Similar to the incarcerated population, Black adults are overrepresented in the probation population compared to Georgia’s overall adult population. In 2019, Black adults represented 31.8% of the adult population in Georgia, 59.5% of the incarcerated population, and 49.9% of the probation population. In contrast, White adults made up nearly 62% of the overall adult population, 36% of the incarcerated population, and 47% of the probation population. (For more information on [the races of people incarcerated in Georgia prisons](#), see page 44.)

**Figure 3.45 Proportion of People on Probation, People Incarcerated in Georgia Prisons, and the Overall Adult Population, by Race, 2019**

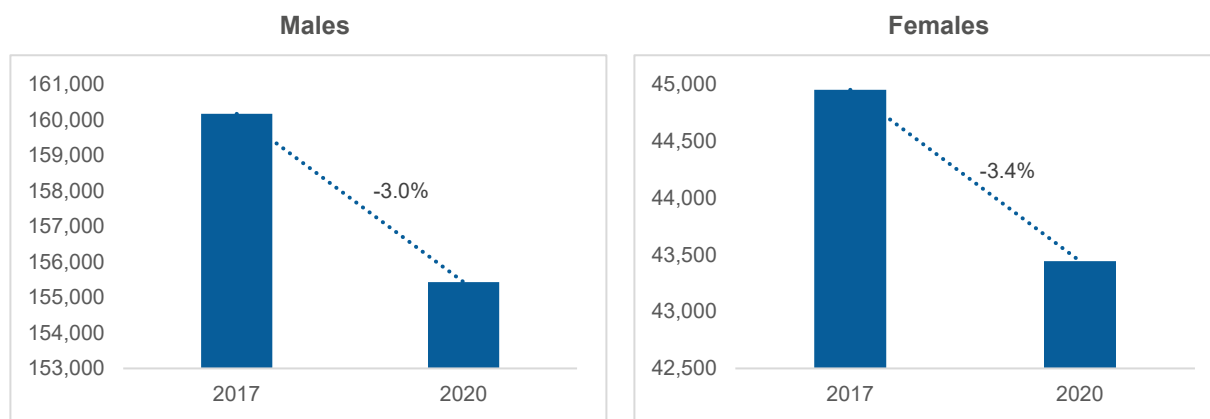


Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. Population data were not available for 2020; therefore, the most recent parole data were not used for comparison. “All Other Races” includes Other (DCS does not define the races within this category) and Not Reported. Latinx is included in All Other Races because it is considered a race in the probation data; however, in the population data, people of Latinx origin can be of any race. All Other Races percentages may be overstated due to the inclusion of Latinx in the number of people on probation.

Source: Georgia Department of Community Supervision; Georgia Department of Public Health

Overall, the proportion of people on probation in Georgia who were female was an average of 21.8% from 2017 and 2020. The number of males on probation decreased 3.0%, from 160,175 in 2017 to 155,434 in 2020. The number of females declined slightly more (–3.4%), from 44,954 to 43,445.

**Figure 3.46 People on Probation in Georgia, by Sex, 2017 and 2020**



Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses.

Source: Georgia Department of Community Supervision

Similar to the incarcerated population, males are overrepresented in the probation population compared to Georgia’s overall adult population. In 2019, males represented 48% of the adult population in Georgia, 93% of the incarcerated population, and 78% of the probation population. In contrast, females represented 52% of the overall adult population, 7.2% of the incarcerated population, and 21.7% of the probation population. (For more information on [the sexes of people incarcerated in Georgia prisons](#), see page 44.)

**Figure 3.47 Proportion of People on Probation, People Incarcerated in Georgia Prisons, and the Overall Adult Population, by Sex, 2019**

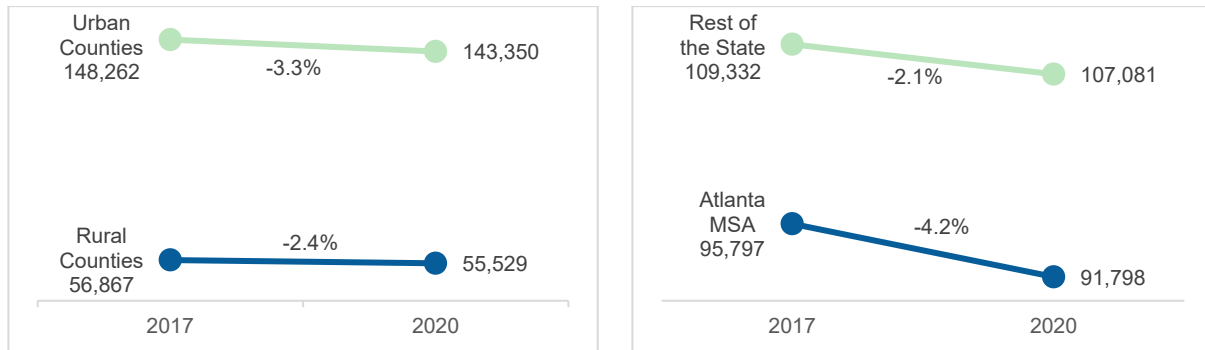


Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. Population data were not available for 2020; therefore, the most recent probation data were not used for comparison.

Source: Georgia Department of Community Supervision; Georgia Department of Public Health

Of people on probation between 2017 and 2020, an average of 27.8% were convicted in rural counties and 72.2% were convicted in urban counties. By contrast, an average of 46.5% were convicted within the counties of the Atlanta MSA while 53.5% were convicted in the rest of the state. The number on probation convicted in rural counties dropped 2.4%, but slightly more (-3.3%) were convicted in urban counties. The decrease in the Atlanta MSA compared to the rest of the state was slightly faster, decreases of 4.2% and 2.1%, respectively. Between 21% and 22% of people on probation who had been convicted in any of the four regions of the state were female.

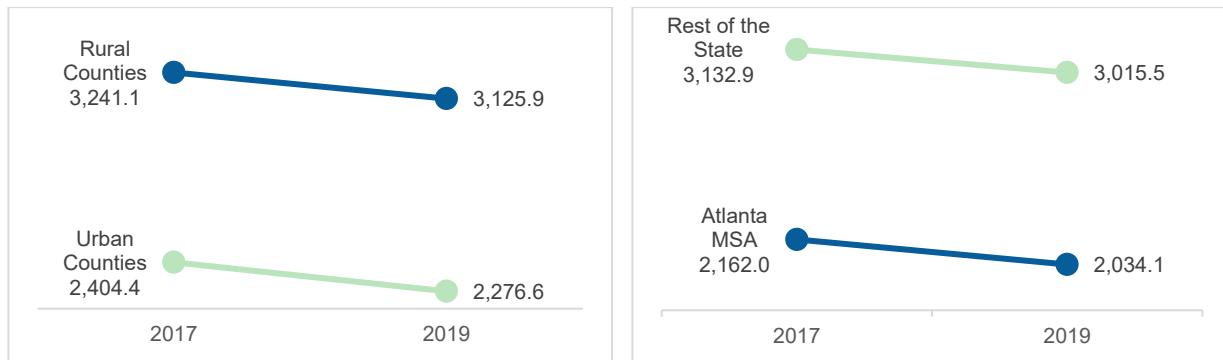
**Figure 3.48 People on Probation Convicted in Regions of Georgia, 2017 and 2020**



Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses.

Source: Georgia Department of Community Supervision

**Figure 3.49 Probation Rates per 100,000 Population Convicted in Regions of Georgia, 2017 and 2019**



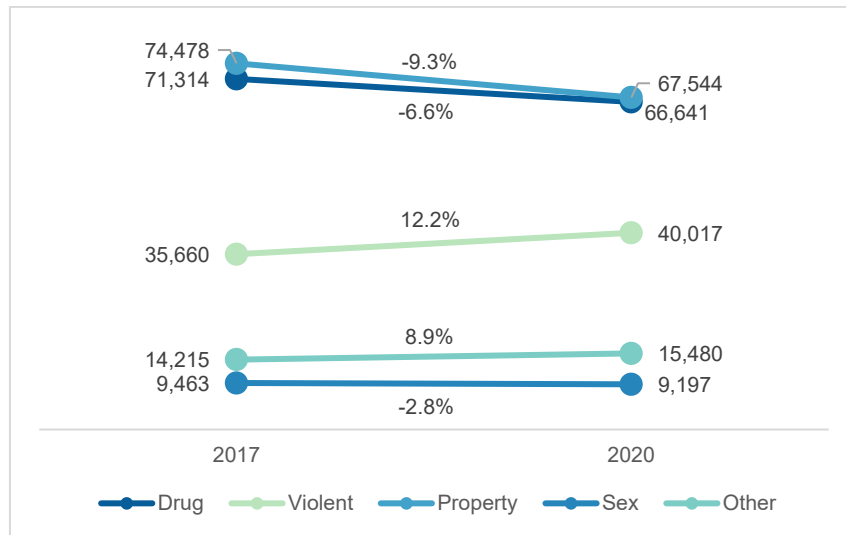
Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. Population data were not available for 2020; therefore, no rate could be calculated. DCS counts Latinx as a race, not an ethnicity, while the DPH data counts Latinx as an ethnicity.

Source: Georgia Department of Community Supervision; Georgia Department of Public Health

In 2017, the most common crimes for which people were serving probation were property crimes, followed by drug, violent, other, and sex crimes. In 2020, that order remained the same, but the number of violent crimes had risen 12.2% and the number of other crimes had risen

8.9%. In addition, the number of property crimes fell 9.3%, drug crimes fell 6.6%, and sex crimes decreased 2.8%.

**Figure 3.50 People in Georgia on Probation, by Crime of Conviction, 2017 and 2020**



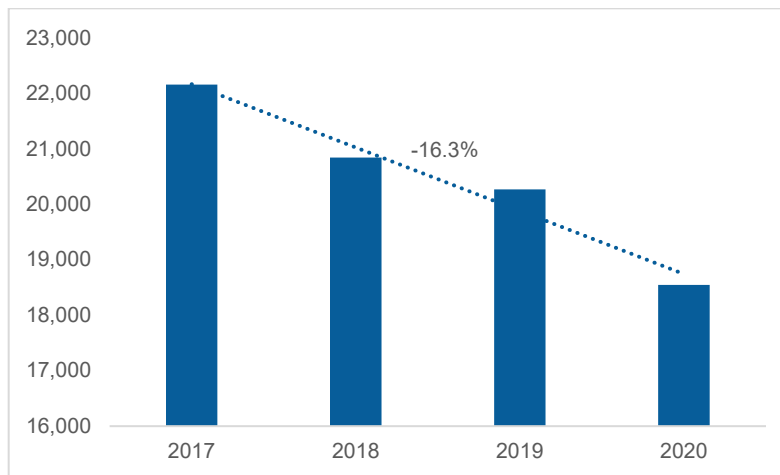
Note: Data do not include people on probation whose county was not reported or who moved to Georgia from out of state. Data do not include people on probation for misdemeanor offenses. "Other" is not defined in the data.

Source: Georgia Department of Community Supervision

## Parole

The number of people on parole in Georgia decreased 16.3%, from more than 22,000 in 2017 to just over 18,500 in 2020.

**Figure 3.51 People on Parole in Georgia, 2017–2020**



Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state.

Source: Georgia Department of Community Supervision

The number of Black people on parole decreased the most (-18.1%), from 12,176 in 2017 to 9,973 in 2020. The number of Latinx people on parole decreased 15.8%, from 1,288 to 1,084, and the number White people on parole decreased 14.0%, from 8,600 to 7,398 over the same period. With the larger reduction in the number of Black people on parole, that population decreased as a proportion of all people on parole—down from 55.0% of the paroled population in 2017 to 53.8% in 2020—while the proportion of White people increased from 38.8% to 39.9%. The proportions of Latinx and Asian people stayed the same, while All Other Races increased just 0.1%. The number of Asian people declined the least, but they made up fewer than 100 of those on parole each year between 2017 and 2020.

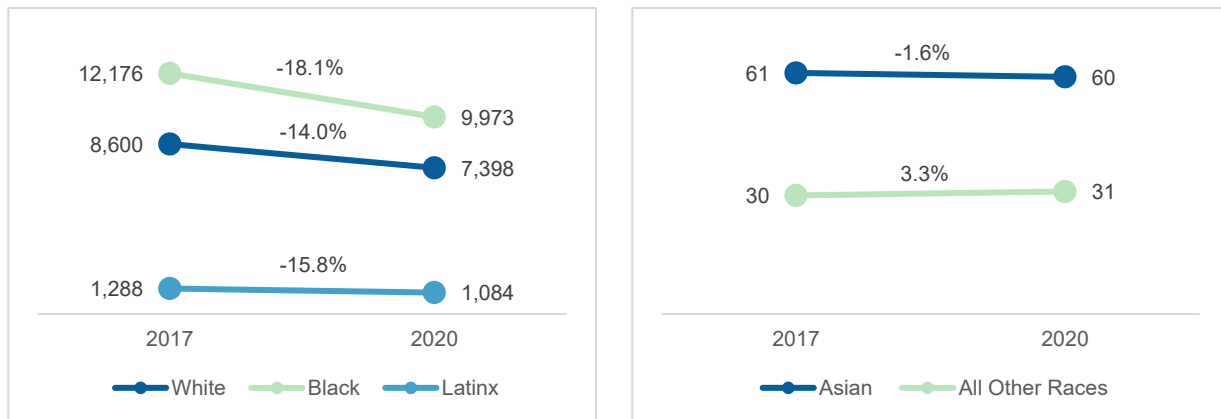
## PAROLE ELIGIBILITY IN GEORGIA

Most persons convicted of a felony who are serving their sentence in a GDC facility are automatically eligible for parole consideration after serving one-third of their sentence, except for the following:

- People serving non-life sentences for one of the Seven Deadly Sins committed on or after January 1, 1995 (SB 441 eliminated the possibility of parole for these offenders)
- People convicted of a fourth felony (or more) and sentenced under the three strikes law
- People serving life without parole

Source: Georgia State Board of Pardons and Paroles. "The Parole Process in Georgia."  
Retrieved from [pap.georgia.gov/parole-process-georgia-0](http://pap.georgia.gov/parole-process-georgia-0)

Figure 3.52 People on Parole in Georgia, by Race, 2017 and 2020

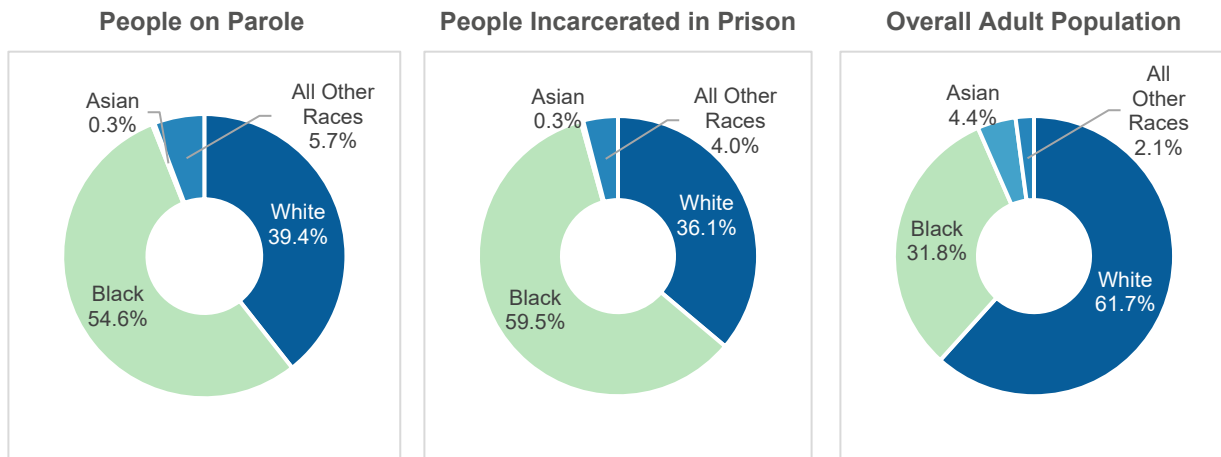


Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state. "All Other Races" includes Other (DCS does not define the races within this category) and Not Reported. Latinx is counted as a race, not an ethnicity.

Source: Georgia Department of Community Supervision

Even as the number of Black adults on parole declined from 2017, similar to the incarcerated population, they are still overrepresented in the population on parole compared to Georgia’s overall adult population. In 2019, Black people represented 31.8% of the adult population in Georgia, 59.5% of the incarcerated population, and 57.8% of the parole population. In contrast, White adults accounted for nearly 62% of the overall adult population, 36% of the incarcerated population, and nearly 42% of the parole population. (For more information on [the races of people incarcerated in Georgia prisons](#), see page 44.)

**Figure 3.53 Proportion of People on Parole, People Incarcerated in Georgia Prisons, and the Overall Adult Population, by Race, 2019**

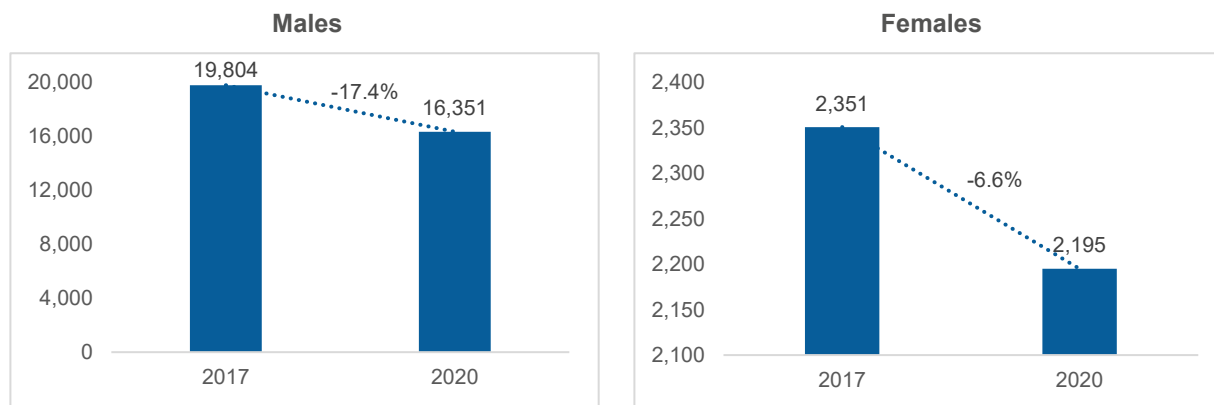


Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state. Population data were not available for 2020; therefore, the most recent parole data were not used for comparison. “All Other Races” includes Other (DCS does not define the races within this category) and Not Reported. Latinx is included in All Other Races because it is considered a race in the parole data; however, in the population data, people of Latinx origin can be of any race. All Other Races percentages may be overstated due to the inclusion of Latinx in the number of people on parole.

Source: Georgia Department of Community Supervision; Georgia Department of Public Health

The numbers of both males and females on parole fell between 2017 and 2020, but, because the number of males fell faster (–17.4%) than the number of females (–6.6%), the proportion of females increased from 10.6% of people on parole in 2017 to 11.8% in 2020.

**Figure 3.54 People on Parole in Georgia, by Sex, 2017 and 2020**



Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state.

Source: Georgia Department of Community Supervision

Similar to the incarcerated population, males are overrepresented in the parole population compared to Georgia’s overall adult population. In 2019, males represented 48% of the adult population in Georgia, 93% of the incarcerated population, and nearly 89% of the parole population. In contrast, females represented 52% of the overall adult population, 7% of the incarcerated population, and just over 11% of the parole population. (For more information on [the sex of people incarcerated in Georgia prisons](#), see page 44.)

**Figure 3.55 Proportion of People on Parole, People Incarcerated in Georgia Prisons, and the Overall Adult Population, by Sex, 2019**



Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state. Population data were not available for 2020; therefore, the most recent parole data were not used for comparison.

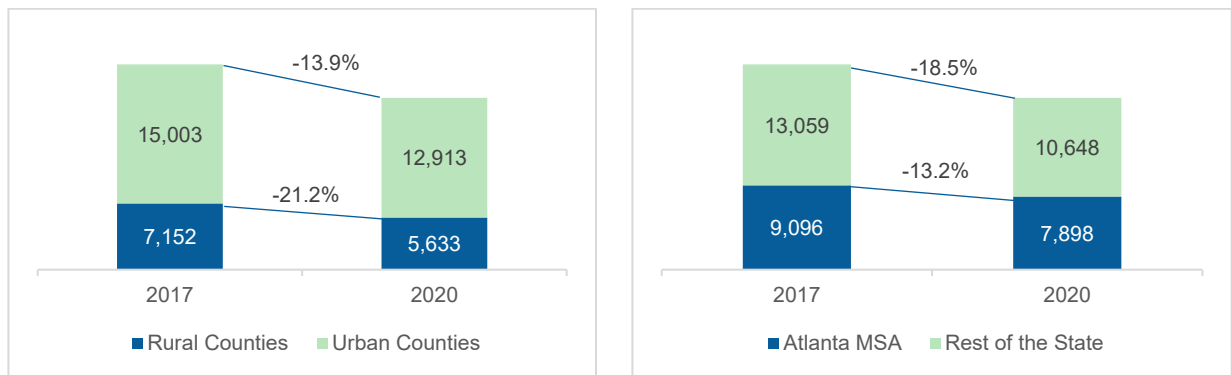
Source: Georgia Department of Community Supervision; Georgia Department of Public Health



Of people on parole, an average of 31.3% from 2017 and 2020 were convicted in rural counties and 68.7% in urban counties. The number of people on parole who were convicted in rural counties dropped 21.2% from 2017 and 2020, but only 13.9% in urban counties.

Of people on parole, an average of 41.8% between 2017 and 2020 were convicted within the counties of the Atlanta MSA, while 58.2% were convicted in the rest of the state. The number of people on parole in the Atlanta MSA decreased 13.2% but decreased 18.5% in the rest of the state.

**Figure 3.56 People on Parole Convicted in Regions of Georgia, 2017 and 2020**

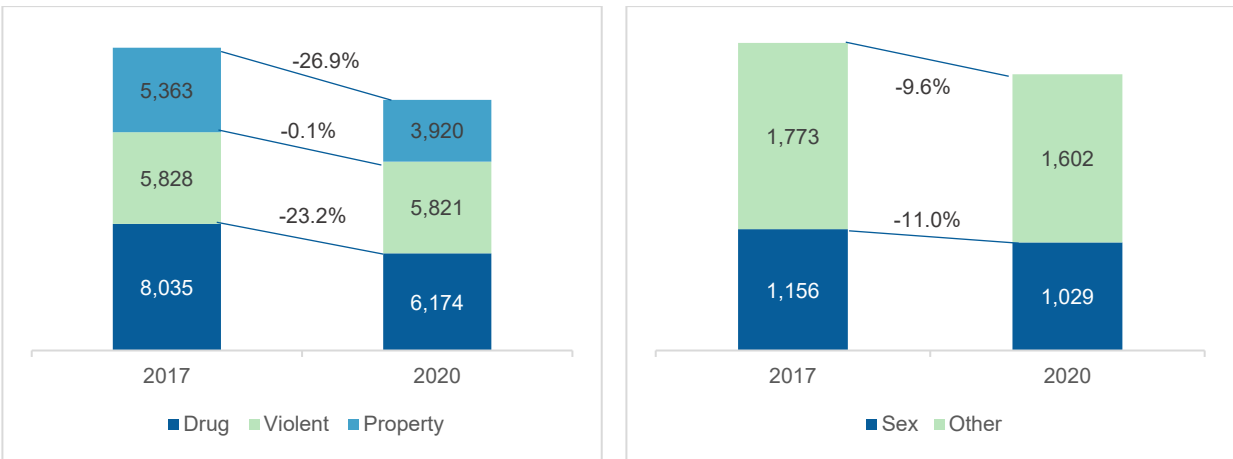


Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state.

Source: Georgia Department of Community Supervision

The crimes for which people are on parole and probation are grouped in the same manner as arrests: by the most severe crime. In 2017, the top crime offense for which people were on parole was drug crimes (36.3%), followed by violent (26.3%), property (24.2%), other (7.9%), and sex crimes (5.2%). By 2020, violent and drug crimes had switched places as the number one and number two crimes for which people were on parole (31.4% and 33.3%, respectively). Property crimes fell to 21.2% of the total; other crimes rose to 8.6%; and sex crimes rose slightly to 5.5%.

**Figure 3.57 People on Parole in Georgia, by Crime of Conviction, 2017 and 2020**



Note: Data do not include people on parole whose county was not reported or who moved to Georgia from out of state. "Other" are not defined in the data and include crimes that were not reported.

Source: Georgia Department of Community Supervision

## Section 4. Georgia’s Juvenile Justice System

For 20 years, SB 440, known as the Juvenile Justice Reform Act of 1994, defined how Georgia treated youth in the criminal justice system. It gave rise to the “Seven Deadly Sins” crimes—murder, rape, armed robbery with a firearm, aggravated child molestation, aggravated sodomy, aggravated sexual battery, and voluntary manslaughter—and required youth aged 13 and older charged with any of the Seven Deadly Sins to be charged and tried as adults. While this provision remains in place, superior (adult) courts retain the discretion to send the case back to the juvenile courts for prosecution. SB 440 also extended sentences for certain felonies committed by youth.

### GEORGIA’S DEFINITION OF A CHILD

Georgia’s Department of Juvenile Justice (DJJ) serves young people up to the age of 21. DJJ currently uses two different definitions of a child:

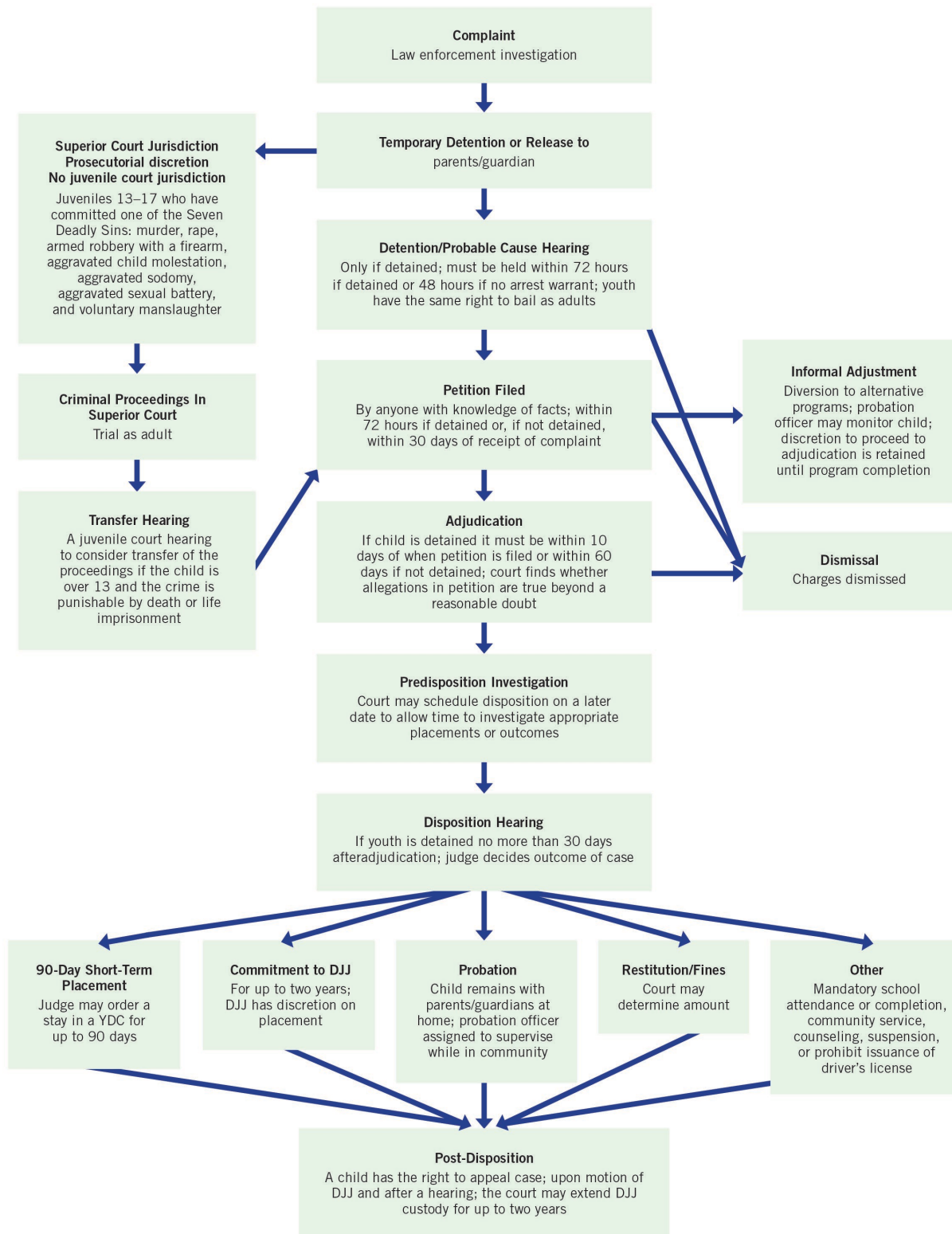
- A person “under the age of 17 years\* when alleged to have committed a delinquent act; ...
- [A person] under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court for the purpose of enforcing orders of the court.”

\* HB 272 was introduced during the 2021 General Assembly session. The bill would change the jurisdiction of juvenile courts to include children under the age of 18 years. As of March 31, 2021, the bill had passed out of the House and been read into the Senate. Because Georgia operates on a biennial basis, bills introduced the first year of the biennium but that do not pass both houses may still move forward during the second year of the biennium.

Source: O.C.G.A. §15-11-2.

A variety of bills over the course of the subsequent 20 years changed some of the provisions in SB 440, but it was not until 2013 and the passage of [HB 242](#), also known as the Juvenile Justice Reform Act, that judges were given more discretion to provide treatment rather than incarceration for youth.

Figure 4.1 Flowchart of the Juvenile Justice System in Georgia, 2021



Source: Criminal Justice Coordinating Council

## GEORGIA DEPARTMENT OF JUVENILE JUSTICE

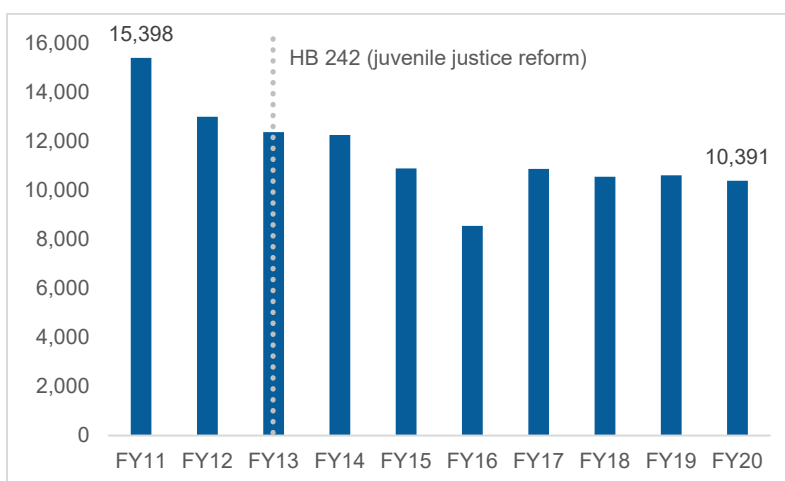
Georgia's [Department of Juvenile Justice](#) (DJJ) operates two types of secure facilities:

- Regional youth detention centers (RYDCs) are secure, short-term centers for youth awaiting trial or waiting to enter a community program or long-term facility. There are 19 RYDCs in Georgia.
- Youth development campuses (YDCs) are secure, long-term facilities for youth sentenced or committed to DJJ custody by juvenile courts. They provide care, supervision, treatment, counseling, education, and variety of other services. There are six YDCs in Georgia.

### Division of Community Services

The [Division of Community Services](#) provides intake,<sup>n</sup> case management, probation supervision, detention planning, residential care, reentry planning, and aftercare supervision. The emphasis of this division is to keep the youth at home and not in an RYDC or YDC. In FY 2011, the Division of Community Services supervised 15,398 youth. That number fell to 10,391 in FY 2020, a decline of 32.5%. Youth supervised by the Division of Community Services include youth in adult jails; in community, nonsecure residential placements; in YDCs and RYDCs; and in the community/at home under supervision.

**Figure 4.2 Daily Average Number of Youth Supervised by DJJ's Division of Community Services in Georgia, FY 2011–FY 2020**



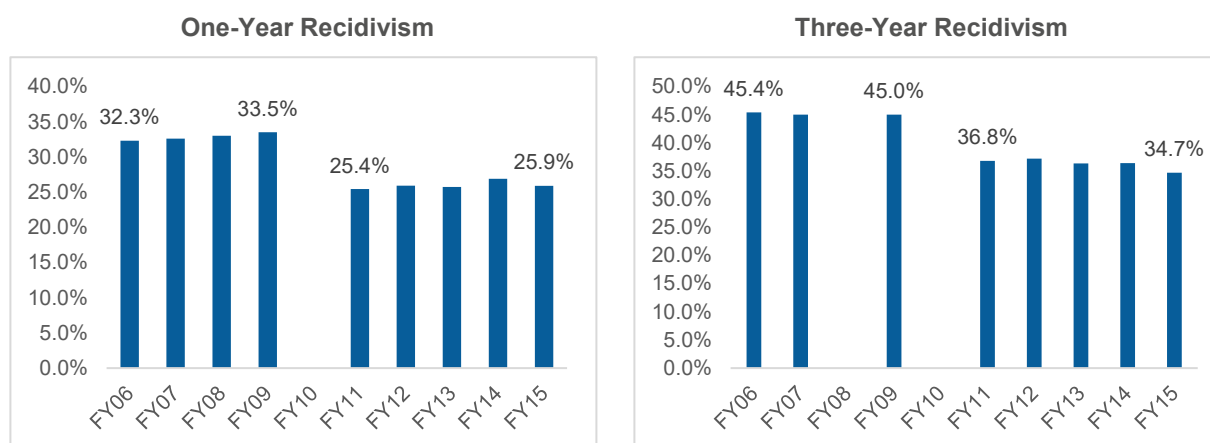
Source: Governor's Office of Planning and Budget; Georgia Department of Juvenile Justice

<sup>n</sup> Intake is the point at which a decision is made about whether a youth should be diverted from the juvenile justice system or formally charged and processed into the system.

## Recidivism

In 2013, Georgia changed its definition of juvenile recidivism in HB 242 from “the adjudication for delinquent acts after a juvenile is released into the community while under DJJ supervision or after DJJ supervision”<sup>27</sup> to “a new charge within three years of the initial post-adjudication community placement which results in a juvenile court delinquency adjudication or adult criminal conviction.”<sup>28</sup> Both one- and three-year recidivism rates increased during the first decade of the millennium. However, since then, both have come down.

Figure 4.3 Recidivism Rates of Youth Released from DJJ in Georgia, FY 2006–FY 2015



Notes: The three-year recidivism rate was not available for FY 2008. The one- and three-year recidivism rates were not available for FY 2010. Data do not include independent juvenile courts. (See Appendix A: Methodology for more information.)

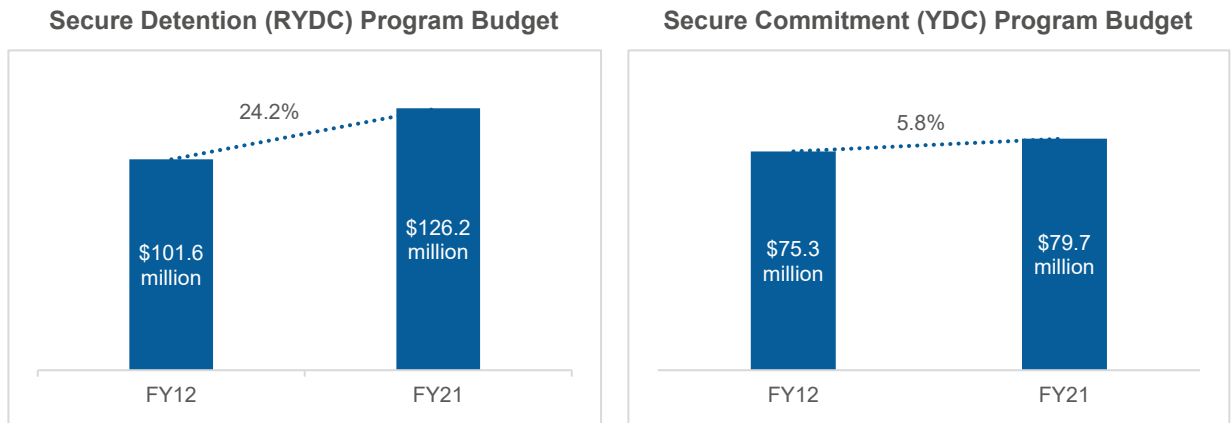
Source: Georgia Department of Juvenile Justice

## Department of Juvenile Justice Budget and Staffing

DJJ’s state general fund appropriations increased 22.3% from \$258.3 million in FY 2011 to \$315.9 million in FY 2021. At the peak in FY 2019, DJJ’s state general fund appropriations were \$342.9 million, a 24.7% increase over FY 2011. Since then, state general fund appropriations have been reduced nearly 8%.

State general fund appropriations for the Secure Commitment (YDC) program budget increased 5.8% between FY 2012 and FY 2021, but the number of youth served decreased 73.0% between FY 2011 and FY 2020. Similarly, the number of youth admitted to RYDCs has decreased 63.1% but state general fund appropriations to the Secure Detention (RYDC) program budget increased 24.2%. State general fund appropriations for the YDC and RYDC program budgets account for nearly two-thirds of DJJ’s appropriations.

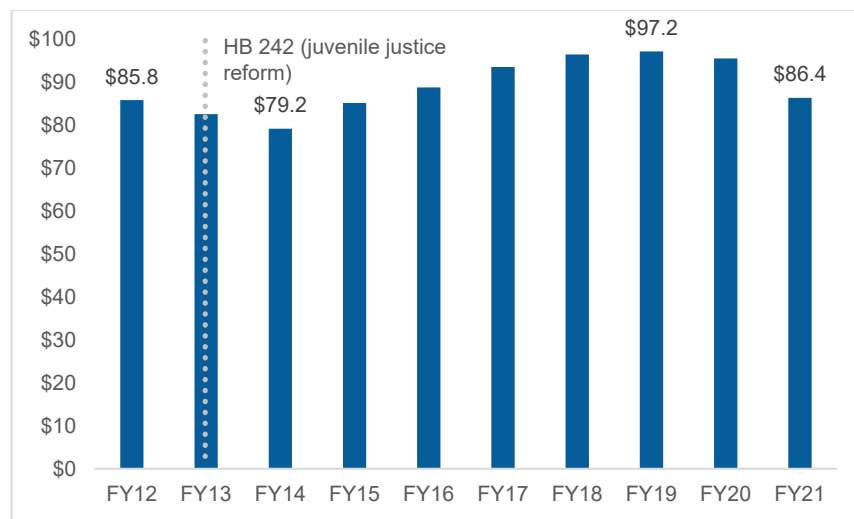
**Figure 4.4 State General Fund Appropriations for DJJ’s RYDC and YDC Program Budgets, FY 2012 and FY 2021**



Source: Governor’s Office of Planning and Budget

The state general fund appropriations for the Division of Community Services program budget rose just 0.6%, from \$85.8 million in FY 2012 to \$86.4 million in FY 2021, but that is down 11.1% from the peak of \$97.2 million in FY 2019.

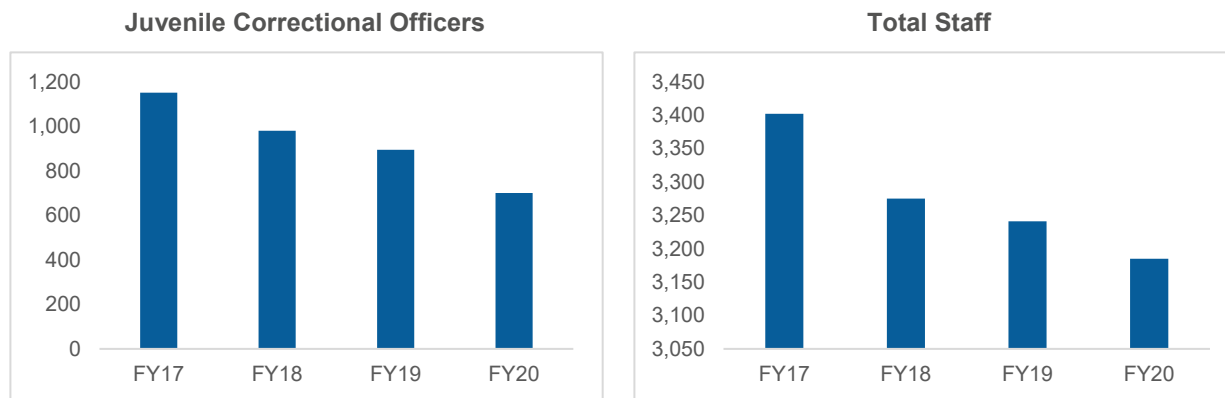
**Figure 4.5 State General Fund Appropriations to DJJ’s Division of Community Services, FY 2012–FY 2021**



Source: Governor’s Office of Planning and Budget

The total number of staff employed by DJJ decreased 6.4% between FY 2017 and FY 2020. This decrease was largely driven by a 39.2% decrease in the number of juvenile correctional officers (JCOs), from 1,151 to 700. The number of JCOs also decreased as a proportion of all staff: down from 33.8% in FY 2017 to 22.0% in FY 2020.

**Figure 4.6 Number of Juvenile Correctional Officers and Total Staff Employed by DJJ in Georgia, FY 2017–FY 2020**



Note: Total staff includes juvenile correctional officers, other sworn staff, and nonsecurity staff.

Source: Georgia Department of Juvenile Justice Annual Reports

### JUVENILE DECISION POINT DATA

The juvenile justice system is different from the adult criminal justice system and uses different terminology. Throughout Georgia’s juvenile justice system are a series of decision points, or decisions that must be made about whether youth continue further into the justice system or can be diverted. In Georgia, they are arrest, referral, diversion, secure detention, petition, delinquent, commitment, secure confinement, and superior court sentenced. For the most part, these decision points are the same in each state.

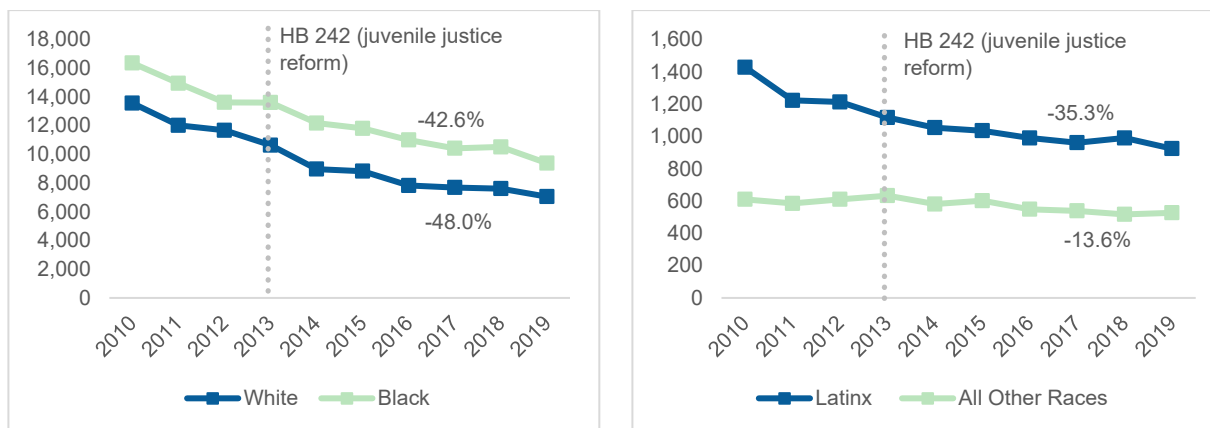
It is important to note that the same youth may be counted at more than one decision point. For example, a youth may be arrested, referred, detained, found delinquent, and securely confined. As a result, over the 10 years of data, that youth will be counted at least once in each of those decision points.

### Arrests

An arrest takes place when a youth is taken into law enforcement custody for allegedly committing a misdemeanor or felony offense. Each arrest may include more than one charge. Over a 10-year period, the number of arrests decreased 44.0%, from nearly 32,000 in 2010 to just under 18,000 in 2019. The number of White youth arrested declined the most (–48.0%) between 2010 and 2019, while the number of Black youth arrested declined 42.6%, and the number of Latinx youth arrested declined 35.3%. The number of youth of All Other Races arrested declined the least (–13.6%). Because the number of White youth arrested declined the most, the share of White youth as a proportion of all arrests declined, while the proportion of youth of All Other Races increased. Black youth represented the largest proportion of youth arrested.



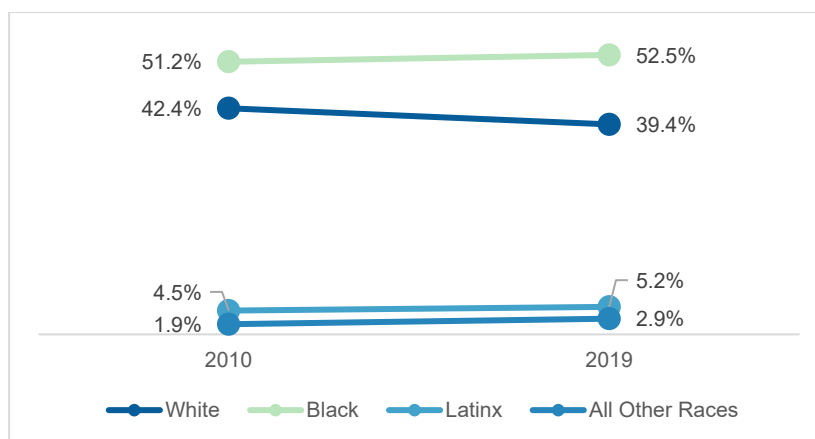
**Figure 4.7 Number of Youth Arrests in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.8 Proportion of Youth Arrests in Georgia, by Race, 2010 and 2019**



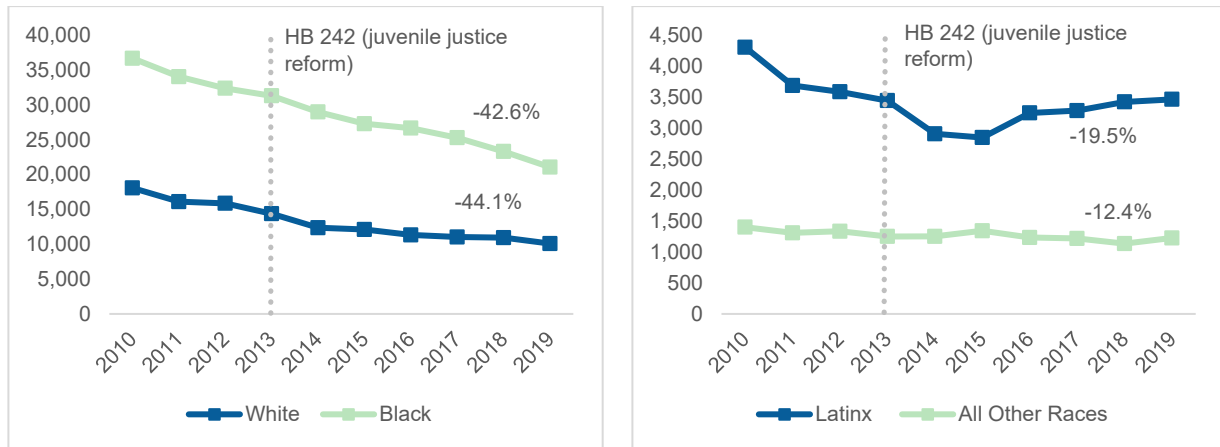
Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

## Referrals

A referral occurs when a youth has been arrested and it is determined that he or she needs intervention from the juvenile justice system, or the youth has entered the juvenile justice system by some other means. Each referral may include multiple charges. The total number of referrals decreased 40.7%, from just over 60,500 in 2010 to just under 36,000 in 2019. The number of referrals of White youth declined the most (–44.1%) between 2010 and 2019, followed by Black youth (–42.6%), Latinx youth (–19.5%), and youth of All Other Races (–12.4%).

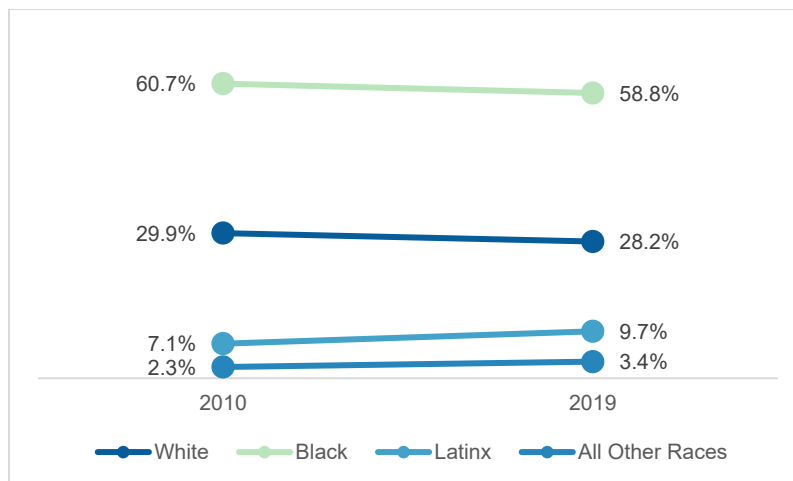
**Figure 4.9 Number of Youth Referrals in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.10 Proportion of Youth Referrals in Georgia, by Race, 2010 and 2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

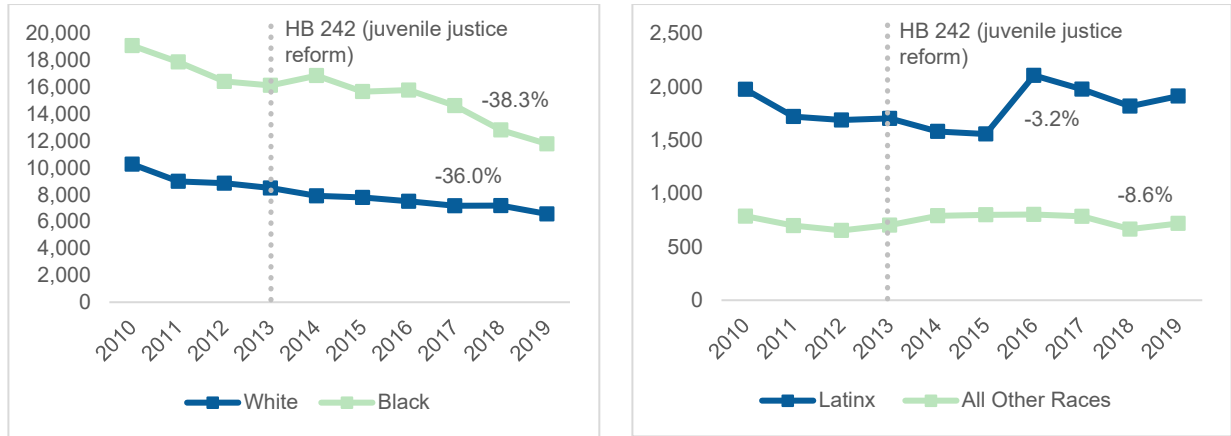
## Diversions

A diversion occurs when a youth is redirected out of the formal juvenile justice system and avoids formal legal sanction, but is still held accountable for their actions. Diversion can occur at most points along the juvenile justice process. The number of diversions declined 34.0%, from just under 22,000 in 2010 to just under 14,500 in 2019. The number of Black youth diverted

declined the most (-38.3%), followed by White youth (-36.0%), youth of All Other Races (-8.6%), and Latinx youth (-3.2%).

While Black youth consistently accounted for more than half of all youth diverted between 2010 to 2019, the proportion of Black youth diverted declined the most, from 59.4% in 2010 to 56.2% in 2019. The number of White youth diverted declined only slightly—from 32.0% in 2010 to 31.3% in 2019—while the share of Latinx youth and youth of All Other Races increased.

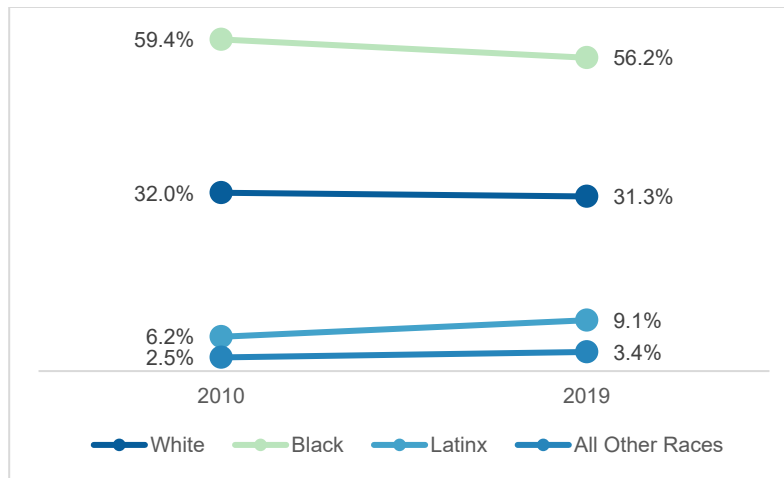
**Figure 4.11 Number of Youth Diversions in Georgia, by Race, 2010–2019**



Note: “All Other Races” includes Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.12 Proportion of Youth Diversions in Georgia, by Race, 2010 and 2019**



Note: Latinx is considered a race in this data set. “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. The same youth may be counted at more than one decision point. Not all counties reported data each year.

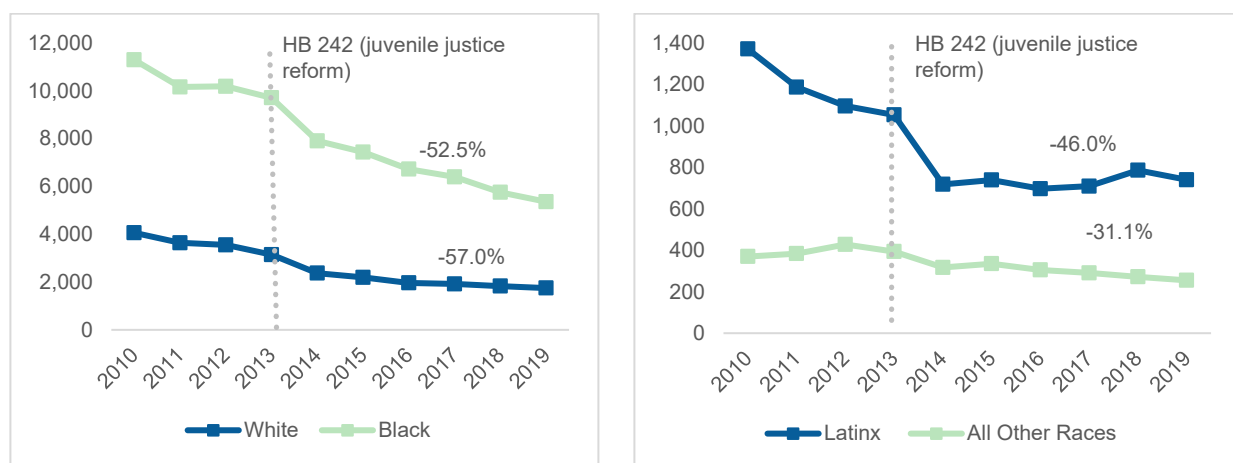
Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

## Secure Detention

Secure detention means a youth has been detained in an RYDC, or regional youth detention center, a secure, short-term facility for youth awaiting trial or waiting to enter a community program or long-term facility (YDC). Over a 10-year period, the number of youth detained in an RYDC decreased 52.6%, from just over 17,000 in 2010 to just over 8,100 in 2019. The number of White youth detained decreased the most (-57.0%), followed by Black youth (-52.5%), Latinx youth (-46.0%), and youth of All Other Races (-31.1%).

The number of Latinx youth detained dropped 47.6% from 2010 to 2014, but then rose 9.5% through 2018, before dropping 5.9% in 2019. Because the number of White youth detained declined so much, they declined as a proportion of all youth detained, while the proportion of Black youth stayed the same and the proportions of Latinx youth and youth of All Other Races detained increased. Black youth represented more than two-thirds of all youth detained in RYDCs.

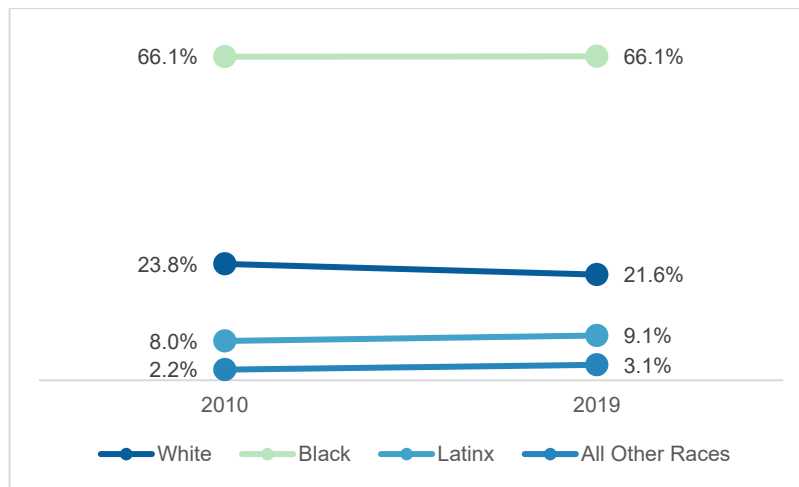
Figure 4.13 Number of Youth Detained in Georgia, by Race, 2010–2019



Note: "All Other Races" include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

Figure 4.14 Proportion of Youth Detained in Georgia, by Race, 2010 and 2019



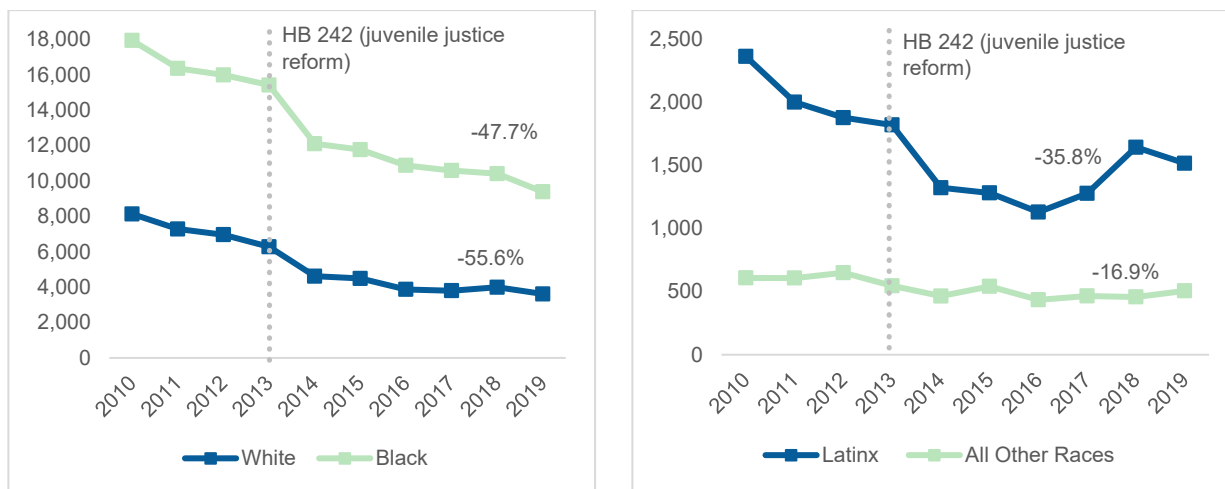
Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

## Petitions

A petition begins a case against a youth and is essentially a charging document detailing the charges against the youth.<sup>29</sup> Multiple cases may be associated with a single petition. The total number of petitions decreased 48.3%, from just over 29,000 in 2010 to just over 15,000 in 2019. The number of White youth petitioned decreased the most (–55.6%) between 2010 and 2019, followed by Black youth (–47.7%), Latinx youth (–35.8%), and youth of All Other Races (–16.9%). Because the number of White youth petitioned declined the most, the share of White youth as a proportion of all petitions declined, while the proportion of petitions of Latinx youth and youth of All Other Races increased. The number of Black youth petitioned consistently represented nearly two-thirds of all petitions.

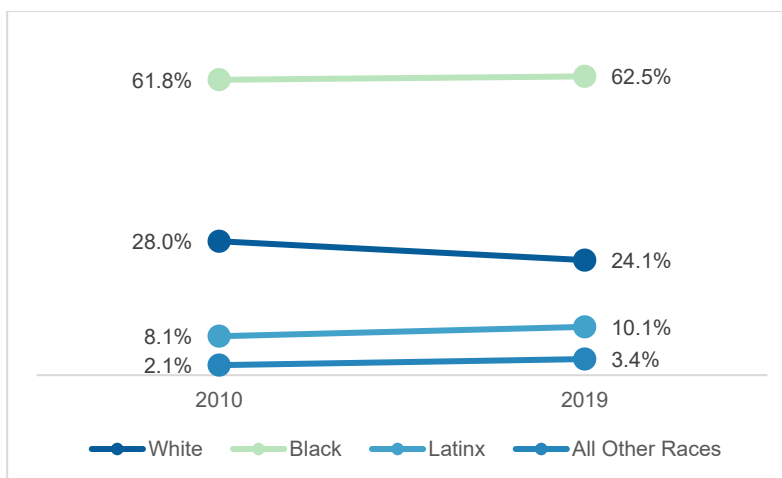
**Figure 4.15 Number of Youth Petitions in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.16 Proportion of Youth Petitions in Georgia, by Race, 2010 and 2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

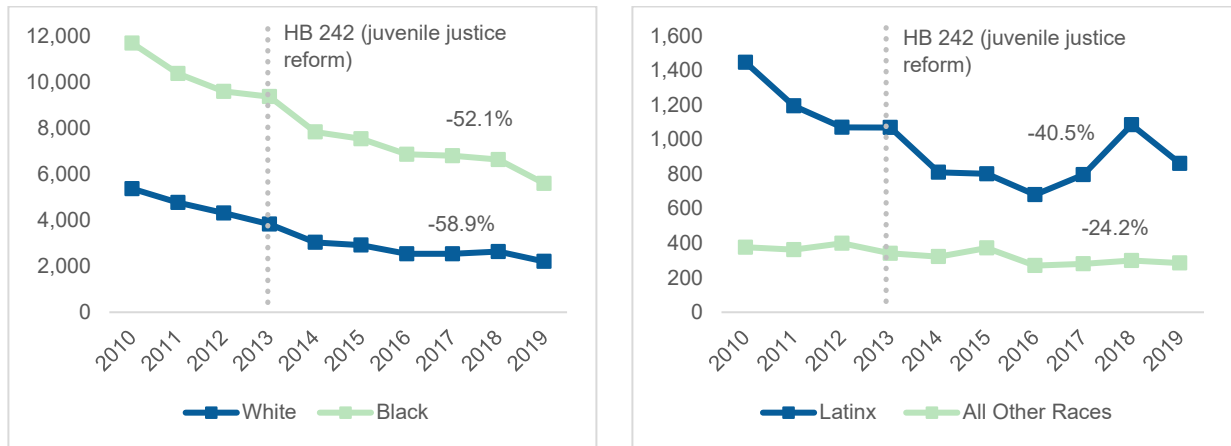
## Delinquency

When a youth is found to be delinquent, it means they have been found guilty of a crime. “Delinquent is to the juvenile system what guilty is to the adult system.”<sup>30</sup> The number of delinquency findings decreased 52.6%, from just under 19,000 in 2010 to just under 9,000 in 2019. The number of White youth found delinquent dropped the most (–58.9%), while the

number of Black youth found delinquent declined 52.1% and the number of youth of All Other Races declined 24.2%. The number of Latinx youth found delinquent declined 40.5% between 2010 and 2019, after falling 53.0% from 1,446 in 2010 to 680 in 2016, then rising 59.6% to 1,085 in 2018, and finally falling to 861, a 20.6% decline, in 2019.

Because the number of White youth found delinquent declined the most, the share of White youth as a proportion of all youth found delinquent declined while the proportion of the All Other Races group increased. The number of Black youth found delinquent has consistently represented nearly two-thirds of all delinquency findings.

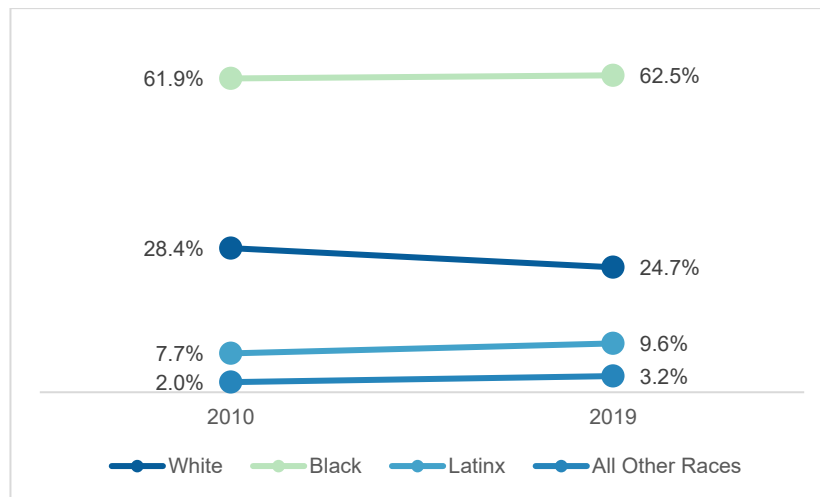
**Figure 4.17 Number of Youth Delinquency Findings in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

Figure 4.18 Proportion of Youth Delinquency Findings in Georgia, by Race, 2010 and 2019



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

## Commitments

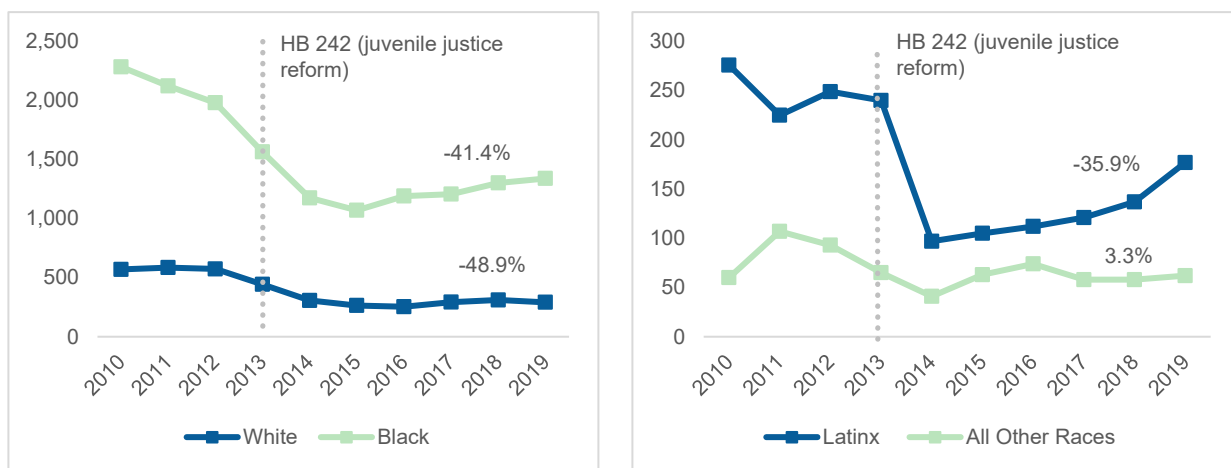
A commitment is a sentence a judge may impose after finding a youth to be delinquent and “means that legal custody is transferred temporarily to the State of Georgia to plan treatment and rehabilitation. A Standard Commitment order is good for two years.”<sup>31</sup> Commitment could either be in a secure facility, in a nonsecure residential facility, or within the community under DJJ supervision.

The total number of commitments within the juvenile justice system decreased by 41.4%, from just under 3,200 in 2010 to just under 1,900 in 2019. At its lowest point—1,502 in 2015—the number of commitments had dropped 52.9% from 2010 but then increased 25.2% through 2019. The number of White youth committed declined the most (–48.9%) between 2010 and 2019, while the number of Black youth committed declined 41.4% and the number of Latinx youth committed declined 35.9%. On the other hand, the number of youth of All Other Races committed increased 3.3%.

Because the number of White youth committed declined the most, the share of White youth as a proportion of all youth committed declined while the proportion of youth of All Other Races. Black youth represented nearly three-quarters of all youth committed throughout the 10-year period.



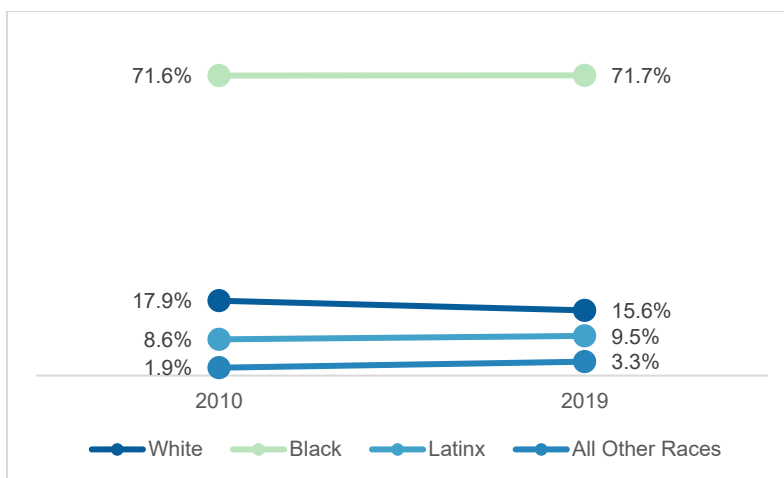
**Figure 4.19 Number of Youth Commitments in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.20 Proportion of Youth Commitments in Georgia, by Race, 2010 and 2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

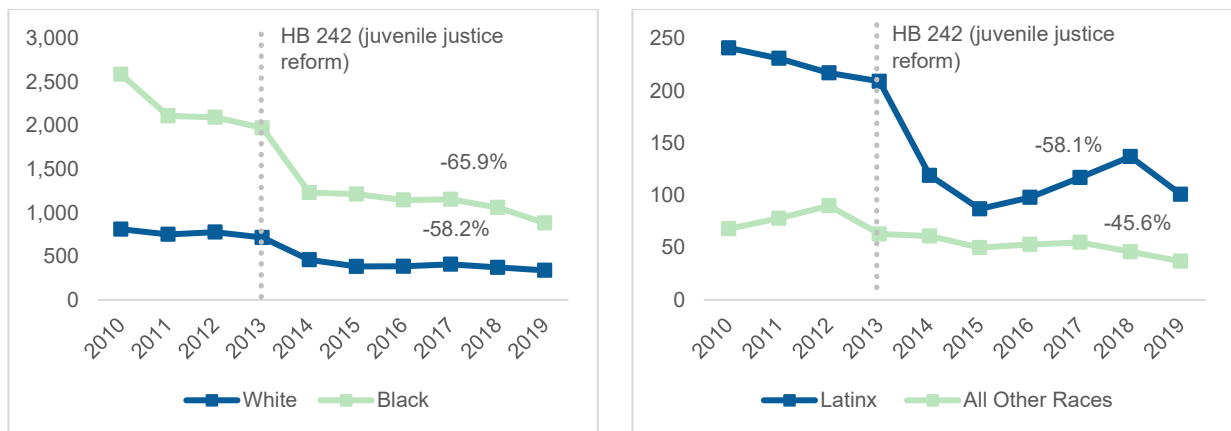
## Secure Confinement

Secure confinement means a youth was sentenced to DJJ custody by a juvenile court. Youth are securely confined to youth development campuses, or YDCs. Over a 10-year period, the number of youth sentenced to secure confinement in a YDC decreased 63.3%, from just over 3,700 in 2010 to 1,360 in 2019. The number of Black youth sentenced to secure confinement decreased the

most (-65.9%), followed by White youth (-58.2%), Latinx youth (-58.1%), and youth of All Other Races (-45.6%). Between 2010 and 2019, the number of Latinx youth sentenced to secure confinement dropped nearly as much as for White youth, but White youth represented between 21.9% and 24.9% of the youth sentenced to secure confinement, while Latinx youth represented between 6.5% and 8.5%.

Because the number of Black youth sentenced to secure confinement declined the most, Black youth as a proportion of all secure confinements declined, while the proportion of youth of All Other Races increased. Black youth still represented more than two-thirds of the youth sentenced to secure confinement over the 10-year period.

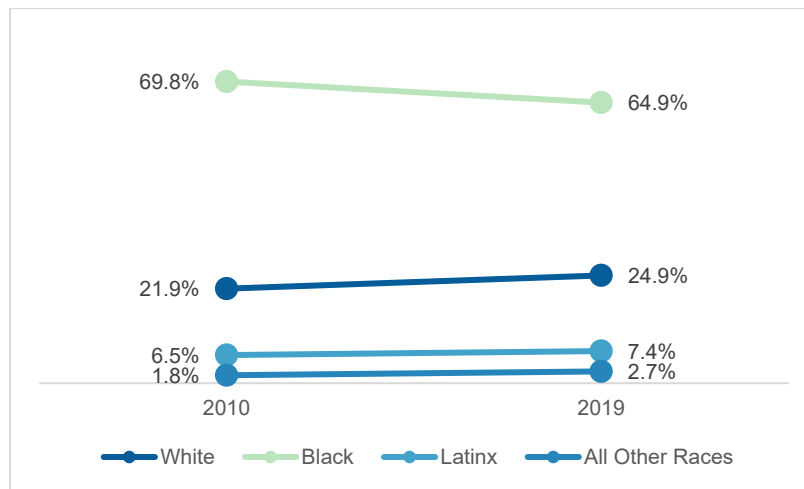
**Figure 4.21 Number of Youth Sentenced to Secure Confinement in Georgia, by Race, 2010–2019**



Note: "All Other Races" include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

Figure 4.22 Proportion of Youth Sentenced to Secure Confinement in Georgia, by Race, 2010 and 2019



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

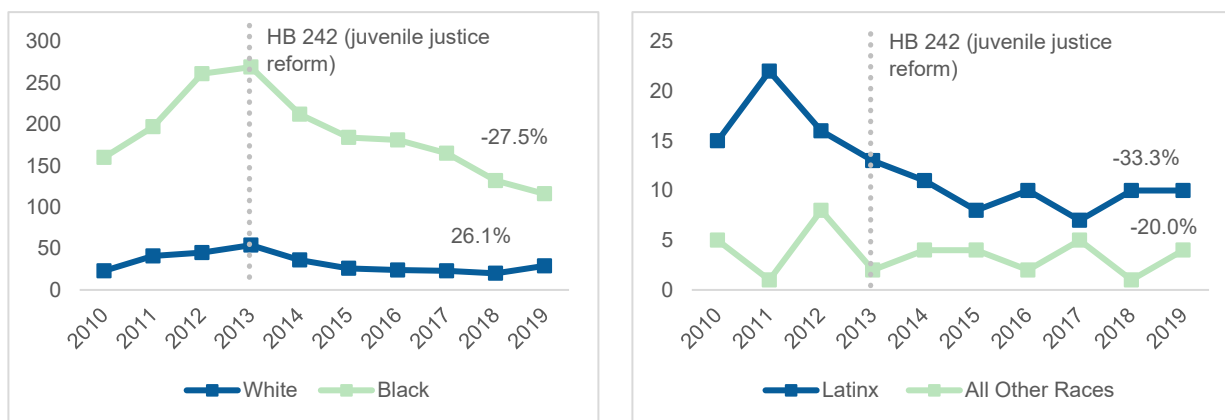
Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

### Superior Court Sentenced

“Superior court sentenced” means a youth was sentenced in superior (adult) court for particular crimes listed in Georgia law. The number of youth sentenced in superior court saw the most dramatic swings between 2010 and 2019, but ultimately the number sentenced decreased 21.7% during that period. The change in the number of youth sentenced in superior court was largely driven by changes in the number of Black youth. Between 2010 and 2013, the number of Black youth sentenced in superior court increased 68.1%, from 160 to 269. During the same time period, the number of White youth sentenced increased by twice as much (134.8%) but the number of White youth was just a fraction of the number of Black youth—23 in 2010 and 54 in 2019. With the passage of HB 242 in 2013, the number of Black youth sentenced in superior court fell 56.9% to 116 by 2019, and the number of White youth fell 46.3%, to 29. Overall, the number of youth sentenced in superior court increased 66.5% from 2010 to 2013 but then fell 53.0% from 2013 to 2019.

Despite the dramatic changes in number of youth sentenced, Black youth continued to represent three-quarters of youth sentenced throughout the 10-year period. The number of Latinx youth sentenced in superior court was as high as 22 in 2011 and as low as seven in 2017. Between 2010 and 2019, no Native American youth and just six Asian youth were sentenced in superior court.

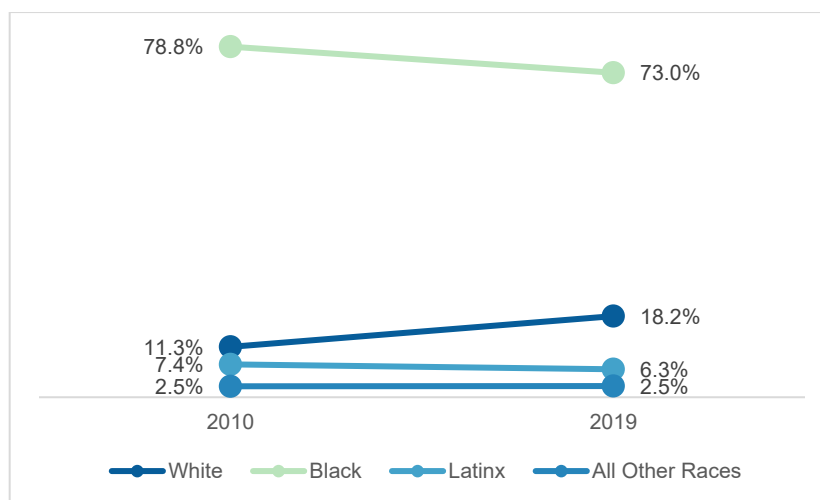
**Figure 4.23 Number of Youth Sentenced in Superior Court in Georgia, by Race, 2010–2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

**Figure 4.24 Proportion of Youth Sentenced in Superior Court in Georgia, by Race, 2010 and 2019**



Note: “All Other Races” include Asian, Hawaiian/Pacific Islander, Native American, and Other/Mixed. Latinx is considered a race in this data set. The same youth may be counted at more than one decision point. Not all counties reported data each year.

Source: Georgia Juvenile Justice Data Clearinghouse, Juvenile Justice Data Exchange

## DISPROPORTIONATE MINORITY CONTACT

Georgia’s [Juvenile Justice State Advisory Group](#) (SAG) has an [Equity and Justice for All Youth](#) (EJAY) Subcommittee. The SAG is required under the Juvenile Justice and Delinquency Prevention Act and is “charged with carrying out the purposes of the Act and implement[ing] the Act’s core requirements/protections at the state and local level.”<sup>32</sup> EJAY is tasked with

supporting and enhancing efforts to reduce racial and ethnic disparities/disproportionate minority contact (DMC) in the state’s juvenile justice system.<sup>33</sup>

Georgia published its most recent [DMC assessment report in 2018](#).<sup>34</sup> It found that “interventions aimed at reducing [DMC] will have the greatest impact at referrals.<sup>o</sup> This decision point fundamentally changes the population in the Georgia juvenile justice system by shifting a minority population of [Black] youth into the majority.”<sup>35</sup>

The assessment made five recommendations:<sup>36</sup>

1. Focus “efforts on reducing DMC at referral, because disproportionality at this decision point shifts a minority population ([Black] youth) into the majority in the juvenile justice system.”
2. Target “intervention efforts at counties with not only severe disproportionality but also those with disproportionality over extended periods of time.”
3. Reduce “the use of harsh disciplinary measures at the school level to help reduce disproportionate referrals for African American youth.”
4. Analyze “individual-level data regarding youth offenses to determine whether [Black] youth delinquent involvement—specifically in violent or drug crime—is disproportionate to White youth delinquent involvement, to test whether this difference explains disproportionate referrals.”
5. Utilize “enhanced quantitative and qualitative data collection methods to shape specialized interventions to identify local factors contributing to severe and persistent disproportionality.”

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<sup>o</sup> In the 2018 DMC assessment, arrests were incorporated with referrals.

## Conclusion

This report provides a longitudinal data perspective on Georgia's criminal justice systems and the populations involved within those systems. From 2009 to 2019, arrests and arrest rates trended down in Georgia. In some cases, inflection points in the data trends can be attributed to criminal justice reform or the COVID-19 pandemic. In other cases, more analysis is needed to understand why certain trends have changed in the recent years for certain populations and for certain types of crimes.

The impact of criminal justice reform beginning in 2012 on both the adult and juvenile justice systems is evident in the data: The number of people incarcerated peaked at more than 57,500 in 2012, fell 7.7% to just over 53,000 in 2014, and has risen just 3.6% since then. Adult criminal justice reform established a new baseline for sentence length for people incarcerated in the state prison system. The data show that, since reform, the number of people serving sentences of five years or less dropped as the use of alternative sentences increased. Similarly, downward trends for youth involved in the juvenile justice system were sustained, and in some cases, accelerated with reform. For example, the youth arrest rate for violent offenses decreased 49.6% between 2009 and 2018.

The number of individuals being supervised by the Department of Community Supervision has dropped steadily since 2017, when reform legislation related to parole and probation was enacted. More information and research are needed to better understand how declining arrest and incarceration rates compare to increasing state budgets for the correctional system and parole and probation.

The COVID-19 pandemic disrupted the flow of cases moving through the justice system as jury trials were suspended and trials were limited for several months in 2020. The pandemic caused a backlog of cases, resulting in fewer convictions in 2020. Consequently, fewer people were sentenced to time in state prisons.

Two trends of note are arrests for drug offenses and the increase of Latinx youth in the juvenile system. Georgia's arrest rate for drug offenses is higher than the national trend, and the number of arrests for drug offenses is trending upward (see [Figure 3.9 Arrests for Drug Offenses in Georgia, 2009–2018](#) on page 26), especially among females (see [Figure 3.10 Arrests for Drug Offenses in Georgia, by Sex, 2009–2018](#) on page 26). Among different racial groups, the number of White adults arrested for drug offenses climbed from 2009 to 2018, while the arrest rate for Black adults declined and the arrest rate for All Other Races held steady (see [Figure 3.11 Arrests for Drug Offenses in Georgia, by Race, 2009–2018](#) on page 27). The data show a similar trend among youth arrested for drug offenses, with the female rate rising and the arrest rate for Black youth generally declining (see [Figure 3.19 Youth Arrests for Drug Offenses in Georgia, 2009–2018](#) on page 32).

The data also highlight trends related to an increase in Latinx youth involved in the juvenile justice system. In the past five years of available data, the number of Latinx youth referred to the juvenile system increased from 2,850 in 2015 to 3,467 in 2019 (see [Figure 4.9 Number of Youth Referrals in Georgia, by Race, 2010–2019](#) on page 72). The number of youth sentenced to secure detention has declined for all racial groups except Latinx since 2015 (see [Figure 4.13 Number of Youth Detained in Georgia, by Race, 2010–2019](#) on page 74). In fact, the percentage of Latinx youth increased at six of the nine decision points in the juvenile system: referrals, diversion, secure detention, petitions, delinquent, and commitment.

This report provides historical trends, comparison data, and context informed by changes to Georgia criminal justice laws. It is intended to be used like an almanac of data as a reference by decision makers in Georgia and elsewhere. It provides a baseline and summary of historical trends that can be used to inform future reform efforts and policy changes.

## Appendix A. Methodology

Criminal justice subject matter experts at the Carl Vinson Institute of Government and Public Welfare Foundation determined the data elements to be included in this report based on availability, ease of access, and greatest relevance.

Data were collected from a variety of federal and state sources, including the [US Census Bureau](#), the [Federal Bureau of Investigation](#), the [Georgia Department of Corrections](#), the [Georgia Department of Community Supervision](#), and the [Georgia Department of Juvenile Justice](#). Some unpublished data were obtained via request. Many subject matter experts reviewed sections of the report, including experts at the [Georgia Bureau of Investigation](#), [Georgia Department of Corrections](#), [Georgia Department of Community Supervision](#), and [Criminal Justice Coordinating Council](#).

This appendix contains important information on the data used in this report and their limitations.

### RATE CALCULATIONS

This report often references a rate when discussing various data, such as the arrest and incarceration rates. Rates are a meaningful way to describe differences and compare the same data set across population groups of different sizes. Rates take into account the raw number of the data being studied and population size. Most commonly, rates are expressed as a number per 100,000 population per year. The population could be a race, ethnicity, adults, youth, or an entire state.

### UNIFORM CRIME REPORTING DATA

The arrest data in this report are based on the [FBI's Uniform Crime Reporting](#) (UCR) program data files. The data have several limitations. The UCR is a voluntary program in which local law enforcement agencies submit monthly reports to the FBI. In Georgia, criminal justice agencies<sup>P</sup> are required by statute to submit a "uniform crime report" containing the number of crimes reported and processed during the report period, as well as various information about the crimes, to the Georgia Crime Information Center (GCIC), a division of the Georgia Bureau of Investigation (GBI).<sup>37</sup> The GCIC reports to the UCR program on behalf of Georgia's criminal justice agencies.

However, not all criminal justice agencies report every month for many reasons. They may have budgetary restrictions, personnel shortages, inadequate training, or simply very little or no

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<sup>P</sup> O.C.G.A. §35-3-30(3) defines criminal justice agencies as "those public agencies at all levels of government which perform as their principal function activities relating to the apprehension, prosecution, adjudication, or rehabilitation of criminal offenders." Government agencies not included in this definition can voluntarily submit a uniform crime report to GCIC upon request.



crime to report. In addition, the list of reporting agencies may not be consistent from month to month or year to year. The research team did not attempt to determine if the list of agencies reporting to the UCR program was consistent during the study period of this report. Georgia criminal justice agencies reported an average of 7.9 months of offense data, excluding 2018 and 2019. (The average number of months reported in 2018 and 2019 was not available at the time of publication of this report.) On average, agencies reported 5.9 months of arrest data. It is unclear whether these were data errors, failures to report, or true zeros.

Another limitation of the data is the difficulty in mapping criminal justice agencies to counties. The data map agencies to counties using the Law Enforcement Agency Identifiers Crosswalk. Some jurisdictions overlap multiple counties (e.g., the Atlanta Police Department serves areas of Fulton, DeKalb, and Clayton counties). These agencies are mapped to county FIPS<sup>4</sup> codes based on the FIPS codes associated with their parent government. For example, the Atlanta Police Department is mapped to Fulton County because the Fulton County local government is considered its parent government in the crosswalk.

Another level of complexity of mapping agencies to counties is that some agencies report to the UCR program on behalf of other agencies. In some cases, these agencies use their own agency identifier instead of the identifier of the agency on whose behalf they are reporting. The research team did not attempt to determine whether agencies covered by other agencies impact the data at the county level.

There are other special cases, as well. Agencies with statewide jurisdiction such as state police are identified at the branch office level (branch offices have their own agency identifiers) and are assigned county FIPS codes based on the jurisdiction of each branch office. Other special cases, such as law enforcement agencies serving colleges and universities, independent school districts, special districts, and Native American tribes are matched to the county FIPS codes associated with their parent governments.<sup>38</sup>

In accordance with the FBI's Hierarchy Rule, only the most serious offense is recorded in the data. For example, if a robbery and a homicide occur in the same incident, only the homicide is recorded in the data. The Hierarchy Rule does not apply to arson. If arson occurs in conjunction with another index offense, both the index offense and the arson offense are recorded in the data.<sup>39</sup>

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<sup>4</sup> A FIPS code, or Federal Information Processing System, is a federal numbering system used to “uniquely identify geographic areas. The number of digits in FIPS codes vary depending on the level of geography. State-level FIPS codes have two digits, county-level FIPS codes have five digits of which the first two are the FIPS code of the state to which the county belongs.” (Federal Communications Commission. Retrieved from [transition.fcc.gov/oet/info/maps/census/fips/fips.txt](https://transition.fcc.gov/oet/info/maps/census/fips/fips.txt))

The UCR program requires agencies to report the age and sex of someone arrested, but not the race or ethnicity. Therefore, reported trends by race and ethnicity may not represent true arrests trends. In Georgia, no ethnicity data were reported in the period studied. Between 2009 and 2018, an average of 82% of law enforcement agencies in Georgia reported some race data. Race categories included in the data are White, Black, Asian, and Native American.

The arrests data do not include traffic violations.

## **Moving to NIBRS**

On January 1, 2021, the FBI retired the Summary Reporting System (SRS) portion of the UCR program and required agencies to submit to the [National Incident-Based Reporting System](#) (NIBRS) moving forward. The SRS component of the UCR program includes offenses known, clearances, and arrests reporting. SRS recorded one offense per incident using the Hierarchy Rule, and limited reporting to index crimes.<sup>40</sup> NIBRS is a more detailed and comprehensive system because it collects data on up to 10 offenses per incident and more types of offenses. NIBRS also includes data on victims, offenders, times, and locations of incidents. Law enforcement agencies could voluntarily report to NIBRS prior to January 2021; however, only about a third of agencies in the nation chose to do so. In 2019, only 2% of agencies in Georgia contributed to NIBRS.<sup>41</sup> Similar to the SRS component of the UCR program, federal law does not require agencies to report, but state or local laws may require them to do so.<sup>42</sup>

## **INCARCERATION DATA**

### **County Jail Data**

Each month, county sheriffs report their jail data to GBI, which then passes it on to the [Georgia Department of Community Affairs](#) for analysis and publication. Data are available as far back as January 2015. November and December 2020 data throughout the section are artificially low because several counties did not report data. In November, Atkinson, Elbert, Haralson, Irwin, Johnson, Macon, Paulding, Taylor, and Treutlen counties did not report. In December, Atkinson, Baldwin, Bryan, Calhoun, Colquitt, Fulton, Jasper, Macon, Thomas, and Wheeler counties did not report. Fulton County has the third-largest jail capacity in the state.

### **Georgia Department of Corrections Reports**

The incarceration data come from monthly statistical reports released by the Georgia Department of Corrections (GDC). These reports include detailed statistical profiles of the general incarcerated population, people under the death sentence, youth sentenced as adults, people classified as Mental Health Level II and above, veterans, and other populations of interest.<sup>43</sup> Because the statistical reports consist of point-in-time monthly population counts, this report presents annual June data. June was chosen because it is the last month of the Georgia

fiscal year, is consistent with other analyses released by GDC, and allows for comparison with other data.

## PROBATION AND PAROLE DATA

Data on probation for misdemeanor crimes are not included in this report because each county either supervises these people itself or contracts with a private probation provider for supervision. None of these entities are required to report any data. The Department of Community Supervision was only able to provide detailed data on people on active supervision (parole or probation) as of November 6, 2016 (the date the data from GDC and the State Board of Pardons and Paroles were merged).

## JUVENILE JUSTICE DECISION POINT DATA

Georgia created the Juvenile Data Exchange (JDEX) because the state lacked a way to collect statewide juvenile justice data due to the division of dependent and independent juvenile courts. Dependent courts are funded by the Georgia Department of Juvenile Justice and handle all aspects of the juvenile justice process.<sup>44</sup> There are 142 such courts in the state. In comparison, 17 counties have independent courts, which are run and funded by the county they serve. County court employees handle the services provided in independent courts. Dependent courts use the same data collection system, but each independent court uses its own system. JDEX data are then published as decision point data in the [Juvenile Justice Data Clearinghouse](#).

The same youth may be counted at more than one decision point. For example, a youth may be arrested, referred, detained, found delinquent, and securely confined. As a result, over the 10 years of data, that youth will be counted at least once in each of those decision points over the course of the years that youth's case moves through the system.

At each decision point, the following counties are missing from the data:

- **Arrests:** Chatham, Clayton, Cobb, Columbia, Crawford, DeKalb, Dougherty, Floyd, Fulton, Glynn, Gordon, Gwinnett, Hall, Peach, Spalding, Troup, and Whitfield
- **Cases/Referrals to Juvenile Court (Referrals):** Cobb, Crawford, DeKalb, Floyd, Glynn, Gordon, and Peach
- **Cases Diverted (Diversions):** Cobb, Crawford, DeKalb, Floyd, Glynn, Gordon, and Peach
- **New Instances of Secure Detention:** No county data are missing
- **Cases Petitioned (Petitions):** Cobb, Crawford, DeKalb, Floyd, Glynn, Gordon, and Peach

- **Cases Resulting in Delinquent Findings (Delinquent):** Cobb, Crawford, DeKalb, Floyd, Glynn, Gordon, and Peach
- **Cases Resulting in Commitment to DJJ (Commitments, Commitments to DJJ):** No data are missing
- **New Instances of Confinement in Secure Juvenile Correctional Facilities (Secure Confinement):** No data are missing
- **Cases Sentenced in Adult Court (Superior Court Sentenced):** No data are missing

## Appendix B. Key Terms Used in This Report

Throughout this report, single terms are used to identify different racial and ethnic groups. For example, Black is used for people who identify as Black or African American. The term Latinx is used to refer to people who identify as Hispanic or Latino. “Latinx is a term used to describe people who are of or relate to Latin American origin or descent. It is a sex-neutral or nonbinary alternative to Latino or Latina.”<sup>45</sup> These terms are employed to be clear and concise, and to avoid ambiguity.

In some data sets, Latinx is treated as a race; in others, it is treated as an ethnicity. In the data where it is treated as a race, the research did so as well. In the data where it is treated as an ethnicity, the researchers followed suit.

The All Other Races category typically includes American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, Two or More Races, and Other. In some data sets it includes Asian, Latinx, and/or unknown. In an effort to not undervalue the experience of these racial groups, the research team tried to call out in the text where their data trends differ from the dominant races.

The data sources used throughout this report collect data based upon biological sex (male and female). “Sex usually refers to the biological aspects of maleness or femaleness, whereas gender implies the psychological, behavioral, social, and cultural aspects of being male or female (i.e., masculinity or femininity).”<sup>46</sup>

All years listed in graphs and tables are calendar years, unless otherwise noted. Georgia’s fiscal year is from July 1 through June 30. No federal fiscal year data are used in this report.

This report generally covers the years 2010–2019; however, where more recent data is available, they are included. If 2019 data are not available, the 2009 data are presented so that 10-year trends can consistently be shown.

## End Notes

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- <sup>15</sup> Ibid.
- <sup>16</sup> Georgia Constitution of 1983, Art. 6, §8, ¶1; O.C.G.A. §§15-18-6.1, 15-18-7.
- <sup>17</sup> O.C.G.A. §36-82-21.
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# GEORGIA CRIMINAL JUSTICE DATA LANDSCAPE REPORT



Carl Vinson  
Institute of Government  
UNIVERSITY OF GEORGIA

Public Welfare  
Foundation